

**OFFICE FOR HUMAN AND MINORITY RIGHTS**

The Palace of Serbia  
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25 August 2015

**INFORMATION**

**relating to an appeal by three special rapporteurs of the United Nations Organisation to stop forced eviction of 40 Roma households from the Grmeč informal settlement in Zemun**

The City of Belgrade consists of 17 town municipalities. On 7 July 2015 the inhabitants of the informal settlement of Ratko Mitrović - Grmeč, which is located within the territory of the Zemun town municipality, received decisions on removal of buildings because they did not possess building permits, in accordance with the Law on Planning and Construction.<sup>1</sup>

Evictions of informal settlements have never been carried out in an unorganised way or based on the fact that members of Roma national minority lived in them, but have always and explicitly been carried out because of the requirements of implementation of projects of public interest, namely because in most cases they were or have been located on the development route of the city.

The Zemun town municipality have suspended and postponed enforcement of decisions on removal of buildings within a very short period after their adoption. Such acting eliminated any possibility of forced eviction of the families concerned and prevented potential risk of their becoming homeless.

In the instant case related to the Grmeč informal settlement, all principles, standards and guidelines in respect of forced eviction have not been applied.

**Such acting is an exception and in no way it is practice applied in procedures of eviction of informal settlements in the City of Belgrade, namely in the town municipalities concerned.** In this regard, the activities of the City Administration concerning imperative application of international regulations will be strengthened in respect of all 17 town municipalities. In this way the City of Belgrade strongly joins the efforts of the Government of the Republic of Serbia and the implementation of instructions addressed by the Vice Presidents of the Government to all local self-governments in the Republic of Serbia on 28 July 2015.

The Administration of the City of Belgrade supports without reservations a view that it is necessary to apply consistently Articles 2 and 11 of the International Covenant on Economic, Social and Cultural Rights

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The Official Gazette of RS, nos. 72/2009, 81/2009 - corr., 64/2010 - decision of the Constitutional Court, 24/2011, 121/2012, 42/2013 - decision of the Constitutional Court, 50/2013 - decision of the Constitutional Court, 98/2013 - decision of the Constitutional Court, 132/2014 and 145/2014

as well as the accompanying General Comments of the Committee on Economic, Social and Cultural Rights and the Committee on the Elimination of Racial Discrimination and the governing principles, studies and all relevant instruments for protection of human rights, and, in particular, the Basic Principles and Guidelines concerning evictions and development-based relocations - Annex 1 of A/HRC/4/18 Report of the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living .

As an illustration of the above mentioned, we would like to report on practices supporting this view, which are implemented by the City of Belgrade with the aim to improve the status of Roma as from 2009, and in 2014 and 2015 in particular.

In respect of relocation of Roma settlements, the City of Belgrade has been consistently acting in accordance with international standards on human rights, complying with the principle of non-discrimination and **providing alternative accommodation for all relocated families.**

**Relocation of informal settlements are performed by the City of Belgrade in accordance with the national legislation and fully in compliance with relevant provisions of international treaties on protection of human rights** and humanitarian law, acting in accordance with the principles and guidelines concerning evictions and development-based relocations, stipulated in several documents: The Universal Declaration on Human Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Elimination of All Forms of Racial Discrimination, etc.

***An Example of Best Practice:***

The project of *Let's Build A Home Together* has been implemented by the City of Belgrade in cooperation with the European Union and the United Nations Office for Project Services - UNOPS. 170 Roma families will be provided with permanent housing through the implementation of this project. As its contribution and through UNOPS, the European Union allocated 3.6 million euros from IPA pre-accession funds for permanent housing of families currently living in five newly formed settlements established after relocation of the Gazela and Belvil settlements. For that purpose, the City of Belgrade has so far allocated 1,933,000 euros from the budget.

According to the project, 116 families have been accommodated in social flats, 42 families will be accommodated in rural households and for 11 families, which possessed their own houses, support will be provided in the form of construction materials.

