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**ERRC report on Montenegro**  
For the 2010 EU Progress Reports

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## 1. Anti-discrimination and other human rights law

Montenegro has still not adopted a comprehensive anti-discrimination law in line with European Directive 2000/43/EC (the Racial Equality Directive). On 29 April 2010 the Government of Montenegro adopted a Draft Law on Prohibition of Discrimination of Montenegro,<sup>1</sup> according to which all state authorities will be obliged to keep special records of any cases of discrimination and report them to the Ombudsman's Office. The Draft makes reference to special forms of discrimination, introducing the terms of harassment, mobbing and segregation.

## 2. Access to education

According to the Roma Education Fund, the most pressing problems for the education of Roma in Montenegro are low enrolment rates (25.2% of Romani children enrol in primary education, as compared with 96.9 % in the general population), high dropout rates (only 18% of Romani children complete primary education, versus 98% of all children in Montenegro), and segregation, with informed unofficial estimates indicating that more than 20% of Romani pupils in Montenegro attend school in de facto segregated schools and classes.<sup>2</sup> There are no qualified teachers of Romani origin.

In 2009 Amnesty International reported that an estimated 60% of Romani children in Montenegro were denied education.<sup>3</sup> The Foundation for Roma Scholarship has reported that there are only eight Romani university students and 35 Romani high school students in Montenegro.<sup>4</sup> In Montenegro, there are 31,333 secondary school pupils and 20,475 pupils enrolled in university.<sup>5</sup>

According to a report by the Youth Initiative for Human Rights (YIHR) in 2010, Romani children in Montenegro face discrimination within the school system.<sup>6</sup> As a result, many Romani children reportedly drop out of school and do not finish elementary or high school. In Podgorica's Konik settlement there is a segregated school for Romani children only, the elementary school Bozidar Vukovic Podgoricanin. YIHR also reported that some children do not attend school because of the lack of transportation: for example in Tivat, Lovanje, 16 children reportedly do not go to school for this reason.

According to ERRC research in Montenegro, poverty and substandard housing conditions continue to form a key obstacle to the school attendance and performance of Romani children. For example, Mr R.A. told the ERRC that his family lives in very poor conditions (35 square metre house for eight people; poor electricity connection), which negatively impacts the ability of

<sup>1</sup> See: <http://www.venice.coe.int/docs/2010/CDL%282010%29024-e.asp>.

<sup>2</sup> See: Roma Education Fund, 2009 Country Assessment and the Roma Education Fund's Strategic Directions – "Advancing Education of Roma in Montenegro", available at: [http://www.romaeducationfund.hu/documents/montenegro\\_report\\_english.pdf](http://www.romaeducationfund.hu/documents/montenegro_report_english.pdf).

<sup>3</sup> See: <http://www.amnestyusa.org/annualreport.php?id=ar&yr=2009&c=YUG>.

<sup>4</sup> See: <http://www.yihr.org/uploads/reports/eng/33.pdf>.

<sup>5</sup> ERRC telephone interview with representatives of the Ministry of Education and Science, 2 June 2010.

<sup>6</sup> See: <http://www.yihr.me/eng/wp-content/uploads/2010/03/First-quarterly-report-on-the-state-of-human-rights-in-Montenegro-2010.doc>.

his son, who is in the 4<sup>th</sup> grade, to study at home.<sup>7</sup> Similarly, Ms H.B. told the ERRC that her family of six lives in a 25 square metre house with poor electricity and heating which also affects her child's school performance. In addition, Ms H.B. stated that only one of her children is able to attend school because they can not afford the cost of books, pens, etc, and that this child will soon have to leave school for the same reason.<sup>8</sup>

### 3. Access to adequate housing and forced evictions

In 2009 Montenegrin authorities are reported to have spent approximately 600,000 EUR to improve conditions for Roma under the Strategy for Improvement of the Roma Position in Montenegro 2008-2012. Priorities included better housing among the other vitally important issues.<sup>9</sup> The government also appointed a new national coordinator and established a commission for monitoring the implementation of the strategy including the representatives of Roma and NGOs; however the government efforts did not result in significant improvements during the year.

