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PERMANENT MISSION OF THE REPUBLIC OF SERBIA TO THE UNITED NATIONS OFFICE AND OTHER INTERNATIONAL ORGANIZATIONS

СТАЛНА МИСИЈА РЕПУБЛИКЕ СРБИЈЕ ПРИ УЈЕДИЊЕНИМ НАЦИЈАМА И ДРУГИМ МЕЂУНАРОДНИМ ОРГАНИЗАЦИЈАМА  
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OHCHR REGISTRY

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Recipients: SPD.....  
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The Permanent Mission of the Republic of Serbia to the United Nations Office and other International Organizations at Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights (Special Procedures Branch) and, referring to joint urgent appeal sent by the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context, the Independent Expert on minority issues and the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance dated 1 June, 2012 has the honour to enclose herewith information of the Ministry for Human and Minority Rights, Public Administration and Local Self Government of the Republic of Serbia.

The Permanent Mission of the Republic of Serbia to the United Nations Office and other International Organizations in Geneva avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights (Special Procedures Branch) the assurances of its highest consideration.

*MZ*

Geneva, 12 July 2012



*The Office of the United Nations High Commissioner for Human Rights  
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**MINISTRY FOR HUMAN AND MINORITY RIGHTS,  
STATE ADMINISTRATION AND LOCAL SELF-GOVERNMENT  
DIRECTORATE FOR HUMAN AND MINORITY RIGHTS  
Belgrade, 29 June 2012**

**Reply**

**to questions posed by the UN Special Rapporteur on Adequate Housing, as components of the right to adequate living standards, as well as the right not to tolerate discrimination on these grounds, the Independent Expert on Minority Issues and the Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance in accordance with the Human Rights Council Resolutions 15/8, 16/6 and 16/33.**

In relation to questions sent to us in a letter addressed to the Ambassador of Permanent Mission of the Republic of Serbia to the United Nations in Geneva, regarding the relocation of Roma families from the informal settlement *Belville* in Belgrade, we hereby inform you of the following:

**1. Are the stated claims true?**

Representatives of the City of Belgrade and competent secretariats have performed consultations with the families and all persons in any way involved in the relocation were adequately informed of the kind of accommodation available (mobile housing units), locations of the newly established settlements, as well as all kinds of aid to be offered by the City authorities (social welfare and health care, employment, enrollment of children to schools, assistance with the obtaining of personal identification documents etc.). The families were also informed of the precise dates of the relocation and the way it would be done.

The families submitted a request for the allocation of mobile housing units to the City's Secretariat for Social Welfare and agreed to that kind of accommodation and voluntary relocation from the settlement by signing corresponding declaration forms. Consequently, the relocation was completed without any use of force.

Before the relocation was completed, all personal identification documents were verified and one meeting was held with parents whose children were going to school regularly about where they would want their children to continue their school education once relocated elsewhere.

Most of these parents had expressed that they wanted their children to remain in the schools they were already attending. Therefore, the parents and the Secretariat for Social Welfare reached an agreement to move the families to the *Makiš* settlement from where the children would be taken to their schools in Novi Beograd and Zemun. The transportation of children was organised and paid for by the Municipality of Novi Beograd.

Bearing in mind that the settlement would be relocated on 26 April 2012, with month and a half left for the school summer holidays to start and most children never having attended school, it was decided not to enroll these children at the end of the school

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year. The reason behind such a decision was that the children will have missed 80 percent of the curriculum thus be unable to finish that school year. Otherwise, enrolling the children to schools at the end of a school year would not be positive from an educational perspective knowing how extremely important first year of school is for the adjustment of children to new surroundings and their elementary literacy.

Therefore, the younger pupils would be included in a preparatory school program and with children day-care centres working all year round, they would start regular schooling in September. As for the older students who would be starting school of elementary education for adults, they would have lessons organised and preparations held in the settlements before they were to start going to school.

The relocated families were provided transportation of their personal and house belongings. The transportation was organised by the City public companies. The families were transported directly to the new settlement/location at the expense of the City. They were given the opportunity to keep their remaining property at their own disposal (materials previously used to build objects, collected secondary raw materials).

