

SERBIA

STOP THE FORCED
EVICTIONS OF ROMA
SETTLEMENTS

HOUSING IS A
HUMAN RIGHT

AMNESTY
INTERNATIONAL



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‘[The] practice of forced eviction constitutes a gross violation of human rights, in particular the right to adequate housing.’

UN Commission on Human Rights, Resolution 1993/77, para 1.



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On 31 August 2009 at around 10am, the Romani inhabitants of a settlement underneath the Gazela Bridge in Belgrade, Serbia, found themselves surrounded by police. Trucks and bulldozers appeared. No journalists were allowed near the site.

The forced eviction of the Gazela settlement took less than three hours. By 1pm almost 200 homes had been destroyed. Few of the 178 Roma families had enough time to rescue their belongings before the bulldozers moved in. Most took with them only what they could carry. Around 114 families were bussed to six sites on the outskirts of Belgrade and given accommodation in metal containers. Another 64 families were transported to municipalities in southern Serbia.

The settlement was evicted by the City of Belgrade authorities in advance of repair works on the dilapidated Gazela Bridge, part of the redevelopment of Serbia’s motorway system. Several other Roma settlements in Belgrade and across Serbia will be evicted as part of this massive infrastructure project. The eviction of the Gazela settlement was carried out without the safeguards required

under international law. Consultations held with the communities were inadequate, no compensation was provided for loss of and damage to personal property, no legal remedies were provided and the resettlement options failed to meet requirements under international human rights standards. This report documents the forced eviction of Gazela, outlines the human rights violations which took place and, considering the continuing threat of further forced evictions, makes recommendations to the Serbian authorities.

Amnesty International calls on the Serbian government, and the Belgrade city authorities in particular, to ensure that no evictions take

above: A bulldozer demolishing houses at the Gazela Bridge settlement in Belgrade, 31 August 2009.

place unless absolutely necessary; that any further evictions are carried out in accordance with international standards, including the provision of adequate alternative housing; and that effective remedies are made available to all those who have been the victims of forced evictions.

FORCED EVICTIONS

A forced eviction is the removal of people against their will from the homes or land they occupy, without legal protections and other safeguards including: genuine consultation with those affected, prior and adequate notice, and provision of adequate alternative housing, regardless of whether they rent,

own or lease the land or housing in question. Not every eviction that is carried out by force constitutes a forced eviction. If the appropriate safeguards are in place, a lawful eviction which involves a proportionate use of force does not violate the prohibition of forced evictions.



GAZELA BRIDGE

Plans for the eviction of the 800 predominantly Romani people living under the Gazela Bridge started before September 2007 when *Putevi Srbije* (Roads of Serbia, a state-owned company) signed an agreement for a €77 million loan from the European Bank for Reconstruction and Development (EBRD) and the European Investment Bank (EIB). The loan covered reconstruction of the 30-year-old Gazela Bridge over the river Sava, linking Old and New Belgrade, the construction of approach roads and a section of the Belgrade bypass. The EBRD and EIB conditioned the release of funding on the resettlement of the Gazela community by the City of Belgrade in accordance with the 1990 *World Bank Operational Directive 4.30 on Involuntary Resettlement*.

In 2007 a census was conducted of the Gazela population and by 2008, the city authorities, working with Roma Heart, a non-governmental organization (NGO), started consultation on the resettlement with the residents. By mid-2008, architects' plans for new homes for the Gazela

residents envisaged 400 small houses, a community centre providing social, health and job training services, a kindergarten, and a recycling centre employing around 250 people.

After three proposed locations were rejected by local residents, the city authorities proposed a new site in the Belgrade suburb of Ovča. However, the architects' plans were abandoned in October 2008 after further demonstrations by local residents opposed to Roma living in their community. The Roma Union of Serbia accused the city of failing to address such discrimination.

In February 2009, without any consultation, Deputy Mayor of Belgrade Milan Krkobabić announced a new plan for Gazela. Some 114 Romani families – Belgrade residents and internally displaced people from Kosovo – would receive “new accommodation” in different municipalities around Belgrade. Others would be returned to southern Serbia from where they originated.

In March, more than 250 Roma living in a settlement at Blok 67 in New Belgrade

above: Roma residents gather as the demolition of the settlement at Gazela Bridge begins, 31 August 2009.

were forcibly evicted in advance of the World Student Games. Hostile local residents in the suburb where containers had been hastily prepared for their resettlement, attempted to set fire to the containers. Some women and children were taken to a social welfare centre, but most of the Roma were left without shelter, attracting local and international protest.

