

**Submission from the Internal Displacement Monitoring Centre (IDMC)
of the Norwegian Refugee Council (NRC) for consideration
by the EU Directorate General for Enlargement**

Serbia

21 May 2014

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Internal Displacement Monitoring Centre

The Internal Displacement Monitoring Centre (IDMC) is a world leader in the monitoring and analysis of the causes, effects and responses to internal displacement. Through its monitoring and analysis of people internally displaced by conflict, generalised violence, human rights violations, and natural or human-made disasters, IDMC raises awareness and advocates for respect of the rights of at-risk and uprooted peoples. IDMC is part of the Norwegian Refugee Council (NRC). All of the information contained in this submission can be found online at www.internal-displacement.org. www.internal-displacement.org.

I. Introduction

1. The Norwegian Refugee Council's Internal Displacement Monitoring Centre submits this summary of progress and shortcomings related to internal displacement in Serbia for the consideration of the European Commission's Directorate General for Enlargement in advance of its preparation of Serbia's Progress Report for 2014. This submission covers the period September 2013 to May 2014 and focuses on developments affecting internally displaced persons (IDPs). It does not cover internal displacement as a result of the current floods, but supplementary information on the situation of people displaced by the floods could be provided at a later stage.
2. There were around 209,000 registered IDPs in Serbia as of the end of 2013, according to the Serbian Commissariat for Refugees (SCR).¹ They fled their Kosovo homes in 1999 in fear of reprisals from the majority Albanian population following NATO air strikes that forced the withdrawal of Serbian troops and ended years of oppression of ethnic Albanians. The vast majority of IDPs are ethnic Serbs, and there are approximately 22,000 registered Roma IDPs. A 2011 joint assessment by the SCR, UN Refugee Agency and the Joint IDP Profiling Service found that around 97,000 IDPs still had needs related to their displacement².

II. Main developments relevant to internal displacement

National law and policy on internal displacement

3. The *National Strategy for Resolving Problems of Refugees and Internally Displaced Persons for the period from 2011 to 2014* aims to improve the lives of the most vulnerable categories of IDPs from Kosovo and Metohija living outside of Kosovo and Metohija.³ The strategy has specific goals and objectives on issues of documentation and status, employment, education, health insurance, social security and housing as they relate to IDPs. Realisation of these goals would help IDPs achieve durable solutions to their displacement.
4. While the strategy was to run from 2011 to 2014, an action plan has yet to be adopted. According to point VIII in the strategy, this was to be done within six months after publication of the strategy. In an unrelated initiative, municipalities have prepared local action plans to assist IDPs with local integration at their current residence. A national action plan that would coordinate initiatives at the sub-national level is needed. To address the outstanding needs of IDPs, the government of Serbia must update the strategy with an extended timeframe and adopt an action plan for implementation.

Non-discrimination of Roma IDPs

5. Roma are the second largest minority in Serbia and are generally perceived as the most discriminated group in the country⁴. Roma IDPs are doubly vulnerable as an ethnic minority

¹ Commissariat for Refugees and Migration of the Republic of Serbia, Letter to IDMC (4 February 2014)

² UNHCR, Joint IDP Profiling Service and Serbian Commissariat for Refugees, [Assessment of the Needs of Internally Displaced Persons in the Republic of Serbia](#) (February 2011)

³ Serbia, [National Strategy for Resolving Problems of Refugees and Internally Displaced Persons for the period from 2011 to 2014](#) (2011)

⁴ European Roma Rights Centre, [Written Comments for Consideration by the Committee on Economic, Social and Cultural Rights](#) (21 March 2014)

and internally displaced. Over 95 per cent of internally displaced Roma live in private accommodation. Many of them settled in informal settlements for which it is not possible to secure residence registration. The lack of residence registration in Serbia proper prevents them from obtaining personal documentation needed to access their rights⁵.

6. A Law on Permanent and Temporary Residence of Citizens was adopted in November 2011 that prescribes the procedure for permanent residence registration for persons without a legal basis for housing, including Roma in informal settlements whose permanent residence is registered in Kosovo. To remedy subsequent problems and inconsistent practice, the Rules of Procedure of Registration and De-registration of Permanent and Temporary Residence of Citizens were amended in December 2013 to standardise the approach of institutions. It was unclear whether this has facilitated access of Roma IDPs to residence registration.
7. Roma IDPs encounter difficulties in accessing healthcare since temporary residence registration and an IDP card are required for access⁶. They can exercise the right to health insurance only at the place of permanent residence, which would imply travelling to Kosovo not only to apply for health insurance, but also every time when the health card needs to be verified or when a referral is required for the treatment that is not covered by primary health care. This is an insurmountable cost barrier for the poverty-stricken population and therefore many remain uninsured⁷.
8. They also struggle to obtain the work booklet needed to secure employment because their permanent residence is still registered in their place of origin, which they were forced to leave over a decade ago. It is not possible to obtain a work booklet in their place of temporary residence. Without a work booklet they also cannot register as unemployed with the National Employment Service (NES) or use NES employment search services⁸. The lack of residence registration in Serbia proper also means Roma IDPs cannot apply for social housing.
9. The Commissioner for Protection of Equality found in late 2013 that pre-school Mladost and primary school Aleksandar Stojanovic Leso in Novi Pazar discriminated against internally displaced Roma children. These children were forced to attend classes exclusively for Roma in a separate building away from main school building. The Commissioner recommended measures for desegregation and training on non-discrimination for employees of these schools. The schools had not complied and segregation had not ceased in 2014. The Commissioner subsequently initiated misdemeanour procedures⁹
10. On the legal front, Roma families still lack the required protection. By the end of 2013, Belgrade City Administration persisted with a legal regime applied to Roma that does not apply to any other citizen group. The wording of the regime has been changed to appease civil society, but the meaning of the legal structure stayed the same. It presupposes that if

