

Possession of identity documents as a requirement of
social integration of young Roma in the
settlement of Veliki Rit in Novi Sad (Serbia)



BEST PRACTICES
for
ROMA INTEGRATION
in the Western Balkans

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Marina Simeunovic is a final year student at the Faculty of Law in Novi Sad, Serbia. While conducting her fieldwork, she realized that there were many problems hindering the exercise of human rights of inhabitants of Roma settlements, and the biggest problem she identified was the lack of basic identity documents. Given that she is active in the youth movement, Marina was interested in whether the young residents of Veliki Rit were able to satisfy their needs taking into consideration the (non) possession of basic identity documents. Although Roma youth share the same ambitions as most young people, without identity documents their status in the country is not the same in any domain.

For **Svetlana Đurđević-Lukić**, the research adviser, working on this study was a rare opportunity to devote enough time to a young researcher. Marina's enthusiasm, her willingness to both work in the field and accept advice on formulating the topic and structuring the study, made the work a true pleasure. The concept of mentoring a young person with roots in the Roma community and authentic interests in its progress, so as to show a visible result within a short period of time (i.e. a specific study available to the general public), should definitely continue to be used in the future.



Veliki Rit (The Big Marsh) was chosen as the research location since it is one of the largest Roma settlements in Novi Sad. It is divided into the northern part (with more pronounced urban characteristics) and the southern part, which is a Roma settlement. In the entire settlement with, according to police department's estimate, approximately 5,000 Roma inhabitants, only two streets belong to the legalized portion of the settlement. It is for this reason that a large number of inhabitants are unable to register their residence at the addresses where they live. According to the city plan, the settlement is to be dismantled so that a school and sports centre may be built in its place. For a number of reasons, the implementation of this plan has been postponed for years, adding to the uncertainty about the future of those living in the part that is not legalized, which has concrete implications on the possibility of inhabitants obtaining a permanent residence certificate.

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Abbreviations and acronyms

EU – European Union
EHO – Ecumenical Humanitarian Organisation
IDPs – Internally displaced persons
IPA – Instrument for Pre-Accession Assistance
LAP – Local action plan
RM – Register of marriages
RB – Register of births
MoI – Ministry of Interior
NSHC – Novi Sad Humanitarian Centre
NES – National Employment Service
NGOs – Non-governmental organisations
RS – Republic of Serbia
SIA – Secretariat of Internal Affairs (police department)
UNHCR – United Nations High Commissioner for Refugees

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1. Introduction

The Strategy for Improvement of the Status of Roma emphasises that the right to legal personality is a fundamental human right and a prerequisite for the enjoyment of all other rights guaranteed by international and domestic law.¹ Due to the lack of personal documents, a large number of Roma are legally invisible and this prevents them from exercising their fundamental human rights. As particularly vulnerable categories, the Strategy highlights Roma from Kosovo* and those from rural areas and illegal settlements, Roma who were born in the territory of the former Yugoslav republics and Roma returnees from Western European countries under the Readmission Agreement.

According to the Ombudsman's estimates, there are about 30,000 people living in Serbia who are not able to obtain identity documents, including about 6,000 legally invisible persons, mostly internally displaced Roma from Kosovo and from the southernmost part of Serbia.² A survey conducted last year by UNHCR revealed that 6.8 percent of the entire Roma population in Serbia is at risk of statelessness due to the lack of identity documents, while 1.5 percent of adult Roma and Roma children are unable to register the fact of birth, which makes them

1 In this paper, the term Roma is used to denote both male and female persons, without any intended gender discrimination.

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244/99 and the ICJ Opinion on the Kosovo declaration of independence.

2 Report of the Protector of Citizens (Ombudsman) on the status of "legally invisible" persons in the Republic of Serbia, Belgrade, March 2012. <http://www.ombudsman.rs/attachments/Izvestaj%20o%20polozaju%20Pravno%20Nevidljivih%20Lica%20u%20RS.pdf>.

legally invisible. About 24,000 of them do not have identity cards, and more than 10,000 Roma are not registered in the register of citizens.³

The Republic of Serbia has signed the Stabilisation and Association Agreement and applied for EU membership, hence the issues of social inclusion and poverty reduction will in the coming period become a mandatory component of the EU integration policy.⁴ This research was designed in that context, particularly with the aim of obtaining an overview of the gap between the desired situation in line with the legal framework (including international conventions) and policy documents adopted in recent years with a view to improving Roma inclusion, on the one hand, and the actual situation in the selected local community located in the territory of a city that has significant administrative capacities, including financial capacities to implement laws and policies, on the other.

The subject of this research, therefore, is the issue of possession of identity documents in the Roma community that has a high concentration of internally displaced persons (IDPs) – the Veliki Rit (Big Marsh) settlement in the territory of the City of Novi Sad. The focus was on the youth, as the population whose integration is most important in order to achieve the best possible inclusion results in the long run. The intention of this research is to obtain an overview of not only the actual situation within one local Roma community, but also to include groups exposed to multiple vulnerabilities – Roma, young people and IDPs.

The research is aimed at determining whether the young residents of the Veliki Rit settlement in Novi Sad possess basic identity documents, to what extent this affects their social inclusion and the exercise of fundamental human rights, and which groups are the most vulnerable.

3 Praxis, Report on the expert debate. European Good Practices: Advocacy Tool in Serbia. Belgrade, February 2012, p. 12. Available at: [http://www.rs.boell.org/downloads/lzvestaj_sa_ekspertske_debate\(1\).pdf](http://www.rs.boell.org/downloads/lzvestaj_sa_ekspertske_debate(1).pdf)

4 This task involves the development and improvement of policies, the institutional framework and methodology for monitoring social inclusion of individuals and social groups in Serbia. For a definition of social inclusion and details, see: *Monitoring Social Inclusion in Serbia*, Team of the Deputy Prime Minister for implementation of the Poverty Reduction Strategy, Government of RS, Belgrade, 2010. Available at: <http://www.inkluzija.gov.rs/wpcontent/uploads/2010/08/Pregledstanja-socijalne-ukljucenosti-u-Srbiji-jul-2010.pdf>.

The following research tasks were selected as specific goals:

1. Determine to what extent the young residents of the Roma settlement are familiar with the procedures that are required in the process of obtaining identity documents, whether they possess these documents, how they obtained them (on their own or with somebody's assistance).
2. Determine whether there are significant differences in the possession of documents and experiences among the sub-groups:
 - ◆ *Domicile population vs. new settlers/IDPs/returnees under readmission agreements*
 - ◆ *Girls/women vs. men/boys*
 - ◆ *Minors vs. adults*
 - ◆ *Pupils/students vs. those who were not included in the education system*
3. Determine whether the respondents in Veliki Rit recognise what rights they have been deprived of as a result of the lack of an identity document, and whether there are cases where they were denied certain rights (school enrolment, medical check-up) due to lack of personal documents.
4. Determine to what extent the young residents of Veliki Rit are satisfied or dissatisfied with the attitude of the relevant authorities towards them during the identity document issuance procedure, and what reasons they give to support their position.
5. Determine the views and experiences of the relevant institutions and NGOs in Novi Sad relating to this issue.
6. Based on the findings on the ground, make recommendations for improving the situation, with a special focus on the most critical sub-groups of young people in this settlement.

2. Methodology

For the purposes of meeting the goals, in addition to the analysis of documents relevant to this matter, field research was undertaken within the Roma community in Veliki Rit itself, as well as with representatives of institutions and non-governmental organisations in Novi Sad, to which this settlement administratively belongs. The methods of surveys, interviews and focus group discussions were used to collect the data.

According to the estimate of the police department, there are about 5,000 residents living in Veliki Rit. The settlement has been in existence since 1985, with its largest part being illegal. After the outbreak of the Kosovo conflict, due to forced migration, the population of this settlement continually grew. The data presented in the Local Action Plan for Improving the Status of Refugees, Expelled and Internally Displaced Persons in the City of Novi Sad state that there are 5,152 displaced persons living in the territory of the city, and that these are mostly Roma, Ashkali, Egyptians, Muslims and Gorani.⁵ In its research conducted in 2011, UNHCR stated that 3,435 internally displaced persons (IDPs) were currently living in the territory of the City of Novi Sad. In view of these data and the fact that Veliki Rit is the largest Roma settlement in Novi Sad, an assumption can be made that the majority of residents of this settlement are internally displaced persons, but there are no precise data to confirm this.

5 The situation of refugees on 30 November 2010.

There are several criteria, i.e. ways to define the young population, but this research opted for the age 14-30, given that the Local Action Plan for Youth in Novi Sad refers to this age limit. To gain insight into the extent of the problem of non-possession of identity documents in terms of age, the respondents were further classified into four categories: younger adolescents (aged 14-16), older adolescents (aged 17-18), adults under the age of 25 and adults aged 26-30.

Given that there is no official data, but rather only an approximation of the number of residents, there is also no data on the number of young Roma who would fall into the selected age group. Assuming that about half of the highest estimated number of residents (about 5,000) are younger than 30 years of age (given that the average age of the Roma population is 33, and of IDPs even below 30), we get the approximate number of about 2,500 people under the age of 30. When we deduct the number of children, i.e. under 14s, it can be estimated that about 1,250 to 1,500 persons aged 14-30 live in Veliki Rit. The sample of 75 respondents was thus identified for the survey, representing 5 percent of the highest estimated number of members of this age group.

The respondents answered 24 questions (the questionnaire is enclosed at the end of this paper). In addition to questions relating to the respondents' personal status, the questionnaire was used to determine the possession of the concerned identity documents, the respondents' experience in the process of obtaining these documents, as well as the respondents' positions concerning the cause-and-effect relationship between the possession of identity documents and the exercise of fundamental human rights.

The sample included an approximately equal number of male (36) and female (39) persons. Within the status by place of birth and previous place of residence, the categories of domicile population (31), internally displaced persons (34) and new settlers (8 + 1 returnee and 1 refugee) were established in order to get an insight into any considerable differences between these population groups in the settlement.⁶ Of the total number of respondents at the site, at the time the survey was conducted 37 were adults and 38 were minors, including 14 younger adolescents (14-16) and 24 older adolescents (17-18).

The questionnaire envisaged two categories relating to educational status, with sub-categories based on which it is possible to trace whether the respondents were once included in the educational system and what their level of education is. The assumption is that young people who go to school have more information about the need to have identity documents and the procedures for obtain-

6 The random sampling method included two persons who belonged neither to the domicile group nor to the internally displaced persons group into the survey. For the purposes of data processing, these individual cases were included into the "new settler" category, given the different nature of their problems compared to the two dominant groups in the sample.

ing them.⁷ Using the random sampling method it was revealed that at the time of the survey, of 75 respondents aged 14-30, 12 students had attended primary school and only two students had attended high school. Half of the respondents (38) were included in the educational process for a certain period of time, but they eventually left primary school. The remaining number are 10 students who have completed primary education (including one male and one female student who later abandoned secondary education), and 13 who had never been enrolled.

Because of the realistic likelihood that non-possession of documents by mothers at birth multiplies the problem that is passed on to newborn children, after the phase of data collection through the questionnaire a focus group was organised with pregnant Roma women from Veliki Rit. Seven pregnant women took part in the discussion, which helped deepen the findings about the problems of this especially vulnerable category.

For gathering information about the activities and positions of the relevant authorities and NGOs operating in this location, the technique of semi-structured interviews and surveys was used. The interviews were planned to be conducted with the following institutions: the Office for Human and Minority Rights, the National Council of the Roma National Minority, the MP of the Roma Party, the Provincial Secretariat for Administration, Regulations and National Minorities, the Office for Roma Inclusion, the Division for Refugees, Expelled and Internally Displaced Persons, the Ombudsman, the Statistical Office of the Republic of Serbia - Novi Sad Department, the Centre for Social Work, the Trustee for Refugees, the City Administration for Child and Social Welfare, the Council for Integration of Roma in Vojvodina, the League for Roma Decade, the Local Coordinator for Roma Issues in Novi Sad, the Pedagogical Assistant, Praxis, Novi Sad Humanitarian Centre (NSHC), the Ecumenical Humanitarian Organisation (EHO), Prevent, the Shelter for women and children living and/or working on the street. These entities were seen as a wider range of stakeholders relevant to this issue. A certain number of intended respondents were not available for the interview, so a brief electronic survey was conducted instead.⁸ Furthermore, a number of potential interviewees thought that this issue fell outside their competence and therefore did not want to discuss it. The interviews were conducted in the course of October and November, and the list of those interviewed and those who responded to surveys is enclosed at the end of the paper.