In May 2009 the City approved an *Action Plan for the Resettlement of Shanty Settlements*. Plans for the Gazela eviction were set out in an Amended Action Plan, dated 25 August, and approved by the City Assembly only two days before the eviction took place. The Amended Action Plan was never officially made public, or shown to the Roma community. Vladan Đukić, head of the City Secretariat for Social Welfare, only informed the Gazela Roma that they would be evicted and resettled in containers less than six weeks before the



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eviction took place on 31 August 2009. Despite the EBRD's condition that Gazela residents should be resettled in accordance with the *World Bank Operational Directive on Involuntary Resettlement*, the reality fell far short of the directive, and of international human rights standards. Amnesty International considers that Gazela residents were forcibly evicted.

A VIOLATION OF INTERNATIONAL STANDARDS

"Nobody can stand in the way of Belgrade's development,"

Vladan Đukić, head of the City Secretariat for Social Welfare, in charge of the Gazela resettlement, Amnesty International interview, 6 February 2010.

Serbia is required under international human rights law to refrain from and protect people from forced evictions. This means adopting and implementing laws that comply with international standards which set out the safeguards that should be complied with during evictions. Serbia has not adopted such laws. Those evicted do not have access to any legal remedy to prevent

THE RIGHT TO ADEQUATE HOUSING

The right to adequate housing, which includes the right to be protected from forced eviction, is guaranteed in several international and regional human rights treaties. These include Article 11(1), International Covenant on Economic, Social and Cultural Rights (ICESCR); Article 17, International Covenant on Civil and Political Rights (ICCPR); Article 27(4), Convention on the Rights of the Child; Article 5(e), International Convention on the Elimination of All Forms of Racial Discrimination; Article 14(2)(h) of the Convention on the Elimination of All Forms

of Discrimination against Women; the European Convention on Human Rights; and Article 16 of the Revised European Social Charter. As a state party to these treaties, Serbia has a legal obligation to guarantee the right to adequate housing.

The UN Committee on Economic, Social and Cultural Rights (CESCR) has emphasized that "the right to housing should not be interpreted in a narrow or restrictive sense which equates it with, for example, the shelter provided by merely having a roof over one's head or which

views shelter exclusively as a commodity. Rather it should be seen as the right to live somewhere in security, peace and dignity."

In 2007 the UN Special Rapporteur on adequate housing issued the Basic principles and guidelines on development-based evictions and displacement (Basic principles). The Basic Principles, based on international treaties and the General Comments of UN treaty bodies, aim to ensure that evictions are absolutely necessary, carried out lawfully, and protect the human rights of those evicted.



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the eviction, or to compensate them for the violations which took place.

In this report Amnesty International highlights some of the human rights violations which took place before, during and after the Gazela eviction, including: the failure to provide adequate notice, the absence of genuine consultation; a failure to ensure that the resettlement site met with requirements under international standards and to provide compensation for losses; the forced internal displacement of people to southern Serbia; and the continuing threat of forced evictions relating to development projects.

NO GENUINE CONSULTATION

“During planning processes, opportunities for dialogue and consultation must be extended effectively to the full spectrum of affected persons, including women and vulnerable and marginalized groups, and, when necessary, through the adoption of special measures or procedures.”

Basic principles, para. 39

Lilijana, an internally displaced person (IDP) fled from Kosovo in 1999, and after a year in Bela Palanka in southern Serbia, moved to Gazela where she ran a small shop. Mima, her daughter, works at the post office in New Belgrade. Amnesty International interviewed Lilijana in the Barajevo settlement in south Belgrade in February 2010:

“In 2007 they started making lists of people. We were to be included in the housing project. The Roma National Council took us to their office to show us the maquette [model] of the houses and consult us about our needs. Back then, they were already giving out the documentation required to be included in the project: 114 families were supposed to be included. Then in August [2009] we got the decision about the eviction from Mr Đukić. We didn't know where we would be evicted to. I'm not happy about the eviction. It was easier to make a living in Gazela than here in Barajevo. My daughter has to travel an hour and a half to get to work now.”

After the Ovča plan was abandoned in October 2008, no genuine consultations

from left to right: A bus waits to transport Roma to resettlement sites on the outskirts of Belgrade as City employees look on, 31 August 2009. Interior of Roma home in Belvil settlement, February 2010. A Roma woman collects her belongings from Blok 67 forcibly evicted in advance of the International Student Games, in Belgrade, 3 April 2009.

were held on resettlement options or alternatives; the Action Plan was never discussed with the community. About six weeks before the eviction, they were informed that they would be resettled in metal containers. Those included on lists drawn up in 2007 were merely asked to identify at which container sites - and with which other families - they wanted to live.

According to Gordana, interviewed by the NGO Bankwatch in 2009: “We knew that we had to be resettled, but we didn't know that it would happen in two hours. We thought that it would take two or three days. First 20 families, then another 30 families... We didn't know the police would surround everything, and we would just be pushed

“They put 40 containers in Rakovica, one next to the other, and it’s worse than it was before.

