

# One Gazela, two Gazelas, three Gazelas ...



CEE Bankwatch Network's mission is to prevent environmentally and socially harmful impacts of international development finance, and to promote alternative solutions and public participation.

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## Summary

The removal and resettlement of the informal Gazela settlement from beneath the Gazela Bridge on highway Corridor X over the Sava River in Belgrade's downtown took place in August 2009. Despite the involvement of international financial institutions (IFIs, the European Bank for Reconstruction and Development and the European Investment Bank) and foreign development agencies (the European Agency for Reconstruction and the UK Department for International Development), the resettlement has not brought satisfactory results. Outstanding issues such as securing permanent housing and economic livelihood restoration of the former Gazela inhabitants are still to be resolved. It has now become apparent that the Sava River Crossing project will also involve some resettlement. The EBRD and the EIB's approach to this will act as a test case of how well lessons have been learnt from Gazela.

## Background

On August 31, 2009, 114 predominantly Roma families, comprising Belgrade residents and Internally Displaced Persons (IDPs), were resettled to five locations on the outskirts of the City of Belgrade, while 61 families without Belgrade residency or IDP status were returned to their places of origin in southern Serbia.

In March 2010, due to the urgent need for reconstruction of the bridge, the EIB waived its environmental and conditions in order to enable the disbursement of the first EUR 10 million tranche of the loan it provided for the Gazela bridge rehabilitation. Since the new contractual agreement for the first disbursement was not released either by the bank or the Serbian authorities, it is unclear what resettlement requirements are still pending. Mr. Djilas, Mayor of the City of Belgrade, has stated to the media<sup>1</sup> that he is not in possession of any list of conditions and is not planning to provide long-term housing for all 114 families.

In a media campaign fomented by Roads of Serbia Directorate, national ministries and the City of Belgrade in winter 2009, it was repeatedly emphasised that the critical situation of the Gazela bridge necessitated immediate repairs. Attempts were made to make the resettlement standards

<sup>1</sup> <http://www.pressonline.rs/sr/vesti/beograd/story/106407/%C4%90ilas:+Ispitati+uslove+kredita!.html>, Press online 17th March 2010

set by the IFIs appear unreasonable, as if they had suddenly fallen from the sky, in spite of the fact that these standards had been clear since before signing of the loan agreement.

## More resettlements pending

While the City of Belgrade and national authorities have been dragging their feet on the Gazela resettlement, they have also bulldozed a number of settlements that are of the same type, legal status, and profile of inhabitants, but this time not under the scrutiny of international institutions. From April 2009 to April 2010 a number of forced evictions affecting approximately 100 families<sup>2</sup> in different parts of Belgrade demonstrated that there is still no system of organised and sustainable resettlements that can protect the human rights of the affected population, involve basic housing support and help to restore the livelihoods of Belgrade and non-Belgrade Roma residents that choose to live in the capital and that are not part of the Gazela resettlement programme.

There are two particular informal settlements under threat of resettlement prior to the construction of the EIB-financed feeder roads<sup>3</sup> for the EBRD-financed Sava River Crossing project<sup>4</sup>. In addition 12 residential dwellings between the River and the Juri Gagarin Boulevard are due to be resettled as part of the EBRD-financed part of the project. Buvljak is one of the largest informal settlements in Belgrade and, together with the Toplana settlement located on the River Sava bank near the new crossing, it accounts for up to 100 families.

The origin of these settlements dates back to the early 1990s, as was the case with Gazela. They also currently host some of the former inhabitants of the Gazela settlement that were moved to the south of Serbia under the auspices of the EBRD, the EIB and the Ministry of Labour and Social Policy. According to information from the inhabitants, at least 10 families returned to Belgrade due to a failure to restore their livelihoods in their places of origin.

## Legal obligations

The right to adequate housing is a fundamental human right. As a party to the International Covenant on Civil and Political Rights (ICCPR), Serbia has a legal obligation to fulfill the right to adequate housing and to protect its inhabitants against forced evictions. Where those are rendered inevitable, the persons affected by the forced eviction need to be consulted with and given sufficient advance notice. Moreover, Serbia needs to ensure that no one is left homeless and vulnerable to other human rights violations. Specific requirements of the ICCPR relate to the protection of women and children, as well as members of ethnic minorities.

Serbia is furthermore bound by the European Convention on Human Rights, which states, in article 8(1), that “everyone has the right to respect for his private and family life, his home and his

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<sup>2</sup> From interviews with affected people conducted by CEKOR during spring 2010

<sup>3</sup> <http://www.eib.org/projects/pipeline/2009/20090526.htm?lang=-en>

<sup>4</sup> <http://www.ebrd.com/projects/psd/psd2005/34913.htm>

correspondence". It is also bound by the Revised European Social Charter, which guarantees the right to housing and protection against homelessness.