7 Efforts were also made to determine whether there were cases of primary school students who were enrolled without any identity document (as is the case in some schools in Belgrade), because a likely situation that they might face was that when they complete schooling, the school would not be able to issue them a diploma, without which they would not be able to enrol in a secondary school.

8 With the president of the League for Roma Decade and the Provincial Secretariat for Administration, Regulations and National Minorities, as well as the Ecumenical Humanitarian Organisation and Praxis.

The survey of residents of the Veliki Rit settlement was carried out in October and November 2012. As already mentioned, Veliki Rit was chosen as the location since it is one of the largest Roma settlements in Novi Sad. It is divided into the northern part (with more pronounced urban characteristics) and the southern part, which is a Roma settlement. In the entire settlement with 350 Roma families, according to police department estimates, only two streets belong to the part that is legalised. It is for this reason that a large number of residents are unable to register their residence in the addresses where they live. According to the urban plan of the city, the settlement is planned to be dismantled so that a school and sports courts may be built at this location.⁹ For a number of reasons, the implementation of this plan has been postponed over the years, adding to the uncertainty about the future of those living in the part that is not legalised, and with concrete implications on the possibility of obtaining the permanent residence certificate.

The living conditions in Veliki Rit are largely below the existential minimum. Within the settlement there is a poorer and a wealthier area. The domicile residents live in the part that is farther away from the road and this part of the settlement is more urban. They have stable houses built of solid materials that meet the basic housing requirements. Internally displaced persons inhabited the parts of the settlement closer to the road.¹⁰ Their houses have limited electricity, are without sanitation and do not have solid floors. The roofs may collapse in winter due to heavy snow, rooms are small and the entire surrounding environment is dirty.

As it was previously stated that the data on the number and structure of residents of Veliki Rit are imprecise, it is difficult to be categorical regarding the representativeness of the sample. The results obtained by the survey of the Roma community were predominantly interpreted by qualitative analysis.¹¹

9 Since 2009, eighteen forced evictions of informal Roma settlements, which affected more than 2,700 Roma, were identified in Serbia. None of the evictions of informal Roma settlements were conducted according to human rights standards binding on the Republic of Serbia, and the national legal framework is inadequate in terms of protection of human rights and respect for the dignity of residents of informal settlements. Several non-governmental organisations for the protection of human rights – Praxis, Regional Centre for Minorities, YUROM Centre – League for the Decade and the European Roma Rights Centre – set up a Platform for the exercise of the right to adequate housing, in December 2012. Within the Platform, these civil society organisations produced a document on the obligations of the Republic of Serbia in the area of the right to housing, which is the starting point for regulating the procedures for conducting the evictions.

10 *“They are uneducated; they have no steady job, no electricity, and no sanitary facilities. Their life basically takes place in two or three rooms without even a concrete or a wooden floor, it is mostly dirt and faeces spill out somewhere and reach their living space. Their life is really tough. It’s not easy for them, believe me.”* (Officer of the Centre for Social Work).

11 A multiple statistical comparison of all obtained data for the purpose of determining statistical significance was not carried out.

3. Legal And Political Framework

With the adoption of the *Law on the Protection of Rights and Freedoms of National Minorities* in 2002, the Roma population received national minority status in Serbia. From that year on, the Republic of Serbia adopted a number of policy documents with a view to more comprehensively addressing the problems of the Roma population and proposing solutions to improve their position. The National Council of the Roma National Minority was set up in 2003, and in 2005 Serbia joined the Decade of Roma Inclusion 2005-2015, which it presided over in 2008/2009. One of the important outcomes of the Serbian presidency of the Roma Decade at national level was the adoption of the revised *Strategy for Improvement of the Status of Roma in the Republic of Serbia*, on 9 April 2009. The strategic objective of this document is to reduce the existing gap between the situation of the Roma population and that of the rest of the population.¹² Based on the Strategy, action plans were adopted for 2009-2011 and 2012-2014.¹³ Over time, the problems regulated by these documents were transferred down to the

12 The Ombudsman produced a draft Report on the Implementation of the Roma Strategy, where he expressed his concern about the poor implementation of the recommendations set forth in the Strategy. This version is available at: <http://www.ombudsman.rs/attachments/REZULTATI%20ISTRAZIVANJA%20ZG%20O%20PRIMENI%20STRATEGIJE.pdf>.

13 Key sectoral documents include the Roma Employment Action Plan (2004), the Strategy for Improvement of Roma Education, Health Care Plan for Roma (2006).

local level so that the envisaged measures could better adapt to the specificity of the local community and be more efficiently implemented.¹⁴

The Strategy for Improvement of the Status of Roma states that there are 209,722 internally displaced persons from Kosovo and Metohija in the Republic of Serbia, among which there are 22,806 registered Roma.¹⁵ This number is not final. According to the internal census conducted in Kosovo and Metohija in 1997, around 98,000 Roma lived there. Various research and records of international and national organisations speak of 40,000 to 50,000 Roma who fled to other parts of Serbia, while the rest fled to other parts of the region and to Western Europe.¹⁶ Even 13 years after leaving their homes, a large number of displaced persons have not yet resolved the issue of identity documents. So, even though they were born in its territory - for Serbia they are legally invisible. Implied under legally invisible persons are all those whose data are not contained in the register of births, i.e. those who have never been registered or the registers were destroyed and disappeared, and they do not possess documents or other evidence to prove that they have ever been registered.

Even beyond the IDP category, many Roma have not been recorded due to the lack of personal documents. Due to the non-existence of accurate data on the number of Roma in Serbia generally and in local communities, it is impossible to identify the exact number of persons who lack some identity document. We can only rely on assumptions and free estimates of those who collect this data in ad hoc databases and deal with the problems of persons without documents.

According to government data, civil registry offices in local self-government units received 9,876 applications for subsequent registration in the birth register in 2009 alone, of which number 9,573 were resolved (303 still pending). That same year, 45 appeals were lodged and 42 first-instance decisions were annulled.¹⁷ In 2010, 8,172 applications were filed, of which number 7,996 were resolved (176 still pending), and 46 appeals were lodged with the Ministry. According to some estimates, in Vojvodina alone there are about 1,000 persons who have never had

14 The assessment of the operation of Roma inclusion mechanisms at the local level, made for the Poverty Reduction and Social Inclusion Team of the Government of the Republic of Serbia by the Centre for Public Policy Research, Branka Andjelković et al, is planned to be published in January 2013.

15 According to the data of the Commissariat for Refugees of the Republic of Serbia and the UNHCR, the majority of displaced persons are Serbs (68 percent), followed by Roma (12 percent) and Montenegrins (8 percent). *Registration of internally displaced persons from Kosovo and Metohija, 2001*. Serbia is among the top 20 countries in the world for the number of internally displaced persons. Internal Displacement Monitoring Center (IDMC), *Global Statistics, 2010*; UNHCR Representation in Serbia: *Population of concern as of 1st July 2010*.

16 Government of the Republic of Serbia, *Strategy for Improvement of the Status of Roma in RS*, Belgrade, 2010.

17 Ombudsman's Report on the status of legally invisible persons in Serbia, 2012; Appendix to the Letter of the Ministry of Human and Minority Rights, Public Administration and Local Self-government addressed to the Ombudsman under No. 119-06-00-49/2011-04 of 14 April 2011.

any identity document, namely, had not been registered in Kosovo and Metohija either.¹⁸ These data only indicate the size of the problem.

In its Progress Report for Serbia (2010), the European Commission drew attention to the problem of “legally invisible” persons for the second year in a row: *“The Roma minority continues to face discrimination. Most Roma people live in extreme poverty. Problems with access to personal documents persist for Roma people living in illegal settlements without a registered address or who are homeless. A simplified procedure for recognition of legal subjectivity and subsequent registration in citizens’ registries has not been introduced yet. This adversely affects the exercise of their social and economic rights.”*¹⁹

Other international organisations, primarily the bodies of the UN, Council of Europe and OSCE, have also warned about the gravity of position of these people and their social exclusion. Serbia received recommendations relating to the problems of “legally invisible” persons from numerous international organisations and monitoring bodies, including the recent recommendations of the Committee on the Elimination of Racial Discrimination. *The Council of Europe Report stated the following: “We remain concerned by the situation of the Roma community, which has, despite steps taken by the authorities, insufficient access to education, housing and social rights and faces discrimination. The adoption of a law on temporary and permanent residence is becoming urgent.”*²⁰

The Republic of Serbia did recognise the existence and the gravity of the problem of “legally invisible” persons of Roma ethnicity. The Strategy for Improvement of the Status of Roma in the Republic of Serbia and the Action Plan for the Implementation of the Strategy have pointed out the need to amend special laws in order to facilitate subsequent entry of the fact of birth in the birth register. However, the opportunity was missed when the 2009 Law on Registers was modified, given that the new law did not regulate the procedure of subsequent registration in more detail nor did it facilitate access to personal documents for “legally invisible” persons. A birth certificate is a requirement for obtaining all other identity documents and therefore the requirement for exercising fundamental human and civil rights. The fact of birth and the right to be named, as the bases of personal identity, should be explicitly recognised for every newborn in the territory of Serbia given that this is binding on the state under the *United Nations Convention on the Rights of the Child*. However, under the provisions of

18 Serbian Refugee Council, NSHC, Group 484, Integration as a Durable Solution for Refugees and Internally Displaced Persons in Serbia, 2006. http://www.nshc.org.rs/public/publikacije/ssi_integracija_2006_lat.pdf

19 EC Progress Report for Serbia, 2010, 2.2 Human rights and the protection of minorities, p. 11. http://epus.rs/sr/dokumenti/downloads/2010/izestaj_o_napretku_srbije_2010_sa_aneksom.pdf

20 Statements by Council of Europe co-rapporteurs Davit Harutyunyan and Indrek Saar made in Strasbourg on 27 September 2012 following their visit to Serbia, published on the website of the Council of Europe Office in Belgrade http://www.coe.org.rs/def/news_sr_def/?conid=2179.

the Law on Registers, in order to register the birth of a child in Serbia parents must submit a number of documents, which Roma often do not have.²¹

Other regulations by which the state could have relieved this problem have also, due to numerous omissions, discrepancies and inconsistencies, failed to bring about large progress in improving the situation of this vulnerable group.²² Thus, in April 2011, amendments to the *Identity Card Law* were adopted, along with a new provision that could be significant for Roma, given that they mainly live in informal settlements and are not able to register their permanent or temporary residence. The law stipulates that: "Citizens who have the right to an identity card, and do not have a registered place of permanent or temporary residence, shall be issued an identity card based on their determined place of temporary residence, with a validity of two years." However, the procedure for determining the place of temporary residence is not regulated by law and therefore this provision is not applied in practice.

The *Law on Permanent and Temporary Residence of Citizens* was also amended in 2011.²³ Citizens are required to register their permanent and temporary residence, but this law does not recognise informal settlements. Roma who live in these settlements have no legal address and therefore cannot register their residence, unless they use "pro forma" addresses, i.e. addresses where they do not actually live. Without permanent residence, they cannot be provided with personal documents. Those who do have a registered place of permanent residence but in another municipality have also come across this problem, especially if the municipality is far away. Recent amendments to Article 11 of this law should enable people who are unable to register permanent residence at their actual address to do so at the address of the Centre for Social Work. This would allow them to acquire permanent residence for one year, and based on that to apply for and obtain the documents. The deadline for the start of implementation and approval of necessary by-laws was six months following the adoption of the law. However, the relevant ministries (Ministry of Interior and Ministry of Labour, Employment and Social Policy) failed to harmonise the

21 If the child was born within a marriage, the marriage lasted longer than nine months, and spouses have the same citizenship, it is sufficient that one parent submits discharge papers from the maternity ward, the birth certificate, the certificate of citizenship for both parents, his/her ID card and the ID card of the other spouse. If the parents have been married for less than nine months, have different last names or different citizenships, the same documents are required but both parents need to be present.

22 The Law on Permanent and Temporary Residence of Citizens, the Law on Citizenship, the Law on the Unique Master Citizen Number, the Identity Card Law, the Law on Social Protection, the Civil Procedure Law, the Law on General Administrative Procedure, the Law on Administrative Disputes, the Family Law, the Law on Republic Administrative Fees, Instructions for keeping civil registers, Instruction of the Ministry of Human and Minority rights, Public Administration and Local Self-government on the method of deciding on applications for subsequent entry in the birth register in the first-instance procedure relating to civil registers, Rulebook on the method of registration of the fact of citizenship in the birth register.

