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## **Divided by Poverty and Social Exclusion – Roma and Persons with Disabilities in Serbia**

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NATALIJA PERIŠIĆ

University of Belgrade

JELENA VIDOJEVIĆ

University of Belgrade

### *Summary*

Poverty and social exclusion are among the most persistent social challenges in Serbian society and some of the most prominent determinants of divisions nationwide. Progress in reducing poverty and social exclusion from 2002-2007 has been largely reversed by the aggravation of the economic situation since 2009. This aggravation is multidimensional and refers to financial deprivation, as well as employment, education and health indicators. This article focuses on the Roma population and persons with disabilities, two of the most disadvantaged groups within Serbian society. Their educational attainments, (un)employment rates, health, housing situation, and consequent poverty and social exclusion are presented within the context of state measures aimed at improving their position. The available data suggest that there are numerous shortcomings in the policies directed towards Roma and persons with disabilities, especially but not only in their implementation. One of the reasons for the failure of the full implementation of adopted measures is the presence of discriminatory attitudes towards these two groups.

*Keywords:* Poverty, Social Exclusion, Discrimination, Poverty, Roma, Persons with Disabilities

“We can think about poor people as ‘them’ or ‘us’... Even in the language of social science, as well as in ordinary conversation and political rhetoric, poor people usually remain outsiders, strangers to be pitied or despised, helped or punished, ignored or studied, but rarely full citizens, members of a larger community, on the same terms as the rest of us” (Michael Katz, *The Undeserving Poor*, 1989, in Williams, 1998).

## Introduction

“Classical poverty when one starves to death because one literally has nothing to eat or when an individual is not capable of providing for mere existence was very, very rare in the country of Serbia. Serbia was never a country in which people died from hunger; it has rather been a ‘paradise for a poor man’ (Herbert Vivian, 1897)” (Vlada Republike Srbije, 2003: 12). Even though poverty in Serbia does not have the dimension of a (widespread) impossibility of surviving, one century after this statement, data on the number of poor and their structure, point to poverty as one of the most important social challenges. Apart from presenting a threat to the society’s sustainable development, poverty also challenges the solidarity and the ethics of society’s development at the moment and in the future. Furthermore, it directly contributes to the massive under-fulfillment of human rights. In the case of basic economic and social human rights, this relationship is direct; while in the case of political and civil rights, the relationship is more indirect.

The concept of social exclusion offers a more comprehensive understanding than the traditional concept of poverty – it puts greater emphasis on non-material aspects of social divisions, especially their political and cultural forms, rather than focusing on economic aspects of social exclusion. It brings to the analysis of poverty some new insights; the notion of social exclusion necessarily involves a relationship with the wider society from which an individual or a group is excluded. Room describes social exclusion as inadequate social participation, a lack of integration and a lack of power. He also believes that social exclusion illuminates the extent to which social rights are denied to those individuals and groups that are being excluded (Lister, 2004). Social exclusion’s relational perspective facilitates a broad framework of analysis that embraces social divisions. It allows us to look at issues that concern social and cultural injustice generated by inequalities of gender, race, ethnicity, age, disability, and the ways these may intersect and be compounded by issues of distribution (Williams, 1998).

Since the 1990s, unfavorable economic and social trends in Serbia have created numerous socially marginalized groups. Despite the progress realized from 2002-2006, the economic crisis of 2009 reversed much of the progress that had been made in deterring the effects of poverty and social exclusion. Out of those groups that fall within the category of the impoverished and socially excluded, the largest number are the Roma and persons with disabilities. It seems therefore that the concerns about long-term and structured poverty and social exclusion in Serbia are realistic, and require more efficient social measures with a view to overcoming this division. Overall the country’s economic and political transition from socialism, along with fundamental economic and social reforms, resulted in a change in those public policies that were directed towards reducing poverty and social exclusion. The transition

period brought about the paradigm of personal responsibility and transferred a significant part of caring about the poor to their families and the community. However, the social prerequisites (first of all, economic development) for this transfer of responsibilities were not, and have yet to be, established, leading potentially to a further marginalization of the poor.