⁵ Praxis, [Contribution to Social Inclusion and Combat Against Discrimination of Marginalised Population in Serbia](#) (3 December 2013); Commissioner for Protection of Equality, [Equal Chances for Better Prospects](#) (28 February 2014)

⁶ European Roma Rights Centre, [Written Comments for Consideration by the Committee on Economic, Social and Cultural Rights](#) (21 March 2014)

⁷ Praxis, [Contribution to Social Inclusion and Combat Against Discrimination of Marginalised Population in Serbia](#) (3 December 2013)

⁸ Praxis, [Analysis of the main problems and obstacles in access of Roma to the rights to work and employment](#) (June 2013)

⁹ Commissioner for Protection of Equality, [Equal Chances for Better Prospects](#) (28 February 2014)

Roma are considered to have behaved badly towards the Belgrade officials, or if they are not interested in the city's efforts to integrate them into society, they could be evicted¹⁰.

Right to adequate housing

11. Over a decade after their displacement close to half of registered IDPs continue to live in dire housing conditions with limited access to basic services. Thirty per cent of IDPs who reside in poor housing conditions face insecure tenure or reside in buildings not intended for housing¹¹. The average conditions in which these IDPs live are generally inferior to those of their host communities; the situation of Roma IDPs in particular is generally far worse than non-Roma IDPs. In Belgrade, thousands of Roma, including internally displaced persons from Kosovo, live in informal and container settlements without access to basic services¹².
12. In Kraljevo, 33 IDP families living in social housing were sued in August 2013 by the Municipal Housing Agency due to non-payment of rent. IDPs lived in these apartments free of charge for the first three years. However, on the expiry of that date the city proposed new contracts which required each IDP to pay 75 EUR in addition to the monthly rent that amounted to 1.2 Euro per square meter. Since IDPs who live in social housing are mostly unemployed, retired or receiving social welfare or unemployment benefits, they could not afford the new contracts. As a result, the lawsuit requests their eviction.¹³

Right to physical security

13. Of specific concern is the recent Group of Experts on Action against Trafficking in Human Beings report on Serbia that highlights the plight of children of vulnerable groups such as the internally displaced. Between 2009 and 2011 almost half of all identified trafficking victims were children, and children of Roma and internally displaced are 'particularly vulnerable'¹⁴. Serbia's response to trafficking problems has been framed by the Strategy for Prevention and Protection from Discrimination, adopted in June 2013. Children undergoing multiple forms of discrimination, such as members of Roma or displaced communities, are given specific attention. The drafting of an action plan for the strategy is 'ongoing'¹⁵.

Right to vote

14. The Kosovo elections that took place in November 2013 are a direct result of the signing of the 15 Point Agreement between Serbia, Kosovo and the EU in April 2013. The fact that they were held, and were for the most part peaceful, represented a confirmation that Serbia and Kosovo are willing to cooperate, uphold and implement the agreement. The Serbian authorities assisted IDPs in Serbia to vote by providing bus transportation to polling stations in Kosovo¹⁶.

¹⁰ Praxis, [Discrimination against the Roma in Container Settlements Partially Eliminated](#) (27 December 2013)

¹¹ [Serbia Overview 2013: Integration Stalled](#), IDMC (12th March 2013)

¹² Praxis, [Protecting Roma Against Discrimination](#) (September 2013)

¹³ [Municipal Housing Agency in Kraljevo Sues Internally Displaced Persons Requesting That They Move Out](#), Praxis (8th August 2013)

¹⁴ Group of Experts on Action against Trafficking in Human Beings, [Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Serbia](#) (16 January 2014)

¹⁵ Group of Experts on Action against Trafficking in Human Beings, [Report concerning the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Serbia](#) (16 January 2014)

¹⁶ InSerbia.info, [Serbian government to organize transport for IDPs for Kosovo elections](#) (28 October 2013)