On the day of the relocation, the City of Belgrade invited interested organisations to monitor and observe the relocation process as independent bystanders (for instance, the UNHCR, WHO, EU Delegation, Mission OSCE to Serbia, as well as a number of NGOs).

Activities which had not been completed in time were continued after the relocation was completed (personal identification documents, social aid), as were offers of employment/training.

Currently undergoing is the process of transferring medical charts from old to new health care centres and help people with disabilities, chronic illnesses and pregnant women to register with suitable health care institutions in order for them to receive appropriate health care.

All the families were given the right to use national kitchens. National kitchen meals consist of vegetables, meat and dessert/fruit juice. The menu of the national kitchens is as follows:

- Monday – casserole with meat, bread, fruit juice;
- Tuesday – cabbage with meat, bread, piece of cake or chocolate banana bar;
- Wednesday – green beans with meat, fruit juice and bread;
- Thursday – potato stew/paprikash, bread;
- Friday – beans with meat;
- Weekend - lunch packs: pâté, sardine, 2 boiled eggs, 2 fruit juices, 2 slices of bread or one slice of bread and rice, apple pie/strudel, piece of cake.

As all socially endangered citizens of Belgrade, the families relocated from the informal *Belville* settlement will be able to take their meals at national kitchen counters which they can easily reach by using public city transport. City transport stops are located nearby the settlement.

Individual meetings are held each week concerning the enrollment of children to schools, social aid, job offers, training and other activities.

Similarly, employees of the City secretariats are making weekly visits to the newly established settlements.

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All the newly established settlements have their own representatives responsible for managing the settlement who in return receive a monthly salary from the Secretariat for Social Welfare.

All the families are entitled to one or two mobile housing units. Each family from 1 to 5 members shall have one mobile housing unit of 14.8 m<sup>2</sup>. On the other hand, families with 6 or more members will be given two mobile housing units of 29.6 m<sup>2</sup> in total, whereas a family of 11 or more members is entitled to three mobile housing units of a total of 44.4 m<sup>2</sup>.

**2. Please state the reasons and legal grounds for the relocation.**

The relocation of the informal settlement *Belville* was done in accordance with the 2009 Action Plan for the Relocation of Unhygienic Settlements on the Territory of the City of Belgrade. The Action Plan was adopted in the City Assembly sessions held on 28 May and 26 August 2009, with the Plan for the Relocation of Families Living in *Belville* being an annex to the Action Plan.

The Relocation Project envisages an emptying of the land which, according to the 2021 General Plan of Belgrade, is planned to be one of public content- all towards using the land for its intended purpose.

The same document prescribes a specific designated space in Block 42 for the development and full inner and outer city bus stop program. Furthermore, it is meant to be a location of exceptional convenience and with good connection to all parts of the city, somewhere between the inner arterial half ring/motorway, tram route and planned capacitance rail track system and the Novi Beograd train station.

In addition, the City Institute of Public Health has made a report on the sanitary-hygienic conditions in the informal settlement *Belville*. The following are summarised conclusions of the report:

- The existing housing and daily living conditions for the families living at the specified location do not meet the basic sanitary-hygienic conditions which are necessary for the maintenance of hygiene, heating, disposal of waste materials and other;
- The second considerable problem is the risk of fire starting in the settlement. Taking into account that the settlement shacks are made of waste wood and set up very close to one another, there could easily be an outbreak of fire which could spread to the nearby shacks, as so often happens during the winter.

**3. What legal remedies are available to the affected population in order for them to challenge the relocation? Is legal aid available to all persons?**

The Expropriation Law (Official Gazette of the Republic of Serbia no. 53/95 and no. 20/09) provides a legal framework for the expropriation of property in the Republic of Serbia for persons who have formal and legal rights to property (land/objects). The Law stipulates that persons who find themselves on land which is being expropriated but have no legal right to use that land or objects found on it (as is commonly the case with persons living in areas covered by this project) shall have no right of compensation.