23 Official Gazette of RS, No. 87/2011

permanent residence registration form in time, which slowed down the full practical implementation of this Law. *The Rulebook on the application form for registering permanent residence at the address of an institution, i.e. centre for social work*, which prescribes the layout of this legal form entered into force much later, in December 2012.²⁴

In early September 2012, the National Assembly of Serbia unanimously adopted the *Law on Amendments to the Law on Non-contentious Proceedings*, which suggests that the perennial work of NGOs and the recommendations of international bodies have contributed to raising the visibility of the problem of legally invisible persons²⁵. The amendments stipulate that persons who are not registered in the birth register may be registered in proceedings initiated ex officio. The procedure for drawing up the document on the fact of birth is initiated within three months from the date of filing the registration application. The document on the fact of birth is drawn up based on the witness statement of two adult witnesses whose identity is established by public documents. If the day, hour and year of birth cannot be determined in the process of drawing up the document, it shall be deemed that the person was born on 1 January at 0:01 p.m., in the year that is likely the year of his/her birth. In the procedure for determining the time and place of birth, the applicant is exempt from fees and other costs of the procedure, and the costs of expertise in the procedure are borne by the court. Following these legislative amendments, the practical application of the provisions and a final reduction of the number of persons whose legal personality is not recognised are expected.

Previously, in April 2012, a *Memorandum of Understanding* was signed between the then Minister of Human and Minority Rights, Public Administration and Local Self-government in the Government of the Republic of Serbia, Milan Marković, Deputy Ombudsman of the Republic of Serbia, Goran Bašić, Ph.D., and Head of the United Nations High Commissariat for Refugees Representative Office Eduardo Arboleda, in the presence of Deputy Head of the EU Delegation to Serbia. The agreement establishes closer co-operation in the implementation of activities aimed at providing support to members of the Roma national minority in the procedure of subsequent birth registration in order to more quickly and effectively address the problems of citizens who lack identity documents.²⁶

24 Official Gazette of RS, No. 113/2012 of 30 November 2012

25 The rationale of adopted amendments to the Law states that there are about 6,500 legally invisible persons in Serbia who do not have identity documents and are unable to exercise their human rights and freedoms. http://www.paragraf.rs/propisi/zakon_o_vanparnicnom_postupku.html

26 <http://www.pravamanjina.rs/>, 9 April 2012



Despite these positive changes, the biggest problems have not been solved. Non-compliance of legislation with the possibilities of practical application of legal norms, inappropriate and lengthy administrative procedures, very poor awareness among members of the Roma community about the rights they have and the ways to exercise those rights, poverty, as well as the negative attitude of the relevant authorities and public services towards Roma, marked by intolerance and prejudices passed on through generations, are only some of the reasons why a large number of Roma are without basic identity documents.²⁷

27 For more on this topic, see: "Challenges of Forced Migration in Serbia - Position of Refugees, Internally Displaced Persons, Returnees and Asylum Seekers", Group 484, 2011, especially p. 59.

4. Roma And Displaced Persons In Novi Sad And Engagement Of Institutions And NGOs

After June 1999, a large wave of internally displaced persons, of which 45.3 percent were Roma, arrived in Vojvodina.²⁸ According to the data presented in the *Local Action Plan for Improving the Status of Refugees, Expelled and Internally Displaced Persons*, there are 5,152 IDPs living in Novi Sad. The number of internally displaced persons increases slightly, so on 30 November 2010 there were 5,243 internally displaced persons residing in the City of Novi Sad. A large majority of internally displaced persons in Novi Sad are Roma, Ashkali, Egyptians, Muslims and Gorani. With the exception of Gorani, who are nearly all from the municipality of Gora, the rest are mostly from the municipalities of Pristine/Pristina, Ferizaj/Urosevac, Vushtrri/ Vucitrn, Fushe Kosove/Kosovo Polje, Obiliq/Obilic, Kosovska Mitrovica/Mitrovice, and Lipjan/Lipljan. Apart from only a small number of those who can afford to pay for rented housing, IDPs generally live in so-called “wild” settlements: in Veliki Rit (mostly Roma and Ashkali) and in Adice (mostly Egyptians). The remaining, somewhat smaller number is in the settle-

28 UNHCR (2011). *Assessment of the Needs of Internally Displaced Persons in Serbia* (p. 35) http://www.unhcr.rs/media/IRL_izvestaj_srpska_verzija.pdf

ment of Sangaj and in Kasapska Ada, and a few families are located in Veternik and Telep.²⁹

The most common problems that the residents of informal settlements displaced from Kosovo face in Novi Sad include the unresolved situation concerning their lost and destroyed property in Kosovo, unemployment, insufficient social security benefits, lack of social assistance in food, hygiene and firewood, a large number of persons without health care due to the paperwork that they are incapable of dealing with by themselves, infectious and other diseases that accompany them because of substandard housing conditions and their inability to pay for health care services, not even co-payment, irregular vaccination of children, an environment that does not accept them, which is unfortunately sometimes also shown by officials of certain bodies and institutions, lack of knowledge of the Serbian language, as well as their inability to conduct themselves before government and other official bodies.³⁰

4.1. Engagement of institutions

Institutional support to refugees and displaced persons in Novi Sad commenced in 2003. From then until now, the City of Novi Sad has implemented several projects, independently and in co-operation with UNHCR, the Commissariat and foreign humanitarian NGOs. The majority of the projects primarily concerned the provision of assistance to refugees. Measures found among the programmes and projects whose target groups were refugees, expellees and internally displaced persons, usually bypassed residents of informal settlements. Through the Centre for Social Work and the programmes and projects aimed at alleviating poverty, the City provides assistance to these persons, which primarily includes soup kitchens, food and hygiene packets, fuel wood, one-time financial assistance, assistance in procuring school supplies, textbooks, support to include children in the education system. Furthermore, the City of Novi Sad provides office space to some non-governmental organisations, so that more work can be done on providing legal assistance, primarily in order to reduce the number of people who lack identity documents.

As a working body of the City Council, the Council for Management of Migration and Durable Solutions for Refugees and Displaced Persons was set up on 14 May 2009. The Council's task is to monitor the situation of displaced persons and to

29 Local Action Plan for Improving the Status of Refugees, Expelled and Internally Displaced Persons for the period 2011-2015, adopted at the 124th session of the Novi Sad City Council on 22 December 2010, published on the website of the Commissariat for Refugees: http://www.kirs.gov.rs/docs/lap/lap_novi_sad.pdf

30 Local Action Plan for Improving the Status of Refugees, Expelled and Internally Displaced Persons for the period 2011-2015

suggest priorities for resolving their problems based on realistic possibilities, to assist the process of social integration of expelled and displaced persons, as well as the process of adopting and monitoring individual action plans with a view to improving the ways of solving the problems of these persons, monitor the work of local self-government, relevant authorities and institutions, as well as NGOs dealing with this issue, monitor amendments to regulations in order to improve the position of these persons, to co-operate with the countries of origin of refugees, expelled and displaced persons and with the Trustee for Refugees, the Provincial Fund for Assistance to Refugees, Expelled and Displaced Persons and to inform the City Council thereof.

The Novi Sad City Council adopted the *Local Action Plan for Improving the Status of Refugees, Expelled and Internally Displaced Persons* for the period 2011-2015. This act has analysed the situation of refugees and expellees, and in particular the situation of IDPs. Within the City Administration for Social and Child Care there is a special Division for Refugees, Expelled and Displaced Persons. The Trustee for Refugees was established as well. However, there is no LAP for improving the status of Roma.

The most important stakeholders working on the ground with Roma in Novi Sad and assisting them in obtaining identity documents are the Co-ordinator for Roma Issues and the NGOs Novi Sad Humanitarian Centre, Ecumenical Humanitarian Organisation and the Belgrade-based organisation Praxis. The Co-ordinator for Roma Issues acts within the City Administration for Social and Child Care. Every month, a large number of beneficiaries in need of assistance to obtain the basic identity documents (about 100 per month) turn to this institution, which is responsible for the broadest range of issues that cause problems for the Roma population in Novi Sad. According to the Co-ordinator, in 90 percent of cases these requests are fulfilled.

4.2. Engagement of NGOs

According to its records, Praxis identified a total of 90 cases of subsequent registration of birth up to August 2012, of which number 39 procedures were successfully completed.³¹ The rest are still underway or in the preparation stage, while 24 cases were cancelled due to lost contact with the clients. Furthermore, 31 procedures for re-registration in civil registers and for determination of citizenship were launched by this organisation for residents of Veliki Rit. One of the most important contributions of this organisation in Novi Sad was a suit filed before the Basic Court in Novi Sad in October 2010 against the City Administration for General Affairs, alleging discriminatory behaviour towards people of Roma

31 <http://www.praxis.org.rs/index.php/sr>.

ethnicity. On 18 January 2012, the Court of Appeals in Novi Sad upheld the judgment that the City of Novi Sad has acted in a severely discriminatory manner. The defendant was ordered to publish the full judgment in the *Politika* daily newspaper within 15 days, which it did.

According to the data of the NGO Novi Sad Humanitarian Centre, which is active in providing free legal assistance in obtaining identity documents, its projects have so far included around 400 beneficiaries, of which number 95 percent are Roma from the settlement of Veliki Rit. The majority of residents turned to this NGO in connection with the procedures for registration of permanent residence and determination of citizenship.³² In order to facilitate the permanent residence registration process, and thus also the process of obtaining identity documents, in July 2011 the organisation submitted an initiative to the City Street Naming Committee to determine provisional street names and numbers in the settlement of Veliki Rit. However, its attempt failed.

The Ecumenical Humanitarian Organisation from Novi Sad (EHO), which has been assisting the residents of Veliki Rit since 1999 in an effort to economically and socially empower them, also helps to solve problems in obtaining identity documents.³³ Through various services, donations and awareness raising activities, EHO also supports the residents' education, employment and health, and helps to improve living conditions in this settlement. Since 2007, the organisation has been implementing the *Legal Counselling for Migrants* project, through which it provides free legal assistance to both internally displaced persons and returnees under the Readmission Agreement, and local residents of the settlement. In the first half of 2012 alone, the organisation assisted 140 beneficiaries from Veliki Rit through this project, obtaining 140 birth certificates, 140 certificates of citizenship, 13 cadastral certificates, 17 marriage certificates and 15 death certificates. It also enabled the translation of 15 documents, payment of ID card fees for 130 beneficiaries, and in 52 cases it assisted them in writing authorisations, applications and appeals.

The Local Action Plan for Roma, which would naturally also have addressed the situation of young Roma in Novi Sad, was not adopted. The Youth Office, which deals with implementation of the Local Action Plan for Youth in Novi Sad, does not have any information about young Roma. Moreover, it has no knowledge that any youth association financed from the city budget has conducted any kind of activity in Veliki Rit aimed at the Roma population. According to the residents of the settlement, Roma NGOs occasionally organise events there, and several young Roma are currently taking part in Forum Theatre workshops.

³² <http://www.nshc.org.rs/projekti.htm>.

³³ <http://www.ehons.org/joom/index.php>.

5. Research Findings

5.1. Possession of identity documents

The survey collected information on the possession of a wide range of documents, from the primary ones that are a prerequisite for obtaining some other document, to passports and driver's licences, which are optional and not possessed by a significant percentage of the general population but may be indicators of integration and freedom of movement.

The results of the research show a relatively good situation in terms of possession of primary identity documents. This is especially noticeable when it comes to the **birth certificate**, which only three persons do not possess. They are male respondents aged 19-25, who were born in Kosovo. However, the fact that the sample included adults without this document indicates that there is still a long way to go before full legal visibility of the Roma population is achieved, given that the birth certificate is a requirement for obtaining other identity documents and the initial document in the procedure of obtaining legal personality.³⁴ Even more so because the issuance of this certificate does not require the presence of the person requesting the document, so institutions and NGOs can participate in the procedure in the capacity of applicants.

³⁴ Parents have an obligation to report the birth of their child to the civil registry office within 30 days from the child's birth so that the child can be recorded in the register of births.

Furthermore, most of the respondents have a **certificate of citizenship**, the other primary document that is required for obtaining ID cards and exercising a number of rights. This certificate is not possessed by 7 percent of respondents, those born in the territory of Kosovo (IDPs), all of whom have never completed primary school.