According to a joint survey conducted in October 2008 by the National Statistics Office, the Roma National Council and the local NGO Roma Circle, there were approximately 11,000 Roma in the country,<sup>10</sup> of whom 4,500 were internally displaced persons (IDPs) or displaced persons (DPs) and 6,500 were long-term residents. Many Roma, including IDPs from Kosovo, lived illegally in squatter settlements, often far apart from each other and lacking such basic services as public utilities, medical care, and sewage facilities. Forty-seven percent of Romani families were reported to live in cabins, while 30.5% lived in houses made of solid material. Residential segregation is widespread and worsened by poor housing and infrastructure conditions. Additionally, residential segregation plays a central role in explaining segregation of Romani children in schools and classes.<sup>11</sup>

The housing of Romani, Ashkalia and Egyptian (RAE) refugees from Kosovo also continues to be a concern. Up to 3,000 RAE refugees continue to reside in Montenegro. In the capital alone there are 2,450 RAE displaced from Kosovo, who are settled in Konik Camp I and Camp II. These camps have existed for 11 years, according to Mr Isen Gashi, President of the National Roma Council within the Ministry for Human and Minority Rights.<sup>12</sup> The conditions in the camps inhabited by RAE from Kosovo are highly substandard. The ERRC visited these camps in April 2010 and noticed a marked deterioration in camp conditions from previously; this appeared to be because most international organisations had ended their programmes in the camps and were not substituted by Montenegrin authorities.

The camps mainly consist of barracks provided by the Red Cross 11 years ago; after such a period and without renovation and or repair the barracks are extremely dilapidated. One of the residents, Mr H.B., informed the ERRC that he had to repair his barrack himself and add another room to accommodate his 6-member family.<sup>13</sup> However, most RAE refugees can not afford to repair the barracks themselves, which negatively influences their health and safety. Mr A.O. told the ERRC that as a result of bad electrical connections his barrack had burned in a fire which killed his two minor daughters. The Municipality of Podgorica provided him with 1,000 EUR to reconstruct the barrack, but Mr A.O. stated that this would not cover the actual cost.<sup>14</sup>

Some municipalities have taken limited actions to improve the housing conditions of Roma. Mr Momčilo Mićunović, president of the commission for implementation of the local action plan for improving the position of the Roma minority in Niksic, told the ERRC that Niksic is the first municipality in Montenegro to have adopted such a document for Romani settlements that

<sup>7</sup> ERRC interview with Mr R.A., Pinjes Romani settlement, Ulcinj, 28 April 2010.

<sup>8</sup> ERRC interview with Ms H.B., Pinjes Romani settlement, Ulcinj, 28 April 2010.

<sup>9</sup> US Department of State, 2009 Human Rights Report on Montenegro, available at: <http://www.state.gov/g/drl/rls/hrrpt/2009/eur/136048.htm>.

<sup>10</sup> Ibid.

<sup>11</sup> See: [http://www.romaeducationfund.hu/documents/montenegro\\_report\\_english.pdf](http://www.romaeducationfund.hu/documents/montenegro_report_english.pdf).

<sup>12</sup> ERRC interview with Mr Isen Gashi, Podgorica, 9 September 2009.

<sup>13</sup> ERRC interview with Mr H.B., Podgorica, 9 September, 2009.

<sup>14</sup> ERRC interview with Mr A.O., Podgorica, 9 September 2009.

"unfortunately, are not legalised," or are not registered in the urban plan. However, during discussions with the ERRC, Roma residing in the Trebjesa Romani settlement in Nikšić indicated that despite the new local action plan, many lack registration and registered residence and that the documentation of housing ownership is still a problem.<sup>15</sup> The lack of documentation of property ownership is a problem for many Roma in Montenegro which means that a great number of Roma live under the constant threat of eviction.

Ms H.B. lives in a one-room wooden house of 25 square metres with her husband and four children. There is no water or sanitation in the house and when it rains mud enters the house under the door. Heating the house is very difficult and snakes and rats can easily enter the house; her children have been bitten by snakes in their sleep. As a result of their substandard housing conditions, many members of the family suffer from illnesses: Ms H.B. often gets kidney infections and requires an operation, while her children have bronchitis. In response to a local government announcement about available apartments, Ms H.B. applied for an apartment but she was refused. Ms H.B. also told the ERRC that Romani families have also been refused access to private rental housing, for example, in Ulcinj.

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<sup>15</sup> ERRC interview with Mr Momčilo Mićunović, Nikšić, 9 August 2009.