The principle of relying on individuals and their resources is not proportional to relying and drawing on the resources of state institutions and state mechanisms. Consequently, the problem of poverty has become individualized and the victims of exclusion have been blamed for their own exclusion. The complexity of public opinion about the poor and the socially excluded is reflected through public attitudes that are a mixture of compassion and antagonism, frequently followed by rigid and ambivalent assumptions and stereotypes. It is obvious that the public discourse about the poor is predominantly determined by the non-poor. An integral part of that discourse is the process of “othering” the former by the latter. It is a dualistic approach of differentiation by which the line is drawn between “us” and “them.” The poor are presented as irresponsible, criminal or inadequate and therefore they should be censored, feared or pitied. That line is not neutral, but filled with negativity and stereotypes followed by negative value judgments that construct “the poor” as a source of moral contamination, a threat or an “undeserving” economic burden. “Othering” is usually reinforced and followed by stigmatization and stereotyping. “How we name things, affects how we behave towards them. The name, or label, carries with it expectations” (Lister, 2004: 103). People living in poverty are often treated as passive objects, humiliated and stripped of their dignity, which contributes to maintaining the inequality and social hierarchy within society. On the other hand, when they are treated with respect, their self-confidence and sense of agency is increased. Contrary to this, social divisions cause different levels of power, resulting in the absence of social power among the poor and an enduring invisibility among the rest of society, i.e. “obtaining” a marginal role in the process of reform creation.

### **The Government Approach to Poverty and Social Exclusion**

The reform framework and strategic directions of poverty reduction were designed in the *Poverty Reduction Strategy Paper* (PRSP), enacted in Serbia at the end of 2003. The three main directions of the PRSP were defined in the following way:

- a strategy of dynamic economic growth and development, with an emphasis on job creation in the private sector;
- prevention of new poverty as a result of subsequent modernization, economic restructuring and rationalization of state functions;
- efficient implementation of existing programs, and establishment of new programs, measures and activities directed towards the poorest and socially

vulnerable groups, especially in underdeveloped regions (Vlada Republike Srbije, 2003).

*The First Report on the PRSP Implementation* was released in 2005, followed by the *Second Report* in 2007. Progress in the period from 2002-2007 served as a basis for the nation's decision-makers and officials to declare at the beginning of 2009, on the *Fourth National Conference on the Poverty Reduction*, that the first millennium development goal (the eradication of extreme poverty and hunger by 2015) had been realized in Serbia along with the nationally defined objective on halving the number of poor by 2010. Despite that, it was stated that "the complex process of poverty reduction is not completed. A need to further improve the existing and produce new measures and policies in poverty reduction and social exclusion was also emphasized" (Vuković, 2009: 231). A shift had to be made from seeing people as passive beneficiaries of state and professional interventions, or as members of fixed social categories.

The creation of social inclusion programs and measures has been initiated only recently in Serbia. Namely, the first steps towards that end were made at the beginning of 2009, as part of the activities taken within the context of becoming an EU candidate country. It was then that a proposed list of indicators for social inclusion monitoring was presented in order to form a basis – both for a report on social inclusion and for setting-up public policies to fight corruption. It was agreed to measure social inclusion pursuant to the main Laeken indicators (financial poverty, employment, education and health), but also to add two nationally specific dimensions: satisfying basic existential needs and social participation.

An adequate response from the Government to poverty and social exclusion is a question of justice and moral duty, but also represents an economic imperative. The available data (under the subsequent headline) suggest that so far the response was slow, inefficient, and mainly rhetoric. One of the potential reasons, however formal, for the lack of political responsibility in terms of the Government's provisional interpretations of their own modest efforts in poverty and social exclusion reduction, is an absence of comprehensive and continual sets of appropriate data and indicators. Currently collected data are not adequate for monitoring changes in certain groups. They are frequently very general and it is not always possible to break them down in detail. Their matching presents a special problem.

### **Main Characteristics of Poverty and Social Exclusion**

*Absolute poverty.* After 1996, when 2.7 million people in Serbia were considered poor (Pošarac, 1999), in 2002 "there were approximately 800,000 poor people (10.6% of the population or 250,000 households) with a consumption (by consumer unit) of less than 4,489 RSD or 72\$ per month, i.e. 2.4\$ per day, established as the

national poverty line” (Vlada Republike Srbije, 2003: 2) (Table 1).<sup>1</sup> From 2002<sup>2</sup> to 2007, the number of the poor decreased, amounting to about 490,000 or 6.6% (Vlada Republike Srbije, 2007). The fact is, however, that this measurement of poverty did not fully include some of the categories of especially vulnerable populations, like Roma, persons with disabilities, refugees, internally displaced persons, people in collective housing centers, etc. Furthermore, a comparison of data on the structure of the poor in 2002 and 2007 showed conditions under which an unfavorable level of poverty endured.

