

Serbie : situation de la communauté rom

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Mentions légales

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Ce rapport repose sur des renseignements d'expert·e·s et sur les propres recherches de l'Organisation suisse d'aide aux réfugiés (OSAR). Conformément aux standards COI, l'OSAR fonde ses recherches sur des sources accessibles publiquement. Lorsque les informations obtenues dans le temps imparti sont insuffisantes, elle fait appel à des expert·e·s. L'OSAR documente ses sources de manière transparente et traçable, mais peut toutefois décider de les anonymiser, afin de garantir la protection de ses contacts.

1 Introduction

Le présent document a été rédigé par l'analyse-pays de l'Organisation suisse d'aide aux réfugiés (OSAR) à la suite d'une demande qui lui a été adressée. Il se penche sur les questions suivantes :

1. Quelle est la situation des personnes roms en Serbie actuellement ?
2. Quels sont les types de discrimination par rapport aux citoyen·ne·s serbes ?
3. Est-ce que le fait qu'une personne rom ait une carte d'assurance maladie signifie qu'elle bénéficie dans les faits du même accès aux soins de santé qu'une personne serbe ?
4. La possession d'un document d'identité, comme un passeport, confère-t-elle à une personne rom une meilleure protection contre les discriminations de la société ou des autorités ?
5. Quelle est la prise en charge et le soutien disponible et effectif pour les personnes roms sans domicile fixe ? Cela peut être au niveau étatique mais aussi au niveau associatif.

L'analyse-pays de l'OSAR observe les développements en Serbie depuis plusieurs années¹. Sur la base de ses propres recherches ainsi que de renseignements transmis par des expert·e·s externes, elle apporte les réponses suivantes aux questions ci-dessus.

2 Situation générale des membres de la communauté rom

Les Roms seraient la plus grande minorité du pays. Selon un rapport publié par le *European Roma Rights Centre* (ERRC), une organisation internationale dirigée par des Roms, qui lutte contre le racisme anti-Roms et les violations des droits humains, le recensement de 2022 en Serbie a dénombré environ 132 000 personnes roms, soit moins de 2 % de la population, mais les estimations réelles varient entre 300 000 et 460 000, ce qui en ferait la plus grande minorité du pays. La majorité vit dans le sud-est (39 %), suivie de la Voïvodine (29 %) et de Belgrade (19 %). Environ 70 % des personnes roms résident dans des quartiers à majorité rom (ERRC, décembre 2024). Selon l'*Agence adventiste d'aide et de développement* (ADRA), les personnes roms en Serbie représentent entre 200 000 et 450 000 personnes et sont l'une des minorités les plus importantes de Serbie (ADRA, 12 juin 2023).

Les personnes roms vivent dans une grande précarité, subissent des discriminations systémiques et les femmes roms sont particulièrement vulnérables. Selon *A11 Initiative*, une ONG basée en Serbie qui promeut et protège les droits économiques et sociaux des groupes vulnérables, une part importante de la population rom vit encore dans des conditions précaires, souvent dans des installations informelles dépourvues d'infrastructures de base et

¹ www.osar.ch/publications/rapports-sur-les-pays-dorigine

sans documents d'identité. Près de la moitié des Roms n'ont pas accès à l'éducation formelle. Les femmes roms, quant à elles, subissent des discriminations multiples, aggravées par des mariages précoces auxquels elles sont fréquemment contraintes. Les personnes roms restent perçues comme une catégorie difficile à employer, en raison de stéréotypes profondément ancrés dans la société. Elles continuent de faire face à une discrimination systémique et à un racisme ouvert, parfois relayé par des représentants de haut rang (*A11 Initiative*, 28 mai 2024). Selon un rapport conjoint d'*Amnesty International* (AI) et de la *Global coalition for social protection floors* (GCSPF), en Serbie, les personnes roms figurent parmi les groupes les plus exposés à la pauvreté. Selon les enquêtes, 83 % des personnes roms vivent dans une privation matérielle sévère, souvent sans électricité ni accès à l'eau potable, et subissent une discrimination systémique limitant leur accès à la santé, à l'éducation, à l'emploi et aux services publics (AI & GCSPF, octobre 2024).

