

PROJECT ON ETHNIC RELATIONS

The **Project on Ethnic Relations (PER)** was founded in 1991 in anticipation of the serious interethnic conflicts that were to erupt following the collapse of Communism in Central and Eastern Europe and the former Soviet Union. PER conducts programs of high-level intervention and dialogue and serves as a neutral mediator in several major disputes in the region. PER also conducts programs of training, education, and research at international, national, and community levels.

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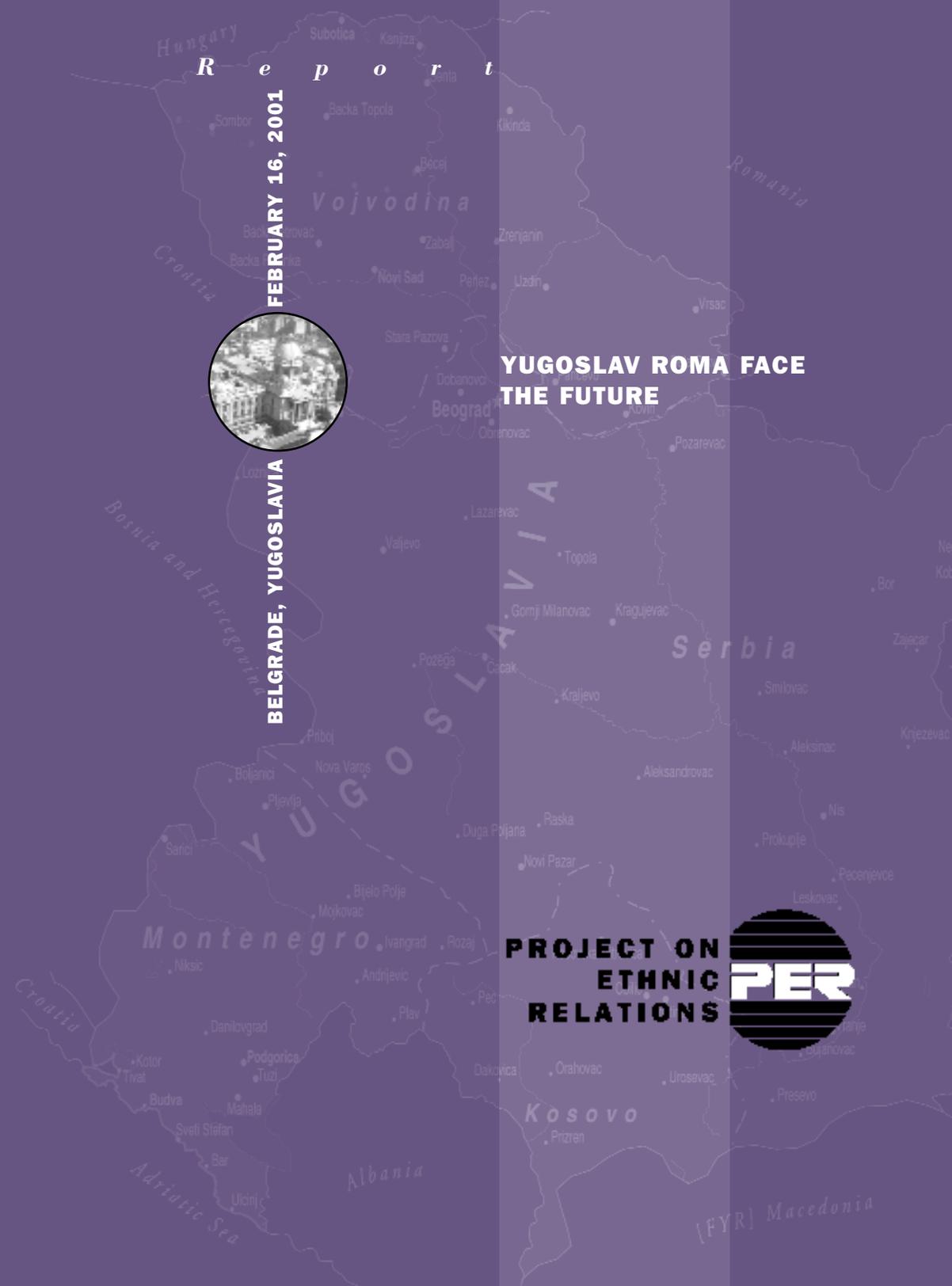
**15 Chambers Street
Princeton, New Jersey 08542-3707, USA**

Telephone: (609) 683-5666

Fax: (609) 683-5888

E-mail: per@per-usa.org

Web Site: www.per-usa.org



**YUGOSLAV ROMA FACE
THE FUTURE**

BELGRADE, YUGOSLAVIA

FEBRUARY 16, 2001

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PREFACE

The security and well being of the Roma in former Yugoslavia is of grave concern to the international community and to the Roma themselves. During the wars in Croatia, Bosnia, and Kosovo, and the violence in Macedonia, Roma have often been caught in the midst of struggles between other ethnic groups. In Kosovo, their very survival was under threat. These woes came against a background of chronic unemployment, poverty, and discrimination. Concerted action by governments, international organizations, Romani and other nongovernmental organizations, as well as Romani leaders, are required to protect this vulnerable minority from immediate threats and to improve its long-term situation.