Permanent residence is the place where the citizen has settled with the intention of living there permanently, or the centre of his life activities, professional, economic, social and other ties that prove his lasting bond with the place where he has settled.³⁵ Registration of permanent residence in a particular location is proved by a **permanent residence certificate**, which is a prerequisite for citizens to obtain other documents and exercise many of the social and health care rights in the local community or the administrative unit to which they belong. For the issuance of this document, it is necessary to have an ID card and proof of registration of temporary residence.

Generally speaking, these conditions are rarely a problem for the non-Roma population. However, for persons living in informal settlements, non-possession of proof of lawful temporary residence presents serious difficulties. Given that the Law on Permanent Residence does not recognise informal settlements, many residents of Roma settlements do not have the possibility to register permanent residence. Only recently an amendment to this Law created the possibility of registration at the address of the Centre for Social Work, though this is not yet technically possible in practice. Problems in exercising certain rights are even faced by those who have a registered permanent residence but in another municipality or administrative unit.³⁶

In numerous documents permanent residence is highlighted as a problem of the Roma population and especially IDPs, but the results of this survey show that its proportions in Veliki Rit are smaller than expected. Namely, 16 percent of respondents do not have permanent residence, among which only one is a domicile Roma. However, statements about this document should be taken with some reserve, given that the respondents are young people who mostly live in larger families and therefore do not have full insight into the possession of the document which they do not need to have with them every day for identification. It is indicative, however, that the number of men who do not possess this document is three times higher than the number of women surveyed. Non-possession of this document may also lead to multiplication of problems with extreme con-

35 Law on Permanent and Temporary Residence of Citizens, Article 3, item 2. *Official Gazette of RS*, No. 87/2011

36 *“Three weeks ago, my mother and I took my wife to the doctor because she is pregnant, she was bleeding and in great pain, but they did not want to examine her because her residence was not in Novi Sad but in Belgrade.”*

sequences, as can be seen from the story of one of the participants in the focus group discussion with pregnant women.³⁷

The situation is somewhat worse regarding the possession of the **health card**, as a prerequisite for receiving a number of public health services. One fifth of the respondents do not have this document, with pronounced differences between male and female respondents given that only 10 percent of women, but as many as 30.5 percent of men, i.e. nearly 1/3 of the total number of male respondents, do not have this document. Possession of this document may partly be related to educational status, since only two persons who have completed primary school or attend secondary school do not have a health card. An even more important factor according to the survey is place of birth/previous temporary residence, since the number of IDPs who do not possess this document is twice higher than the respective number among the “domicile Roma”. In the case of non-possession of a health card or possession of a non-validated health card, medical assistance will be provided, but with the payment of the costs of the examination and the prescribed therapy. The biggest expenses of primary medical assistance borne by persons who do not have health insurance and a health card are child-birth cost, which was a problem for three respondents.³⁸

The main cause for concern is the fact that more than half of the respondents do not have the basic identification document - **ID card**, namely 38 out of 75 respondents. With recent amendments to the law, this document became mandatory for all persons over the age of 16, who always need to carry it with them. However, what is encouraging is that these are mostly minors and that only six of the persons over 18 do not possess this basic identity document.³⁹ Among the Veliki Rit respondents who do not have an ID card, again the majority are men: 58 percent of all male respondents and 44 percent of women. It should be noted that a large number of respondents connected the non-possession of an ID card

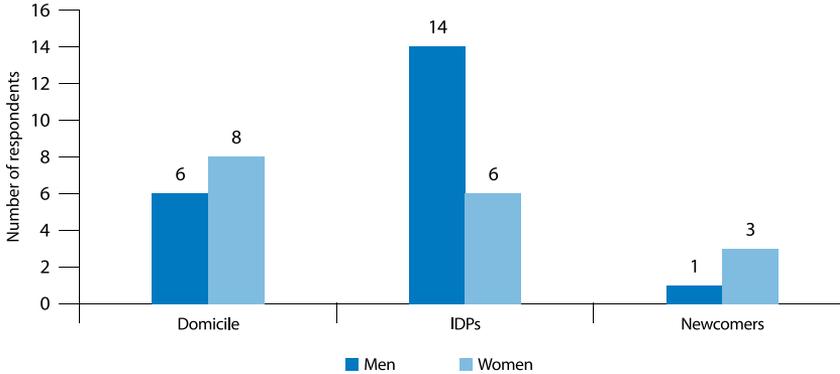
37 *“You know what... that is a very big problem for me. Now it's all inter-connected and I have two children and my children are not with me. They are in a foster family because, I mean, I still live with my husband. We had a hard life. He worked for a private guy who never paid him anything. My children were in a safe house. I had a deadline of 3-4 months to prepare everything for child allowance, but I could not do it. All I needed to get was the residence registration, to get the allowance and to be able to get my children back. To be able to, based on social welfare and children's allowance, have at least some money for the children. But, I could not make it because there was no place for me to register at and they were in a safe house. Social services gave me nothing. They just found an excuse and said, 'Go to Irig, Irig will help you, you belong there'. I went to Irig and they said: 'Those problems arose in Novi Sad, go to them. Novi Sad is a big city, nice... and all that'. Novi Sad sends me to Irig, Irig sends me to Novi Sad and, anyway, four months later the children had to be placed in foster care because I could not get the required papers and register my residence. So, for me, everything is lost, I have no hope anymore. I even have nothing to fight for any more. Even that is the reason why with this child I am postponing childbirth and all that. As long as the baby is inside me...” (crying)*

38 *“I was requested to pay all childbirth expenses because I did not have any identity documents. Social services called them to let me go.”*

39 The previous age limit for mandatory possession of an ID card was 18, and the general population is insufficiently informed about the fact that it was lowered to 16.

with the poor financial situation, since the issuance of this document requires payment of administrative fees.⁴⁰

Graph 1: Non-possession of ID cards disaggregated by gender and status



The survey was used to determine the possession of not only these most essential documents, but also those related to labour, education and freedom of movement in a broader sense, as indicators of social inclusion of young people in Veliki Rit.

A work booklet is a document that determines employment status and records the length of service, and with which unemployed persons can exercise the right to monthly cash payments (material assistance), the one-time financial assistance provided by the Centre for Social Work, and the right to health care. Although it was determined that in this sample 11 respondents over the age of 19 did not have a work booklet, it is indicative that the possession of this document grows with age. Namely, only two respondents older than 25 years of age did not have a work booklet.⁴¹ It is interesting that of the 11 people who have completed primary school, as many as 6 do not have a work booklet, i.e. do not even try to register with the National Employment Service in pursuit of employment, health care or access to the aforementioned social benefits. Adult respondents who do not have health cards are precisely those who are not registered with the National

40 Through its project Legal Counselling for 130 beneficiaries (80 IDPs), the Ecumenical Humanitarian Organisation facilitated payment of fees for the issuance of ID cards.

41 *"I don't have the booklet because I can't register with the Bureau. If I register there, I'll have to go to school and I cannot go to school now because I have to work. I am a singer."* (Respondent, aged 23)

Employment Service, given that this is a requirement for obtaining health insurance policy holder status on grounds of unemployment.⁴²

In this category of persons without documents, the majority are again IDPs, returnees and displaced persons. Of the total number of respondents older than 16 who do not go to school and thus meet the general requirements for registration with the National Employment Service, 32 of them do not have a work booklet, and more than half are internally displaced persons and new settlers (19).⁴³ This could be linked to the fact that a number of other documents are required to obtain the work booklet, such as an ID card and a permanent residence registration, which this group often does not possess.

A total of 18 percent of respondents over the age of 16 have a **diploma** certifying completion of elementary school. It is encouraging that most of them (8 out of 11) belong to the 17-18 age group, which should be an indication of a positive trend regarding schooling. Among those who have finished school, a significant number are internally displaced persons - 6 out of 11 people with a diploma are IDPs, accounting for 19 percent of the total number of IDPs over the age of 16. However, the fact that out of 75 respondents, 13 had never been enrolled in school, including 10 women and 3 men (all aged 18-25) is a cause for concern. More than half of the respondents (38) have gone through the primary education system for a certain short period of time.⁴⁴ Interruption of their schooling later in life usually causes a low level of integration due to the fact that even the lowest paid jobs require a primary school diploma. The inability of residents of Veliki Rit to find employment forces them to collect secondary raw materials (recyclables), and according to testimonies of the respondents who are presently engaged in this business, it puts them on the very margins of society and in the category of those towards whom there is enormous social distance from the non-Roma population. This job is predominantly done by the young, and even the youngest, residents of the settlement.

Functional literacy is a requirement for obtaining a **driver's licence**. The percentage of respondents who have a driver's licence is negligible (4 out of 75

42 Data obtained in this survey can to a certain degree be compared with those obtained in the research conducted by the Shelter for children involved in life and/or work on the street in October 2011. The research included 29 families, of which 16 were from Veliki Rit. It was discovered not only that a huge number of parents of children who came to the Shelter were unemployed (96.5 percent), but that many of them were not even registered with the Employment Service (42.4 percent). Available at: <http://ehons.org/download/duisr.pdf>, Eng. <http://ehons.org/download/duien.pdf>.

43 Registration with the employment service is possible as early as at the age of 15, but this research did not single out the over-15 age group as a separate category, but rather the 14-16 and 17-18 age groups.

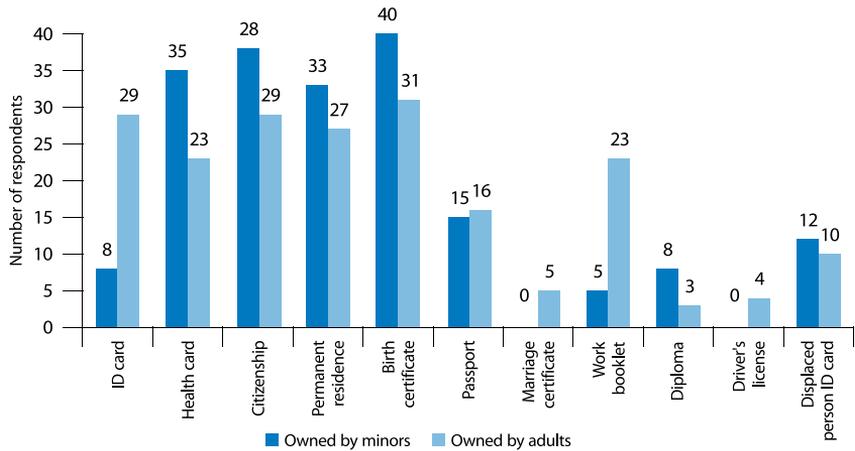
44 A few of them left school near the very end, in the seventh and eighth grade, mostly because they were living in Kosovo at the time, during the 1999 bombing. These are four IDPs who account for 11 percent of the total number of persons who left their education during the seventh and eighth grade of primary school.

respondents); among them there are no Roma women. The importance of this document lies in the fact that the majority of employment advertisements contain special requirements which include having a driver's licence. Lack of a driver's licence automatically excludes this category from the group of potential candidates for employment. Although it is not among the documents required to exercise fundamental human rights in the narrow sense, possession of this document among the Roma from Veliki Rit aged 14-30 may be an indicator of the financial situation but also of integration, when compared with the percentage of those who possess this document in the majority population.

A **passport** is a travel document issued by the police department for the purposes of identification and records of the crossing of state borders. For the issuance of this document one needs to have a valid ID card, a certificate of citizenship, a birth certificate and, if there is one, the existing old passport that needs to be changed (usually due to expiry of the validity period or a change to existing regulations). On 1 December 2010, the RS Ministry of Interior began issuing new biometric passports. Considering that one of the documents required for its issuance is an ID card, which half of the respondents in the sample did not possess, the findings that only a small number of them own a passport are not surprising. Namely, of 75 respondents, 43 do not have this document, more than half of them women (24).