In the following year (2008), a trending decrease in absolute poverty of 6.1% was stopped by the crisis, and in 2009 and 2010 it rose to 6.9% and 8.8% respectively (Vlada Republike Srbije, 2011). Currently the percentage of absolute poverty is the same as it was in 2006, thus the trend in improvement in the preceding years was negated.

**Table 1.** Poverty Trends (1995-2002)

	1995	2000	2002
Poverty index (%)	28.9	36.5	14.5
Poverty depth (% of GDP)	4.1	3.1	3.5
Average income deficit (% of the poverty line)	23.2	25.4	32.2

Source: Vlada Republike Srbije, 2003.

*Relative poverty.* Contrary to absolute poverty, the dynamics of relative poverty showed a decreasing trend even in 2009. In the period from 2006<sup>3</sup> to 2009, relative poverty was reduced from 20.9% to 17.7%. In the same period, the relative poverty gap was 22% of the poverty line. Data on the dispersion around the risk of the poverty threshold pointed to an extreme sensitivity of the rates in relation to established incomes. Namely, in the case of rising poverty line for 10% only, risk of poverty rate would be raised for 49%, amounting thus to 26.4% (Table 2). The

<sup>1</sup> A shift in the poverty line to 5,507 RSD per month (or US\$ 2.9 per day) would double the number of poor (about 1,600,000 inhabitants or about 474,000 households), which is 20% of the population (IMF, 2004).

<sup>2</sup> According to the Household Consumption Survey, about 10.5% of the population was poor in Serbia in 2003. Their consumption was below the national poverty line, which amounted to 4,970 RSD per month per household member. The percentage of the extremely poor populations, i.e. inhabitants with the consumption of less than 2,097 RSD per month was below 1%. In 2004, the number of the poor significantly changed, i.e. each tenth inhabitant in Serbia was poor (Vlada Republike Srbije, 2007).

<sup>3</sup> Relative poverty rate began to be calculated as of 2006.

quintile ratio of 4.7 was even somewhat lower compared to the EU average (where it amounted to 5) as well as the *Gini* coefficient of 29.5 (contrary to 30.6 in the EU) (Vlada Republike Srbije, 2011). This indicator was neither objectively high nor unfavorable, which could not be said for the subjective feeling of the population when it comes to the “distribution” of inequalities in the society (Vlada Republike Srbije, 2011).

**Table 2.** Risk of Poverty Rate (2006-2009)

	2006	2007	2008	2009
Risk of poverty rate	20.9	21.0	17.9	17.7
Risk of poverty threshold, in RSD				
One person	8,338	9,900	11,520	12,828
Household with two adults and two children below 14 years of life	17,615	20,790	24,192	26,939
Relative gap of poverty risk (%)	28.5	28.5	23.6	22.0
Rate of subjective poverty risk	50.0	43.6	43.4	42.2

Source: Vlada Republike Srbije, 2011.

*Employment.* Contrary to the above mentioned indicators suggesting that the comparison of financial deprivation in Serbia and the EU does not discredit Serbia, national data on employment as a dimension of social inclusion are far below the EU, and similar only to countries in the Western Balkans. First of all, during the crisis, employment dropped significantly more than the GDP and in October 2012, it amounted only to 36.7% with as many as 17.9% of people working in the informal economy, and there was a sharp difference between employment rates of women and men (29.8% and 44.0% respectively) (Labor Force Survey, 2013). The downward employment trend is not straightforward – i.e., there were some slight ups and downs in the preceding periods. In the same period, the unemployment rate amounted to 22.4%, which was almost the same as in April 2011 (22.2%) and yet lower compared to October 2011 (23.7%) and April 2012 (25.5%) (*ibid.*).

*Education.* The indicators for education, as well as those for employment, show big shortages, especially regarding the quality of curricula in schools. Additionally, the coverage of only 46.9% of pre-school children with pre-school programs is also unsatisfactory. Contrary to that, the coverage rate in primary education is 98.07% and more than 99% of enrolled children finish their primary school education.<sup>4</sup> Also, net rates of child enrollment into secondary school have been

<sup>4</sup> Primary school education is compulsory in Serbia, contrary to secondary school education.

increased, amounting now to 82.7%; however, a dropout rate of 32.8% is high (Vlada Republike Srbije, 2011). Finally, the participation of the population in life-long learning programs has been very low.