Le risque d'apatridie en Serbie a fortement diminué, mais les Roms restent les plus touché·e·s en raison d'obstacles administratifs persistants. Selon la *Commission européenne* (CE), la majorité des personnes roms en Serbie possèdent des documents d'état civil, et le nombre de personnes à risque d'apatridie a fortement diminué pour atteindre 2 000 personnes. Pour l'ERRC, il reste essentiel de mettre en œuvre et de suivre efficacement la procédure d'enregistrement de toutes les naissances, quel que soit le statut des parents (EC, 8 novembre 2023). Pour le *Département d'État des États-Unis* (USDOS), qui cite le *Haut Commissariat des Nations Unies pour les réfugiés* (HCR), environ 785 personnes étaient menacées d'apatridie en Serbie, dont plus de 95 % étaient d'origine rom, principalement des personnes déplacées internes du Kosovo. Certaines n'étaient pas enregistrées à la naissance ou ne disposaient pas de nationalité, de carte d'identité ou de résidence officielle. Bien que la législation permette l'enregistrement tardif et l'acquisition de la nationalité, de nombreux obstacles persistent : pauvreté, marginalisation, procédures administratives complexes et absence de documents. Les enfants de parents sans papiers ne peuvent pas être enregistré·e·s à la naissance, ce qui perpétue le risque d'apatridie. Les Roms ont donc besoin d'une assistance juridique pour obtenir les documents nécessaires et accéder à leurs droits. Malgré ces difficultés, des progrès notables ont été réalisés grâce à la coopération entre le gouvernement, le HCR et la société civile (USDOS, 23 avril 2024).

Une situation qui aurait peu changé malgré l'adoption d'une stratégie nationale révisée d'inclusion des personnes roms en octobre 2022. Les discriminations envers les Roms persistent. D'après l'ERRC, en 2018, le *Comité des Nations Unies pour l'élimination de la discrimination raciale* (CERD) a dénoncé la faible scolarisation des enfants roms, appelant la Serbie à mettre fin à la ségrégation scolaire et à promouvoir une éducation inclusive par des formations antiracistes et l'emploi d'enseignant·e·s roms. Cinq ans plus tard, la CE a réitéré, dans son rapport 2023 sur la Serbie, les mêmes préoccupations concernant la situation des personnes roms. Elle a appelé à un meilleur suivi des données, à un budget plus sensible aux besoins roms et à une meilleure coordination entre institutions pour appliquer la stratégie nationale révisée d'inclusion des Roms qui date d'octobre 2022 (ERRC, décembre 2024). Selon ADRA, les personnes roms subissent encore pauvreté, manque d'accès à l'éducation et discriminations, notamment parmi ceux et celles déplacé·e·s du Kosovo (ADRA, 12 juin 2023). Selon *Praxis*, une ONG de défense des droits humains, la Serbie a récemment amélioré son cadre juridique et stratégique de lutte contre la discrimination et les inégalités de genre, mais la mise en œuvre reste limitée. Selon le rapport annuel 2024 du *Commissaire à la protection de l'égalité*, les personnes roms demeurent la minorité la plus touchée : plus de la moitié des plaintes pour discrimination liée à l'appartenance à une minorité nationale les

concernent. La plupart des plaintes portent sur des procédures impliquant des autorités publiques, et un nombre croissant évoque une discrimination multiple. Les personnes roms subissent souvent des discriminations dans leurs interactions quotidiennes, sur leur lieu de travail, dans l'accès à la protection sociale, aux soins de santé et à l'éducation. La ségrégation spatiale et scolaire, ainsi que le discours de haine, compliquent encore l'exercice de leurs droits, malgré les mécanismes institutionnels existants (*Praxis*, avril 2025).

3 Violence fondée sur le genre

Les femmes roms subissent une violence généralisée et une discrimination croisée, avec un accès limité à la justice, aux services de protection et aux droits sociaux, tandis que stéréotypes culturels et préjugés institutionnels aggravent leur vulnérabilité et justifient parfois abus et mariages précoces. Selon un récent rapport du *Groupe d'experts sur la lutte contre la violence à l'égard des femmes et la violence domestique* (GREVIO) du *Conseil de l'Europe* (CoE), bien que la violence à l'égard des femmes soit répandue dans la communauté rom, ces femmes se heurtent à une forte méfiance envers les autorités, ce qui compromet l'application de la Convention d'Istanbul. Les mesures de prévention ignorent souvent leurs besoins culturels spécifiques, l'accès aux services de protection reste limité par des préjugés, et les attitudes discriminatoires des acteurs judiciaires freinent leur accès à la justice. Les autorités serbes ont partiellement reconnu ces difficultés, notant que les femmes roms signalent moins souvent les violences et ont plus de chances de rester dans des relations abusives. Cette situation s'explique par la dépendance économique, la non-reconnaissance des violences non physiques, la peur de représailles contre elles ou leurs enfants, la crainte d'exclusion sociale, ainsi qu'une méfiance envers les institutions publiques liée à des expériences de racisme et de discrimination. Par ailleurs, la culture et les traditions roms sont parfois invoquées pour justifier certaines formes de violences envers les femmes et les filles roms. Un exemple récurrent est le stéréotype associant le mariage d'enfants à la culture rom, rarement replacé dans le contexte plus large des inégalités structurelles, de l'accès limité à l'éducation et aux soins, des structures familiales patriarcales et de la pauvreté. Bien que GREVIO distingue les mariages précoces des mariages forcés, elle souligne que le jeune âge des épouses empêche souvent un consentement libre et éclairé. L'organisation rappelle également que les autorités serbes ont le devoir de protéger toutes les femmes et filles contre toutes les formes de violence couvertes par la Convention, et que la culture, la coutume, la religion, la tradition ou l'« honneur » ne peuvent justifier aucun acte de violence (CoE, 25 septembre 2025). Pour la CE, les femmes roms continuent de subir des formes multiples et croisées de discrimination, avec un accès restreint aux soins de santé, à l'éducation, à l'emploi et à l'aide sociale, tout en étant insuffisamment protégées contre les violences fondées sur le genre (EC, 8 novembre 2023).

