

Introduction

In R. Macedonia, Roma live in cities, their homes are located inside and on the outskirts of the cities. Due to different political, economic, social and other reasons, a large number of them have not yet regulated their property legal status.

Housing as one of the Decade's priorities was the least analyzed and least action was taken in that area.

According to the initiative which was taken by the Government of R. Macedonia for legalization of illegal constructions Law for dealing with illegally built objects was adopted during July 2011. National Roma Centrum realized several consultative meetings with FOOM and "Habitat for Humanity" Macedonia with headquarters in Skopje. The purpose of these consultative meetings was to consider the possibility for informing and involving the Roma community in the process for legalization of their homes according to the Law for dealing with illegally built objects. Based on these consultative meetings, it was concluded that there is a need raising an initiative for taking action to mobilize Roma in order to improve their involvement and to include as much Roma as possible to legalize illegally built constructions, as the Government already stated several times the poor involvement of Roma community. The concrete initiative was raised by FOOM and "Habitat" Macedonia and NRC joined this initiative.

NRC obliged to be the leading implementing organization of the activities from the first phase: Legalization of Roma housing - Macedonia I phase; and partner to Habitat for Humanity in Macedonia, in implementation of Legalization of Roma Housing – Macedonia project submitted to Emergency Fund by Foundation Open Society Macedonia.

Project activities

Project objective of the Legalization of Roma Housing Macedonia 1st phase: Increasing the percentage of submitted claims for legalization of houses owned by Roma in the Republic of Macedonia and informative Campaign for legalization.

Specific objective:

- Increased number of legalization claims in 6 municipalities: Shuto Orizari (Skopje), Kumanovo, Kocani, Prilep, Tetovo and Stip;
- Increased awareness for legalization in 12 municipalities: Cair, Karpos, Kisela Voda, Gazi Baba, Gjorce Petrov, Ilinden, Shuto Orizari, Kumanovo, Kocani, Prilep, Tetovo and Stip.

Project outcomes:

1. 2,586 finished questionnaires from 13 municipalities in Macedonia¹;
2. 1,519 submitted claims and started administrative procedures for legalization in 6 targeted cities;
3. Distribution of 15.000 "Guide Book to Legal House" brochures for legalization procedure

¹ 2.586 questionnaires were finished in 12 municipalities by team of 58 surveyors. All gathered data currently is processed and will give insight in field information on the following issues: 1. Personal documentation; 2. Number of families living in the house; 3. Number of members per family and source of income per family; 4. Is the object illegal construction; 5. m2 of the house; 6. Connection to communal infrastructure; 7. water; 8. Electricity; 9. Is the family willing for legalization; 10. Do they have sufficient finances for the legalization procedure.

The form of questionnaires is attached as Annex to the Draft Report.

in Roma settlements in 12 municipalities

Submitted claims and started administrative procedures in 6 targeted cities	
Shuto Orizari (Skopje)	555
Kumanovo	283
Stip	157
Kocani	121
Tetovo	131
Prilep	272
Total	1519

Project implementation timeline

The project Legalization of Roma housing – Macedonia, First phase, Informative Campaign implemented by National Roma Centrum was approved on the 3rd of August 2011.

The Law for dealing with illegally built objects permits to submit claims until 4th of September 2011 in order to start administrative procedure for legalization.

After project approval NRC has built ad hoc strategy how to implement the project activities and to maximize project outcomes due to lack of time, only 20 working days . Although at the very end of the Campaign municipalities were open during the weekend due to the enormous claims and applications in the last minute.

Project Implementation Timeline		
4 August	<ul style="list-style-type: none"> Meeting with FOOM, HFH Macedonia, and NRC in the FOOM Office 	<ul style="list-style-type: none"> Detailed project outcomes and final budget draft for NRC
5 August	<ul style="list-style-type: none"> NRC project staff 	<ul style="list-style-type: none"> Coordination for the number of assessment team of surveyors, and their distribution per municipality
8 August	<ul style="list-style-type: none"> NRC project staff 	<ul style="list-style-type: none"> List of surveyors team of 58 surveyors, Budget finalization with FOOM, Preparation of the brochure and contact with the consultant from the Ministry of Transport and Relations