Maya, interviewed by the NGO Bankwatch, 2009, Rakovica

onto a bus. They did not keep their word, and in the end they did it arbitrarily.”

After being told about the resettlement, her group elected to stay in Zemun, part of New Belgrade, so they would have access to work. “So we filled in this paper for Zemun, then we waited and waited until a few days before the demolition, and then Đukić invited us to a meeting at 9 o’clock in the evening... on the street! And he took out a stopwatch to count how long he spoke to each: one, two, three minute conversations. He said there was no location in Zemun. To be honest, we got angry with him – we’d been waiting for so long and now a few days before resettlement, he’d changed everything.”

On the day of eviction, Gordana received papers stating she would be resettled at a container site in Mladenovac (47km south of Belgrade): “Đukić said, ‘What I have I’ll offer you. If you accept it, you accept. If not, I have nothing to do with you. Go out into the street.’ My son said ‘Take what he offers, just to get off the street.’ Another official said there were two empty containers at Barajevo – ‘Take it because I don’t have anything else’.”

DESTRUCTION OF PERSONAL PROPERTY AND FAILURE TO PROVIDE COMPENSATION

Although the Gazela Roma had been told the eviction date, they were not told how the eviction would be conducted. In reality they had little opportunity to gather their personal possessions, or to challenge the eviction. When the bulldozers came in they

could not believe it. Maya, now living at Rakovica settlement, said: “[They told me], ‘Get on the bus if you want, but if you’re against it, you’re in the street’. Everything was flying from all sides, in came the trucks. My children were there, gathered around my legs, screaming; what could I tell them?”

Tomica, from Kosovo, who had lived in Belgrade for 20 years, told Amnesty International: “They came with trucks and police and vans. We all had to leave in 20 minutes. I lost my house, TV, DVD, new beds, mirrors, fridge, everything. I wasn’t even there when the house was taken down. [Dragan] Đilas [Mayor of Belgrade] and others came from the municipality – I was arguing with them about our destination. My family was listed to go to Mladenovac, but we wanted to go to Barajevo. While I was talking, they took my house down.”

Tomica received no compensation for the destruction of his house, its contents, or the van which he used to earn his living, collecting scrap metal.

According to the NGO the Regional Centre for Minorities, “Women were told not to carry things with them, they were told it would all be there, but when they arrived [at the containers] there were no fridges or stoves, and they were initially expected to cook over an open fire. There was nowhere to wash clothes and the ‘sanitary unit’, [a container equipped

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with running water, sinks, showers and toilets], was not working.”

The Serbian authorities are required under international human rights law to provide fair and just compensation for losses of property resulting from the eviction. But no provision was made in the Action Plan for residents to make an inventory of their property before the eviction; nor did any of the Gazela families receive compensation for the loss of their possessions and the destruction of their houses.

Vladan Đukić, the official in charge of the eviction, denied that people could not take away their possessions. He claimed to Amnesty International, “They had months to prepare for the eviction. There was a convoy of trucks which took their things; they were able to put everything in... [anyway] they are not able to fit them all [their belongings] into the containers.”



LIVING IN CONTAINERS

“They put 40 containers in Rakovica, one next to the other, and it’s worse than it was before... We have nothing better, and it’s even harder now. There’s not enough space to sleep, let alone live. What can you do if you have one room for cooking, sitting, kids playing. It’s even smaller than it was at Gazela. You have no space to turn around; the kids have no space to play inside. I wish we could be accommodated in an apartment – and that one day I’ll live as other people do.”

Maya, interviewed by the NGO Bankwatch, 2009, Rakovica.

The 114 families evicted from Gazela now live in containers in six locations, the majority far from local amenities, on the outskirts of the city at Barajevo, Makiš, Mladenovac, Rakovica, Krniača and Orlovsko Naselje. In Orlovsko there are also 15 families evicted from Blok 67 and Vojvodinska Street in early 2009. The

metal containers are placed on concrete or gravel, some propped up on brick footings. Each container has an electricity supply, but no running water, which is supplied only to communal taps, washing areas and sanitary units.

While many women welcomed the availability of running water, many complained that the number of sanitary units was not sufficient for the number of families, and at some sites waste water was pooling around the units, rather than draining away.

Many former Gazela residents like Maya and Lilijana are unhappy living in the containers and are waiting for a more permanent housing solution. Others see some benefits: Tomica arrived in Barajevo with only the clothes he stood up in, but had been appointed by the City as camp co-ordinator, and was paid a monthly wage. He told Amnesty International:

above: Containers at Makiš provided to house families with up to five members, February 2010.

“I’m very satisfied. My life has changed 100 per cent. We have electricity and water. I know that it is much better living here. We used to have big rats everywhere, and we used to have to look out for the children because of the rats.”



left: The containers in Orlovska Naselje provided for families evicted from Gazela Bridge are unstable and packed closely together, 2010.