4 Discriminations envers la communauté rom

4.1 Accès à un logement

Une grande partie des quartiers roms en Serbie reste privée d'eau, d'assainissement et d'électricité, tandis que les expulsions forcées se poursuivent. Selon la CE, près de 20 %

des habitant·e·s des quartiers roms cartographiés n'ont pas ou ont un accès irrégulier à l'eau potable, plus de 55 % n'ont pas ou ont un accès irrégulier aux réseaux d'assainissement, et 14,5 % n'ont pas ou ont un accès irrégulier à l'électricité. Les expulsions forcées continuent de se produire, ce qui, pour laCE, n'est pas conforme à la loi sur le logement ni aux standards internationaux, et cette loi doit être appliquée correctement, en particulier les dispositions sur le soutien au logement et la relocalisation des quartiers informels (EC, 8 novembre 2023). Selon l'ERRC, une enquête conduite après la pandémie COVID-19 a identifié 702 quartiers précaires abritant quelque 168 000 personnes roms, souvent privées d'accès régulier à l'eau, à l'électricité ou à l'assainissement. L'ERRC rapporte que le CERD s'est inquiété de ces conditions de vie déplorables, du nombre élevé de sans-abri roms et des expulsions forcées sans relogement (ERRC, décembre 2024).

En 2023, les propos du maire de Belgrade envers les Roms ont été jugés discriminatoires. Selon USDOS, en mars 2023, le maire de Belgrade, Aleksandar Sapic, a déclaré que la solution aux problèmes de bidonvilles était l'intégration des personnes roms, ajoutant que ceux-ci la rejetaient et mettaient ainsi en danger leur vie et celle des voisins. Le *Commissaire à la protection de l'égalité* a qualifié cette déclaration d'« inappropriée et profondément inquiétante », estimant qu'elle perpétue des récits discriminatoires (USDOS, 23 avril 2024).

4.1.1 Assistance aux personnes sans domicile fixe

Le nombre de sans-abri en Serbie, bien supérieur aux chiffres officiels, résulte du manque de politiques de logement et d'une protection sociale défailante. Selon le site d'information *Vreme*, qui se réfère au recensement de 2011, la Serbie comptait 445 personnes sans-abris vivant dans la rue et près de 18 000 dans des abris informels, mais selon l'organisation *A11 Initiative*, ces chiffres sont très sous-estimés — rien qu'à Belgrade, il y en aurait plus de 4 000. L'organisation dénonce une méthodologie inadéquate, car seules les personnes s'étant adressées à des institutions sont comptées. La majorité des personnes sans-abri n'ont accès qu'à des refuges temporaires, limités à six mois, sans solution durable. Faute de domicile et de papiers, beaucoup restent exclus de toute aide sociale, les démarches administratives entre la police et les services sociaux étant longues et décourageantes. Beaucoup finissent par vivre entièrement hors du système, dépendant de la *Solidarity Kitchen*, d'ONG ou de l'Église orthodoxe. Le foyer municipal de Belgrade (104 places) n'est jamais plein, les ONG estimant que c'est en raison des obstacles administratifs qui excluent les personnes sans-abri non enregistrées (*Vreme*, 11 octobre 2024). Selon *Balkan Insight*, en novembre 2023, Danilo Ćurčić, représentant de l'organisation *A11 Initiative*, a dénoncé les propos du maire de Belgrade, Aleksandar Šapić, affirmant que la présence de nombreux sans-abri prouvait que Belgrade était devenue une « métropole » comparable aux villes riches. Le représentant de l'organisation a rappelé qu'environ 5 000 personnes vivent dans la rue à Belgrade, non par signe de prospérité, mais à cause de problèmes systémiques de logement et de protection sociale. Selon M. Ćurčić, cette situation résulte de la désindustrialisation, de l'absence de politique du logement, de la hausse des loyers et du coût des crédits, et d'une protection sociale inefficace (*Balkan Insight*, 23 novembre 2023).

