

*OSCE HDIM Warsaw 26 September 2019*

*Housing and Living conditions, particularly relating to the situation of forced eviction and segregation of Roma and Sinti is scheduled for Thursday, 26 September 15.00 -18.00.*

**Presented**

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The Roma community in North Macedonia remains one of the most marginalized groups in the country. Discrimination, poverty, poor housing conditions and lack of resources to use the mechanisms for exercising their rights represent factors that exacerbate their already unfavourable social situation in society. In the Republic of North Macedonia, Roma are mainly settled in the peripheral parts of the major urban areas. Roma in North Macedonia do not live nomadic, which means that on the locations where they are settled, they are living for a long time. According to statistical data from the last Census of the population in the country realized in 2002, a large part of the Roma population in the country (45%) is settled in 10 municipalities: Bitola, Gostivar, Debar, Vinica, Kumanovo, Kichevo, Kochani, Prilep, Tetovo and Shtip. Almost the same percentage (43.06%) live in the capital city of Skopje, majority of which is settled in the largest Roma municipality in the country, Shuto Orizari; the remaining 12% live in other municipalities throughout the country.

Roma families often live in poorly constructed sub-standard homes, sometimes without access to clean drinking water or sanitation. The conditions in which they live are very bad, often below the proclaimed standards of adequate housing. Their homes are small, sufficient to barely satisfy the most basic needs. The sub-standard living conditions are constantly being perpetuated by the several factors. An important factor is the fact that almost 70% Roma do not have ownership papers of their homes (Strategy for Roma 2014-2020, 2014, p. 57). Because of this, they cannot exercise their ownership rights, and this fact prevents the further legal improvement of the infrastructure in Roma settlements (construction of roads in illegal settlements; the Law, a prevents establishing legal connection to the electricity network of an illegally constructed house, etc.). Due to the fact that more than 95% Roma in North Macedonia live in cities and the access of Roma communities to adequate housing is a key condition for the termination of the cycle of poverty, reducing discrimination and overall improvement of their quality of life. Housing is strongly interrelated to other areas of life, because poor substandard conditions often lead to health problems, without adequate housing it's difficult to find quality education and without education it's hard to find appropriate employment. Given the causal links between housing and other areas, the approach in addressing the issue of adequate housing of Roma community is essential.

Taking in regard the gravity of the situation, housing represented one of the four priority themes of the Decade for Roma Inclusion, in which the Republic of North Macedonia took part. According to the action plans, the national governments have committed to undertake "measures for improvement of the living standard of the Roma; measures include many aspects from legalization of illegal settlements, inclusion of the Roma in the social housing programs (so

called social apartments), down to allocation of state-owned land for new constructions that would have a legal status” (Enisa Eminova, Neda Milevska – Kostova, 2007, *Report on the situation of housing and health in the Roma communities in Macedonia*, p.10).

In July 2011, in an effort to end the problem with illegal housing, legislative framework was adopted regarding illegal buildings (Law on the Treatment of Unlawful Constructions), through which the government promoted access to legal housing. The adoption of the Law on the Treatment of Illegally Constructed Buildings from 2011 represented an opportunity for Roma families to receive property deeds and exercise their property rights. Special emphasis was placed on ensuring favourable conditions for legalization of buildings (low fees), with persons receiving social welfare were exempted from paying the fee. It was an incentive and motivation for the poorest, which for decades have lived in illegal buildings, to be able to exercise their ownership rights legally. However, the share of Roma which had initiated legalization procedures was disproportionately low due to a number of factors: lack of information, lack of knowledge regarding the procedures, as well as lack of resources to be able to initiate legalization proceedings.

Taking in regard the aforementioned circumstances, Roma in the country need continuous support and assistance in the process of legalization of their homes. They are often poorly informed regarding the legalization procedures, they lack information regarding their rights, and moreover, they often lack resources to initiate and complete the legalization procedures. As a result, they can easily omit important process actions or miss legal and administrative deadlines, which can lead to permanent loss of their rights related to home legalization. This is why they need continued, sustained legal support throughout all the phases of the process. These phases include the initial procedure at local level, procedure before the Ministry of Transport and Communications (MTC), procedure before proper administrative inspectorates and committees, before the Administrative Court, as well as the Higher Administrative Court.

**NRC has been actively involved as a partner of the Roma community in the process of legalization of their homes since 2011 until today.** ( Supported and implementation in beginning from Soros New Yurok, Macedonia FOOM Soros Foundation and Habitat in partnership whit implementation National Roma Centrum., From 2014 supported was continue from EU delegation – European Commission ).

NRC has invested significant efforts in raising the awareness among members of the Roma community regarding the advantages and benefit of the process of legalization, and has been providing support in the form of legal assistance to Roma families across the country. Over 1.700 requests for legalization have been processed in 6 targeted municipalities. NRC has successfully provided assistance to Roma families throughout all these phases of the procedure, and has fought for and won legal battles which are considered precedents in the legal practice related to home legalization.

Since the beginning of the process of home legalization in 2011, NRC has successfully assisted over 800 Roma families in legalizing their homes. This is an enormous achievement for individual families as well as for the Roma community in the country. The combined economic impact of this effort is in millions of Euros (housing assets entered in the official legal and financial system). NRC aims to continue the provision of such support, and ensure that Roma

throughout the country receive active, continued assistance through all the phases of the process. For some this assistance has been one-off; for a large number of cases the assistance is regular and all-encompassing, in that it includes every type of help (legal, financial, etc.) needed for effective resolution of their cases. NRC provides different support to Roma in the process of legalization of their homes, though dissemination of information and counselling, provision of legal assistance (consultation, initiation of legalization proceedings, written legal actions (appeals, complaints, requests, lawsuits). This type of assistance is indispensable for Roma families, many of which struggle with lack of information, barriers in access to institutions, and lack of means to initiate and carry out the legalization proceedings.

### **Recommendation Legalization of Roma Housing in Republic of North Macedonia**

Plans for urbanization to respect the principles of non-discrimination and anti-segregation

- 1. Improve the housing conditions of Roma in Republic of North Macedonia**
- 2. Resolving the issue of Roma homes ownership and land on which they are found, by finding constructive and durable solutions**
- 3 Specialized training for administrative workers for their greater professional co-operation and efficiency in providing services to citizens in the field of housing**

*Preparing team of National Roma Centrum*

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