The international community has taken steps to safeguard some Roma from direct threats. KFOR in Kosovo, SFOR in Bosnia, and UNHCR in Macedonia, Kosovo, and Montenegro have provided physical protection and have set up refugee facilities. However, the long-term future of the Roma in former Yugoslavia will require active cooperation and direct partnerships between governments and their Romani communities.

For some years, the Project on Ethnic Relations has assisted governments to develop programs for the Roma and has urged Romani leaders to participate in the political life of their countries in order to have a voice in shaping the programs that affect them. PER has conducted programs for governments and Romani organizations in Romania, Slovakia, Hungary, Bulgaria, and Macedonia.



Left to right: Dragoljub Ackovic, Nada Raduski, Agnes Odri Kartag, Andrzej Mirga, Dusan Janjic, Allen Kassof, Nicolae Gheorghe, Alex Grigor'ev, Nenad Djurdjevic.



Left to right: Dejan Markovic, Osman Balic, Nedzet Mustafa.

With the October 2000 victory of the democratic opposition in Serbia, it has finally become possible to open a dialogue on the status of the Roma there.

In February 2001, in Belgrade, PER initiated the first discussion of these issues at a roundtable co-sponsored with OSCE's Office for Democratic Institutions and Human Rights (ODIHR) and its Contact Point for Roma and

Sinti Issues (CPRSI), and the Belgrade-based Forum for Ethnic Relations (FER).

Although the Roma in Yugoslavia constitute one of the largest minorities and have traditionally enjoyed certain rights, their status has never been legally codified. The new democratic government has proclaimed its interest in developing and implementing new constitutional provisions for minorities, and has established a federal ministry responsible for minority issues that will also take up Romani issues.

Most, though not all, Romani leaders who took part in the roundtable were in favor of declaring the Roma an official national minority in the new Yugoslav federal law on national minorities, now in preparation. They believe that this status would confer a greater degree of legal protection than at present and that it would expand opportunities for the Roma. But all agreed that constitutional and legal measures could only be the first step in overcoming discrimination and neglect by the majority community. They stressed that political will at the highest levels of the government will be required if there is to be any improvement in their overall situation.

Romani participants recommended the creation of an office for Romani affairs at the ministry for ethnic and national communities of the FRY, and called upon the government to pay particular attention to the difficult problems that the Roma face. They requested government assistance in revitalizing Romani language instruction in the schools, passage of an anti-discrimination law, the appointment of an ombudsman, and provisions to monitor the enforcement of rights at the local level.

Government representatives promised to keep the Romani leaders informed of steps that they planned to take in the near future. One official said that, if the draft law on minorities were to provide for a register of ethnic groups, then it was likely that the Roma, as well as the related communities of Ashkali and Egyptians, would be included.

PER plans to reconvene the roundtable in the near future.

This report was prepared by Nenad Djurdjevic of PER's Belgrade office and edited by PER's Princeton staff. The participants in the meeting have not had the opportunity to review the text, for which PER assumes full responsibility.

Allen H. Kassof, *President*

Livia B. Plaks, *Executive Director*

Princeton, New Jersey

August 2001

INTRODUCTION

A one-day roundtable discussion entitled “The Status and Perspectives of Romani Communities in Serbia and the Federal Republic of Yugoslavia” was convened on February 16, 2001, in Belgrade, under the auspices of the Project on Ethnic Relations (PER) in cooperation with the Office of Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe (OSCE), and with the Belgrade-based Forum for Ethnic Relations.

This was the first such meeting since October’s sweeping political transition in Serbia to gather all major Romani leaders from Serbia to discuss this particular minority’s current political status and strategy for future activities, in light of the democratic changes underway in Serbia and the Federal Republic of Yugoslavia (henceforth referred to as “Yugoslavia” or “the FRY”).

The main topic of discussion was the issue of granting “national minority” status to the Roma in Yugoslavia within a proposed law that would define and regulate the rights of national minorities (henceforth referred to in this report by various terms, including “the minority law”). This bill is presently being drafted by a group of experts under the direction of the Federal Ministry for National and Ethnic Communities.

PER has been working with the Romani communities in Central, Eastern and Southeastern Europe for a decade. The main goals of this work have been to find and establish common ground between the respective governments and representatives of the Roma and to establish working partnerships between them. The main pillar of PER’s approach has been the conviction that dialogue between the two sides must be based on mutual respect.

In the opening remarks, one of the organizers observed that if Yugoslavia’s Romani population is to more fully participate in politics and public life, it is essential that it be involved in developing, implementing, and evaluating policies and programs that pertain to it. Many programs for the Roma have failed, she said, because they were developed “without Romani participation, and without an understanding of the specifics of this community.” Consequently, the state must make a major effort to recognize the Romani community and its representatives as equal partners. Given the steps the FRY will be taking in the future as it endeavors to integrate with the European Union and other international

institutions, a commitment is needed from the government to seriously address issues related to the Roma and other minorities.