À Belgrade, ADRA soutient des centaines de sans-abri chaque année tout en agissant sur les causes structurelles du sans-abrisme et les politiques nationales. Selon ADRA, au moins 4 000 personnes vivent sans abri à Belgrade. ADRA rapporte qu'elle en a soutenu 3 150 en 2023 et 500 supplémentaires durant les neuf premiers mois de 2024. L'organisation fournit des « douches mobiles » (Drumodom), des repas, produits d'hygiène, soins médicaux,

ainsi qu'un accompagnement psychosocial et juridique. Chaque mois, environ 700 personnes bénéficient de ses services, et chaque année, 25 retrouvent un logement stable tandis que 150 obtiennent des papiers d'identité, leur permettant d'accéder aux soins, à l'emploi et aux aides sociales (ADRA, sans date). À travers son programme *Comprehensive Support to Homeless*, ADRA s'attaque aux causes structurelles du sans-abrisme issues des guerres des années 1990 et des difficultés économiques, en combinant aide directe, plaidoyer et travail de terrain, ce qui a contribué à la création d'un centre d'accueil et à l'élaboration d'une stratégie nationale sur le sans-abrisme (ADRA, 12 juin 2023).

KlikAktiv soutient les sans-abris, la population rom et d'autres groupes vulnérables à Belgrade en offrant aide sociale, psychologique et humanitaire. Le *Center for Development of Social Policies* (KlikAktiv) a été créé pour venir en aide aux personnes dans le besoin, initialement aux sans-abris de Belgrade et à la population rom. Depuis 2014, l'organisation mène des enquêtes sur l'itinérance, fournit soutien psychologique, social et humanitaire, et a élargi ses activités aux personnes retournées, demandeurs·euses d'asile, personnes réfugiées et autres personnes vulnérables. Face à la faible réponse des institutions publiques, *KlikAktiv* assiste des individus souvent laissés pour compte, comme des personnes non enregistrées ou privées de documents d'identité (*KlikAktiv*, pas de date).

Belgrade a ouvert son premier refuge temporaire pour sans-abri en 2022, une avancée saluée mais jugée insuffisante face au manque de places et de structures similaires dans le pays. Selon *A11 Initiative*, en décembre 2022, le réseau des organisations de la société civile luttant contre le sans-abrisme a annoncé que le Secrétariat à la protection sociale de Belgrade, en coopération avec la Croix-Rouge, avait ouvert le premier refuge temporaire pour personnes sans-abri. Ce service, qui manquait jusque-là, offre 20 lits, des chambres et des douches, accessibles sans démarches administratives longues, répondant ainsi aux besoins urgents des personnes sans abri. Le Réseau salue cette initiative mais appelle les autorités à augmenter la capacité d'accueil et à créer davantage de refuges et de centres de jour permanents dans tout le pays, la demande dépassant largement l'offre. Il souligne aussi que l'accès au foyer pour adultes et personnes âgées, seul établissement de ce type à Belgrade, reste entravé par une bureaucratie excessive, tandis qu'on ne compte qu'une quinzaine de refuges en Serbie, tous en capacité insuffisante (*A11 Initiative*, 29 décembre 2022).

4.2 Accès aux soins de santé

Accès aux soins de santé limité pour les personnes roms. Selon USDOS, le ministère de la Santé a financé le projet « Améliorer la santé reproductive des femmes roms à Novi Sad », qui proposait des conférences sur la santé féminine et reproductive et organisait des examens médicaux pour les bénéficiaires. Selon le centre de santé de Novi Sad, aucun indicateur précis n'existe sur le nombre ou le pourcentage de femmes roms ayant accédé aux soins de santé féminine. Les professionnel·le·s de santé estiment que les avortements, grossesses et accouchements chez les adolescentes roms sont dix fois plus fréquents que dans la population générale, reflétant un accès très limité à l'information et aux services de planification familiale (USDOS, 23 avril 2024). Selon la CE, de manière générale, l'accès aux services de soins demeure problématique pour les personnes roms (EC, 8 novembre 2023).