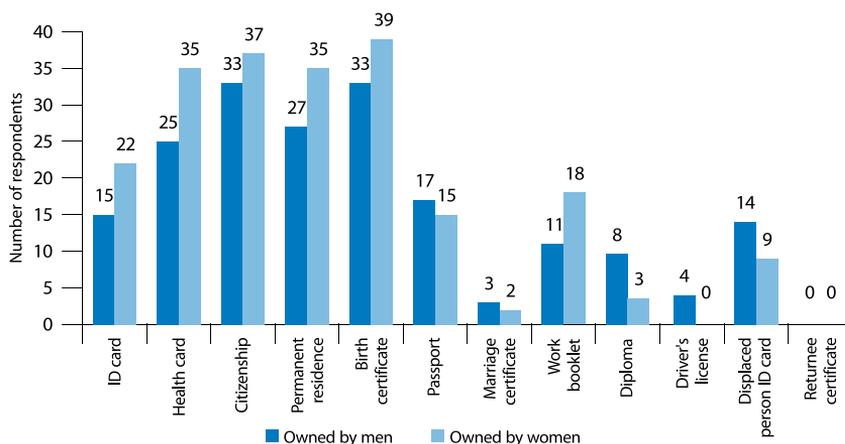
In view of the population structure of Veliki Rit and the large number of displaced families, **displaced person ID cards**, issued by the Commissariat for Refugees, are very important for this category. According to the information of the Trustee for Refugees in Novi Sad, which participates in the procedure for their issuance, and of NGO representatives, possession of a displaced person ID card facilitates the process of obtaining other documents. Thus, although there is officially no statutory provision which so prescribes, it is the usual practice of the police department in Novi Sad that possession of a displaced person ID card allows the issuance of the first ID card in Novi Sad, especially in the case of internally displaced persons. In other cases, after the legal requirements are met and in the presence of their parents, IDPs obtain their first ID card in the municipalities to where their civil registry offices were relocated. Likewise, this document facilitates the process of obtaining social and medical assistance, as well as the registration of permanent residence in the city territory. The research found that of the total number of IDPs surveyed in Veliki Rit, as many as 1/3 do not have displaced person ID cards 13 years after their displacement. This demonstrates the long-standing marginalisation of this population since, without this document, displaced persons cannot avail themselves of institutional programmes for assisting refugees, expellees and displaced persons. This is especially problematic in view of the fact that the research included only the young population aged 14 to 30.

Graph 2: Possession of documents by age group



As regards differences by age group, with the exception of documents that are associated with the minimum age, such as the ID card, work booklet, driver's licence, that are naturally mostly owned by adults, it is noticeable that documents are generally owned by minors. This finding shows a positive trend in education and health. An assumption can be made that such a trend was encouraged by the measures envisaged by the Strategy for Improvement of the Status of Roma, as well as the programmes implemented within the framework of the Decade. Thus, out of the 11 respondents who have a school diploma, 8 are minors. Minors currently attending school (14) should be added to this number, as far as education is concerned. There is also a marked difference in terms of permanent residence, citizenship and birth certificates. Given the educational structure of the minors and the fact that a large percentage of them have completed compulsory education or are still in school, an assumption can be made that non-governmental organisations and pedagogical assistants in primary schools have contributed to these findings.

Graph 3: Possession of identity documents disaggregated by gender



5.2. MULTIPLE VULNERABILITIES: Pregnant Roma women

Seven pregnant women aged 16-26 took part in the focus group held in the Roma settlement of Veliki Rit in Novi Sad. Among the participants only one was officially married. Two women were in their first pregnancy, three participants were pregnant with their third child and two were pregnant with their fourth child.

In view of the provisions of the Law on Registers and the duty of parents to report the birth of their child to the competent authority, which is the moment in which the infant acquires legal visibility, and since the questionnaire showed that a large number of respondents were unfamiliar with the procedures, the need arose for a more detailed insight into the level of knowledge of this particular procedure. In the Roma community children are most commonly born out of wedlock. In that case, the child's birth is registered by the mother, who needs to bring her birth certificate, certificate of citizenship and ID card. If the biological father wishes to acknowledge paternity, he will accompany the mother to the registry office and submit the same documents. The paternity statement is given and verified at the registry office. However, if the parents do not have these documents, they will not be able to meet the prescribed requirements and register their children's birth in accordance with the law.

Considering the sample included in the focus group, it is not surprising that all participants, apart from the women who were pregnant for the first time, were

familiar with the child birth registration.⁴⁵ However, a cause for concern is the finding that two pregnant women, despite being five and seven months pregnant, did not have valid health cards and therefore could not undergo regular check-ups. One of the respondents (nine months pregnant) said that her problem was the inability to undergo check-ups despite having a regularly validated health card, because her permanent residence was registered not in Novi Sad but in Irig. However, this respondent did not even try to register her residence at a fictitious address like the others, which prevented her from exercising her fundamental health and social rights, whereby she also lost the rights belonging to her as a parent.⁴⁶ Some of the respondents recognised this situation as very risky and suggested that she should try and get checked out for the fourth time using tricks (acting as if she was in a critical condition) in order to avoid this administrative hurdle, and if the check-up was still not allowed, to go to the police and the Red Cross.

All participants knew that they needed a health card and/or a referral from a general practitioner when going to deliver the baby. The focus group participants cited the bad attitude of health workers when admitting them for the first time, especially when they talked about the process of obtaining the referral for the maternity ward. In case of absence of a validated health card and a doctor's referral, the costs of care and treatment have to be paid for. Of the two respondents who spoke about it, one managed to avoid these payments at the intervention of the Centre for Social Work and the other saw fleeing from the health institution as a way out of this situation. By jumping out the window she could have further jeopardised her own health as well as her baby's, which is indicative of the gravity of the problem.

The focus group participants agreed that the situation of pregnant women from Kosovo is in many ways more difficult primarily because they are very young, they are unfamiliar with the procedure and do not speak Serbian well. All this leads to a situation where they refrain from any relationship with the institutions, or to extreme exclusion.

When speaking about the importance of child birth registration and what her documents mean to her, a participant who was not born in Novi Sad compared

45 *"You go to the registrar, he asks whose surname it is, I say the father's. And what does the registrar ask from you? Just an ordinary ID card, he asks for the baby's birth, the date of her birth, everything, he asks me to show him the discharge papers and for the husband to sign, and I also sign it, and a week later her birth certificate was ready."*

46 *"You know what... that's a very big problem for me. Now it's all inter-connected and I have two children and my children are not with me. They are in a foster family because, I mean, I still live with my husband. We had a hard life. He worked for a private guy who never paid him anything. My children were in a safe house. I had a deadline of 3-4 months to prepare everything for child allowance, but I could not do it. All I needed to get was the residence registration, to get the allowance and to be able to get my children back. To be able to, based on social welfare and children's allowance, have at least some money for the children. But, I could not make it because there was no place for me to register..."*

her situation to that of her 16 brothers and sisters whose births had not yet been registered and who did not have basic identity documents.⁴⁷ She saw this situation as her mother's fault because it was her duty to register them. This again confirms the finding that in the Roma community it is the mother who is in most cases expected to assume this role.

5.3. Obstacles to possessing documents

The research also included the assessment of key obstacles to the possession of identity documents among the members of the Roma community aged 14 to 30. As many as half of the respondents said that their biggest obstacle in the process of obtaining identity documents was **unfamiliarity with the procedure**. Given the fact that they had to be present during the acquisition of the ID card, it is not surprising that more than three-quarters of the respondents (78 percent) knew which body was competent for issuing the document. However, when asked which documents were required for an ID card to be issued, half of the respondents responded correctly. When asked about competence for the issuance of health cards, 41 respondents gave correct answers, but very few of them knew which documents needed to be obtained previously, given that the parents often take it upon themselves to obtain this document for them. Furthermore, health cards are usually produced and validated simultaneously for the whole family.

The respondents showed the biggest uncertainty when answering questions about the procedure for obtaining birth certificates. Although only three of the respondents do not possess this document, 44 percent did not know that it was issued by a registrar, and only 28 percent of the respondents knew that no other document was required to obtain it. The author of the research is under the impression that this is the result of the involvement of non-governmental organisations, and that in most cases young people do not even participate in the process of obtaining this document as it is their parents who initiate contact with the organisations and the procedure for obtaining basic documents. It is important to note that as of 1 March 2010, the birth certificate is of a permanent character. Given that this rule became applicable only three years ago, it is possible that the number of those who obtained the birth certificate recently is low and that this contributed to the respondents' uncertainty when answering these questions.

47 *"And yet your husband obtained documents? Yes. And tell me, your other sisters and brothers, did they in the meantime obtain their documents? No, they are still without documents. They live in Vrsac, or...? Yes, they are all with mum and dad, I have three sisters who are married. And now, when you have your documents and they have no documents, when we compare your situation with theirs, who is in a better position? Well, I think I am. I have an ID card and it is required everywhere. Wherever you go, everywhere, you need an ID card, you need the health card when you are ill or to check your pregnancy."*

Only one in two respondents were informed about who is competent for issuing permanent residence certificates. The situation with other, less important, documents is even worse.

One of the factors that significantly contribute to poor awareness about the procedure for obtaining identity documents, but also to understanding their importance, is **illiteracy**. The respondents mostly cited illiteracy as an obstacle in general, but it was relatively rarely cited as a personal problem for becoming familiar with the procedure. The sample included a total of 10 illiterate women and 3 men, but only five respondents directly cited illiteracy as a major obstacle. The number of illiterate women that is three times the number of illiterate men will unfortunately remain in the younger generations as well. Namely, regarding the attitude of the under-age population towards schooling, the survey found that of the total number of those who were currently attending primary school (12), only two were girls. None of the female respondents attended secondary school, while two of the male respondents were secondary school students. Among the respondents who had never been enrolled in school, two quarters were women. Moreover, 70 percent of the women who have never attended school are adults, whereby the likelihood that they will subsequently join the education system is reduced. Illiteracy and/or only short-term involvement in the education system are certainly one of the obstacles to obtaining identity documents and to understanding their importance.

Among the problems contributing to non-possession of documents, **financial aspects** related to the procedure of obtaining them play an important role. About one-fifth of respondents (16) cited the costs associated with the acquisition of documents as an obstacle, of which three-fourths were internally displaced persons (12). An additional 10 percent of respondents should be added to this number - IDPs for whom it is difficult to go to registry offices relocated from Kosovo to southern Serbia, as this would cost the same as the average monthly cash benefit they receive from the Centre for Social Work. In the Novi Sad Centre for Social Work they said that in several cases they supported the parties' initiative to obtain identity documents by paying them cash benefits of between RSD 1,000 and 5,000. However, none of the respondents from Veliki Rit mentioned this type of assistance.

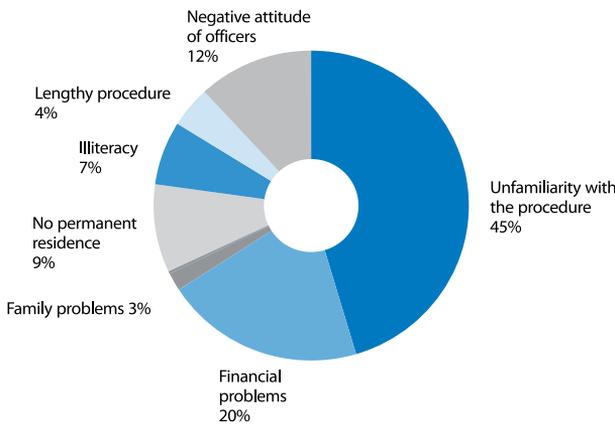
An obstacle to obtaining a certain number of, so to speak, secondary documents, is the lack of primary documents that are a prerequisite for their acquisition. In that sense, the **inability to register permanent residence** as an obstacle to obtaining identity documents was cited by 9 percent of respondents⁴⁸. This percentage is not high when compared to the emphasis that strategies place on the

48 It could be heard in informal conversations that a certain number of residents of the illegal part of the settlement registers their residence at the address of two streets in Veliki Rit that are legal.

absence of conditions for registration of permanent residence for a considerable number of IDPs and new settlers, especially in Roma settlements.

A negative attitude of officers as one of the key factors in the process of obtaining identity documents was recognised by 28 percent of respondents. Given that Roma women are more active in attempting to obtain the documents, they more frequently quoted the negative attitude of competent officers towards them. Also, it seems that they were more open and willing to talk about impolite or even discriminatory treatment when asked whether they had any problems with the institutions.⁴⁹ During the conversations with representatives of institutions, several officers also recognised this problem.

Graph 4: Obstacles in the process of obtaining documents



5.4. Assistance in obtaining documents

For all the respondents who possess any of these documents, a separate question referred to assistance in obtaining the document. That assistance in obtaining identity documents is very much needed is evident from the large number of responses showing that the respondents are not familiar with the procedures or with the relevant institutions (more than two-thirds – 56 respondents). Apart from the general feeling that assistance was necessary for obtaining all of the

49 *“Because I did not have all the documents, the worker at the Social services threw at me what I did have. She said, ‘Come on. Get off my back, you lowlife. I’ve had enough of you. Come and see me once you have learnt how to speak and obtained all the necessary papers.’”*

documents that the respondents have (46 responses), the need for assistance is usually cited in the case of the birth certificate and certificate of citizenship (15), which is logical given that these are basic documents necessary for obtaining a whole range of others.