Another participant, someone instrumental in bringing about the present discussion, cautioned that some Romani communities are politically divided, as is the Romani population as a whole. The reason for organizing this event and, if necessary, many others, he stressed, is to determine “what is dividing the Roma and what their interests are.” And, he added, the agenda must address what the status of the Romani community should be in respect to the draft law on minorities given the new, democratic circumstances in Yugoslavia. This participant emphasized that the present meeting marks the first time in Yugoslavia that the Roma themselves have voiced the demand that they be recognized as a national minority and that the community be accorded a legally recognized status - a status seen as essential to becoming an equal party in the nation’s social and political life.

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The programs created under the Stability Pact for Southeast Europe and the Roma/Gypsies Section of the Council of Europe’s Population and Migration Division - which has established a regional program on the Roma in the Balkans, in consultation with the OSCE-ODIHR - were mentioned as opportunities for the Romani community to enhance its efforts at political participation on the international front. The regional program has three key aspects: addressing the most acute crises affecting the Roma, policy development in Romani affairs, and facilitating Romani aspirations to become more active players in politics.

THE PRESENT ENVIRONMENT

All on hand agreed that in addressing the institutional and legal resolution of the problems that face ethnic and national communities in Serbia and the FRY, it is necessary to understand Serbia’s current political environment.

Since October 5, 2001, when the regime led by Slobodan Milosevic was removed from power, Serbia has been facing formidable challenges: the tense situation in southern Serbia, which threatened to escalate; the unre-

solved status of Kosovo; relations between Serbia and Montenegro and their impact on the federation; and last but not least, the democratization process inside Serbia, including destroyed, if not devastated, institutions.

A host of problems has been surfacing, some in uncontrollable ways, in the months since the downfall of the Milosevic regime. As put by a participant, “[It] often appears that things often seem worse than they were under the dictatorship due to the nature of a country in transition.”

Consequently, added this participant, minorities, including the Roma, must work all the more to identify a “target group” to address their concerns to, whether within the federal government, the republican government, or some nongovernmental institution.

According to another speaker, a local expert on minority affairs, the general climate in Serbia might be characterized as “schizophrenic. On the one hand you have optimism and expectations for the future of democracy, on the other you have proof of intolerance, including the appearance of Nazi symbols and messages in public places.”

As this speaker pointed out, the ruling coalition in Serbia is composed of eighteen parties of varying ideological backgrounds – from “moderate nationalists” on the one side to the liberals and social democrats on the other. These forces have contrasting ideas on how to structure the country, what the priorities are, and what rights should be granted to minorities under law.

The future position of Montenegro will certainly influence the destiny of the country as a whole, said this participant, and this consequently represents yet another factor that must be considered in addressing the problem of minority protection. For the time being, he remarked, Montenegro de facto pursues its own independent policy in this and many other fields.

TOWARD EQUAL PARTICIPATION IN PUBLIC AND POLITICAL LIFE

As regards the drafting of the minorities bill, participants agreed, it is vital to address the issue of which level of government has the jurisdiction to pass and enforce such a law. The collision between the two main levels of government in the FRY – the federal state and the “other” state, comprising the republics – will continue to represent the main obstacle to the

legal regulation of minority status. The timing for putting the status of national minorities on the agenda is equally bad and good, according to a local expert on minority affairs. “The Serbian government is in the process of defining itself and searching for the major elements of its strategy,” he remarked, “and the time is absolutely right to start with public pressure, lobbying, and talks with representatives of the new government.” He added, “The timing is always bad, but you have to find a solution.” This participant stressed that while the solution had to be sought through negotiated compromise between all sides, the first order of business is to have representatives of individual groups work out differences among themselves so as to present the best possible proposal to the government.

Nearly all participants agreed that the main issue at hand is that of how to go about ensuring that the Romani community in Serbia and the FRY is granted legal status as a national minority. The consensus was that the Roma, together with the other minorities, should be mentioned specifically in the new law.

According to the participant who had last commented, it is not sufficient for a minority group to voice its demand on this front as if saying simply, “We want to be a national minority.” He said that such a demand must be accompanied by concrete institutional steps explaining what its realization would mean in different areas, including education, media, culture, and politics. Another related and vital issue, he concluded, is the problem of political participation of the Roma and the creation of their own institutions, including NGOs, that can facilitate their articulation of political demands.

Speaking of the need to better organize the Romani community, one Romani participant emphasized that without political involvement, Roma cannot possibly achieve a sense of “national or social affirmation.” At the same time, he said, economic independence and emancipation is necessary if the Roma are to build up a political elite capable of backing their struggle. Particular attention should be paid to efforts to establish Romani publishing houses, educational opportunities and programs, media, and NGOs. The Roma should focus on their cultural integration in society, he said, a process in which the state should have a special role. However, as a Romani participant active in a local NGO next remarked, until now the state, while having expressed ample concern for the position of the Roma and other ethnic minorities, has in practice “produced only problems.”

Another Romani participant, explaining the need for education in the Romani language, pointed out that while Radio Belgrade has a Romani language program, the editor-in-chief of this program does not speak the language.

Moreover, a researcher from the Institute for Social Sciences in Belgrade asserted that the main condition for the adjustment and adaptation of the Roma in society is education. According to official census figures that she cited, one third of all the Romani inhabitants in Yugoslavia are illiterate and only four percent have graduated from high school. Their position in society can aptly be termed a vicious circle: poverty and a general dearth of material resources means that Romani children are not going to school, and the resultant lack of education sees them remain at, or return to, the bottom of the social ladder.