9 August	<ul style="list-style-type: none"> • NRC project staff 	<ul style="list-style-type: none"> • Contacts with 58 surveyors • Preparation for training for team of surveyors • Design of the brochure
10 August	<ul style="list-style-type: none"> • NRC Project staff 	<ul style="list-style-type: none"> • Creation template of questionnaire for surveyors • Organizing location for training
11 August	<ul style="list-style-type: none"> • NRC project staff 	<ul style="list-style-type: none"> • Organizing publishing of brochure • Preparation of letters for municipalities informing them for the Campaign activities
12 August	<ul style="list-style-type: none"> • NRC project staff 	<ul style="list-style-type: none"> • Preparation of training materials for 58 participants • Printing 2,320 questionnaire, 1,290 claims for legalization as part of material for surveyors • Sent letters to the Ministry of Transport and Relations and 6 targeted municipalities
13, 14 August	<ul style="list-style-type: none"> • NRC project staff 	<ul style="list-style-type: none"> • Training for team of surveyors
15,16,17 August	<ul style="list-style-type: none"> • NRC project staff 	<ul style="list-style-type: none"> • Coordination of surveyors and submitting of claims to municipalities • Coordination and arranging visits to 6 municipalities
15 August – 4 September	<ul style="list-style-type: none"> • NRC project staff 	<ul style="list-style-type: none"> • Coordination of surveyors to submit claims and applications for legalization • Additional applications to be submitted (more than estimated with the proposal)
18 August -23 September	<ul style="list-style-type: none"> • NRC project staff 	<ul style="list-style-type: none"> • 13 visits to 6 targeted cities
24 August	<ul style="list-style-type: none"> • NRC project staff 	<ul style="list-style-type: none"> • Meeting with Mayor of Prilep, Marjan Risteski • Meeting with Coordinator

		of Prilep departments for legalization, Bosko Taleski
19 August – 28 September (and continuing)	<ul style="list-style-type: none"> NRC project staff 	<ul style="list-style-type: none"> Data processing of gathered 2,586 questionnaires Processing of 1,519² legalization claims and applications³ (See footnotes)

Visits by project staff to 6 targeted cities for submitting claims to start administrative procedure and gathering questionnaires		
1	18 August	Shuto Orizari
2	19 August	Kumanovo
3	22 August	Shuto Orizari
4	23 August	Tetovo
5	24 August	Prilep
6	28 August	Kocani
7	28 August	Stip
8	31 August	Cair, Karpos, Kisela, Voda, Gazi Baba, Gjorce Petrov and Ilinden municipality
9	1 September	Shuto Orizari
10	2 September	Kumanovo
11	13 September	Shuto Orizari
12	13 September	Tetovo

² The number of claims and applications has been increased for 264 applications more. Firstly with the project 1,255 applications were anticipated, but later due to large concern of the Roma population. So finally the number of applications was 1,519

³ Each of 2,586 applications has full copy of the application stored by project staff. Almost each application is consisted of 1. Claim, 2. Administrative tax for the claim, 3. Copy of ID Card or citizenship, 4. Copy of electricity or water bill, 5. Notary expenses for statements (if electricity or water bills are not available), 6. Municipality archive number of the application (necessary in order to track the case)

13	23 September	Prilep
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NRC began its Campaign in the first week of August, and the legal regulative was until September 3rd to end the submission of documentation, it was a very short timeline to achieve results.

In order for these activities to be successfully conducted, official notifications about the project activities were delivered to the Ministry of transport and relations, to the Mayors of municipalities and municipal authorities authorized for conducting of the process for receiving of documentation. Support was provided by these relevant factors for conducting of the project.

At the beginning of the Campaign, 60 Roma candidates were selected for researchers, who received training in Skopje, by and expert, Mr. Pance Toskoski from the Ministry of transport and relations. The training was conducted for two days and 15 people were selected to works and informers and motivators on the field in the settlements in Skopje: Cair (Topansko Pole), Karpos (Zlokucani), Kisela Voda (Dracevo), Gazi Baba (Madzari and Jurumleri), Gorce Petrov and Ilinden (v. Miladinovci). Their role as informers and motivators was to inform Roma families from these settlements, house to house, how to submit documentation for legalization of their homes and also brochures were distributed entitled "A guide to a legal home" (*Annex 1) with complete information about the entire process of legalization. The rest of the 43 candidates that attended this training were selected and trained as researches and motivators for the municipalities: Suto Orizari, Tetovo, Prilep, Kocani, Stip and Kumanovo and their task was to inform, to fill out forms for Roma and to submit their documentation to the municipalities. In this way Roma were given technical and financial support in the process of applying. The field activity was conducted in the following manner: NRC prepared a questioner (*Annex 2) and each researcher had for a task to visit 40 families and for each family to fill out a questioner. For each submission of application the costs for administrative taxes and statements from the home owners were paid. These filled out documents, were delivered to municipalities by the field workers. NRC during the realization of this activity joined with its entire team and had daily needs from travels and meetings in the cities, phone and electronic communications in order to resolve the barriers that appeared in the process of submission of documentation.