4.3 Accès à l'éducation

Les élèves roms bénéficient de bourses, mais les abandons scolaires restent élevés, surtout chez les filles, avec une faible fréquentation préscolaire et une persistance de la ségrégation scolaire. Selon la CE, dans le domaine de l'éducation, les élèves roms continuent de bénéficier de bourses via des mesures positives, mais les taux d'abandon scolaire restent élevés, en particulier chez les filles. Seulement 7 % des enfants roms de moins de 5 ans fréquentent l'école maternelle (contre 61 % dans la population générale), 28 % s'inscrivent dans l'enseignement secondaire supérieur, et 61 % terminent le secondaire (contre 98 % pour l'ensemble de la population), avec un taux particulièrement bas pour les filles issues des quartiers roms (49 %). La ségrégation scolaire persiste, les élèves roms étant encore surreprésenté·e·s dans les classes et écoles spécialisées (EC, 8 novembre 2023). Selon USDOS, l'éducation était gratuite jusqu'au secondaire, mais obligatoire seulement de la maternelle à 15 ans, et la discrimination ethnique ainsi que les difficultés économiques décourageaient certains enfants de fréquenter l'école. Dans les communautés roms et rurales pauvres, les filles abandonnaient plus souvent et plus tôt que les garçons. Selon le rapport national sur l'éducation inclusive 2019-2021 du ministère de l'Éducation, les enfants issu·e·s de groupes vulnérables avaient un accès limité aux programmes préscolaires (USDOS, 23 avril 2024).

4.4 Accès à l'emploi

Les jeunes Roms restent sous-représenté·e·s dans l'emploi public, malgré formations et mesures d'action positive souvent détournées. Selon la CE, la transition de l'école vers le marché du travail reste particulièrement difficile pour les jeunes Roms. Le programme national de régularisation du travail non déclaré chez les Roms n'a pas encore été adopté pour soutenir l'objectif de l'« Employment » de la Déclaration de Poznan. Depuis l'adoption de la loi sur l'entrepreneuriat social, 11 entreprises sociales ont été enregistrées depuis novembre 2022, 44 jeunes personnes roms diplômées ont suivi des formations à l'Académie nationale d'administration publique depuis 2021, et 26 personnes roms ont été employées dans des collectivités locales après un appel public en 2022, mais les personnes roms restent globalement sous-représentées dans la fonction publique (EC, 8 novembre 2023). D'après *A11 Initiative*, des mesures d'action positive ont été mises en place en Serbie pour favoriser l'emploi des minorités nationales et inciter les employeurs à leur offrir davantage d'opportunités. Toutefois, ces dispositifs sont souvent détournés de leur objectif, causant un préjudice considérable aux personnes les plus vulnérables, sans que les responsables en subissent de véritables conséquences (*A11 Initiative*, 28 mai 2024).

4.5 Accès à la sécurité sociale

La loi sur la Carte sociale, appliquée depuis mars 2022, centralise les données des bénéficiaires et aide les travailleuses sociales et les travailleurs sociaux à détecter les erreurs d'inclusion ou d'exclusion dans l'octroi des prestations. Selon un rapport conjoint d'AI & GCSPF, en février 2021, la Serbie a adopté la loi sur la Carte sociale, mise en œuvre à partir de mars 2022, visant à centraliser les données sur les bénéficiaires de l'aide sociale via un registre électronique unique. Ce système permet aux travailleuses sociales et

travailleurs sociaux d'évaluer automatiquement l'éligibilité des citoyens à l'aide sociale, à partir d'informations issues de multiples bases de données publiques (AI & GCSPF, octobre 2024). Selon la CE, qui se réfère à l'analyse a posteriori des autorités sur la première année d'utilisation du registre de la Carte sociale, en service depuis avril 2022, ce registre a permis au personnel de l'aide sociale d'identifier des « erreurs d'inclusion » et « d'exclusion » concernant l'éligibilité aux prestations (EC, 8 novembre 2023).