*Health.* Health indicators show mixed results regarding social inclusion. The availability of health care is high: 94% of the population is covered by health care services, but there are problems in the actual realization of certain rights in practice.<sup>5</sup> Life expectancy in 2011 (overall 74.22; for males 71.64; for females 76.83) shows a slight increasing trend (Institut za javno zdravlje, 2012), but still lags behind the EU average. Also, the overall health condition of the population, based on their statements, places Serbia behind the EU (56% and 65.1% of respondents, respectively, state that their health situation is good). Contrary to that, the satisfaction of patients with the health system is surprisingly high, which can be partially explained by low expectations. It presents a rather counter-intuitive finding especially when taking into account the results of EHCI (Euro Health Consumer Index) in 2012, which puts Serbia at the bottom of European countries. With 451 points out of 1,000, Serbia is ranked 34th out of 34 countries, based on 42 indicators (Health Consumer Powerhouse, 2012).

Regarding all of the above mentioned indicators, there are strong differences between Serbia's general population and its vulnerable groups.

### **The Multidimensional Deprivation of Roma**

According to the 2011 Census, 147,000 Roma live in Serbia, which is 2.05% of the total population (<http://webrzs.stat.gov.rs/WebSite/>). Secondary sources state that the number is higher, between 400,000 and 500,000. This discrepancy is a result of several factors: there is a significant number of those who are not registered and therefore do not possess personal documents, Roma families frequently migrate and, due to the history of discrimination, open and/or hidden, they recourse to "social mimicry", while trying to adjust and integrate into society. Regardless of this discrepancy between the reported and estimated numbers, Roma represent the largest minority group in Serbia.

Roma traditionally occupy an unfavorable position in Serbian society (comparable to the neighboring countries); even if we compare it to the position of other ethnic minorities, Roma are often unable to exercise their basic human rights. Poverty among Roma is multidimensional, they face comprehensive and pervading forms of severe deprivation and social exclusion in nearly every segment of their lives, including: poor levels of education, a high unemployment rate, high participation in the informal sector, and low levels of participation in the cultural, political

<sup>5</sup> There are especially problems regarding the coverage of Roma (as described later in the text).

and social life of the community. Altogether, this makes them powerless and voiceless. Moreover, Roma are traditionally exposed to discrimination and they are also victims of negative stereotypes and prejudice. Discrimination against Roma people takes place at three levels:

1. *social discrimination* – represents a reflection of the institutional practice of marginalizing ethnic minorities in society;
2. *institutional discrimination* – when authorities systematically avoid respecting the rights of certain groups within the general population, and
3. *direct discrimination* – can be seen through the behavior of individuals in public services and institutions, who with their actions or failure to take action prevent members of certain groups in exercising their rights.

Empirical research on social and ethnic distance conducted during the 1990s and the beginning of the 2000s (Kuzmanović, 1992; Frančesko, Mihić, Kajon, 2005) unambiguously led to the conclusion that the social, ethnic and racial distance towards the Roma in Serbia is much higher, compared to other ethnic groups (except maybe towards Albanians), despite the fact that Serbian citizens have never had any serious conflicts with them, and social distance is generally extremely sensitive to conflicts between different groups. Even in a multicultural and multiethnic environment such as Vojvodina (Frančesko, Mihić, Kajon, 2005), studies show high social distance towards Roma (among the children in primary schools), regardless of having or not having everyday contact with them. Studies show that the Roma image contains more often negative than positive attributes. Most frequently they are described as: gifted for music, happy, dirty, lazy, noisy, and having tendency to steal (Kuzmanović, 1992).

During the last decade, the vulnerability and social exclusion of Roma have been recognized and it seems there is a broad consensus that this must be one of the priorities within the general development strategy of the country. This was followed by the drafting of the strategic documents that should contribute to establishing a framework for improving the status of Roma people and their integration into the political, economic and cultural life of the country. Serbia joined *Roma Inclusion Decade* in 2005, and in 2009 *The Strategy for the Improvement of the Status of Roma in the Republic of Serbia* was adopted. Four areas are identified as crucial and therefore prioritized: employment, housing, health care and education. These dimensions are interrelated and there is a causal link between them.