One of the main factors in improving the education of Romani children, emphasized the same participant, is the possibility of their being taught in their mother tongue. Native-language education would allow them to learn about the culture of their people and about the sundry other aspects of Romani identity. It would also make their process of entering the world of learning more natural.

Yet another education-related consideration voiced at this discussion is worthy of note: the systematic formulation of a legal framework for protecting the rights of the Roma, not least through the creation of special educational programs. Among the examples mentioned were the need to found a Romani language department at the University of Belgrade and that of ensuring additional opportunities for Romani workers to pursue continuing education.

An official of a ruling party raised the issue of education of non-Romani children, saying, "We must teach our children that we have always lived on very good terms with the Roma and that we must continue to do so." The discussion of education now expanded to address the issue of the number of pupils needed to open a school where classes are to be conducted in a minority language. Someone who is helping to draft the minority law said that those formulating the details of this legislation are collecting information from various organizations representing national minorities: for instance, under a separate law passed in Vojvodina, fifteen pupils were required to establish a school, but later this number was decreased to five. Also discussed were some problems regarding the standardization of the Romani language and its recognition as equal to other

minority languages. One participant pointed out that the Romani community has found an obstacle in the provincial parliament of Vojvodina, specifically in those committees within this parliament that are responsible for regulations pertaining to usage of minority languages; for the Roma insist on acquiring national minority status and acquiring all rights including those to use their own language in education and public proceedings. As this participant noted, government authorities for this province have explained that Romani cannot simply be classified as equal to all other languages, for it has not been standardized.

Next, a top official from the Ministry for National and Ethnic Communities quoted from the European Charter on Regional and Minority Languages, stressing that this document protects not the communities that speak the relevant languages, but the languages as such. And the charter has recognized the Romani language, together with Yiddish, as so-called "non-territorial languages," she said.

Another state official, someone responsible for minority issues, stressed that the greatest problems faced by the nation's Romani community are its disastrous social status, exceedingly low-level of education, and inequality in employment, all of this exacerbated by intense discrimination by the majority population. He added that society must place special emphasis on positive discrimination, on achieving a situation in which much larger numbers of Roma can acquire an education of the sort that enables them to compete within the market economy on an equal basis with others.

Another participant observed that the Yugoslav government has never financed any educational program geared toward the Roma, but that local NGOs are carrying out these programs supported by European and American organizations. If education and more meaningful integration into society are presumed to be essential for bettering the situation of the country's Roma, said this participant, the condition *sine qua non* of their "political affirmation and involvement" is that they be recognized by law as a national minority.

As mentioned earlier, the federal government has formed a team of experts to draft a law on national minorities. Although this legislation would formally declare that the Roma and some other ethnic groups are "national communities," experts from a local NGO have drafted their own proposed legislation – one in line with their call to avoid the listing of such groups as in the minority; for, as they see it, the inevitable result

of the government plan would be that of leaving ethnic Serbs on the other side of the fence and thus tacitly encouraging ethnic division. Further, this proposal urges a clear definition of the term “national community” and the establishment of specific institutions for the protection of minority rights.

As pointed out by a Romani expert, there is a tendency in much of Europe to seek solutions to the sundry problems faced by the Roma by recognizing them collectively as a national minority. This translates into a high level of protection of individual and minority rights in the

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Council of Europe. Many states have accorded such status to the Romani communities, including Macedonia, Bulgaria, Romania, Hungary, Finland, Slovakia and Germany. Among these states, some are using the term “ethnic community” or “ethnic minority”—as is Hungary.

In preparing the minority bill, the federal government is proceeding in line with the Framework Convention on National Minority Rights and the European Charter on Regional and Minority Languages. While the Convention does not use the term “minority” for the Romani community, in practice and through the additional interpretation of other international agreements, it is generally assumed that the Romani community is to be recognized as a “national minority.”

The resolution of problems faced by national minorities serves as a stabilizing factor for the state and for the entire region, noted the distinguished academic who heads the federal government’s minority bill-drafting commission. As long as there is discrimination against minorities and as long as members of minority groups are exposed to aggression and violence, Yugoslav society cannot be stable, he asserted. Referring to the committee’s activity, he observed that the present climate in Yugoslavia is favorable and that the long-term orientation of not only the government but also of the international community (in particular, the European Union and the OSCE), are directed toward the same objectives.

In and of itself, however, the prospective law is insufficient to improve the position of national minorities, said the commission chairman.

Instead, he underlined, local government is one of the most important institutions for the day-to-day protection of minority rights. Those problems that cannot be solved at the municipal level, he continued, probably have to be worked out somewhere in between the local and republic governments. Here another participant elaborated by stressing Serbia’s need for substantial decentralization of power from the republics to its districts or regions. However, he said, since the constitution does not provide for this at present, despite many proposals toward this end, the time has come for a constitutional amendment.