On the occasion of relocation and accommodation of these families, the City of Belgrade acted according to the recommendations of the European Union, families received all required aid and support in order to collect all necessary documentation for participation in the project, while they were also included in the entire process. The City regularly informed the Delegation of the European Union in respect of all steps undertaken concerning accommodation of these families. Details of this project are available on the web site of the project <http://www.sagradimodom.org/>

The Strategy for Improvement of the Status of Roma adopted by the Government of the Republic of Serbia has been the basis for policies of the City in this field. Relocations have been carried out in accordance with the action plans for relocations of informal settlements within the territory of the City of Belgrade adopted by the Council of the City of Belgrade. Three action plans have been adopted so far and a roof action plan is being prepared as the basis for adoption of individual plans for specific informal substandard settlements within the territory of the City of Belgrade.

Since 2009 several informal settlements have been relocated within the territory of the City of Belgrade. **No relocation of informal settlements resulted in some individual or family becoming homeless.** Since 2009 up to now the City of Belgrade has provided housing for 303 relocated Roma families, namely 1,400 persons. In addition to the Ombudsman, relocations were also monitored by the representatives of the Delegation of the European Union, the Office of the United Nations High Commissioner for Human Rights (OHCHR), the Office of the United Nations High Commissioner for Refugees (UNHCR), as well as by the representatives of international and national non-governmental organisations, such as Amnesty International, Praxis, the Regional Minority Centre, the Belgrade Centre for Human Rights, the Ethnicity Research Centre, the Centre for the Rights of Minorities. Human dignity was respected on the occasion of evictions and relocations and no force has been used.

In all cases of relocations the City consulted relocated population before relocation, considering all alternative options, all persons included in relocation were adequately and reasonably informed, information on eviction and alternative accommodation were given, all persons included in relocation were properly identified and all families were provided with adequate accommodation in accordance with the relocation action plan.

For relocated population the City provided access to education (enrolment in schools and nursery schools, transport to school, free of charge textbooks, additional teaching in settlement) and it also covers the costs of the above mentioned. In addition to adequate rendered services there are also actions with the aim to improve quality of living generally in newly formed settlements by promoting activities for improvement of everyday living, i. e. at the level of self-government administrative, commercial, social services are provided (pecuniary social aid, one-time payments, free meals for all socially vulnerable citizens, presence of social welfare services, etc.), public transport, waste disposal, maintenance of settlements and their surroundings (disinsection, disinfection, pest control, etc.), organisation of settlements (playgrounds for children, greenery, etc.).

The Master Plan of Belgrade to 2012 prescribes that social housing is a separate form of housing, whereas socially vulnerable Roma were stated as one of the groups within the category of socially vulnerable persons in need of special aid to provide adequate housing conditions. Affirmative measures also include adjustment of scoring system for the selection of occupants for social flats, namely adjustment of relevant criteria in favour of Roma population - increase of the number of points for social vulnerability and decrease of points for working age, etc., assistance when applying for social flats, assistance after moving in (purchase of furniture, social assistance, decrease of bills for utilities, enrolment of children in nurseries and schools, employment).

The City of Belgrade implements gender sensitive policy, paying special attention to prevention of violations of human rights of women included in relocation. In addition to the above, the provisions of the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities are complied with and, in particular, protection of frail elderly people.

**The Administration of the City of Belgrade carries out relocation procedures according to plans, systemically and with responsibility, applying multisectoral and holistic assessments and responding to requirements, pursuant to positive legal regulations and fully in accordance with national and international standards in this field. The City of Belgrade carries out relocations explicitly for the purpose of general welfare, reasonably and proportionally.**

On the occasion of relocation of informal settlements within the territory of town municipalities, the Administration of the City of Belgrade will render all necessary assistance and support in order to carry out these processes according to plans and complying with international conventions on human rights, and, in particular with the UN principles and guidelines on development-based relocation.