For a more massive recall of Roma in this activity, NRC through its method of informing disseminated this information to the rest of the municipalities that were not included in the project, to Roma activists, FOOM's regional centers and citizens' associations.

Field experiences during the realization of this activity showed several different and specific situations. There were cases of Roma that were worried whether they could financially handle the legalization of their homes, due to their lack of finances.

The field workers had a very good approach in the community, there was a lot of interest from the Roma to be included, however not everyone could be helped due to their large numbers. As the dead line neared its end, the Roma population became more interested.

Problems and risks during implementation

During conducting of these activities, the team faced several factors that represented difficulties during field work: extremely high temperatures during August, as well as the fast (Ramazan), season work and absence from home and migration in European countries. There were cases of Roma whose homes were on state land, this is when legal problems occurred since the home is on state land could not be legalized.

IT was very sensitive issue to enter in the Roma mahalas due to several reasons: the population in general was occupied with Parliamentary elections in June 2011; the forthcoming census in October 2011

(Campaign and preparation in August, September), and in between them another issue of great importance as legalization of all illegal constructions and buildings. So it was very sensitive to have field assessment team of surveyors again in the settlements.

All these factors have strongly influenced the project implementation by NRC, but all project outcomes were in lines with proposed activities, and some were beyond the drafted numbers.

- There were a lot of questions from the Roma population who were not informed about the legalization procedure and how to prepare the necessary documents;
- in the procedure they have to enclose electricity bill as evidence that the house is attached to electricity network, but having in mind that large number of families do not paid those bills for several years, they were afraid to enclose the bills as evidence in the procedure. So we need a lot of work and explanations within the communities to explain that the payment of the bills is of no importance now, but only the fact that the illegal house is attached to electricity network as condition set by the Law for legalizations of illegal objects;
- administrative taxes and notary expenses were also an issue during the implementation, the taxes were constituted by the municipality themselves and were different, (ex in Kumanovo were 50 MKD, in Kocani 315 MKD, and etc for all applicants, only in Prilep all social welfare users were discharged from paying administrative taxes⁴. Notary expenses were standard everywhere according to Notary Costs Regulations.
- The Law has set certain criteria in order to submit application and claim for legalization: 1. Administrative tax; 2. Copy of ID or citizenship 3. Electricity and/Or water bills; 4. Statement notary sealed if they do not possess bills; 5. Geodesic Elaborate. In the settlements we were faced with questions who will pay for those elaborates when they are very expensive for the community. For example for house up to 50 m2 elaborate costs 2000 MKD, more than monthly social welfare. The costs of the elaborate are increased with greater metric space.
- NRC has informed the citizens that we seriously expect to continue the project in partnership with HFH Macedonia and FOOM and to provide legal, technical and financial assistance in order to finish these started procedures for legalization.

Suggestions for handling further challenges in the process for final legalizing of homes

The Law is the same for all and is applicable in the same way, but no all the cases are same, they vary from case to case. All houses were built in different circumstances and different basis were applied in each case. Further work should be carefully planned and proposed due to complexity of each case, because they are not linear thus will not have same procedure and linear expenses.

Possible future circumstances in procedures for legalization may be:

1. If they do not provide geodesic elaborate the procedure will be stopped by the municipality, and will continue after submitting geodesic elaborate or other evidence asked by Law, (as it happens in Stip Municipality, when surveyors submit claim and application without elaborate they receive Conclusion from the Municipality stating that has been stopped due to lack of the supportive documents for the application)
2. Guidance through each case for the population for the administrative procedure for ascertainment of legal status of the illegal built constructions and objects;
3. If the illegal object has been build on land that has been bought but not transferred from the previous owner, there is a procedure to apply in the case as well;

⁴ In the approved project all administrative expenses were linear for each case.