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Many Romani participants agreed that local communities must play a greater role in enabling the fulfillment of minority rights. Efficient local governments, they said, would be the best possible arena within which to pursue activities geared toward improving the situation of the Roma. A local government official from Loznica, in western Serbia, explained the situation in his town by saying that the Roma have been living there for hundreds of years and that in the past decade refugees from Romani communities from other parts of the former Yugoslavia have arrived. However, he observed, “regardless of the size of the Romani population, there are no [Romani] representatives neither in municipal governments, public utilities, nor even in communities predominantly populated by the Roma.”

This local official laid some of the blame for the aforementioned situation on the Roma themselves, insisting that they are insufficiently organized to focus on their own problems and that they have failed to nominate “the best candidates among them” to represent their interests. Commenting on the jurisdiction that municipalities in the FRY have at present, this official went on to say that, with the exception of urban planning, local governments have no other powers at their disposal with which to help the Roma resolve their problems, since the housing conditions of the Roma are extremely severe. The discussion that had centered around this participant’s comments concluded with a general agreement that local communities are precisely where most problems of all groups, including the Roma, must be resolved.

THE STATUS OF THE COMMUNITY

As for the key topic of discussion, the status of the Romani community in the new democratic circumstances in the FRY, everyone present agreed that the Roma want to be recognized as a national minority, mentioned specifically as such in the relevant law.

In the past, one minority affairs expert explained, there were many cases when Romani groups had requested some form of assistance from the Ministry for National and Ethnic Communities but were told, in effect, “Listen, you are not mentioned in the laws, you are not a national minority.” On the other hand, observed this same participant, the fact that the Roma are not mentioned specifically in the law means that whoever wants to interpret the law and the constitution “in a positive manner” could conclude that, naturally, the Roma are a minority.

The head of the commission drafting the minority bill agreed, “All groups, all minorities, including the Roma, will be mentioned specifically in the law.” The commission is also addressing issues of identity, he explained: every group would have the right to be recognized by its chosen name and to be registered under a corresponding status as it sees fit. However, he said, a lingering issue to be addressed in the law is that of ensuring the participation, in government and state administration, of all national minorities.

However, stressed the commission chair, passage of the minority bill into law will be insufficient in and of itself to resolve the problems and needs of minority groups in Yugoslavia. He added that many laws already include provisions that affect the ability of minorities to fully partake in the nation’s social and political life. For instance, the federal election law stipulates that a party must obtain five percent of the national vote in order to secure a seat in parliament. This figure is too high, said this participant, given that not a single national minority except for ethnic Albanians can hope to achieve it. The committee is proposing that this threshold be lowered to around 2.2-2.5 percent, and that a system of proportional representation be introduced that would allow all minorities to be represented in parliament. At the same time, he pointed to a problem that could inevitably accompany this “solution:” not only would minority parties thus manage to get representatives into parliament, but so too would certain small parties whose addition to the national scene of powerbrokers could destabilize the government.

Next, a Romani participant observed that in the former Yugoslavia,

which had been composed of six republics and two autonomous provinces, “The Roma were treated differently.” He elaborated that in some regions of the country the Roma were treated as a national minority and in others as a national “group.” Still, he said, the prevailing opinion was that because the Roma had no “country of their own, no mother country,” they were by definition ineligible to be legally recognized as a national minority.

This participant continued by noting that ever since the constitutional and legal position of the Roma first became subject to debate in the former Yugoslavia, in the 1960s, almost all Romani organizations have been demanding that the competent arms of the state grant their community national minority status. Indeed, at a recent convention, the Romani Association of Yugoslavia adopted a national platform that encompasses a series of political measures aimed at resolving the constitutional, legal, social, and economic position of the Roma.

Even granting the Roma national minority status cannot be considered a miracle cure, for, as this participant observed, racism and xenophobia still exist even in those countries where such status has been achieved *de jure* or *de facto* — including Macedonia, Bulgaria, Romania, Hungary, Finland, Slovakia and Germany. Beyond endeavoring toward minority status, Yugoslavia’s Romani community should thus work to ensure that a new provision is incorporated in the minorities bill that would focus specifically on the Roma. Something along these lines has already been implemented in Slovenia’s constitution, which provides for minority rights and specifically declares that the Roma are entitled to have a separate detailed law regulate their rights.

Another Romani participant proposed setting up a working group to analyze existing pieces of legislation that govern minority rights and make concrete proposals to improve such areas of the law. Such a group would be composed of specialists from various fields and organizations, representatives from a number of political parties (including Romani parties), and delegates from Romani organizations. This team should be

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established in collaboration with a relevant agency of the government—such as a proposed office for Romani affairs. This agency would in turn be actively involved in the development of a national program aimed specifically at improving the situation of the Roma.

The leader of a Romani political party underlined the importance of solidarity among minorities, both in Serbia and elsewhere in Yugoslavia; for, he said, different minority groups are in very different situations, and by forging ahead independently of one another they stand to accomplish little. In particular, he expressed hope that measures of positive discrimination be extended to the Roma, since their situation, in comparison to other groups, is clearly the worst. Furthermore, he stressed the importance of securing the support of the majority of the population in bringing and implementing any new measures that aim to enhance minority rights; for without such support, he predicted, new regulations and laws will not get beyond the paper they are written on. An educational campaign is required, he said, to impress upon the country's citizens the fact that even Serbia is a multiethnic community; that, if Kosovo is included, some forty percent of its population belong to minority groups. Some resistance might be expected on the part of the majority population, acknowledged this participant, because after years of "nationalistic insanity," people may be less than inclined to accept the situation immediately.