‘ADEQUATE HOUSING’?

These metal containers do not meet the criteria for “adequacy” of housing identified by the CESCR or the “adequate permanent housing” specified by the EBRD. Although the Roma have signed contracts with the City and have security of tenure, and have been provided with a free, and thus affordable, place to live, the container settlements fail to meet the following criteria: availability of services, materials, facilities and infrastructure; habitability; location; accessibility; and cultural adequacy.

HABITABILITY

The CESCR has stated that adequate housing must provide the inhabitants with adequate space and protect them from cold, damp, wind, rain and other threats to health. When Amnesty International visited the container settlements in February 2010, many containers were overcrowded. Families with up to five members were allocated containers measuring 5.77m x 2.44m (14m²); larger families are supposed to have two containers, but this is not always the case. The containers are not insulated (despite winter temperatures of minus 10°C), poorly ventilated, and often damp. In some, water leaks through the ceiling, but generally the damp results from condensation caused by the number of people in such a small space, and from cooking. Women told Amnesty International that they constantly had to wipe down the container walls to keep them dry and prevent mould.

LOCATION

The CESCR has highlighted that “Adequate housing must be in a location which allows access to employment options, health-care services, schools and other social facilities”. Situated on the margins of Belgrade, the container sites are isolated, with little access to basic services. Although, as legal tenants, the Roma are eligible to register as Belgrade residents, not all have received the promised assistance in obtaining residency documents needed to access such basic services. In February 2010, some still had no residency document, in some cases because their contracts had reportedly not been issued until that month. Without residency they were denied access to health care or social benefits. The City had also made children’s school attendance a condition of families’ access to social benefits, but children at some sites still faced difficulties travelling to or integrating into local schools.

“Evictions should not result in individuals being rendered... vulnerable to the violation of other human rights... Alternative housing should be situated as close as possible to the original place of residence and source of livelihood of those evicted.”

Basic principles, para. 43

There is no work available near the container sites, which are far from the city centre, where many of the Gazela Roma worked collecting and re-selling scrap or recyclable materials. Further, under the Action Plan, Gazela Roma were prohibited from taking any waste material with them.

They now have to travel to work from the outskirts of Belgrade – if they can find somewhere to store materials. Although the Action Plan envisaged building recycling centres to provide employment, none have so far been built. (One site is being separately developed under a World Health Organization initiative.) Many of the women had worked as cleaners but are now unable to find employment locally. While some adults have been offered work in the City’s Public Utilities Department in waste, gardening and cemetery maintenance, some others were concerned that if they accepted these jobs, they would not be eligible for social housing.

