

# LIST OF CRITICAL ISSUES

BY THE EUROPEAN ROMA RIGHTS CENTRE CONCERNING MONTENEGRO

For Consideration by the Committee on the Elimination of Discrimination  
Against Women at its 67th Pre Sessional Working Group  
(21 to 25 November 2016)



CHALLENGING DISCRIMINATION PROMOTING EQUALITY

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This list of critical issues is presented by the European Roma Rights Centre (ERRC)<sup>1</sup> to assist the 67<sup>th</sup> Pre-Session Working Group with country specific information on issues affecting Roma, Ashkali and Egyptian<sup>2</sup> women in relation to Montenegro. According to Montenegrin census data from 2011, 8,305 individuals indicated that they were Roma or Egyptians, out of which men make 51.1 percent and women make 48.8 percent. The Council of Europe estimates that there are 20,000 Roma (including Ashkali and Egyptians) in Montenegro.<sup>3</sup>

## DISCRIMINATION

The Committee already acknowledged the specific situation and the multiple forms of discrimination faced by Roma, Ashkali and Egyptian women in the country, recommending to the Montenegrin Government to adopt temporary special measures to eliminate the multiple forms of discrimination against Roma, Ashkali and Egyptian women in education, employment and health care, to collect disaggregated data on the situation of Roma, Ashkali and Egyptian women, and to include such information in its next periodic report.<sup>4</sup> A specific recommendation by the Committee was given with regards to the need to intensify efforts to improve women's and girls' access to basic services in the Roma, Ashkali and Egyptian refugee camps in Konik.

Roma, Ashkali and Egyptian women in Montenegro continue to suffer multiple forms of discrimination on the basis of their multiple and intersecting characteristics (i.e. gender, ethnicity, religion, status of a displaced person, socio-economic status) when trying to access education, employment, healthcare, the justice system and various other services. Being a Romani women in Montenegrin society means facing a unique set of barriers and pressure, on one side, for being a Roma within the majority and on the other side, for being a women within the Romani traditional and patriarchal community.<sup>5</sup> Additional difficulties are faced by internally displaced Roma women who fled to Montenegro from war-torn Kosovo and are currently still living in the Konik camps.

According to a 2013 research on discrimination of members of minority and marginalized groups in Montenegro conducted by the Centre for Democracy and Human Rights (CEDEM), Roma are viewed as the minority mostly likely to suffer discrimination in the country, as compared to older people, national minorities, homosexuals, women, and persons with disabilities.<sup>6</sup> Overall, 64.8 percent of the respondents considered it hard to be Roma in Montenegro. The research also showed that 27 percent of the respondents would not like to have a Romani neighbor. The social distance towards Roma is also present in other fields of the Montenegrin society as for instance, having a Roma colleague at work is undesirable for 31.8 percent of the respondents, having a Romani boss is undesirable for 43.5 percent and having a Romani friend is undesirable for 42.8%. The same research also showed that Roma do not enjoy equal treatment when accessing public services compared to their non-Roma compatriots. According the respondents, Roma do not enjoy equal employment opportunities (76.8 percent of respondents), are not treated equally when accessing health services (45.4 percent), and have less access to education (52.7 percent) and justice (39.2 percent).

Recent ERRC research<sup>7</sup> reveals that the majority of the interviewed Roma, Ashkali and Egyptian women lack even a primary school degree. Significantly, 95 percent of these women are not employed and have the primary

1 The European Roma Rights Centre is an international public interest law organisation working to combat anti-Romani racism and human rights abuse of Roma through strategic litigation, research and policy development, advocacy and human rights education. See: [www.errc.org](http://www.errc.org).

2 Although Ashkali and Egyptians do not consider themselves Roma, the ERRC's mission extends to promoting the rights of this group, who are also targeted by anti-Gypsyism.

3 Council of Europe, Estimates and official numbers of Roma in Europe (2012) available at: <http://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=0900001680088ea9>.

4 CEDAW, Concluding observations of the Committee on the Elimination of Discrimination against Women on Montenegro, Fiftieth session, Geneva, 3 – 21 October 2011.

5 ERRC, The Romani Women's Movement in Montenegro: Chapter One, 16 May 2007, available at: <http://www.errc.org/article/the-romani-womens-movement-in-montenegro-chapter-one/2752>.

6 19 Ethnic Distance in Montenegro, Empiric study, Center for Empiric Studies, December 2013, available at: <http://www.cedem.me/publikacije/studije-ijavne-politike/send/69-studije-i-javne-politike/720-etnika-distanca-2013>.