POLITICAL PARTICIPATION OF THE ROMA

Although the Romani Democratic Union has drawn up a proposed platform for political action, it was pointed out during the discussion that the group's legitimacy has been questioned; for some skeptics insist that there is not a single organization that rightly represents the Roma in general. The representative of an international organization suggested that all groups representing the Romani community should draft such a document and try, at the end, to harmonize their stances so as to arrive at a single, unified platform.

Next, a representative of the government of the Vojvodina province insisted that in the FRY, no national minority has a clearly defined status. He went on to say that some groups have special rights that translate into different levels of protection; some minorities have the right to state funding for native-language education and media broadcasting while others do not.

The absence of any regulation in the Yugoslav law that determines which groups validly represent a national minority and which do not, explained this participant, has in effect assured that the Romani minority does not enjoy such rights as those just mentioned.

A member of the Vojvodina provincial government said that it would be better to define the status of the Roma specifically in the new law, so as to preclude the possibility that "politicians will simply make decisions and interpret the status and the law in a manner that suits them."

An official of the Romani Democratic Union reiterated that defining the status of the Roma is the key issue "in their survival in this country." In order to achieve this end, he said, the group proposes the following:

1. The establishment, within the federal government, of an advisory committee on national minorities
2. The establishment, on both the federal level and in the republics, of separate advisory committees on Romani affairs
3. The establishment of regional committees or offices to address the economic and social situation of the Roma
4. The establishment of special committees on Romani affairs in municipalities and towns with particularly large Romani populations
5. A national minority law at the federal level, to be followed by an anti-discrimination law and the opening of an office of an ombudsman for minority rights

Another Romani participant, representing the Romani Congress Party, made further proposals. Above all, he said, the prospective law on national minorities must specify mechanisms for its implementation, so as to avert the possibility that the Roma are recognized as a national minority but in reality achieve little else. Consequently, a special law on Romani affairs should also be passed similar to that already in force in Slovenia. The Romani leader who next spoke adopted a harsher tone, insisting that measures of positive discrimination should be brought promptly to benefit the Roma and so redress the fact that in the past fifty years other groups have been comparatively privileged. He also stressed the need to achieve more effective political mobilization among the Roma, pointing out that other minorities, such as the Slovaks and the Ruthenians, are more politically savvy; for they know that the fewer of them there are, the more important it is to form political parties rather

than cultural associations. Furthermore, he said, the Romani parties require financial and other assistance from the government in order to develop the political and economic infrastructure they need as a basis to help themselves.

LEGAL INFRASTRUCTURE FOR THE PROTECTION OF ROMANI RIGHTS

The issue of amending the election law to ensure minority representation came up for discussion once again. An official of a Romani party proposed a 2.2% minimum-vote threshold for entry into a legislature of a republic, reasoning that this could allow every minority to achieve representation. Furthermore, he said, five or ten seats should be reserved for minorities in the federal and the republican legislatures, meaning that those minorities unable to achieve the threshold would at least be assured a voice in the relevant legislature. Such minority representatives would agree not to join or form coalitions with other parties/coalitions in the given parliament; this, so as to avoid a situation where certain large political blocs could essentially buy their votes. The minority deputies would form a single parliamentary group that would act jointly, without the possibility of aligning themselves with other political forces.

Another Romani participant spoke next, about the prospects of implementing the Framework Convention for the Protection of National Minorities, which, he pointed out, has already been realized in many countries even though few European states have a minority law. Most countries that have signed this convention do not directly apply the term “national minority” to the Roma, but the term “ethnic community.” Some other countries, including Poland, do not have a national minorities law even though in practice they have implemented minority rights provisions through other legislative means such as the Education Act, which provides minorities with state funds for minority language education. He emphasized that the granting of minority status represents only one solution; for in several of those countries in which this status has not been granted, the given governments have nonetheless adopted and implemented strategies to address the protection of minority rights and the smoother integration of minorities into society at large.

While participants agreed that the FRY must certainly ratify the Framework Convention for the Protection of National Minorities, some pointed out that the issue also represents a useful occasion for a parlia-

mentary debate over its ratification and a good opportunity for the federal government to issue a declaration of intent to pass a law on national minorities. Thus Yugoslavia can avoid a mistake that has been made in some other post-communist countries: rashly adopting a law only to discover that it contains many loopholes.

Next, a Rom accused other Romani participants of using the present conference to repeat demands regarding national minority status while ignoring the hard fact that a country in transition such as the FRY has more pressing matters to quickly resolve. Moreover, he condemned as “nationalistic” the comments of some Romani participants, asserting that such discourse will not resolve the problems of the Roma.