La loi sur la Carte sociale a particulièrement pénalisé les personnes roms et les personnes handicapées, en automatisant des décisions qui ont privé de nombreuses familles de leur aide sociale, aggravant la pauvreté et limitant la capacité des travailleurs sociaux à corriger les erreurs ou à contester les exclusions. Cependant, selon AI & GCSPF, la loi a eu des effets particulièrement négatifs sur les communautés roms et les personnes handicapées, déjà surreprésentées parmi les bénéficiaires de l'aide sociale. Le recours à l'automatisation a accru les risques d'erreurs, de discriminations et a réduit la marge d'action des travailleuses sociales et travailleurs sociaux, souvent incapables de corriger les décisions erronées du système. Certaines communautés roms vivant dans des établissements informels dépendent presque entièrement de la revente de matériaux recyclables pour survivre. L'introduction de la Carte sociale a durement frappé ces familles : à Kraljevo, plus d'une centaine ont perdu leurs allocations parce que le système automatisé a comptabilisé ces ventes comme des revenus. Si certaines aides ont ensuite été rétablies, beaucoup ont passé des mois sans soutien ou restent engagés dans de longs recours administratifs. De plus, les nouvelles règles — plafonnement des aides à partir du cinquième enfant et obligation de résidence et de scolarisation continue en Serbie — touchent disproportionnellement les familles roms, souvent nombreuses, pauvres et confrontées à des obstacles structurels à l'éducation (AI & GCSPF, octobre 2024). Pour l'ERRC, qui cite AI, l'introduction du registre de la Carte sociale en Serbie a en réalité aggravé la pauvreté et privé des milliers de personnes, notamment des personnes roms et des personnes handicapées, de leur aide sociale. L'organisation souligne qu'avant même ce registre, le système d'assistance serbe était déjà inadéquat, avec des critères d'accès trop stricts laissant 250 000 personnes en situation de pauvreté sans soutien et des allocations insuffisantes pour sortir de la pauvreté (ERRC, décembre 2024). La CE indique, quant à elle, que les ONG ont exprimé des inquiétudes quant au risque que les Roms et d'autres personnes vulnérables — notamment celles effectuant des travaux saisonniers ou à temps partiel — soient indûment exclues des prestations si leurs situations spécifiques ne sont pas correctement évaluées par le personnel avant toute décision. De plus, il pourrait être difficile pour ces personnes vulnérables d'exercer leur droit de contester une décision d'exclusion (EC, 8 novembre 2023).

5 Traitements des personnes roms par des acteurs étatiques et non-étatiques

5.1 Stigmatisation et violence par la société

Selon USDOS, qui cite des informations fournies par des ONG et expert·e·s, les discours de haine et propos discriminatoires sont régulièrement utilisés par les médias, personnalités publiques, politiciens, supporters sportifs et internautes contre les minorités, tandis que les lois existantes sont mal appliquées (USDOS, 23 avril 2024). La CE indique que les discours

de haine, menaces et violences continuent de viser les défenseurs·euses des droits humains ainsi que la communauté rom (EC, 8 novembre 2023). Selon USDOS, le 11 avril 2023, un groupe de jeunes a attaqué des personnes roms à Turekovac avec des battes et des couteaux, endommageant des maisons et proférant des insultes. La police a identifié six auteurs et annoncé des poursuites pour destruction de biens et trouble à l'ordre public, tandis que l'*Alliance contre la discrimination des Roms* a saisi le Commissaire à l'égalité pour faire reconnaître l'intention de nuire et a demandé au ministère de l'Intérieur d'expliquer pourquoi aucune accusation pour incitation à la haine raciale n'a été engagée (USDOS, 23 avril 2024).

5.2 Violences de la part d'agents étatiques

Surreprésentation, profilage et méfiance envers le système judiciaire. Selon une étude récente de l'ERRC, les personnes roms en Serbie subissent de graves violations des droits humains à tous les niveaux du système judiciaire. Leur surreprésentation dans ce système s'explique par le profilage ethnique, la pauvreté et des stéréotypes racistes les associant au crime. Les personnes roms interrogées ont exprimé une forte méfiance envers le système judiciaire serbe, qu'elles perçoivent comme raciste et discriminatoire, reflétant les préjugés de la société majoritaire qui les considère comme inférieurs et suspects de vol. Toutes ont rapporté des contrôles policiers fréquents, du harcèlement verbal, et la moitié ont subi des violences physiques (ERRC, décembre 2024).

Brutalité policière et violations documentées par des organismes internationaux. L'ERRC rapporte qu'en 2022, le *Comité pour la prévention de la torture* (CPT) du Conseil de l'Europe s'est dit profondément préoccupé par la persistance de la violence policière en Serbie, soulignant que de nombreuses personnes détenues, notamment roms ou albanais·es, ont rapporté avoir subi des insultes racistes en plus de violences physiques. Le CPT a rapporté que de nombreux cas de mauvais traitements infligés par la police serbe se produisaient après l'arrestation, pendant le transport ou durant les interrogatoires, des allégations confirmées par des preuves médicales et photographiques. Lors d'une visite à un bureau de la police anti-drogue à Belgrade, le Comité a trouvé des câbles électriques et un bidon d'eau, corroborant les témoignages de détenus affirmant avoir subi des décharges électriques. Dans ses observations soumises au *Comité de l'ONU contre la torture*, l'ERRC a dénoncé en 2021 le caractère endémique de la brutalité policière envers les personnes roms en Serbie, surtout envers les jeunes hommes, documentant des cas de torture, d'humiliations et de violences physiques visant à extorquer des aveux (ERRC, décembre 2024).