7 The research focuses on the sexual and reproductive health of Roma, Ashkali and Egyptian women in Montenegro (Podgorica- Konik 1 and 2 and Berane). It was conducted in the period August-September 2016 by the Centre for Roma Initiatives (Niksic) and with full financial support from the ERRC. During the research 200 interviews were conducted with Roma and Egyptian women, and six focus group discussions were organized in which 49 Roma and Egyptian women participated. The final report on this research is still not officially published. However, the ERRC is willing to make its unpublished research about this subject available to the Committee upon request.

role in the upbringing of their children and housekeeping. Only 5 percent of women earn their own income and this mainly by cleaning the houses of non-Roma and collecting waste and raw materials. More than half of the interviewed women (53 percent) declared that their partner is the only person providing income in the family. In the majority of cases, this income ranges from 10 to 20 Euro per month. The ERRRC research also revealed that 32 percent of the interviewed Roma, Ashkali and Egyptian women do not possess any health insurance and thus, they are required to pay for the health service, including reproductive health services that they would like to benefit from. The majority of the women that have insurance managed to obtain it on basis of the fact of being unemployed (83%). The same research also revealed devastating housing conditions among the interviewed women. Especially, among women living in the Konik camps where 54 percent of them still live in informal housing (containers) where on average 7 people share a 10-20 m<sup>2</sup> living space.

## SUGGESTED QUESTIONS TO THE GOVERNMENT:

- What specific measures has the Government implemented or planned to significantly improve the situation of Roma, Ashkali and Egyptian women and girls in access to education, employment, housing, health care and justice, including for internally displaced Roma, Ashkali and Egyptian women and girls from the Konik camps?
- Is the impact of any such measures being monitored through the collection and analysis of disaggregated data?

## HEALTH

In a recent research conducted by the Ministry for Human and Minority Rights of Montenegro in February 2016, important key issues concerning the health care status among the Roma and Egyptian population in the country were officially identified. A key problem acknowledged by the Ministry is the fact that a large part of the Roma and Egyptian population has no access to health care, where as much as *“40 percent of adult Roma and Egyptians do not possess certified health cards. The research also revealed that about 40 percent of the sampled Roma and Egyptians assessed their own health status as bad or very bad. In 26 percent of Roma and Egyptian households is living at least one person with serious health conditions or disabilities, of which in 6 percent of these households (of those 26%), is living more than one person with serious health conditions. From 2010 until today in more than a third of surveyed households a family member died. Calculating life expectancy only for this period the Ministry obtained data showing that the life expectancy of a member of Roma population is 55 years. Life expectancy for members of the majority population in Montenegro is 76 years. This means that, when someone is born as Roma or Egyptian in Montenegro it is expected that he/she in average would live about 20 years less than someone who is born in the same country as someone who does not belong to Roma and Egyptian population”*.<sup>8</sup>

When it comes to the specific health status of Roma, Ashkali and Egyptian women in the country, the Committee already expressed its particular concern with regards to the low prevalence of contraceptives and inadequate access to sexual and reproductive health services and information, calling upon the State to ensure that Roma, Ashkali and Egyptian women, have free and adequate access to contraceptives, sexual and reproductive health services and information in accessible formats.<sup>9</sup> In relation to that, a crucial negative indicator was provided by the research of the Ministry on Human and Minority Rights of Montenegro, with the finding that *“almost 12 percent of Roma and Egyptian households had a case of death of a new-born”*.<sup>10</sup> This can serve as proof of the Government’s failure to provide accessible, affordable and effective prenatal and antenatal care of Roma, Ashkali and Egyptian newborns.

A recent ERRRC research focused on reproductive health of Roma, Ashkali and Egyptian women in the country confirms the Ministry’s negative indicators and reveals further problems with availability, accessibility, affordability and the quality of reproductive health services where a meaningful percentage of interviewed Roma, Ashkali and Egyptian women are without any health insurance or certified health cards (32 percent). Among the interviewed 12.5 percent of the women visited a gynaecologist a very long time ago and a majority did so

8 Ministry of Human and Minority Rights –Montenegro, The Strategy for social inclusion of Roma and Egyptians in Montenegro 2016-2020, page 45-46. See at: <http://www.minmanj.gov.me/en/library/strategije>.

9 CEDAW, Concluding observations of the Committee on the Elimination of Discrimination against Women on Montenegro, Fiftieth session, Geneva, 3 – 21 October 2011.

10 Ministry of Human and Minority Rights –Montenegro, The Strategy for social inclusion of Roma and Egyptians in Montenegro 2016-2020, page 45-46. See at: <http://www.minmanj.gov.me/en/library/strategije>.