ANTI-DISCRIMINATION MEASURES

Discussion then turned to the broader subject of combating the general lack of tolerance in Yugoslav society not only toward the Roma but toward Jews, Albanians, and Chinese. A local expert on minority affairs proposed the introduction of institutional protection mechanisms toward this end, especially since the FRY has been obliged to do so by its recent signing of an agreement at the recent UN-sponsored Holocaust forum in Stockholm committing signatories to such action; specifically, to ensure punishment under criminal law for hate speech and the establishment of institutional monitoring of incidents spurred by a lack of tolerance. Furthermore, such initiatives should also include education of the general population about the Holocaust and more generally of the suffering of people owing to their racial or national identity. Legislation adopted in the European Union envisages an anti-discrimination law, and there is a separate recommendation of the European Commission against Racism and Intolerance on the table called “Combating Racism and Intolerance Against Roma/Gypsies,” which the FRY should adopt.

A local NGO representative noted that his organization recently launched an initiative to start monitoring Romani rights on the municipal level, where Roma are territorially concentrated and where no such institutions exist at present. The monitors themselves would be hired by local government authorities, who would grant them some formal status reflecting their task, but the expenses would be covered by the OSCE’s Office for Democratic Institutions and Human Rights. This proposal has been discussed with OSCE representatives, said the

NGO representative, and would ensure not only the monitoring of Romani rights at the local level but leadership training for young Roma.

This NGO has, moreover, proposed the establishment of a council of national and ethnic groups. As the NGO representative noted, Montenegro's constitution calls for a similar institution, one led by the president of the republic. The separate initiative to establish an ombudsman for all minorities or ombudsmen for individual minorities, said this participant, could certainly help realize this end.

CONCLUSION

An expert on minority affairs began the closing comments by questioning the aspiration of the FRY's Romani community to have the state define their ethnic status and rights. Specifically, he pointed out that undemocratic states have done this sort of thing in the past. There is certainly room for a debate, he said, on whether a democratic state should be in the business of defining ethnic status and bestowing it upon a given community. According to this participant, "The proper role of the state

The proper role of the state is not to give out rights and to define ethnic identity, but rather to provide and to guarantee a minimum level of protection and anti-discrimination guarantees.

is not to give out rights and to define ethnic identity, but rather to provide and to guarantee a minimum level of protection and anti-discrimination guarantees through legal and other means." However, he added, since Yugoslavia is presently very much in the throes of a transitional period, it is already necessary that immediate measures

be implemented to ensure some protection and the keeping of certain standards, so international organizations should frequently remind the government that such standards are essential and that they must be shared among all ethnic groups.

Furthermore, said this participant, all the peoples in the FRY, including the Roma, should be aware that as the country proceeds on the road of transition, state assets will be privatized, meaning that the bulk of the nation's resources will no longer be under government ownership but in private hands. Under this new reality, he continued, people must understand that their own situation will depend considerably on the country's general economic climate and ability to create a middle class. If the

Romani community manages to understand this, he said, then in the future they themselves can decide how to shape their identity and they will be able to confront the different definitions coming from different sides without worrying that they might be ignored.

Finally this participant made a few suggestions regarding what, in his opinion, the Roma can or cannot rightly expect in the foreseeable future from the state. Above all, they should expect only what is most essential and not await the elaboration of a program that comprehensively solves all their problems. The Roma should make it clear that, while an anti-discrimination law must be passed, they understand that its rigorous enforcement can be realized only with time. They can expect that the process, that is the exchange of up-to-date information with the government and vice versa, will be transparent, and that the public will thus be kept well informed throughout, not least about the state expenditures requisite to achieve this

While the Romani community must insist that the government prepare legislation to better their lives, they must also accept that it is the community's responsibility to take its fate into its own hands and to forge its space in society.

process. A realistic agreement should be made with the government about the sum to be spent for this purpose and about regulating its use. Above all, while the Romani community must insist that the government prepare legislation and regulations to better their lives, they must also accept that it is the community's responsibility to take its fate into its own hands and, as part of the private sector, to forge its space in society.

Among the last to speak, an international observer remarked that a "European program for the Roma" would be ideal, given the sheer number of problems that remain unresolved; seeing as how the Roma have neither their own churches nor legal representatives, he said, there is much room for action.

After considerable debate, especially about the legitimacy of certain Romani organizations and political parties to be the sole representatives of Romani interests, all participants agreed that the Romani community in Serbia/FRY must be accorded legal recognition in the future law on national and ethnic minorities in Serbia and the FRY. On the other hand, participants also concurred that the mere legal recognition of the

Roma as a national minority represents only a prerequisite for further legal regulation of their status, and the same applies to other national communities; for the anti-discrimination law must still be passed and the institution of ombudsman for minority rights be established.

All on hand agreed that the political situation in Serbia/FRY is favorable for initiating a major process of political, institutional, and social reform; and that further elaboration and regulation of the rights of national minorities must be an essential part of this process, for this is of essential importance to the development of democracy and civil society and for the country's further integration into international structures.

All participants further agreed on the need to establish an inter-municipal institution to be called the "Romani Rights Monitor" that would monitor abuses of Romani rights, particularly in geographic areas with sizeable Romani populations, and begin training of the Romani elite in the nature, representation, and protection of their rights.