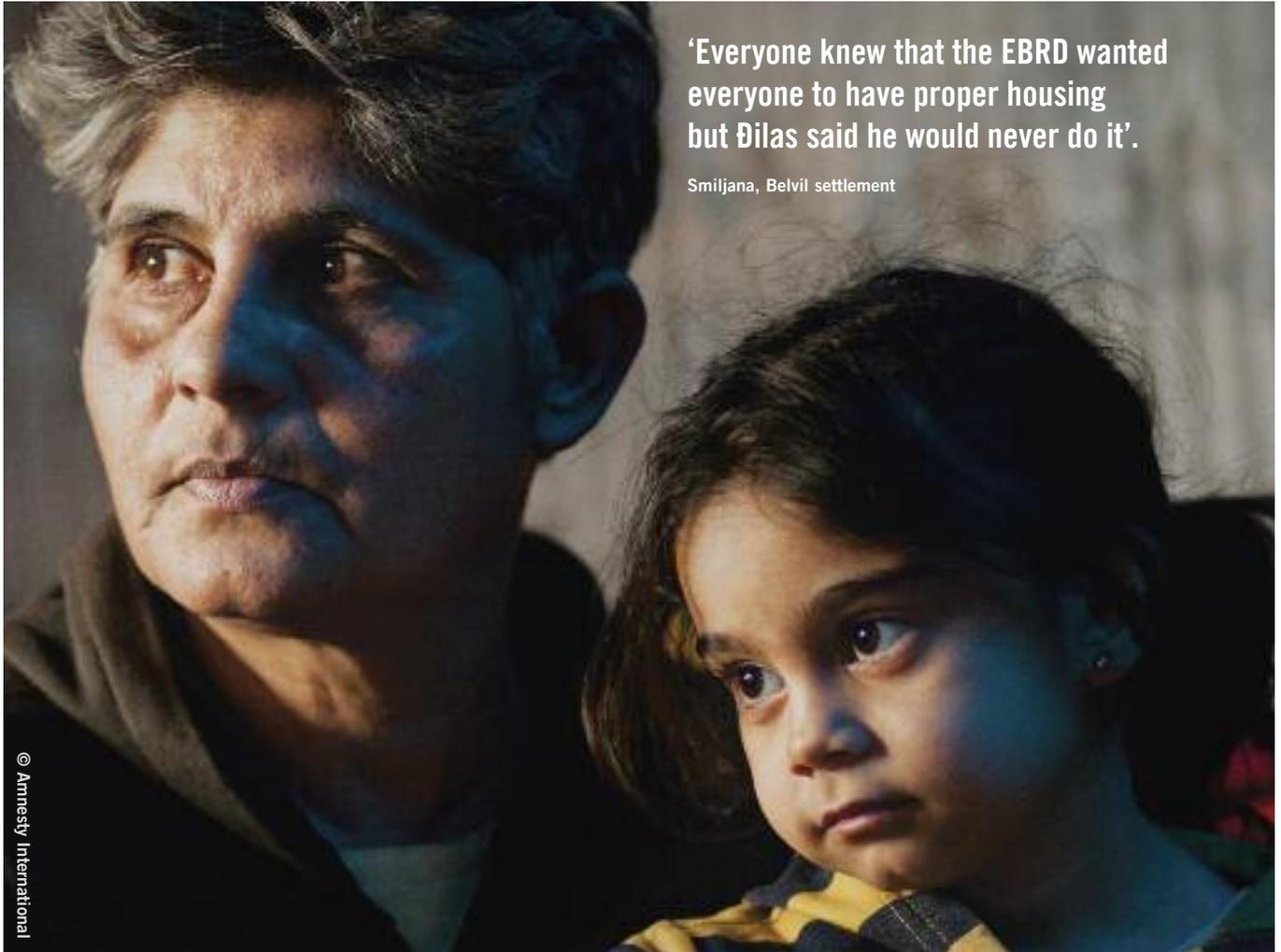
ACCESSIBILITY

“Last week Mr Đukić came with some foreigners. He said that 80 flats are being built and that we can apply for them – but everyone can apply, not just our settlement.”

Liljana, Barajevo.

The CESCR states that adequate housing must be accessible to those entitled to it. But instead, the Action Plan envisages that the evicted Roma will have to compete for 900 social housing units which will reportedly be built by the end of 2010: *“Families currently settled in mobile housing... will have equal rights and opportunities to compete to move into the flats equal to any other socially vulnerable citizens of Belgrade.”*

Amnesty International considers this to be inadequate in addressing the permanent housing needs of Roma. Under the



‘Everyone knew that the EBRD wanted everyone to have proper housing but Đilas said he would never do it’.

Smiljana, Belvil settlement

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above: Smiljana and her granddaughter who face forced eviction from the Belvil settlement, Belgrade. Picture by Biljana Rakočević for Amnesty International 2010.

Serbian Law on Social Housing, which entered into force in September 2009 but has not yet been implemented, Roma are one among 14 priority groups for social housing but are the only group to have been subjected to forced evictions on this scale. With the housing deficit across Serbia estimated at 100,000 units, Amnesty International believes that few Gazela Roma will be able to access social housing, unless the City provides additional permanent housing as required by the EBRD loan conditions.

RESPONSIBILITIES OF THE EBRD AND EIB

“Remove me, and then you can distribute flats to Roma”

Mayor Dragan Đilas, Mayor of Belgrade 30 January 2010.

Under the loan agreement, the EBRD required the City of Belgrade authorities to provide the resettled Roma with adequate housing, not containers. Yet the Mayor and City officials have consistently refused to implement the conditions for adequate resettlement in full. In February 2010 Mayor Dragan Đilas told Radio B92: “This is not a donation, but an economic loan, and if these are the conditions, we will not take it.”

EBRD’s resettlement conditions were based on the 1990 *World Bank Operational*

Directive 4.30 on Involuntary Resettlement, which applies when people do not have the choice to refuse resettlement. This policy contains a number of positive aspects such as consultations with communities and their participation in planning and implementing the resettlement. It does not, however, contain or require all the mandatory international human rights safeguards, including exploring alternatives to evictions, ensuring due process, and that resettlement sites comply with all the requirements for “adequacy” of housing set out under international human rights standards.

Despite the failure of the city and government to fully meet both banks’ conditions on resettlement, the EBRD and the EIB released the first loan instalments in February and March 2010 respectively. According to the EIB, this was “at the



left: Shared facilities for washing clothes and dishes at the Barajevo container site, February 2010.

FORCIBLY DISPLACED TO SOUTHERN SERBIA

Although the city authorities were supposed to resettle all those living in Gazela, they refused to resettle 240 people (53 families) identified as originating from seven of the poorest municipalities in southern Serbia. The MLSW subsequently took responsibility for this group, and from January 2009 took measures for its return to the southern municipalities, aiming to ensure that those evicted would have access to housing, social protection, health and employment.