4. Disposal of property after death, if there is a case when person legal successors live on the property then procedure for division among legal successors is needed as evidence;
5. Appeal Procedure (only practicing Attorneys at law can lodge appeal according to Law on general procedure and Law on free legal aid)

Many other issues will arise when all those administrative procedures as each separate case. Continuance of the project activities should be taken seriously involving necessary capacities and human recourses to finish the cases, as well as proper financial construction in order to reach the final goal of our work – legal housing for Roma.

According to the Law for dealing with illegally built objects in the second phase, all applicants for legalization of their homes (in this case Roma) had an obligation to deliver all additional documents requested by the municipal administration as well as to deliver geodesic elaborates. Depending on the size of the home, geodesic elaborates as supportive documents for the applications must be submitted and had to be paid to private Geodesic firms competent for it. Roma lack finances to pay all fees and because of this their applications might be turned down as unfounded.

There is a necessity of legal representation in order to resolve more complicated cases.

In order for these cases to be resolved successfully, the following phase will be to organize active field work in order for the applicants to be prepared and acquainted with all future activities from the process of legalization and to be encouraged to finish the legalization. NRC through the Resource Center in cooperation with FOOM and “Habitat” will need to plan the financial construction for complete finishing of the second phase of the project Legalization of Roma housing - Macedonia.

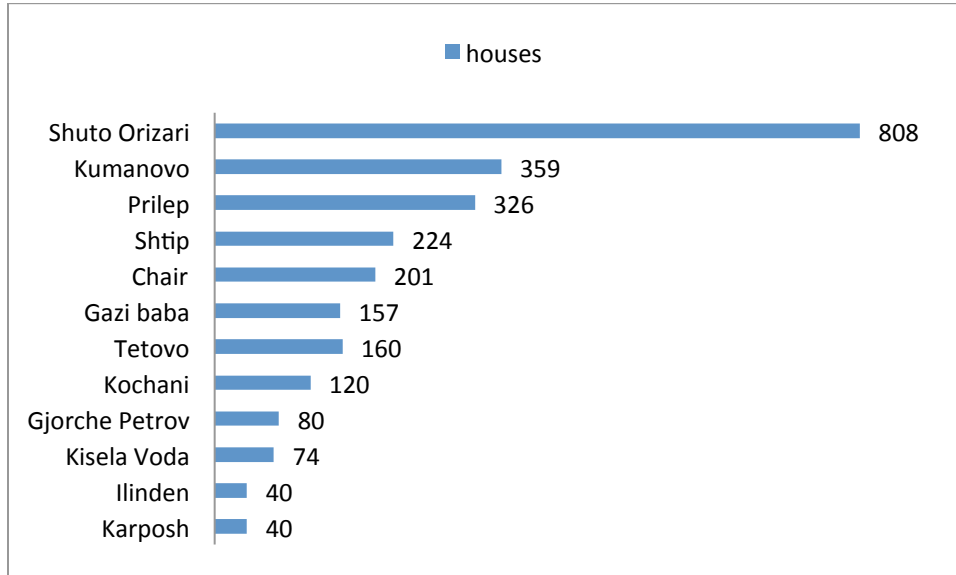
Data processing

A total number of 2589 questioners were processed. The distribution of questioners and requests per cities was made on a coordinative meeting between the NRC, Habitat and FOOM, in accordance with FOOM's methodology.