The housing conditions of Roma are considerably worse than those of other vulnerable groups, as well as the general population. The largest number of Roma live in more or less segregated (often illegal) settlements that are overpopulated, unhygienic, without electricity or running water, regardless whether they are in



urban or rural areas. Usually, there is also an undefined legal ownership over the land and facilities. According to the latest data, there are 593 Roma settlements in Serbia, 300 in urban areas and the rest are found in suburban and rural areas. The *Law on Social Housing*, adopted in 2009, provides a basis for the establishment of the necessary strategic, institutional, financial and other instruments aimed at the development of the social housing system at the national and local levels. The resettlement of informal Roma settlements, often followed by evictions or a lack of adequate alternative housing, also represents a specific challenge. The programs to resolve the housing problems of Roma are few and so far the funds invested have been inadequate.

Education is one of the significant preconditions and routes for Roma emancipation and their integration into society as equal citizens. The fulfillment of their right to education will not only contribute to the development of the Roma community, but also of the society as a whole (Vlada Republike Srbije, 2010). The right to education is guaranteed by several international documents, and defined as a social, political and cultural right within the highest national legal acts. Despite the existing framework, the educational structure of Roma is unfavorable. The poor level of education among Roma is a consequence of a difficult socioeconomic position, but, at the same time, a cause in the cycle of poverty and social exclusion.

There are three main problems in Roma education, identified by all of the main strategic documents: Roma are not fully included in the educational system, they are not receiving quality education and they are often exposed to discrimination and segregation. One third of Roma do not have any education, or just a couple of years of basic education, one fifth have completed primary school, 11% graduated from secondary school and only 1% has higher education (*ibid.*). The number of children covered by the pre-school program is negligible (3.9% compared to 46.9% of the children from the general population), which, in combination with the language barrier, causes a lower average performance of Roma pupils in schools and is simultaneously one of the main reasons that a high percentage of Roma children are referred to special schools. They rarely attend secondary school, and if so, it is usually a vocational school. During the last couple of years, due to an increased number of scholarships and affirmative action, the number of Roma children enrolling in secondary school and universities has been increasing.

There is still a strongly formulated belief that exclusion from the educational system is a matter of choice, putting thus the greater responsibility upon the Roma community. This belief is formed by the stereotypes and prejudice that result from ignorance. Negative stereotypes and prejudice often imply their innate and almost universal deviance (Jugović, Milosavljević, 2009). According to the Belgrade Center for Human Rights, Roma remained the most discriminated group in 2012

(Petrovic, Joksimovic, 2013). Also, discrimination against Roma children persisted in 2012; there have been several examples of Roma children segregated in primary schools across Serbia (*ibid.*).

It is estimated that around 50% of Roma parents do not send their children to school because of the difficult financial situation, and around 20% due to lack of personal documents. According to the *UNICEF Report on the Status of Children in the Republic of Serbia* in 2006, almost 70% of Roma children are poor and over 60% of Roma households with children live below the poverty line. The most vulnerable are the children who live outside cities and in households with several children.

In 2007 the Ministry of Education sent a recommendation to schools to allow the enrollment of children whose parents do not have complete documentation, and in 2009 the inclusive education was introduced. Despite the initial positive results when it comes to enrollment rates, the improvement will be temporary if it is not followed by the implementation of a more holistic approach and creation of an inclusive environment. It is not enough to secure enrollment, but also to decrease drop-out rates and improve the quality of the education they receive.

A poor level of education logically leads to exclusion from the labor market, low level of economic activity and a lack of income generation. Roma are considered as one of the most vulnerable and marginalized groups at the labor market with a high unemployment rate, while the quality of employment is extremely low. Informal employment and engagement in the grey economy dominate. Only 27.2% of Roma are economically active; the unemployment rate is four times higher for Roma than for the general population (Vlada Republike Srbije, 2010). Only 30% of employed Roma have social insurance, 60% are working without social security, and 10% do not know if they are insured (Cvejić, Babović, Pudar, 2010). Their exclusion from the labor market and the fact that they do not contribute to production and income generation costs Serbia 231 million Euros in productivity and 52 million Euros in fiscal contributions every year (Vlada Republike Srbije, 2011).

With respect to the implementation of the *Roma Inclusion Decade*, the *Strategy for Improvement of the Position of the Roma in the Republic of Serbia* was adopted, with integral measures and activities in the employment sector taken into account during the development of the *National Action Plans/Employment*. In order to promote the employment of Roma, the National Employment Service opened special public calls for disbursing subsidies for self-employment and to employers for employing members of the Roma community.