Among the responses to the question of who assisted them in the process of obtaining the documents, help from the family, including a wider circle of relatives (grandmother, aunt, stepmother, uncle) was extremely dominant - as many as 2/3 of respondents stated that they had this kind of help. It is noticeable here, too, that persons of female gender are predominant among those who more considerably contribute to acquisition of documents. In addition to those who received help from their friends or who obtained the documents by themselves, there are also those who were assisted by representatives of NGOs. However, they are mentioned in only a small number of cases, namely in eight cases they were representatives of the NSHC, in five cases representatives of Praxis and in two cases representatives of the Shelter. According to these organisations, the Ecumenical Humanitarian Organisation helped 140 people from Veliki Rit obtain documents in 2012 alone. Praxis from Belgrade identified a total of 90 cases of subsequent registration in civil registers, 31 procedures for the renewal of birth registration and determination of citizenship for the residents of Veliki Rit.

A cause for concern is that assistance of institutions following a direct request was cited in one case only, and this referred to social services. When asked which institutions they sought help from, the respondents stated that they had approached the employees of the Commissariat, the Co-ordinator for Roma Issues, the Centre for Social Work and the registrar. However, the institutions were still recognised as the key factor in the process of obtaining documents since the respondents cited them in their focus group responses. Furthermore, when asked who was supposed to assist them in this process, three-quarters of the respondents mentioned state authorities, and 20 percent stated that NGOs should get involved in solving the problems of identity documents.

5.5. Lack of documents and deprivation of rights

One of the objectives of the research was to determine whether the young residents of the Veliki Rit settlement were aware of the rights they were deprived of due to the lack of an identity document. This is an important element in outlining exclusion since this concerns a young population that is generally characterised by the need for a broader spectrum of social inclusion opportunities.

Education

Research findings show, although the young population was covered, that as many as 17 percent of respondents had never been included in the education system. If we add those who left education before the fourth grade of primary school, we come to the conclusion that somewhat less than half of the respondents are probably functionally illiterate (33 respondents).

Interdependence between education and identity documents runs both ways. In three cases, the respondents cited lack of identity documents as the reason why they were never enrolled in school. However, according to the data obtained in the interview with a pedagogical assistant, who acts as a link between the school and the Roma community in the field of education, this should not be a reason for not enrolling children in school. If a child wishes to be enrolled in school and does not have the required documents (birth certificate, parents' ID card with a valid address and doctor's certificate that the child is ready to start school), the child can be enrolled in the first grade of primary school without these documents. The role of the pedagogical assistant is to submit the information about the child to the School Secretariat, which gives its approval, and at the same time and in agreement with the parents, assistance is sought from NGOs in the process of obtaining the basic documents for the parents. Assistance has so far been provided by the Belgrade-based organisation Praxis. According to the statement of the pedagogical assistant in a Novi Sad school that is attended by some 450 Roma children, this year 20 students without documents were enrolled in this fashion.

Health

Regardless of medical ethics and humaneness expected of health workers, a quarter of the respondents noted that health workers in the local primary health centre were unkind and did not want to help them. Such cases were also cited concerning emergency situations and check-ups of underage children, and often babies as well.⁵⁰ The reason for this was the lack of a health card or possession of a non-validated health card. One of the respondents said that one night the ambulance refused to come to the settlement even though they were called because of an immobile elderly household member who unfortunately passed away that evening. The majority of persons who were denied these rights belong to the internally displaced population, but those who do have a registered permanent residence but in another municipality also receive this kind of treatment.

50 *"Yesterday I took the child to the doctor. They refused to see us because my baby and I did not have a health card. The nurse let us see the doctor, but the doctor told me to get the health card first. I took the child back home and tomorrow I'll go and try to get the health card."*

One respondent says: *“Three weeks ago, my mother and I took my wife to the doctor because she is pregnant, she was bleeding and in great pain, but they did not want to examine her because her residence was not in Novi Sad but in Belgrade.”* However, in four cases the respondents stated that in their second attempt they did receive medical assistance even though they did not have the document.

Freedom of movement and residence

A growing number of young people want to leave the country, but for persons without identity documents this is not possible. If their decision is firm, they leave illegally. It was therefore important for the questionnaire to determine what their intentions for the future were, namely whether they were planning to stay in Novi Sad, go abroad or return to their old place of residence. The research showed that only five respondents wished to leave Veliki Rit in the near future, which accounted for less than 7 percent of the sample. Of these, four wanted to move abroad, and one respondent wanted to return to his old place of residence. A large number of IDPs noted that they did not wish to return to Kosovo for reasons of their personal security.

As the most important reason for having an ID card the respondents stated that this document was a condition for their free movement. As many as 12 respondents had some kind of unpleasant experience with the police because they did not have an ID card (16 percent). From their own experiences or the experiences of people close to them, there are a large number of those who were forced to pay a RSD-5,000 fine because they did not have an ID card during a routine police check, which was a huge burden on their budget.⁵¹ Several of them also spoke about having been forced to serve time in prison because of accumulated fines, whereby their non-possession of documents resulted in deprivation of the freedom of movement.⁵² It can be assumed that this is one of the pressures that caused an increase in the number of those who do have ID cards compared to the previous period.

The right to work

Although the Serbian Constitution guarantees the right to work, and the exercise of this right is regulated in more detail by the Labour Law, which prohibits all direct and indirect discrimination based on any personal characteristic, many are

51 Approx. EUR 45

52 *“The police asked for my identity card but I did not have it, so the officer said that I would go to prison if I didn't get an identity card.” “My uncle was locked up in prison because he didn't have an identity card.”*

not able to exercise their right to work. Active job-seeking is conducted through the use of the services of the National Employment Service, which keeps records of unemployed persons and acts as an intermediary in employment. However, those who due to non-possession of an ID card, work booklet and proof of qualification or skills are unable to register as unemployed, cannot benefit from this service. Eleven of the respondents cited the inability to look for a job as a fundamental right that is denied to persons without identity documents. In addition, the respondents stated that even when they do find employment on their own, in many cases the employers do not sign a contract with them, reduce the amount of remuneration for their work and do not report them as employees to the Republic Health Insurance Fund or the Republic Pension and Disability Insurance Fund. This also leaves them without health care.

The right to cash benefits from the Centre for Social Work

The Centre for Social Work in Novi Sad provides its beneficiaries with three types of pecuniary assistance. According to the institution's officer, beneficiaries are usually residents of Roma settlements. A large number of recipients of these benefits were included in the questionnaire sample. When asked what rights the possession of identity documents enabled them to exercise, 12 of the total number of respondents stated that it was this right.⁵³ However, when asked what rights the others could exercise, a significantly larger number of respondents cited the use of "social welfare." This indicates that the data obtained based on the first question were not realistic and that the respondents gave socially desirable answers.

5.6. Perception of attitude of relevant authorities in the process of obtaining documents

The most common causes of dissatisfaction in approaching institutions in the process of obtaining documents that the respondents cited in the questionnaire were unfriendliness and incompetence, i.e. wrong referrals and delays. More than half of female respondents from the focus group were also unhappy with the attitude of institutions towards them.

53 Documents required to exercise the right to cash benefits (the printed list that the Centre for Social Work hands out to beneficiaries): a photocopy of a valid ID card, photocopy of a birth (marriage, death) certificate, photocopy of the certificate of citizenship, cadastral certificate (Geodetic Institute, 6 Zeleznicka St., Novi Sad), certificate from the labour market (24 Alberta Tome St., Novi Sad), certificate from the school (secondary school or faculty), registration of permanent residence, certificate from the Pension and Disability Insurance Fund (10 Loncarska St., Novi Sad), photocopy of the work booklet (p. 1-8), regional tax certificate (14 Bulevar Mihajla Pupina St.), city tax certificate (City Hall, counters 3-7).

“They yelled at me for not knowing how to fill out the application. She told me, ‘Fill it out, I don’t care that you don’t know how.’”

“They wanted to keep us from going abroad. I was told that we could not get passports because the old ID cards of my parents had the old address from Vucitrn written on them. They said that they could make the passports for us, but they would not be valid and we would not be able to go anywhere with them. They made them and we use them normally.”

“I was told at the counter in the Secretariat of Internal Affairs (police department) that I could not obtain an ID card in Novi Sad because my surname was Albanian and that I should get married, but I didn’t want to.”

It is interesting that only a small number of respondents from the settlement knew the exact names of institutions, apart from the Centre for Social Work, and the names of associations. They remember the names of people who helped them, and mostly the representatives of non-governmental organisations.⁵⁴

The negative attitude of institutions towards the Roma coming to them in the procedure for the issuance of identity documents can also be seen from the previously mentioned fact that in October 2010 Praxis instituted legal proceedings against the City Administration for General Affairs. This Belgrade-based organisation requested that the Basic Court determine whether there was any discriminatory behaviour towards Roma in the conduct of procedures of subsequent registration of births. The City Administration had rejected the applications for subsequent registration of three “legally invisible” Roma, citing the current situation in Novi Sad, with the growing influx of persons of Roma ethnicity who claim that they and their children were born in Novi Sad. Representatives of the City Administration also expressed concern that the “hasty, reckless and careless” manner in which their applications were acted on would cause a mass influx of similar actions by persons of Roma ethnicity. In September of last year, the Basic Court passed a judgment in which it stated that the City Administration had unjustifiably treated these persons differently based on their ethnicity. Thus, the City Administration had put them in a less favourable position compared to

54 In two cases, when asked what institution helped them they replied “Eržika” (Erzebet Varga is a clerk in the Department for Refugees, Expelled and Internally Displaced Persons), and much more often they mentioned Dijana whom they identified with the organisation that she represented (NSHC).

other non-Roma applicants, thereby committing the act of direct discrimination. Praxis said that the City of Novi Sad was obligated to publish the full judgment in the Politika daily newspaper within 15 days, which it did.

The President of the League for Roma Decade also pointed out the negative attitude of individual institutions and lack of government interest to resolve the issue of identity documents for persons of Roma ethnicity. Although internally displaced persons and their problems are recognised in the Strategy for Improvement of the Status of Roma, he believes that the measures envisaged by the Strategy are tailored not to the needs of the Roma population rather to the state's capabilities, but that the state does not even implement them.⁵⁵

5.7. Positions of institutions and non-governmental organisations (NGOs)

Determining the positions and experiences of the relevant institutions concerning the problem of non-possession of identity documents is one of the goals of this research which aims to examine the results of implementation of measures aimed at the inclusion of Roma, and especially of IDPs and youth in this population.

Based on the conducted interviews, it can be concluded that a small number of institutions have the need to directly assess the situation on the ground and to act proactively within their competences. The bureaucratic system enables information and assistance to be provided to only to those who directly approach the institutions. It is precisely for this reason that the visibility of the problem is most evident in the institutions to which the residents of Veliki Rit most often turn. As the key problems faced by the residents of Veliki Rit, apart from housing and infrastructure, the Centre for Social Work has cited non-possession of identity documents, especially permanent residence registrations and ID cards which are a condition for the provision of assistance. The institution is interested in helping, but they lack the expertise and knowledge of legal mechanisms that could facilitate access to identity documents for these people.

Incompetence and insufficient knowledge of the procedures for the issuance of documents, even when there is no bad intent, were also mentioned by NGO representatives who stated that in some cases they were approached by residents

55 "The problem of non-possession of identity documents by both the elderly and the younger Roma population is blown out of proportion and stigmatises one nation. The implication is that IDPs, Roma, are neither people nor citizens because, you see, they do not even have their identity documents like all other citizens. Unfortunately, non-governmental organisations are not interested in that, because this problem is their source of existence. At the level of individuals and personal civil rights this problem is a serious matter. But there is too much spinning of a minor problem. Both the Roma integration issue and the documents issue are naive. The fact that Serb IDPs do not have this problem proves that I am right."

of the settlement who had previously tried to obtain information from a relevant institution, but that the institution had referred them to their address.⁵⁶ Likewise, according to NGO representatives, the Police Department often refers the parties back to their offices with wrong information, but there is good co-operation with the registry office.