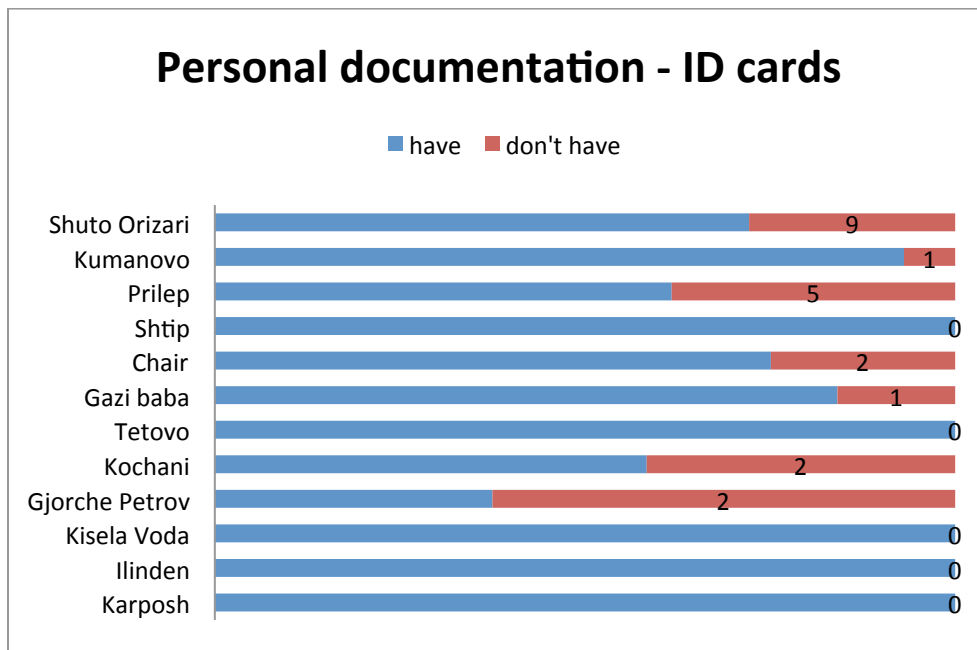
The questioned citizens were selected by random choice, during field visits of the questioners. For each house a questionnaire was filled out which contained information for all families that live in the house. From a total number of 36 707 Roma in the targeted cities, 13 969 or 38% were covered.

1. Total number of questionnaires (houses) – 2589
2. Number of families – 3776
3. Number of persons - 13969

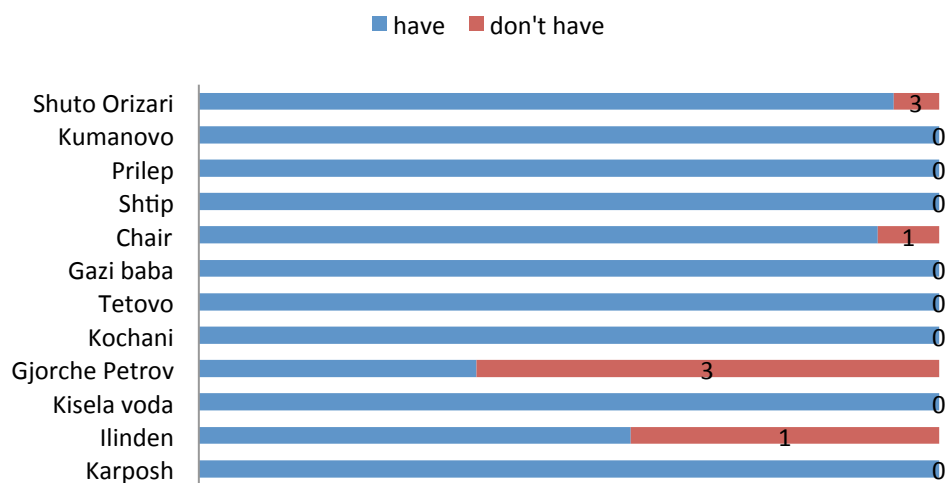
1. Number of questionnaires (houses):