Certain levels of improvement have been achieved since 2000 due to the implementation of public works programs, but measures and activities defined in the *Strategy for Improvement of the Status of Roma* have not been fully implemented. Also, the effects of economic crises reversed the course of change.

Even though the right to health care should be universal and it is guaranteed by the highest legal act of the country, there are several obstacles to achieving this: incomplete coverage by health insurance, limitations of health care package covered by the public insurance system, participation fee and lack of information about entitlements. In 2009, the rate of Roma people without health insurance was 24.7% (Vlada Republike Srbije, 2011).

A closer look at health indicators shows that they are comparatively worse for Roma. The mortality rate among Roma children is two times higher than the national average, and 20% of Roma children are of poor health (compared to 7% of children among the general population), while life expectancy is 10 years shorter. Other indicators of quality of health care also imply an unfavorable status for Roma. For example, according to the *Compulsory immunization program*, the coverage of children within the general population is 95%, and in the case of Roma children it is between 55-88%, depending on the vaccine (*ibid.*).

A significant, but limited improvement has been made regarding the living and working conditions of Roma. However, a full implementation of the adopted strategies depends on cooperation between different departments and agencies, the overall economic situation in the country, and success in facilitating the active involvement of the Roma population, whilst respecting their needs and the right to participate in decisions on all issues that concern them.

### **Inadequate Social Participation of Persons with Disabilities**

The number of persons with disabilities in Serbia is unknown. The reasons for this are at least twofold: the definitions of persons with disabilities in use vary and the statistics on them is dispersed among various public services. Because reliable and in-depth evidence have been almost completely absent until recently, the same can be said for their living conditions. Even given the limited information about persons with disabilities, it can be assumed that they undoubtedly face various hardships. Assuming that they account for 10% of the total population, which is roughly 700,000-750,000 people, persons with disabilities present one of the largest groups on the margins of the Serbian society.

Despite its heterogeneity, this group shares many joint characteristics, first of all in terms of educational levels. Participation rates of children with disabilities in primary schools have been increasing over the years and in the 2010/2011 school year they increased to 9.87% compared to the 2009/2010 school year (Vlada Republike Srbije, 2011). However, the starting number of children with disabilities enrolled in primary schools is modest and this increment is not sufficient to cover the majority of them. Furthermore, the results of conducted surveys (Ljubinković, 2009; Dinkić *et al.*, 2008) suggest that the higher the educational level, the smaller the number of

pupils or students with disabilities: 11.2% of persons with disabilities are without any school qualifications, while 42.9% have incomplete and/or complete primary school qualifications. The percentage of persons with disabilities who completed secondary, two-year post-secondary and university education is 35.8%, 4.9% and 3.6% respectively (Dinkić, 2008), which is highly unfavorable compared to the rest of the population. In line with the estimations and partial data on their educational attainment, having in mind that education is the most common channel of vertical mobility in societies, persons with disabilities are both directly and indirectly jeopardized by the lack of equal opportunities for education. This is the reason why their qualifications are lower – they face various physical and social barriers. The lack of participation in the education system has little to do with their intellectual inability. Even though a normative framework introducing a more inclusive form of education seems adequate, there were serious barriers to its implementation.

Poor levels of education lead to low employment rates of persons with disabilities. The *Living Standards Measurement Study* of 2007<sup>6</sup> showed an employment rate of only 26.9% in the population of persons with disabilities. Contrary to a highly unfavorable employment rate when compared to that of the general population, the unemployment rate of persons with disabilities was 13.3%, almost identical to the rest of the population.<sup>7</sup> The explanation for this lies in the high inactivity rate of persons with disabilities, which accounted for 69.0% (*Living Standards Measurement Study*, 2007). Also, there has been a gender gap in the employment of disabled men and women (32.4% and 20.9% respectively), which among other things reflects the difference in their educational levels. Consequently, unemployment and inactivity rates between the genders also differ in favor of disabled men. Namely, the unemployment rate in disabled men accounted for 11.6% and in disabled women for 15.9%, while inactivity rates were 63.3% and 75.1% respectively (*ibid.*). One additional, but indirect indicator of discrimination against persons with disabilities on the labor market is the higher than average rate of unemployment among persons with disabilities who have university degrees.

More recent data on the unemployment of persons with disabilities show the numbers of persons with disabilities registered with the National Employment Service. In 2011, only 18,592 persons with disabilities were registered as unemployed (5,841 women and 12,751 men) out of which 14,467 were actively seeking employment (4,534 women and 9,927 men) (Lončar *et al.*, 2011).