Les personnes roms possédant des cartes d'identité ne sont pas épargnées par la violence policière. Selon le rapport de l'ERRC, le 13 septembre 2023, un contrôle d'identité à Belgrade s'est transformé en agression violente lorsque deux policiers ont battu et menotté un homme rom sans raison apparente, lui confisquant sa carte d'identité et le frappant à plusieurs reprises en route vers le commissariat. Un rapport médical a confirmé des contusions à la tête et au visage, et une plainte a été déposée par le *Vojvodina Roma Centre* et l'ERRC. Malgré cela, la victime a ensuite été poursuivie pour ne pas avoir porté sa carte d'identité, illustrant, selon l'ERRC, la banalisation de la brutalité policière et du harcèlement raciste envers les Roms en Serbie (ERRC, décembre 2024).

6 Protection de l'État

Les discriminations systémiques restent largement non signalées, aggravées par la peur de représailles, le manque d'accès à la justice et l'ignorance ou les préjugés de la police. Selon *Praxis*, les personnes roms victime de discriminations ou de violences signalent rarement ces faits par crainte de représailles, de violence ou en raison des difficultés à prouver les faits. Ce climat de peur est aggravé par les attaques d'organisations d'extrême droite contre les Roms, auxquelles les autorités réagissent peu ou trop faiblement. Malgré la fréquence élevée des cas, les incidents de discrimination contre les Roms sont rarement signalés. Beaucoup acceptent ces discriminations comme une réalité quotidienne, par crainte de représailles ou par manque de confiance dans l'efficacité du système judiciaire. Les personnes roms manquent souvent de soutien juridique et de connaissances sur la définition légale de la discrimination, les recours disponibles et les instances compétentes. Elles sont également découragées par la lenteur et l'inefficacité du système judiciaire, ainsi que par les obstacles administratifs rencontrés lorsqu'elles décident de signaler une discrimination. Ainsi, le nombre de plaintes déposées auprès du Commissaire à la protection de l'égalité en Serbie ne reflète qu'une petite fraction des discriminations réellement subies par les personnes roms (*Praxis*, avril 2025). Dans son rapport de décembre 2024, l'ERRC indique que près de la moitié des policiers·ières interrogé·e·s ignoraient la notion de discrimination, et jusqu'à 41 % estimaient que les personnes roms « volent généralement » (ERRC, décembre 2024). Selon USDOS, qui cite le médiateur et le Commissaire à l'égalité, les Roms subissent davantage de discrimination et de marginalisation que toute autre minorité, et manquent d'informations sur leurs droits et les recours disponibles (USDOS, 23 avril 2024). Pour la CE, le code pénal concernant l'interdiction et la sanction des actes criminels à caractère racial n'est pas encore conforme à l'acquis de l'UE (EC, 8 novembre 2023).

7 Sources

A11 Initiative, 28 mai 2024:

*« As we observe International Roma Day on the 8th of April, it prompts us to reflect on the status of members of the **third-largest national minority in Serbia**.*

A sizable portion of the Roma community remains in substandard living conditions in informal settlements, lacking personal documents. Half of the Roma population lacks formal education. The plight of Romani women is compounded by the fact that they face discrimination on multiple levels and are frequently coerced into early marriages.

Roma are a difficult-to-employ category due to numerous stereotypes prevalent in the public sphere. They face widespread discrimination and blatant racism, sometimes even endorsed by senior government figures. [...]

Affirmative actions in Serbia aim to boost the hiring of individuals from national minorities, urging entrepreneurs to give opportunities to those who are often sidelined. Nonetheless, these measures are frequently abused, resulting in great harm to individuals

who are often on the verge of survival, all for the benefit of individuals, typically with little consequences.

The A 11 Initiative is once again calling on all relevant authorities to stop any violations of the rights of the most vulnerable citizens. It's glaringly evident how efficient authorities are when prosecuting those weaker than themselves, while they appear fearful and disinterested when it comes to sanctioning slightly larger players.