Around a fifth of this group left Gazela before the eviction. Few of those who remained were able to take their belongings with them. The State Secretary of the MLSW told Amnesty International in February 2010: "The trucks and buses were parked there; they had enough time to pack and prepare, but many hesitated... [and] the police prevented them from getting to their houses." In the absence of legal provisions for compensation, each returned family was given a one-off assistance payment of between 100-200,000 dinars (€1,000-2,000). They were also to be provided with assistance in obtaining documentation, access to social benefits and education, including books and school materials.

However, most of these Gazela residents did not have adequate housing to return to in southern Serbia. Although they were registered as living in a particular

request of the Serbian authorities and in consideration of the emergency situation and public safety concerns linked to the rapid deterioration of the physical condition of the Gazela Bridge". Mayor Dragan Đilas' claimed that the banks' refusal to release funds to repair the bridge was endangering lives.

On 11 March 2010, the EIB stated: "Both the EIB and the EBRD have been closely monitoring the resettlement process undertaken to date by the Serbian authorities, with the conclusion that while there have been achievements, significant outstanding issues remain. These include the provision of sustainable housing solutions for Project Affected People and the restoration of their livelihoods. Subsequent disbursements will be conditional upon the implementation of the resettlement as agreed between the Serbian Authorities and the EIB, with a further contractual condition to repay the loan if the specific requirements are not met by the year end." The EBRD told Amnesty International that, despite the absence of an acceptable Resettlement Action Plan, the money was released after the EBRD board had waived the original

conditions. However, they demanded that the city and government authorities make additional commitments to address the bank's main outstanding concerns. Following an audit by the EBRD, detailed action plans and timelines were agreed with the City of Belgrade and the Ministry for Labour and Social Welfare (MLSW).

The EBRD and the EIB, and their member states, have a responsibility to ensure that they do not support projects that lead to, or contribute to, human rights violations. As such, the EBRD and EIB must have effective policies and processes in place to ensure that all their activities respect human rights. This requires them to ensure that they have robust safeguards and due diligence processes in place; that such safeguards and processes are based on – and explicitly refer to – human rights principles and standards, and are applied to all stages of a project. Therefore, the EBRD and EIB must ensure that they do not support projects that involve forced evictions or that violate the right to adequate housing, and must be satisfied that adequate guarantees are in place to ensure that their clients comply with all relevant human rights standards.

municipality, most did not have security of tenure or legalized houses. Some settlements had no water supply. In some municipalities, the returnees still live in temporary or makeshift accommodation; houses have yet to be built for them. With few employment opportunities, some have already returned to Belgrade.

In order to fulfil its obligations to the Roma, the government needs to provide financial assistance to the economically deprived southern municipalities. The government also needs to satisfy outstanding conditions identified by the EBRD, including the legalization of settlements, the provision of sewage treatment and electricity, and

the employment of at least one member of each household on constructing the Corridor 10 motorway.

However, Amnesty International considers that the displacement to the south violates Article 12(1) of the ICCPR which provides that “Everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement and freedom to choose his residence”.

INTERNALLY DISPLACED ROMA AND FORCED RETURNEES

Following the war in Kosovo, after July 1999 up to 50,000 Roma were forcibly displaced to Serbia. Kosovo Roma living in Serbia are considered to be internally displaced people (IDPs), although few are afforded the rights set out in international standards for displaced people. Kosovo IDPs are estimated at 17 per cent of the population of informal settlements, unable to return to Kosovo in safety but with little prospect of local integration or resettlement in line with the Guiding Principles on Internal Displacement.

In addition, some Kosovo Roma – denied international protection in western European countries – are being forcibly returned to Serbia. Other Roma who left Serbia decades ago are being deported under EU readmission agreements. Many end up living in informal settlements. At the end of March 2010 between 20 and 25 returned families were evicted without warning from a settlement in Vidikovac, Belgrade; they were not provided with any assistance or alternative housing. Under international standards returns should be sustainable and in conditions of safety and dignity.

LIVING IN INSECURITY

INFORMAL SETTLEMENTS

From the 1950s onwards, the Roma population of Belgrade grew as Roma from the economically deprived south of Serbia, Kosovo and Macedonia, came in search of work. Between 450,000 and 800,000 Roma live in Serbia, 30 per cent of whom live on less than €2.15 per day. An estimated 100,000 Roma live in Belgrade; a third of them live in around 147 informal settlements.

Informal settlements like Gazela and Belvil are generally constructed on wasteland, unused industrial land and waste dumps around the city. Houses are built from recycled materials, including wood and cardboard, or sometimes bricks and other salvaged building materials. Most families build their own houses, but can also buy pre-built houses for €50-€200. Most have at least two rooms and an entrance room for dirty shoes and water containers. Despite their surroundings, women manage to keep the houses clean and warm, using wood-burning stoves for heating, boiling water and cooking. But despite layers of carpets and lino, damp still comes up through the floor. Water comes from pumps or standpipes; electricity is often tapped off the mains; there is no drainage or sewage treatment.

