

URGENT ACTION

ROMA FAMILIES STILL AT RISK OF HOMELESSNESS

The demolition of the homes of 53 Roma families living in the Grmeč settlement, in Zemun municipality, Belgrade seems to have been suspended for now. However, the families remain in a situation of uncertainty and continue to be at risk of being made homeless as the demolition orders they were served with have not been withdrawn.

The Serbian Deputy Prime Minister and Minister for Construction, Transport and Infrastructure, Zorana Mihajlović, who is responsible for the advancement of the situation of Roma in the country, published an open letter on 28 July informing all municipalities of the international standards that oblige Serbia to protect people from forced evictions. The letter also noted that these obligations extend to local authorities, whose duty is to carry out evictions in line with the *UN Basic Principles and Guidelines on Development-based Evictions and Displacement*. The Deputy Prime Minister also set up a working group to draft regulations for evictions from informal settlements.

Information available from local sources suggests that the government has asked local authorities to refrain from carrying out any forced evictions and to suspend the enforcement of any demolition orders. This has not been communicated to the affected families and Amnesty International has not received a response from the Deputy Prime Minister's office confirming this.

The 53 Roma families living in the Grmeč settlement have not been offered adequate alternative housing or other alternatives to the eviction by the municipality. The demolition orders, served between 7-10 July had a one day deadline to comply; these were issued by the construction inspectorate have not been withdrawn. The families continue to be at risk of forced eviction and will be made homeless if the demolition orders are enforced.

On 20 July, the Serbian NGO Lawyers' Committee for Human Rights submitted an application to the European Court of Human Rights on behalf of 130 individuals living in the settlement, including 68 children in order to halt the enforcement of the demolition orders. The Court subsequently started the procedure to issue an interim measure to stop the forced eviction of the 53 families and asked the government to submit information related to the case. The Court's decision is still pending.

Please write immediately in English, Serbian or your own language:

- Urging the authorities to take immediate measures to identify alternatives to the planned demolitions and evictions;
- Calling on them to ensure that affected families are provided with adequate alternative accommodation and are not rendered homeless due to an eviction;
- Urging the authorities to adopt a law prohibiting forced evictions and to ensure that evictions are carried out as a last resort, in accordance with international standards and in genuine consultation with affected families.

PLEASE SEND APPEALS BEFORE 25 SEPTEMBER 2015 TO:

Deputy Prime Minister and Minister for
Construction, Transport and
Infrastructure
Prof. dr. Zorana Mihajlović
Ministry of Construction, Transport and
Infrastructure
Nemanjina 22-26
11000 Belgrade, Serbia
E-mail: kabinet@mgsi.gov.rs
Salutation: Dear Minister

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the first update of UA 161/15. Further information:

<https://www.amnesty.org/en/documents/EUR70/2132/2015/en/>

**AMNESTY
INTERNATIONAL**



URGENT ACTION

ROMA FAMILIES STILL AT RISK OF HOMELESSNESS

ADDITIONAL INFORMATION

The Roma families have lived in the settlement since around 1999 to 2000, when they fled Kosovo after the end of the 1999 internal armed conflict between Serbs and Albanians. Following the end of the armed conflict, Roma in Kosovo were subjected to systematic and widespread abuses by Kosovo Albanians, including abduction, murder, rape and the destruction of property, on the basis that they had mainly lived in Serbian communities, and mostly spoke Serbian (see <https://www.amnesty.org/en/documents/EUR70/004/2012/en/>).

Few of the thousands of Roma who fled Kosovo have found a durable solution. As internally displaced persons, they are extremely vulnerable, facing multiple forms of discrimination which restrict their ability to equal enjoyment of a range of fundamental rights, including the right to adequate housing. According to UNHCR, three quarters of the Roma IDP population in Serbia are “in need” today, with poverty and high unemployment levels affecting the community.

Forced evictions, illegal under international law, are evictions carried out without adequate notice and genuine consultation with those affected, without appropriate legal safeguards and without assurances of adequate alternative accommodation. Under international law binding on Serbia, including the International Covenant on Economic, Social and Cultural Rights (ICESCR), which guarantees the right to adequate housing, the authorities are prohibited from carrying out forced evictions, and must protect people from forced evictions.

Serbia is obliged to ensure that the affected families are provided with adequate alternative accommodation, and are not rendered homeless. Under international human rights law and standards, evictions may be carried out only as a last resort, once all other feasible alternatives have been explored in genuine consultation with the people affected. Evictions cannot be carried out until appropriate procedural and legal safeguards are in place. International standards make it clear that even in cases where the eviction is considered justified, it must be carried out in strict compliance with international human rights law.

Governments must also ensure that no one is made homeless or vulnerable to other human rights violations as a consequence of an eviction. Victims of violations must be provided with effective remedies including compensation for all losses and provision adequate alternative housing to those who cannot provide for themselves. These obligations extend to all tiers of government including city authorities.

The UN Basic Principles and Guidelines on Development-based Evictions and Displacement aim to provide a practical tool to assist states in developing policies, legislation, procedures and preventive measures to ensure that forced evictions do not take place, elaborate standards on how evictions should be carried out and provide effective remedies to those whose human rights have been violated, should prevention fail.

The Minister for Construction is also the Deputy Prime Minister in the current government, tasked with coordinating activities for the advancement of the situation of Roma in the country.

Name: 53 Roma families

Gender m/f: both

Further information on UA: 161/15 Index: EUR 70/2270/2015 Issue Date: 14 August 2015