Recent evictions in the Cukarica district of Belgrade have failed to fulfill seven criteria set out by the UN Committee on Economic, Social and Cultural Rights, in its General Comment No. 4 on the right to adequate housing: legal security of tenure; availability of services, materials, facilities and infrastructure; affordability; habitability; accessibility; location and cultural adequacy. These cases show that the Gazela resettlement has failed to act as a model case for the national and city institutions. The presence of state-backed mechanisms for ensuring satisfactory resettlements is vital for the success of any future resettlements of the more than 130 informal settlements in Belgrade.

While it is the responsibility of the Serbian government and city authorities to establish protective resettlement systems, where resettlement occurs within a project receiving international development credit, the IFIs involved in the project should use financial leverage to ensure that Serbian and city authorities have put in place well-functioning resettlement mechanisms. In the case of Gazela, where the need to rehabilitate the bridge enabled the Belgrade authorities to put pressure on the IFIs rather than the other way round, a major lesson learnt is that financing should not have been approved before a satisfactory Resettlement Action Plan was developed and approved by the banks.

Now with the new loan extension for the Sava Bridge Crossing, there is a threat that a similar dynamic will develop, as the EBRD will naturally be reluctant to leave a project that is already underway without adequate funds for its completion.

## News from the ground regarding the Gazela resettlement

- 1) The long-awaited tender for a limited number of social flats has not been announced yet. According to unofficial talks between former Gazela inhabitants and City officials, a very limited number of the former Gazela inhabitants will actually be allowed to take part in the housing restoration process.
- 2) There are still cases of families with more than five members living in single containers, although they are entitled to double ones.
- 3) Personal identification documents have still not been issued to some inhabitants, mostly IDPs. While we do not have exact figures, we estimate this problem affects up to one quarter of the former Gazela residents.
- 4) Insufficient employment opportunities have been created. We estimate that some 30 out of the agreed 115 people (one per family) has some form of employment so far. This has led to some inhabitants continuing with informal waste collection in remote parts of the city.
- 5) There is growing insecurity of inhabitants and security threats from the host community have appeared, especially in the Rakovica and Makis settlements.<sup>5</sup> There are unconfirmed

<sup>5</sup> On example is [http://www.novosti.rs/code/navigate.php?Id=9&status=jedna&vest=175011&title\\_add=Dva%20metka%20u%20devoj%C4%8Dicu&keyword\\_add=makis%2C%20ranjena%20devojka](http://www.novosti.rs/code/navigate.php?Id=9&status=jedna&vest=175011&title_add=Dva%20metka%20u%20devoj%C4%8Dicu&keyword_add=makis%2C%20ranjena%20devojka), Vecernje Novosti, 30

plans to build fences around the settlements and to use security. This would inevitably result in ghettoisation and show that integration in at least the two biggest settlements is far from successful.<sup>6</sup>

- 6) The repatriation of Belgrade non-resident families to their municipalities of origin has led to problems with establishing economic activity. Without income opportunities, around 10 families have returned to Belgrade and settled in other informal settlements to work and live in the same bad conditions as existed in Gazela.

## Recommendations

- The city of Belgrade needs to revise the Resettlement Action Plan (RAP), including a time and resource bound plan for permanent housing and employment.
- An evaluation of the Gazela resettlement should be carried out by the international lenders.
- Full disclosure of the final RAP and all the international loan conditions should be ensured.
- A long term solution for non-Belgrade resident families should be provided and support ensured for the poorest municipalities for providing welfare benefits or job training.
- A solution needs to be sought for 10 or more families that are now living in the Buvljak and Toplana settlements in even worse conditions than in Gazela.
- The international lenders, in close cooperation with the European Parliament, the European Commission and the Serbian and Belgrade authorities, need to ensure that problems caused by the recent forced evictions are properly tackled and that institutional provisions for resettlement are in place.
- Resettlements in Belgrade should be put under continuous monitoring by an independent committee composed of experts, lenders and other stakeholders.
- The EBRD and EIB should not provide any further disbursement of loans for the Gazela Bridge and Sava Crossing until satisfactory resettlement action plans are developed and approved by the banks.

### For more information

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March 2010. Further information came from interviews with affected people

<sup>6</sup> From interviews with affected people who have heard it from their conversations with Belgrade City Secretariat