Under such circumstances many Roma suffer from ill health, and have a significantly lower life expectancy than the average Belgrade citizen. International organizations



report that Romani women's health is significantly worse than that of the general population as a result of inadequate living conditions, substandard housing, poverty and "the disadvantaged position of Romani women within their domestic setting". Women told Amnesty International of the stress of living in such circumstances – and the stress of facing eviction. Valdetta Missini told Amnesty International: "It is extremely difficult to live here. It takes 10 trips to get enough water from the pump; sometimes it works, sometimes it doesn't. It's hard for the children to play outside because of the garbage and the mud and in summer there are lots of rats... and we all have to sleep in the same room."

While almost all Roma in Serbia experience discrimination, those living in informal settlements are not only denied the right to adequate housing, but are often also denied other human rights. Without a legal address, they are unable to obtain a residence permit. Without a residence

permit, they are denied access to health care. Thus women having a baby in hospital will borrow a friend or relative's residency card. Others get around the problem by registering at a relative's address, or paying for an address.

Only children whose parents have residency permits are able to attend school, often excluding IDP children. Few complete their elementary education, and are consequently not eligible to register at the State Employment Office. Ilysen Durmis, an IDP from Kosovo, told Amnesty International: "They discriminate when they see you are from Kosovo. It's discrimination: I have three languages and I'm a driver but when they see I'm from Kosovo, they say I am uneducated."

FURTHER EVICTIONS

"I was born in Belgrade, but... lived in Niš for 30 years until I fought with my husband, and came to live in Belgrade with my mother. But she was 78 years old and she

above: A waste collector from the Gazela Bridge Roma community searching for scrap metal in the streets of Belgrade, 2009.

could not cope with all of us, so we rented a flat. I made some money selling things in the markets, but it was not enough to pay for electricity, and we were fined €4,500 for not paying the electricity, so I had to sell my share of my mother's flat to pay the fine, and we came to Belvil three years ago... I paid €200 for the house... My daughter told me to come here, and my son-in-law said it was a good place because you can sell stuff, but the unofficial market at Buvliak has been closed and now it is difficult to buy food.

"No one has told us what they are doing. We are worried they might come tomorrow and destroy the house. Maybe they will give us seven days like in the other part of the settlement [Blok 67]: they stuck up notices about the deadline but then they came at



four in the morning. It could happen to us as well. They will come with the police. We can see the road, and we know it will come through here."

Smiljana, Belvil settlement

Hundreds of Romani families in New Belgrade, like Smiljana's, are living under the threat of forced eviction. The building programme associated with Gazela Bridge, the Belgrade bypass and motorway and another new project to build a bridge across the river Sava demands arterial roads, slip roads and other infrastructure which will affect a number of locations where Roma communities are living.

When Amnesty International visited three of these settlements in February 2010 none of the affected communities had been adequately consulted or even fully informed of the impending eviction. Smiljana had tried to find out; she told Amnesty International: "The deputy promised that we will have the containers when the

people from Gazela have been resettled. We took our documents to Tiršova [City offices]... and they said that our file had been taken into consideration. In July, Dragan Kumanović [head of department in the Secretariat for Social Welfare] said that after Gazela, we would get the containers. But we've got nothing in writing. But on 18 February 2010 the Deputy Mayor said that these houses would be destroyed to build a bridge for the railway line."

However, when Amnesty International interviewed Vladan Đukić, in February 2010, he denied that Belvil would be evicted: "There is no eviction plan. The inspectors from Communal Services visited Belvil recently to see if they [Roma] pay for electricity and water. They have to pay. This applies to all people in Belgrade. What they are doing is illegal."

In a separate contract with the city, in March 2010 the EBRD released funds to build a new bridge over the river Sava,

above: A Serbian police officer confronts a Romani family as a bulldozer destroys their house in the Gazela Bridge settlement, Belgrade, 31 August 2009.

confirmed with the EIB. The Deputy Mayor subsequently announced that 300 families living in Belvil, Buvliak and Tošin bunar would be evicted at the end of April/early May 2010. In April Amnesty International urged the government and city authorities not to carry out a forced eviction, but to ensure that safeguards are put in place so that these communities would be resettled in accordance with international standards. No eviction had taken place when this report went to press.



left and above: Valdeta Missini and her husband Ramadan Missini, both IDPs from Kosovo. They and their children have been evicted or forced to move several times, and face another eviction from the Belvil Roma settlement in Belgrade. Pictures by Biljana Rakočević for Amnesty International 2010.

THE MISSINI FAMILY

Valdeta and Ramadan Missini are Roma IDPs from Kosovo. They have six children. Like many other IDPs, they have been forced to move or evicted several times. They live in the Belvil settlement which is due to be evicted.