<sup>6</sup> The 2007 *Living Standards Measurement Study* is the latest LSMS conducted in Serbia. It is not a part of regularly used methodologies of the National Statistical Service.

<sup>7</sup> According to the *Living Standards Measurement Study*, the unemployment rate accounted for 13.9% in 2007. In the same year, activity and employment rates were 64.2% and 47% respectively (*Living Standards Measurement Study*, 2007).

Low employment rates resulting in financial difficulties, combined with the limited range of services<sup>8</sup> available to persons with disabilities, contribute to their adverse economic situation and social exclusion. This conclusion can be made in qualitative terms, since the poverty rate in Serbia is the highest among unemployed and inactive population, which are prominent characteristics of persons with disabilities, as well as in the population with low qualification levels, which is also linked to persons with disabilities. In line with that, “social inclusion of persons with disabilities is at an extremely low level” (Vlada Republike Srbije, 2011: 158).

The *Living Standards Measurement Study* of 2007, which included 1,671 persons with disabilities (i.e. 9.6% of the overall sampled population), reported that 8.13% persons with disabilities lived below the poverty line with the prevalence of persons aged over 60 years of life (*Living Standards Measurement Study*, 2007). In 2008, a survey conducted by Dinkić *et al.* suggested that “in this population, the poverty rate is three times higher compared to the average rate” (2008: 7). They found that the incomes of persons with disabilities ranged from up to 10,000 RSD (41% of respondents) to up to 15,000 RSD (10% of respondents) and up to 20,000 RSD (12% of the population) (*ibid.*).<sup>9</sup>

On the occasion of the *UN’s International Day of Persons with Disabilities*, Serbia’s policy-makers and representatives from Serbian organizations of persons with disabilities estimated that in 2012 about 70% of persons with disabilities were below the poverty line in Serbia (Organizacija osoba sa invaliditetom Srbije, 2012).

The right to health care, even though universally proclaimed, is sometimes limited for persons with disabilities due to physical barriers. Only in 2006 was there a Government decision to make all health centers accessible to persons with disabilities. Apart from that, in practice, persons with intellectual disabilities, autism and psycho-social conditions sometimes face an actual denial of their right to health care.

Serbia’s legal framework regulating the rights of persons with disabilities comprises signed and ratified international<sup>10</sup> and European<sup>11</sup> conventions related to this matter along with Constitutional anti-discrimination principles and certain national

<sup>8</sup> Budgetary resources for persons with disabilities were reduced in 2009 and 2010, compared to 2008, by 2.5% and by further 2.6% respectively (Stošić, 2011).

<sup>9</sup> At that time (May 2007), the average salary in Serbia amounted to 26,981 RSD (Savez RR Srbije, 2013).

<sup>10</sup> 1) *Standard Rules on the Equalisation of Opportunities for Persons with Disabilities* were adopted by the then Federal Republic of Yugoslavia in 1995; 2) the *Convention on the Rights of Persons with Disabilities* and *Optional Protocol* were signed by Serbia on December 17, 2007 and the National Parliament ratified them on May 29, 2009.

<sup>11</sup> *Revised European Social Charter* was ratified by Serbia in May 2009.

laws. Apart from the *Law on the Persons with Disabilities Discrimination Prevention*, income maintenance and employment of persons with disabilities, being the major challenges, present the most relevant legal context for the legal position of persons with disabilities.

The *Law on Social Welfare* of 2011 prescribes generally two kinds of benefits: those exclusively directed towards people with disabilities and those directed towards the general population that are granted to people with disabilities under more favorable conditions.<sup>12</sup> The benefits most frequently used by persons with disabilities are an allowance for help and the assistance of another person, and social welfare benefits. These measures are intended to provide the existential minimum and support the social inclusion of their beneficiaries (*Zakon o socijalnoj zaštiti*, 2011). Despite that, their general shortages are strict eligibility rules and low amounts, insufficient for escaping poverty and creating preconditions for social inclusion. Along with benefits, social services related to persons with disabilities,<sup>13</sup> both directly and indirectly, are frequently underdeveloped, especially in small municipalities and rural areas, and not diversified enough (the services persons with disabilities use are primarily those intended for the elderly), and sometimes associated with stigma in practice.