Interviews with representatives of institutions show that there is no clear division of work and horizontal co-operation, given that the officers in the research very often cited another institution or the non-governmental sector as being responsible for the problems surrounding the possession of documents.

In order to determine the situation of the residents of Veliki Rit, the City Administration for Child and Social Welfare in co-operation with the Centre for Social Work and the Institute of Public Health of Vojvodina implemented the project *Info Network - Statistical Database on the Residents of the Settlement of Veliki Rit* in 2009, as part of an assessment of the situation of IDPs.⁵⁷ This field research found that, amongst other things, 91 percent of the residents had health cards and that 92.9 percent of adult residents possessed ID cards. NGO representatives had negative comments on the validity of these data and pointed out that the city was using the data in an attempt to lower its own accountability. Moreover, it was recorded that 2,751 residents lived in the settlement, while, according to the police department, the settlement has about 5,000 residents.⁵⁸ This indicates, amongst other things, that the exchange of information between institutions is not good.

Many representatives of institutions stressed during the interview that there was a problem of undefined jurisdiction, as well as the problem of indolence of some officers, which hinders their mutual co-operation and slows down the process of obtaining certain identity documents. Thus, for example, poor co-operation between relocated registry offices is a key cause of lengthy procedures for obtaining birth certificates and certificates of citizenship. The local co-ordinator for Roma issues who has, along with non-governmental organisations, contributed the most to obtaining identity documents from relocated registry offices, has encountered the problem of slow procedures for obtaining these documents, but she also noted the problem of non-harmonised amounts of fees paid for obtaining them.

Within their relations with the Roma community, representatives of institutions cite the fluctuation of beneficiaries as a problem, namely that in their attempts to

56 The Novi Sad Humanitarian Centre

57 Not much is known about this research and the author's request for access to information was not granted. General information can only be found on the City's official website: <http://www.novisad.rs/lat/evaluacija-projekta-o-stanovnistvu-naselja-veliki-rit>.

58 The data on the number of residents of the settlement obtained by this research is also challenged by NGOs.

contact the parties that have already benefited from one of their assistance programmes, they come across unofficial information that they had left town and gone abroad.⁵⁹

Through the interviews, many institutions recognised the lack of information held by residents of Veliki Rit about the rights and opportunities offered to them. The Director of the Office for Roma Inclusion spoke in particular about the need to more efficiently enable access to information about the rights of residents of Roma settlements. He believes that the absence of access to social assistance and of applying for long-term housing is the consequence of, on the one hand, residents' lack of awareness about these opportunities and the right to use them, and on the other hand, the criteria laid down by open competitions. Thus, for example, in October 2012 the Fund for Assistance to Refugees, Expelled and Displaced Persons, established for the purpose of assisting and ensuring durable housing of these persons that have temporary or permanent residence in the territory of the Autonomous Province of Vojvodina, launched a public call for the allocation of one-time financial assistance to secondary school students in the territory of Vojvodina. However, even among the small number of Roma who attend secondary school, none of the IDP students were informed of this opportunity. Likewise, the Fund also launched a public call to house refugees, expelled and displaced persons by purchasing homesteads for 2012. This required submission of a number of documents that many residents of Veliki Rit did not possess (IDP documents that, for example, only one-fifth of respondents in our sample had, e.g. proof of citizenship, photocopies of valid identity documents, etc.). Thus, although they belong to the category whose integration is assisted by open competitions, applying for this type of assistance has been made impossible for the internally displaced persons from Veliki Rit.

The very fact that the exercise of the right to social assistance for the whole group of socially vulnerable persons requires 11 documents, and bearing in mind all the difficulties these persons encounter when obtaining these documents, suggests that the number of those who are able to exercise that right is limited. This causes discontent. Certain representatives of institutions have cited the inappropriate behaviour of residents of Veliki Rit as a consequence of denial of assistance.⁶⁰

What complicates things even further is that the parties that come to them often do not know basic facts such as their date and place of birth and in some cases the names of their parents. These persons are dealt with in various ways. The Trustee for Refugees points out the problem of prejudice as a factor of discrimination.

59 However, the results of the survey showed that only 5 percent of respondents planned to go abroad.

60 *"I like to do favours for everybody, but when a rude person comes to me, my coping mechanism kicks in, believe me. It is not like those things don't get to me. I feel like throwing them out and telling them all sorts of things, but it is not worth it."* (Officer of the Centre for Social Work)

"A lot of work needs to be done on strengthening system institutions. Regardless of what anyone is like (sex, sexual orientation, race, ethnicity) they should be treated equally. In law you have a maxim that ignorance does not excuse. This 'I don't know' before public administration bodies, I think it discriminates against [certain groups of] people. Instead of such people being 'subject to processing', they are sent away with the 'I don't know'. They should not be written off, but informed. He should tell him, 'Go to the Centre for Social Work', and then give him the address."

The president of the Roma Party Srdjan Šajin also stated that both the cause and the consequence of non-possession of identity documents by Roma are prejudice and a discriminatory attitude, especially when it comes to IDPs: *"This population suffers multiple discrimination. Primarily because they are Roma, and then as bearers of surnames that are uncommon for the majority population which is why others perceive them as members of the other minority."*

In some cases, city institutions do not identify the problem of non-possession of documents as a priority. In 2011, the NGO Novi Sad Humanitarian Centre launched an initiative with the Street Naming Committee, suggesting that streets in the settlement be temporarily named so that the residents could register their permanent residence at those addresses. However, the initiative was rejected on the grounds that this was not within their competence. They were referred to the Cadastre responsible for provisional street naming. NSHC abandoned the initiative in the hope that the provisions of the then announced Law on Permanent and Temporary Residence of Citizens would reduce the number of those with no registered permanent residence. Given the long delay in the adoption of bylaws for the implementation of this law, the expected changes did not occur by the time of writing of this paper.

The administration's position that the obstacle to the exercise of social rights of young Roma from Veliki Rit is lack of funds is noticeable.⁶¹ However, there is insufficient use of opportunities offered through international community funds for addressing the problem of identity documents, which could help secure the

61 The Trustee for Refugees on the lack of funds and relations with parties from the Roma and non-Roma population: *"I am trying to explain to you our situation here when we have to hand out 20 packages of firewood, and there are 600 of them who use firewood for heating, but in working with them we try to be careful, to keep track of who gets what and when. So, if they got the firewood, the IDPs will not get a ration of food the next time, because they got this package now. And so on. People generally understand us, but they sometimes also insult us, disrespect us. The colleague who just walked in was even physically attacked. Not by Roma. It is interesting that they are extremely, as we say, cultured. Even when they express discontent, they do not do it aggressively, so that as parties they are uneducated, but are obedient and grateful. Of course, there is a black sheep in every flock, but in this population those black sheep are inconspicuous."*

funds that are lacking. They are insufficiently used by both the state and non-governmental organisations. In this regard, Srdjan Šajn, president of the Roma Party, emphasised special funds of the international community, the fund envisaged by the Sarajevo process and pre-accession funds (IPA).⁶²

62 IPA is the Instrument for Pre-accession Assistance established by the European Union with a view to providing financial support to the countries of Southeast Europe in their gradual moving towards European policy and standards, until all the necessary criteria for joining the European Union are met. This instrument, established by EC Regulation No. 1085/2006 relates to the period 2007-2013 and replaces the previous programmes PHARE, ISPA, SAPARD, CARDS and the Instrument for Pre-accession Assistance to Turkey. In the new budget, IPA will unite under a single legal framework the pre-accession assistance to candidate countries (currently Croatia, Turkey, Macedonia and Montenegro) and potential candidates (Albania, Bosnia and Herzegovina, Serbia and Kosovo – in accordance with UN Security Council Resolution 1244), simplifying the management of programmes intended for the above stated beneficiary countries.

6. Conclusions

The goals of the research were to determine the extent to which the young residents of the settlement of Veliki Rit possessed identity documents, whether they were familiar with the procedures for obtaining them, their views on the problems in the procedure itself and on the effects of the lack of documents on their life and work. Also examined were the opinions and experiences of institutions and non-governmental organisations as regards the problem of non-possession of documents, in order to get an idea about their activities, contact with the Roma community and the problems in achieving the widest possible possession of all necessary documents among Roma.

6.1. Possession of identity documents

It was discovered that in this sample significant differences in possession of documents **existed in terms of sex**. It is surprising that in the category of those who have the basic identity documents, the number of women is higher than the number of men. This is particularly noticeable when it comes to possession of health cards. This situation can be attributed to women's higher motivation to obtain the basic documents, linked to delivery and registration of newborns. This paradoxically confirms the maintenance of the traditional role of women in Roma families, where their reproductive role and taking care of children are of key importance. The fact that more men than women do not have the basic documents is especially important when one bears in mind that the number of

men who have a diploma certifying completion of primary school is much higher (8 men and 3 women have the diploma). Also noticeable is the difference in the possession of ID cards. Although the sample contained an equal number of adult women and men, 41 percent of men had an ID card, and 56 percent of women. Identity documents that are not basic, such as the work booklet, passport and driver's licence, which are associated with employment and movement outside of the local community, are more often owned by men. Acquisition of a driver's licence is associated with functional literacy, which is more dominant among men.

The research findings show that among the young people in Veliki Rit there are differences **by previous place of permanent residence**. The situation of domicile Roma in the settlement is a great deal better, and this is largely due to the fact that they have the possibility of registering permanent residence. Namely, of all the respondents that did not have a permanent residence certificate (12), only one was a domicile Roma and the rest of the respondents were new settlers, of which two-thirds were internally displaced persons. Given the fact that possession of the permanent residence certificate is a precondition for obtaining other documents, as many as 56 percent do not possess an ID card and are thus unable to obtain a passport as well. One-fifth cannot exercise their right to health care because they do not have a health card, and nearly two-thirds (64 percent) do not have a work booklet. Although the research showed that in the full sample the respondents most often had a birth certificate and a certificate of citizenship, as initial documents for obtaining all other documents, all three of the respondents that did not have birth certificates were internally displaced persons, and the majority of those who did not have citizenship were IDPs as well.

In terms of differences by age group, between people aged 14-18 and adults up to the age of 30, with the exception of documents associated with minimum age such as the ID card, work booklet, driver's licence, that are naturally mostly owned by adults, it is noticeable that basic documents are generally owned by minors. This finding shows a positive trend of inclusion in the fields of education and health.

Based on the analysis of the data collected in the settlement, the interviews with representatives of institutions and the data received from representatives of associations who have provided assistance in the process of obtaining identity documents, it was discovered that there were several reasons why the problem of non-possession of identity documents persisted in the settlement of Veliki Rit. Of the seven main problems that young people face when trying to obtain basic identity documents, the key problem that was singled out was unfamiliarity with the procedure, which was cited by nearly half of the respondents. Several respondents accepted their own responsibility for not knowing the procedure, but the majority blamed representatives of the institutions. Low level of education was cited as the reason for ignorance about procedures, but representatives of

institutions also attributed this to the lack of interest among the Roma to obtain the documents. Other problems that young respondents stated were the financial situation, the inability to register permanent residence, illiteracy and lengthy procedures.

The Strategy for Improvement of the Status of Roma has envisaged a comprehensive campaign by government institutions in co-operation with international organisations and civic associations, with a view to animating the Roma without documents to start the procedure for obtaining the documents and enabling them to exercise their rights. During fieldwork with the respondents, it was discovered that only NGOs were engaged in providing information in the settlement itself, whereas the relevant institutions declared themselves incompetent for this kind of active provision of information.

In terms of the answers they gave to the question of who assisted them, 87 percent of the respondents said that family members had helped them in the process of obtaining documents, and in 14 cases assistance was provided by non-governmental organisations. It can be assumed that the basic information they had about the relevant authority and the procedure in fact came from the NGOs.

All stakeholders engaged in this problem are of the opinion that the procedure is complicated and that it should be simplified. There are cases where due to the narrow legal framework and bureaucracy people are left without documents.

6.2. Exercise of rights

Nearly two-thirds of respondents cited health care as the fundamental right the exercise of which is enabled by identity documents. However, the most common case of denial of rights by institutions due to non-possession of documents occurs precisely in health care institutions. More than one-fifth of the respondents had unpleasant experiences with health care workers who refused to provide their services. Pregnant women during their pregnancy, medical check-ups and childbirth are especially at risk. They are denied admission to these institutions if they do not have a validated health card, even in emergency situations. For this reason they sometimes feign acute conditions or resort to other methods in order to avoid administrative procedures. The focus group participants – pregnant Roma women – particularly emphasised the complicated procedure for obtaining identity documents when discussing exercising their social rights.