LIST OF PARTICIPANTS

- Dragoljub Ackovic**, President, Roma Congress Party
- Petar Antic**, Fund for Humanitarian Law
- Osman Balic**, President of Executive Board, YU Romcentar
- Goran Ciric**, President, City Assembly Nis
- Martin Demirovski**, Representative in Macedonia, European Roma Rights Center
- Trifun Dimic**, President, Matica Romska
- Slavoljub Djordjevic**, Romani Information Center
- Nenad Djurdjevic**, Representative in Yugoslavia, Project on Ethnic Relations
- Svetlana Djurdjevic-Lukic**, Project Manager, Forum for Ethnic Relations
- Nicolae Gheorghe**, Senior Adviser on Roma and Sinti Issues, ODIHR/OSCE
- Alex Grigor'ev**, Program Officer, Project on Ethnic Relations (USA)
- Miroslav Jovanovic**, President, the Committee for Roma Rights Protection in Serbia
- Dusan Janjic**, Member, Project on Ethnic Relations Council for Ethnic Accord; Director, Forum for Ethnic Relations
- Slobodan Kaitovic**, President, Municipal Assembly, Loznica
- Agnes Odri Kartag**, Assistant Minister for National and Ethnic Communities, Federal Republic of Yugoslavia
- Allen Kassof**, President, Project on Ethnic Relations (USA)
- Tamas Korhecz**, Secretary for National and Ethnic Minorities, Provincial Government of Vojvodina
- Miroljub Lesnjak**, Vice-President, Provincial Assembly of Vojvodina
- Dejan Markovic**, President, Romani Student Union
- Vitomir Mihajlovic**, President of the Assembly, Romani Society Union
- Tanasije Mirijevski**, President, Society ROM
- Andrzej Mirga**, Chair, PER Romani Advisory Council; Co-Chair, Council of Europe Specialist Group on Roma/Gypsies

Nedzet Mustafa, Mayor of Suto Orizari, Republic of Macedonia

Petar Nikolic, Editor-in-Chief, Romani Desk, RTV Novi Sad

Ibrahim Osmani, Member, Romani Society Union; Member, Assembly of the Democratic Romani League (Municipality of Presevo)

Livia Plaks, Executive Director, Project on Ethnic Relations (USA)

Sima Radulovic, Deputy Chairman, Executive Board, City of Nis

Nada Raduski, Forum for Ethnic Relations

Ali Saiti, Owner, Radio Nisava

Ferhat Saiti, Co-President, Democratic Romani League

Zivota Sabanovic, Editor-in-Chief, Romani Desk, TV Froli

Srdjan Sajn, Co-President, Democratic Romani League

Radoslav Salijevec, President, Center for Multiethnic and Multicultural Cooperation

Djura Simic, President, League of Roma of Yugoslavia

Vojislav Stanovic, Member, Project on Ethnic Relations Council for Ethnic Accord; Member, Serbian Academy of Sciences and Arts; Chairman, Commission for Drafting the Law on National Minorities, Ministry for National and Ethnic Communities, Federal Republic of Yugoslavia

Sergej Stefanovic, Secretary General, Romani Congress Party

OTHER PER PUBLICATIONS

- *Romanian-American Symposium on Inter-Ethnic Relations (1991)*
- *The Romanies in Central and Eastern Europe: Illusions and Reality (1992)*
- *Nationality Policy in the Russian Federation (1992)*
- *Interethnic Relations in Serbia/Yugoslavia: Alternatives for the Future (1993)*
- *The Media of Eastern Europe and the Former Soviet Union: Reporting on Interethnic Relations (1994)*
- *Managing Ethnic Conflict: The Kona Statement (1994)*
- *Countering Anti-Roma Violence in Eastern Europe: The Snagov Conference and Related Efforts (1994)*
- *Ethnonationalism: Fears, Dangers, and Policies in the Post-Communist World (1995)*
- *Slovakia Roundtable in the United States (1995)*
- *Democratic Processes and Ethnic Relations in Yugoslavia (1995)*
- *Russia and Eastern and Central Europe: Old Divisions and New Bridges (1996)*
- *Second Slovakia Roundtable (1996)*
- *Ethnic Relations: A Selected Bibliography (1996)*
- *Reporting in a Post-Conflict Environment: Bosnian and Croat Journalists Meet (1996)*
- *The Media and the Roma in Contemporary Europe: Facts and Fictions (1996)*
- *The Roma in the Twenty-First Century: A Policy Paper (1997)*
- *Prevention of Violence and Discrimination Against the Roma in Central and Eastern Europe (1997)*
- *Enhancing Regional Security: Russian and Central European Perspectives (1997)*
- *The New York Roundtable: Toward Peaceful Accommodation in Kosovo (1997)*
- *Images and Issues: Coverage of the Roma in The Mass Media in Romania (1997)*
- *Self-Government in Hungary: The Gypsy/Romani Experience and Prospects for the Future (1997)*
- *Political Leaders on Interethnic Relations and Regional Security in Central Europe: A Roundtable (1998)*
- *Interethnic Relations in the Balkans: New Generation, New Politics (1998)*

- *Schools, Language, and Interethnic Relations in Romania: The Debate Continues (1998)*
- *The Roma in Bulgaria: Collaborative Efforts Between Local Authorities and Nongovernmental Organizations (1998)*
- *Baltic-Russian Relations in the New Geopolitical Framework (1998)*
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