Ramadan Missini told Amnesty International in February, “I was born in Prizren, Kosovo. I was in the regular army based in Prizren, during the [NATO] bombardment, and then I came to Belgrade in July 1999. We came on the Niš Express bus, which was stopped by the Kosovo Liberation Army somewhere near the border. They took everyone off the bus and beat us up. I was in hospital for two months. Then I rented a flat in Zemun, and my wife and children came from Kosovo five months later, and we stayed at my uncle’s house.

“We got IDP cards, and for about a year we got help from the Red Cross for the children and the baby. Then one day the Red Cross said they wouldn’t help us anymore, but they didn’t say why. So we went to Tošin bunar, and made a house, and were there for three years. There were about 450 houses there. Then the [city] authorities destroyed them. They came one day [May 2002], and told us that we had to go; they said we would have trucks to take our stuff, but we said why the trucks? We didn’t know where to go. Fifteen days later they came with the police, and threatened us and so we left [24 May 2002] and moved to the other side of the road, where we paid a friend €50 to sublet part of his house. We were there for three years, then I bought our own house for €200. I paid it off in three instalments.

“A communal inspector came two weeks ago. He told us not to worry. He said the

document we got was just confirming the state of our house – and who lives here. We don’t know what is going to happen. These containers, they are all far away from the city, and they are too small for the whole family. It won’t be a solution and I won’t be able to work.”



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GOVERNMENT RESPONSIBILITIES

On 1 July 2008, the Serbian government assumed the year’s Presidency of the Decade of Roma Inclusion. The Ministry of Human and Minority Rights announced that housing was one of the government’s four priorities, promising to legalize and improve Roma settlements, relocate “slum” settlements and provide low-cost housing.

However, while the government has concluded agreements to improve housing for Roma with 18 other municipalities, the City of Belgrade has contravened international standards with impunity. The Serbian government has failed to express publicly concerns about the forced evictions and appears to support the City’s actions. On 1 February 2010 the Minister for Infrastructure, stated: “*The [resettlement] plan has until now been*

respected, however the EBRD... demands complete compliance with the agreement on resolving the housing of Roma from unhygienic settlements.”

In 2009, at least four Roma settlements in Belgrade were forcibly evicted. The 114 Gazela families, now living in containers, will have to compete, along with thousands of others in Belgrade who live in poverty and inadequate housing, for the limited social housing available.

In temporary settlements across New Belgrade, Romani families wait to be evicted in advance of construction projects. Others living under the Pančevo Bridge will be evicted to make way for the expansion of the port of Belgrade. In southern Serbia – settlements in Leskovac, Pirot and Vranje will be evicted to make way for the Corridor 10 motorway.

above: The forced eviction of the Roma settlement at Belvil was announced by the Deputy Mayor of Belgrade on 30 March 2010.

Without safeguards in place and implemented by the City of Belgrade and national government, Amnesty International is concerned that families in these settlements will be forcibly evicted.

The Serbian government is responsible for guaranteeing to Roma their rights not to be forcibly evicted and to adequate housing. It therefore has a duty to ensure that Belgrade and other municipal authorities also abide by these international standards.



RECOMMENDATIONS

Amnesty International calls on the Serbian government and City of Belgrade authorities to:

- Stop all forced evictions, and ensure that infrastructure projects do not result in any further forced evictions.
- Ensure that evictions are only carried out as a last resort after all feasible alternatives to eviction have been explored. Procedural protections required under international human rights law should be in place, in particular the requirements on consultation, adequate notice and adequate alternative housing.

- Respect the rights of all victims to an effective remedy, including access to justice and the right to reparations, including restitution, rehabilitation, compensation, satisfaction and guarantees of non-repetition.
- Provide adequate alternative housing to all those who were forcibly evicted from Gazela Bridge and compensation for losses of any property and possessions damaged in the process.
- Introduce legislation on evictions, providing safeguards and remedies in accordance with international standards.

The EBRD and the EIB, and its member states should:

- Ensure that they do not support projects that involve forced evictions or that violate the right to adequate housing.
- Ensure that people who were forcibly evicted receive adequate alternative housing and effective remedies.
- Ensure that no additional funds are released without such corrective action being taken and safeguards are put into place to ensure that there are no further forced evictions.

above: Roma evicted from Blok 67 in early April remain without alternative accommodation on International Roma Day, 7 April 2009.

cover: The Roma settlement underneath the Gazela Bridge before demolition, 2009.
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HUMAN RIGHT
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Amnesty International is a global movement of 2.8 million supporters, members and activists in more than 150 countries and territories who campaign to end grave abuses of human rights.

Our vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights standards.

We are independent of any government, political ideology, economic interest or religion and are funded mainly by our membership and public donations.

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