Contrary to the mentioned law, the main shortages of the *Law on Professional Rehabilitation and Employing Persons with Disabilities* of 2009 are the weak mechanisms for its implementation. The Law has numerous solutions for increasing the employment rates of persons with disabilities, and not in the so-called protected jobs, but on the open market (Kovačević, 2011). They range from active labor market programs and professional rehabilitation to social entrepreneurship (*Zakon o profesionalnoj rehabilitaciji i zapošljavanju lica sa invaliditetom*, 2009). But it seems that the most controversial measure is the obligation of employers to employ a disabled person provided that they employ 20 or more employees. The practice shows the inclination of employers to evade this legal clause and even to pay penalties. The collection of penalties is frequently endangered due to the widespread practice of delaying payment for all kinds of contributions and taxes, especially during the economic crisis.

<sup>12</sup> The first group comprises the right to an allowance for help and assistance of another person (both in regular and increased amount) and an allowance for getting professional qualifications. The other group comprises the right to social welfare benefits – there are no restrictions regarding the duration of this right by persons with disabilities (contrary to able-bodied beneficiaries). Also, the amount of the benefits persons with disabilities receive is 20% higher than the regular amount.

<sup>13</sup> These are the services of assessment and planning, daily community services, support in independent living, therapeutic and social-educational services, as well as residential services (*Zakon o socijalnoj zaštiti*, 2011).

Strategic documents tackling the issues facing persons with disabilities form an important supplement to overall legal framework. The PRSP puts an emphasis on the special vulnerability of persons with disabilities regarding poverty, and its *Action Plan* envisages measures aimed at reducing poverty rates in this population. The 2005 *Strategy of Social Welfare Development* points to underdeveloped community services for persons with disabilities and the dominant role of the state sector as opposed to an emphasis on non-governmental organizations. Complementary to these, the ultimate aim of the *Strategy of Improving the Situation of Persons with Disabilities in Serbia from 2007 to 2015* of 2006 is defined as “improvement of the situation of persons with disabilities up to the position of equal citizens having all rights and responsibilities” (Vlada Republike Srbije, 2006: 4).

Unfortunately, persons with disabilities are often subjected to inter-personal discrimination as a result of negative and hostile attitudes and behavior, facing all kinds of negative stereotypes, discrimination and prejudice. The mentioned strategies have contributed to making the population of persons with disabilities and their problems more visible, and have to a certain extent been challenging the prevailing liberal discourse which characterized national economy during the transition. Findings from research conducted by Dinkić *et al.* (2008) support this conclusion: “25.3% of respondents are of the opinion that persons with disabilities are not included into society at all. If we add to that 41.2% of those, considering that persons with disabilities are not included enough into society, we can come to the conclusion that their inclusion is mainly limited to the activities performed within different organizations of persons with disabilities [...] There is a slight optimism in the attitudes of persons with disabilities regarding the progress made in their social inclusion, but the majority of respondents consider that progress limited (49.5%) or non-existent (29.1%). The reasons for which persons with disabilities are not included in society are inaccessible places in terms of architectural barriers (relevant for 27.6% of respondents), the lack of acceptance by their environment (22.8%) and a lack of understanding of their needs (6.2%)” (*ibid.*: 27).

However, these strategies and laws have been lacking a closer monitoring in some instances, as well as clearly defined sources for funding the measures and programs aimed at persons with disabilities. Therefore, even though it seems that the existing mechanisms are not sufficient, their implementation would for sure decrease the gap between persons with disabilities and the rest of the population in Serbia.

Even though the public sector has a dominant role in the provision of social services to persons with disabilities, the role of non-governmental organizations has been increasing. Their activities are in the sphere of alternative services, supplementary to public ones. They frequently advocate the rights of persons with dis-

abilities and their implementation. The main support to persons with disabilities is provided by their families, i.e. the informal sector, and it does not seem that these families are adequately supported for taking that role. This equally refers to the families of persons with disabilities, who are adults and children, i.e. there are no adequate policies to facilitate the families in reconciling the dual responsibilities of work and caring for their family members.

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*Mailing Address:* **Natalija Perišić**, Faculty of Political Sciences, University of Belgrade, Jove Ilića 165, 11040 Belgrade, Serbia. *E-mail:* natalija.perisic@fpn.bg.ac.rs

**Jelena Vidojević**, Faculty of Political Sciences, University of Belgrade, Jove Ilića 165, 11040 Belgrade, Serbia. *E-mail:* jelena.vidojevic@fpn.bg.ac.rs