Since the residents of the settlement of Veliki Rit are generally beneficiaries of social assistance from the Centre for Social Work, the key problem they highlighted was the number of documents required for exercising this right. A lengthy proce-

sure for each particular document, and in some cases the inability to obtain that document, also hinders exercising this right.

Although half of the respondents do not possess an ID card, all of them recognise the importance of this document and relate the lack of an ID card with the inability to move freely and to leave the settlement. Nearly a quarter of the respondents had problems with the police because they did not have an ID card. The most common sanction is paying a fine, but if the offence is repeated several times and the fine is not paid, they could be sent to prison. In several cases, the respondents mentioned unpleasant situations they had experienced due to this problem. Because their economic position is different to that of the majority population, four of the respondents said that while using public transport they did not have money to pay for the ticket and that they were asked for an ID which they did not have. "I get uncomfortable on the bus when I don't have a bus pass or an ID card."

The importance of identity documents in the context of exercising the right to education was recognised by 28 percent of respondents. The 12 percent of respondents who said enrolling their children into the education system was dependent on the possession of documents, which together accounts for more than one-third of the total number of people surveyed, should be added to this group. This shows that in this case as well, the residents of Veliki Rit are insufficiently informed and that they lack information about the possibilities of enrolment without identity documents.

In the context of their inability to register permanent residence at the address where they live due to the unsettled issue of legalisation of the settlement, it is important to emphasise that, although the Law on Permanent and Temporary Residence of Citizens has envisaged the possibility of registering residence at the address of the Centre for Social Work, the bylaws that would enable the residents of Veliki Rit to exercise this right were adopted with a seven-month delay, and so it remains to be seen how they will be implemented. As the reason for the delay in the application of the provisions of this law, the Centre for Social Work has cited the complications that could potentially occur due to all letters and mail addressed to these persons arriving at their address. This situation speaks of a superficial interest to solve the problem.

However, despite the above complaints, any unsatisfactory treatment that may have taken place did not result in submission of any petitions by the Roma community to the City Ombudsman. This fact can also be interpreted as an element of exclusion.

The system of responsibility of institutions includes not only acting, but also the failure to act when required to do so. Social inclusion implies the concept of equal chances for all, inclusion of all in social life and provision of equal

opportunities. However, although the key institutions in the territory of the province and the city have been implementing support and assistance programmes for refugees and displaced persons, which have made their lives easier, information about these programmes did not reach the Roma IDPs in the settlement.

Despite the long-standing efforts of many organisations to address the problems that Veliki Rit residents have with identity documents, the number of those in need of assistance has not drastically changed. Guided by the negative experience of their parents and aware of the slow administrative procedures, but also due to the lack of information about the procedures and negative experiences with representatives of local authorities deciding on their applications, young residents of the Veliki Rit settlement prefer to rely on the help of parents and non-governmental organisations, and thus the exercise of their fundamental human rights is delayed.

This situation is worrying, especially in light of the activities that were organised during the Roma Decade, the numerous activities of NGOs, as well as the location of this settlement. Novi Sad is a large administrative and economic centre that has the possibility of providing funds for the basic needs related to this problem. Considering the capacities of Novi Sad, the problem of non-possession of documents and inclusion of young members of the Roma community is probably even more pronounced in smaller and poorer communities. Under the influence of other factors as well, primarily the economic situation, prejudice, stereotyping and discrimination, social integration of young residents of the settlement of Veliki Rit remains insufficient. Young Roma, residents of Veliki Rit, still live next to rather than with their fellow citizens.

7. Recommendations

These recommendations are guided by the respect for human rights principles, as well as the obligations of the Republic of Serbia envisaged by numerous adopted laws and regulations, but also by ratified international agreements aimed at integrating the Roma population. To accelerate the integration process, recommendations on further improving the situation concerning the possession of identity documents were also collected from Roma, institutions and non-governmental organisations through the research.

7.1. Recommendations of institutions (national and local levels)

1. With the aim of better co-operation and co-ordination of work between the relevant institutions and civil society, all stakeholders at the city level need to network in order to create a platform for the common resolution of this problem (Centre for Social Work, Primary Health Centre, Secretariat of Internal Affairs - police department, the court - for the purpose of application of the provisions of the Law on Non-Contentious Procedure, the civil registry office, National Employment Service, Department for Refugees, Expelled and Displaced Persons, Office for Roma Inclusion, Local Co-ordinator for Roma Issues, health mediators, pedagogical assistants, Provincial Fund for Aid to Refugees, Expelled and Displaced Persons, Novi Sad Humanitarian Centre, Ecumenical Humanitarian Organisation, Council for the Integration of Roma in Vojvodina).

2. In order to reduce prejudice and prevent cases of discrimination by institutions, efforts should be made to strengthen the capacities of officers and sensitise them for working with members of the Roma population. To this end, using the model of health mediators and pedagogical assistants, officers who would be specifically responsible for facilitating the exercise of rights for members of the Roma population could be appointed in social work centres.
3. Secure financial resources by using the opportunities offered by international funds in order to, on the one hand, take the pressure off the city budget, and, on the other, ensure the issuance of basic identity documents free of charge for the residents of Veliki Rit, thus removing the financial barriers that exist currently.
4. Digitise the data contained in relocated registry offices in order to accelerate the procedure for obtaining basic identity documents and reduce costs.

7.2. Recommendations of representatives of the Roma community and NGOs

1. With a view to removing the obstacles to obtaining the most important identity documents (ID card, health card and work booklet), ***solve the problem of the inability to register permanent residence***. The Ministry of Labour, Employment and Social Policy, together with the Ministry of Interior, needs to comply with the express legal obligation and enforce the bylaws relating to registration of citizens at the address of the Centres for Social Work⁶³.
2. It is necessary to ***adopt a Local Action Plan for Improving the Situation of Roma in Novi Sad***, with special measures aimed at solving the problem of non-possession of identity documents, and to secure funds in the city budget for the implementation of the LAP.
3. Launch a comprehensive ***awareness raising campaign*** among the residents of Veliki Rit and other settlements in order to inform them about the relevant institutions and procedures that need to be followed in the process of obtaining each document. Representatives of city institutions who in any way participate or provide assistance in this process should also contribute to this campaign, as well as pedagogical assistants and health mediators through fulfilment of the commitments they have already assumed.
4. Ensure the operation of a ***legal counselling centre*** in the settlement of Veliki Rit in order to familiarise its residents with their rights and the opportunities offered to them, thus motivating them to become involved in the process of obtaining documents.
5. In accordance with the principle of equality and equal rights, ***ensure equal treatment of refugees and displaced persons*** in the procedure for exercising their rights, by adopting the Law on Internally Displaced Persons and the Local Action Plan.

63 According to the amendment of the *Law on Permanent and Temporary Residence of Citizens*.

6. Encourage better co-operation between the Co-ordinator for Roma Issues, pedagogical assistants and health mediators with a view to providing **greater support in obtaining documents particularly to groups exposed to multiple vulnerabilities** (pregnant Roma women, illiterate persons, the young).

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Addendum 1: Interviewed and surveyed representatives of institutions and NGOs

Centre for Social Work, Officer for the Settlements of Veliki Rit, Bangladeš and Mali Beograd – Miodrag Popadić

Centre for Social Work, Assistant Director – Branko Zelenbaba

Trustee for Refugees, the City of Novi Sad – Slobodan Vukašević

Director of the Office for Roma Inclusion – Duško Jovanović

Member of Parliament and President of the Roma Party – Srđan Šajn

Provincial Secretariat for Education, Administration and National Minorities, Senior Associate in the sector for national communities – Jelena Jovanović

Local Co-ordinator for Roma Issues, City of Novi Sad – Radmila Zećirović

Pedagogical Assistant – Zorica Kalanjoš



Co-ordinator of the League for Roma Decade – Osman Balić

President of the Council for the Integration of Roma in Vojvodina – Petar Novica
Nikolić

NGO Praxis – Ivana Stanković

NGO Novi Sad Humanitarian Centre – Dijana Malbaša

NGO Ecumenical Humanitarian Organisation – Vladimir Vujin

NGO Prevent – Vladimir Balbut

Shelter for children living and/or working on the streets – Anita Jakšić

Protector of Citizens of the City of Novi Sad

Addendum 2: Questionnaire

Date _____ year

**Possession of identity documents as a requirement of social
integration of young Roma in the settlement of Veliki Rit in
Novi Sad (Serbia)**

The respondents' personal data

1. Sex:

Female

Male

2. Date and year of birth _____

3. Age:

A. Minor

aged 14-16

aged 16- 18

B. Adult

aged 19-25

aged 25-30

4. Place of birth: _____

5. Educational status:

A. Attends school

a) primary school (grade) _____

b) secondary school (grade) _____

c) college-university faculty (year) _____

B. Does not attend school

a) was never enrolled

(reason) _____

b) left school (in) _____ grade (reason)

c) completed: primary school secondary school faculty in
(place) _____

6. Marital and family status:

A. Single

a) without children

b) with (number) ____ children

B. In a common-law marriage for _____ years

a) without children

b) with (number) ____ children

C. In a formal marriage for _____ years

a) without children

b) with (number) ____ children

7. Status in Novi Sad:

Currently:

- A. Native /domicile, since _____ (year)
- B. New settler
 - a) Refugee from _____ since _____
 - b) Internally displaced person from _____ since _____
 - c) Returnee from _____ since _____
 - d) Moved from _____

Plans:

- A. To stay in Novi Sad
- B. To leave Novi Sad
 - a) and return to his/her old place of permanent residence, in _____
 - b) and go abroad (country) _____

Information on the possession of identity documents

1. Do you possess:

- a) ID card _____
- b) Health card _____
- c) Certificate of citizenship _____
- d) Permanent residence certificate _____
- e) Birth certificate _____
- f) Passport _____
- g) Marriage certificate _____
- h) Work booklet _____
- i) Diploma certifying completion of school _____
- j) Driver's licence _____
- k) Refugee and IDP identity card _____
- l) Returnees only: certificate from MoI _____

2. When and where did you obtain the document?

Persons that have some of the documents

2.1 Did anyone help you obtain these documents?

- A. No, I obtained them by myself.
- B. Yes, I had help from
 - a) a family member
 - b) a friend
 - c) representatives of NGOs _____
 - When obtaining (which document) _____
 - Because (the reason I needed assistance) _____
- C. Were you satisfied with their service? _____

2.2 What was your biggest problem in the process of obtaining an identity document?

2.3 How did the institutions treat you in the process of obtaining identity documents?

- A. I was well received, there were no problems
- B. I had a problem with _____
Because _____
I was told that _____

2.4 How much do the documents mean to you? What rights do they enable you to exercise?

2.5 What kinds of problems are faced by people you know who do not have their identity documents?

2.6 In your opinion, who is responsible for their non-possession of documents and who might help them obtain them?

Persons that do not possess any identity document

3.1 Have you ever tried to obtain an identity document?

a) Yes.

Who did you approach? _____

When? _____

For the document _____

I was told that _____

b) No, because _____

3.2 Do you know where your registry office was relocated?

3.3 Do you know who is responsible for issuing of:

a) an ID card? _____

b) a health card? _____

c) a birth certificate? _____

d) a permanent residence certificate? _____

3.4 Do you know what documents are required to obtain:

a) an ID card? _____

b) a health card? _____

c) a birth certificate? _____

d) a permanent residence certificate? _____

3.5 Have you asked anyone for advice or assistance in obtaining identity documents?

3.6 Have you heard of any organisations that assist Roma in the process of obtaining identity documents?

a) Yes, I've heard of _____

b) No, I haven't heard of any.

3.7 What is the key obstacle to you obtaining identity documents?

3.8 Have you ever been in an unpleasant situation or had problems because you did not have some identity document (ID card, health card...)?

3.9 What rights have you been deprived of due to the lack of identity documents?

- a) I cannot get an education
- b) I cannot get medical treatment
- c) I cannot use the right to social benefits
- d) I cannot officially become employed
- e) I cannot conclude a formal marriage
- f) _____
- g) _____
- h) _____

3.10 How many members of your _____-member household:

- a) do not have an ID card _____
- b) do not have a health card _____
- c) do not have a registered place of permanent residence _____
- d) are not registered in the register of births _____?

3.11 In your opinion, who is responsible and who should assist Roma in the process of obtaining identity documents?

Thank you!

