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PERMANENT MISSION  
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MISSION PERMANENTE  
DE LA RÉPUBLIQUE DE SERBIE  
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The Permanent Mission of the Republic of Serbia to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights and has the honour to enclose herewith a response to the questionnaire by the experts of the OHCHR Special Procedures regarding the allegations of discrimination against Roma related to switching off the power supply for the settlement "Crvena Zvezda" in Nis, 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 High Commissioner for Human Rights the assurances of its highest consideration.



Geneva, 7 February 2017

Office of the High Commissioner for Human Rights  
United Nations Office  
Geneva

**Republic of Serbia  
GOVERNMENT**

**Date: January 10, 2017**

**Response to the Questionnaire by the experts of the UN special procedures in the field of human rights regarding the allegations of discrimination against Roma related to switching off the power supply for the settlement "Crvena zvezda" in Niš**

According to the information from the National Council of the Roma national minority, the Roma settlement "Crvena zvezda" in Niš, consisted of 110 households, or around 650 citizens out of which 400 are preschool and school children.

The Roma settlement "Crvena zvezda" is located on the cadastral parcel 1661/1 KO Niš Ćele Kula, which is in the property of the former brickyard Firm for the construction material (recently property of the American investment fond), and only a smaller part of this parcel is in the property of Niš. The part that is in the property of the city Niš, has a purpose of the protected green area. The owner of the parcel has not yet transformed the ground for the mainly constructional use from the General plan: Residential and Office Complex.

Based on the information of the City of Niš, on the above mentioned parcel there are two residential facilities with several housing units (on the parcel 21 and 21a), as well as other objects which are illegally upgraded. The services of the Center for social work of Niš, are used by 207 persons of Roma nationality (from the parcel 21 and 21a) from the Roma settlement "Crvena zvezda".

All 110 households are connected to the power supply network, on two electricity meters. Individual consumption is not measured, but joint, which is then divided by the number of households and paid per household.

National Council of the Roma national minority has informed us that, due to the debt of nine million dinars (from the 2014), the electricity has been switched off for the residents of this Roma settlement. The former Director General of the PD "Jugoistok", and the present Mayor of the City of Niš Darko Bulatović, switched on the power supply to the mentioned settlement, stating that an unknown donor had performed the payment of debt in the amount of nine million dinars. After this problem, a verbal agreement was made between the members of the community and the management of Elektroprivreda, according to which the citizens should pay a monthly amount of 100,000.00 dinars (one hundred thousand dinars). The citizens of the settlement respected the agreement and paid their bills regularly in the previous seven months, until August 22, 2016, when the power supply was switched off again. The reason why the power supply was switched off to the citizens of the settlement "Crvena zvezda" was the debt

for electricity, calculated based on the highest tariff with the interest rate in the total amount of 29 million dinars (twenty-nine million dinars).

Electro distribution Niš has informed the Office for Human and Minority Rights that in the Roma settlement "Crvena zvezda" in Niš, based on the order from the supplier dating from the 21<sup>st</sup> of January 2014, due to the unpaid debt for the supplied electricity in amount of 2.667.679,90, in multiple occasions the power has been switched off. The power was switched back on after every time, by the management order.

Contrary to the statement of the president of the National Council of the Roma national minority, the Electro distribution Niš states that the "verbal agreement made between the members of the Roma settlement and the management of Electric Power Industry, according to which the citizens should pay a monthly amount of 100,000.00 dinars, has not been complied".

The president of the municipality Palilula, has visited the people who live in the Roma settlement and informed them that the municipality does not have the jurisdiction to switch the power back on, but that they will participate as an intermediate between them and the competent institutions to solve the problem. On the suggestion from the president of the municipality Palilula towards the settlement residents, to sign a contract for the reprogram of the debt, the Electro distribution Niš has pronounced itself as incompetent for the conclusion of contract for the reprogram, stating that it is in the jurisdiction of the Electric Power Industry of Serbia (EPS).

Citizens of the settlement then asked for help from the officials of the City of Niš and the National Council of Roma national Minority. Upon receiving the information notice the Government of the Republic of Serbia started tackling this issue. A meeting was organised on December 26, 2016, with the Acting Director of PE Electric Power Industry of Serbia (EPS), experts and the president of the National Council of Roma National Minority, which resulted in the adoption of the *Conclusion according to which the power supply for citizens of the settlement "Crvena zvezda" should be switched on*. The meeting also resulted in the conclusion that the accumulated debts were unjustified (interest rate, red zone and industrial zone) and that Electric Power Industry would not claim the debt collection.

At the meeting, it was concluded also that in the next period all the electricity consumption would be paid, and that the residents should pay the bills jointly – in the same way (joint bill divided per number of households), which the residents accepted. Two electricity meters have been left in the settlement, and it was advised to the residents to install temporary control meters. This would enable the payment of the electricity in accordance to the consumption at the same price as for all other private parties.

A working group was established in the settlement in order to control the implementation of the mentioned agreements. **The power supply for the citizens of the settlement "Crvena zvezda" was switched on on December 27, 2016.**

The Electro distribution Niš has confirmed the continuation of supply of electricity in the settlement through the measure group through which the suspension of the electricity supply was carried out, but with a warning that the electricity supply will be suspended again the first time when the invoices are not paid.

The city municipality Palilula has taken measures in the previous period towards the integration of the Roma community into the broader social community, by opening cultural centres in the settlement as well as organising a stronger communal supervision.

The health care is given in accordance to the standards of health protection and the following protocols. To all residents who have applied themselves or in whose name applied the field officers of the Social centre, the primary health protection service is provided in the health stations where they belong according to their residence or in the community health care centre.

The municipality Palilula has a Service for free legal aid which is provided to the citizens through verbal advices, help with applying for documents, giving notice about procedures, conditions and deadlines for the execution of their rights or for fulfilling obligations towards the competent organs, in the field of family relations, succession and status rights. The city Niš does not have information whether the residents of the settlement "Crvena Zvezda" have filed individual complaints to the court for the electricity switch off.