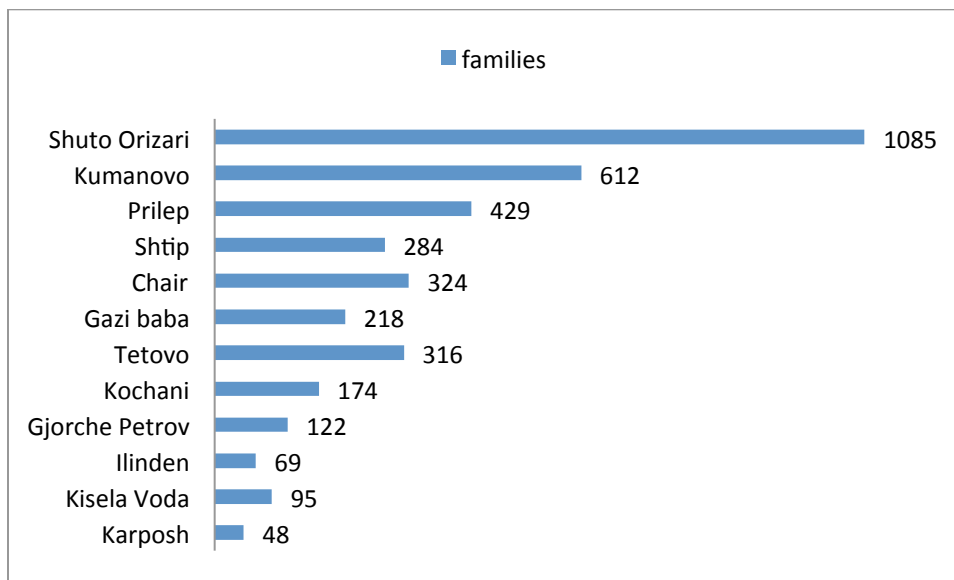
1.1. Personal documentation



Personal documents - citizenship



2. Number of families



2.1. Number of families in one house

One family per house lives in 1678 houses,

2 families per house live in 676 houses,

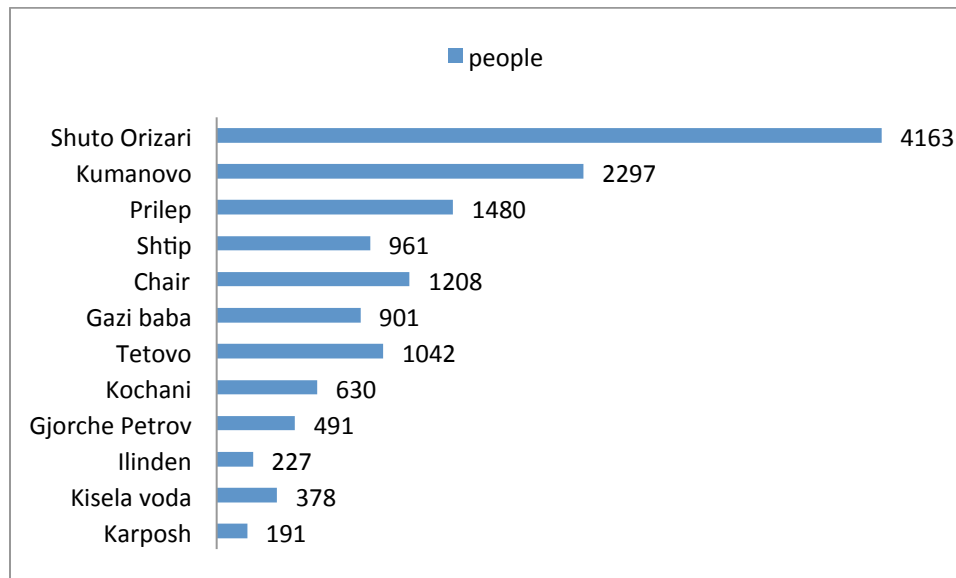
3 families per house live in 199 houses,

4 families per house live in 28 houses,

5 families per house live in 4 houses,

6 families per house live in 2 houses (1 in Kumanovo and 1 in Cair) and
7 families per house live in 2 houses (both in Tetovo)

3. Number of people



According to the data from the polls the largest number of families (617) have 2 members, 579 families have 4 members, 9 families have 12 members, and one family in Suto Orizari has 13 members. (Processing: 206 families have 1 member. 617 families have 2 members, 372 families have 3 members, 579 families have 4 members, 420 families have 5 members, 6 members - 213, 7 members - 98, 8 members - 34, 9 members - 14, 10 members - 9, 11 members - 5, 12 members - 9, 13 members in 1 family).

3.1. Employed persons



The unemployed individuals are divided in the following categories:

- engaged with a contract for deed – 333
- social welfare users – 1819
- unemployed, without social welfare – 848
- non formal work on the labor market – 438

3.2. Description of the constructions

Illegal constructions - 2485

Legal constructions – 102

3.3 Dimensions of the constructions

Up to 50 square meters - 1054 houses

From 51 to 150 – 1304 houses

From 151 to 200 - 145 houses

From 201 to 250 – 78 houses

3.4. Public infrastructure

Have – 2348

Don't have – 237

3.5. Bills for electricity costs

Have – 2390

Don't have – 195

3.6. Bills for water costs

Have – 2249

Don't have – 336

3.7. Legalization

Would like to legalize – 2481 houses

Would not like to legalize – 144 houses

Yes – 2481

No – 144

3.8. Money for legalization

Have – 427

Don't have – 2162