only during their pregnancy (56 percent). An especially appalling finding is the one indicating that 95 percent of the interviewed Roma, Ashkali and Egyptian women find it very hard to them to access gynaecological services because of the distance of the gynaecological clinics. Majority of these answers were provided by Roma, Ashkali and Egyptian women from the Konik camps, asserting that there is no available gynaecological service nearby, *they need to take a taxi in order to arrive to the gynaecological clinic and hence, in addition to paying for the service they should be able to pay for the costs of the transportation.* The research also provides information that 21 percent of the Roma, Ashkali and Egyptian women who visited gynaecologists were not satisfied with the treatment they received. A significant majority of the women, 75 percent were never advised on family planning by their gynaecologist or other medical professional and 70 percent of them have never used any contraceptive method, apart from abortion. These data confirm the Committee's concern over the low prevalence of contraceptives and inadequate access to sexual and reproductive health services and information of Roma, Ashkali and Egyptian women. Furthermore, almost every interviewed Roma, Ashkali and Egyptian woman (98.3 percent) was requested to pay for the gynaecological treatment she received (with prices ranging from 5 to 30 Euro for ultrasound, giving birth 150-500 Euro, abortion 50-250 Euro, regular gynecological check-up 3-10 Euro). Moreover, some of the interviewed women (10 percent) have experienced discriminatory treatment, including verbal abuse by their gynaecologists. However, a significant percentage of these incidents went unreported (47.6) mainly because of the fear of facing repercussions.

### **SUGGESTED QUESTIONS TO THE GOVERNMENT:**

- What specific measures has the Government implemented or planned in order to significantly improve the access to health insurance and cards among the Roma, Ashkali and Egyptian women, including internally displaced Roma, Ashkali and Egyptian women and girls from the Konik camps?
- What specific measures has the Government implemented or planned in order to ensure that available, quality sexual and reproductive health care services in the country are equally accessible and affordable to Roma, Ashkali and Egyptian women and girls, including for internally displaced Roma, Ashkali and Egyptian women and girls from the Konik camps?
- Are there any preventive actions, awareness-raising campaigns, available information and education on family planning and contraception provided or planned to be provided to Roma, Ashkali and Egyptian women in the country, including internally displaced Roma, Ashkali and Egyptian women and girls from the Konik camps?
- Is the impact of any such measures being monitored through the collection and analysis of disaggregated data?

## **FORCED AND EARLY MARRIAGES**

In its last concluding observations on Montenegro, the Committee noted with concern the prevalence of practices of arranged and forced early marriages within the Roma, Ashkali and Egyptian communities, especially concerning girls aged 14–16.<sup>11</sup> The Committee also noted the harmful effects early marriages have on girls' mental and reproductive health. The Center for Roma Initiative research confirms that early marriages are still practiced among Roma, Ashkali and Egyptian communities in Montenegro: 72.4% of the interviewed women were 'married' when they were less than 18 years of age (in the period from 12 to 17 years).<sup>12</sup>

### **SUGGESTED QUESTIONS TO THE GOVERNMENT:**

- What specific measures has the Government implemented or planned in order to raise awareness among Roma, Ashkali and Egyptian communities about the prohibition of forced and child marriages and the harmful effects on girls mental and reproductive health?
- What specific measures have the Government implemented or planned in order to effectively investigate, prosecute and punish cases of forced and early marriage among the Roma, Ashkali and Egyptian communities?
- Is the impact of any such measures being monitored through the collection and analysis of disaggregated data?

11 CEDAW, Concluding observations of the Committee on the Elimination of Discrimination against Women on Montenegro, Fiftieth session, Geneva, 3 – 21 October 2011, item 38 and 39.

12 Center for Roma Initiatives, Ugovoreni brak jaci od zakona (Arranged Marriages are Stronger than the Law), available at: <http://crink.me/wp-includes/PDF/Ugovoreni%20brakovi.pdf>.

## EDUCATION AND EARLY MARRIAGES

As a consequence of early marriages, there are significant disparities between the primary school dropout rates of Romani children, especially girls, and the general school population. According to a 2016 research conducted by the Ministry of Human and Minority Rights of Montenegro, over 11% of Roma children abandon school (boys 9.4% and girls 13.8%).<sup>13</sup> In contrast to this, dropouts are almost nonexistent among the majority population. ERRC research data<sup>14</sup> indicate that, one of the reasons for girls' drop out of school derives from fact that Roma, Ashkali and Egyptian parents are less directed towards girls' education, so that girls can take care of family or younger brothers and sisters. Reasons for poor education of girls were also identified in early and forced marriages and maintenance of negative aspect of tradition.

### SUGGESTED QUESTIONS TO THE GOVERNMENT:

- What systemic solutions has the Government implemented or planned in order to prevent Roma, Ashkali and Egyptian girls dropout of school and ensure attendance to compulsory primary education?
- Is the impact of any such measures being monitored through the collection and analysis of disaggregated data?

13 Ministry of Human and Minority Rights –Montenegro, The Strategy for social inclusion of Roma and Egyptians in Montenegro 2016-2020, page 27-28. See at: <http://www.minmanj.gov.me/en/library/strategije>.

14 Data collected through questionnaires sent to Roma and non-Roma civil society organizations from Montenegro, in October 2015 for the purposes of organizing a conference on challenging school segregation of RAE students. More details about the conference can be found on: <http://www.errc.org/article/classrooms-beyond-race-inclusive-education-for-romani-children/4412>.