For the betterment of those on the margins of society, it's not enough to merely establish affirmative measures—there must be strict control over the system where individuals always seek ways to profit at the expense of others, in this case, at the expense of those who already struggle immensely to assert their rights. » Source: A11 Initiative, The A 11 Initiative's Findings Reveal the Systematic Abuse of Rights and Personal Data of the Roma Community, 28 mai 2024: <https://www.a11initiative.org/en/the-a-11-initiatives-findings-reveal-the-systematic-abuse-of-rights-and-personal-data-of-the-roma-community>

A11 Initiative, 29 décembre 2022:

« The network of civil society organizations fighting homelessness informs citizens that the Secretariat for Social Protection of the City of Belgrade, in cooperation with the Belgrade Red Cross, has opened a temporary shelter for homeless people for the first time at the address of Dr. Milutina Ivkovića no. 2, Autokomanda. This type of accommodation service was sorely lacking in the existing social protection system; therefore we welcome the decision of the Secretariat as well as the accessibility of this temporary accommodation service because accessing and using it does not require long bureaucratic procedures but takes into account the urgent need of our fellow citizens who do not have a roof over their heads.

At the same time, we invite the Secretariat to expand the capacity and open new temporary accommodation shelters, because the existing capacity of 20 beds proved to be insufficient already in the first days after the opening. In addition, we call on the competent authorities to introduce the services of overnight shelters and day centers as standardized social protection services, and not as ad hoc solutions, because the need for them is obvious throughout the year.

Currently, the shelter provides accommodation for homeless people every day from 8:00 p.m. to 8:00 a.m; it provides rooms, and bathrooms with showers.

We believe that the accessibility of overnight shelter accommodation is a good model and could be applied also to the admission to the Shelter for Adults and the Elderly, which is the only institution of this type in Belgrade offering temporary accommodation for up to six months to homeless people. Currently, access to the Shelter for Adults and the Elderly is hampered by a series of bureaucratic procedures that come before the social needs of our fellow citizens.

Moreover, it is necessary to work on the establishment of such accommodation services in other cities in Serbia. Currently, according to the data of the Ministry of Construction,

Transport and Infrastructure, there are around 13-16 shelters with insufficient capacity throughout Serbia.

We would like to emphasize that accommodation services are a form of basic and minimum measures to protect the rights of citizens living in a state of extreme deprivation, and we call for a systematic addressing of the causes of homelessness. » Source: A11 Initiative, Press Release by the Network regarding the Opening of a Temporary Shelter for Homeless People, 29 décembre 2022: <https://www.a11initiative.org/en/press-release-by-the-network-regarding-the-opening-of-a-temporary-shelter-for-homeless-people/>

ADRA, 12 juin 2023:

« [...] ADRA Serbia serves these groups through three separate programs. One focuses on the Roma community and one on homeless individuals with refugee backgrounds, migrants, refugees, and displaced persons from the Middle East and Ukraine. The third program is currently on hold. In the Roma program, ADRA Serbia supports children and young families living in substandard settlements in the Belgrade region. The Roma in Serbia are an ethnic minority group with a distinct cultural and historical background. They are one of the largest minority communities in the country, estimated to number between 200,000 and 450,000 people. The Roma have a long history in the Balkans. While some families' presence in Serbia can be traced back centuries, many others have arrived after being displaced from former Yugoslav states. Around three-quarters have fled from Kosovo. The Roma represent approximately 50% of all refugees and internally displaced people in Serbia that require support.

The Roma population faces multiple disadvantages, such as poor living conditions, lack of essential utilities, limited education, and discrimination. ADRA provides educational and economic support to address these challenges, including tutoring children, job market preparation for youth, and assisting adults in completing formal education, vocational training, starting businesses, and finding better job opportunities. The second program ADRA Serbia runs is called Comprehensive Support to Homeless, which aims to address homelessness in Serbia. Homelessness in the country emerged due to the armed conflicts in the 1990s and the subsequent economic challenges during the transition to democracy. ADRA Serbia's focus in this project goes beyond providing direct services to homeless individuals, including advocacy work with lawmakers and policy-makers. They aim to bring about systemic change and address the underlying issues that perpetuate the challenges faced by these vulnerable groups. Their direct service work is centered in Belgrade, where they work to discover and engage with homeless individuals. Many are overlooked or missed by authorities as they choose to live in abandoned buildings or basements; their distrust of authorities means that they actively avoid engagement with them. ADRA Serbia seeks to build relationships; it offers mobile services, identifies their needs, and provides short- and long-term assistance to help improve their situations. The connection this program has helped form with the homeless population and the trust they have built up is remarkable. ADRA's work in this area is well recognized by the public, the media, and the government, and its multidisciplinary approach to homelessness is considered unique in the region. It's why, when ADRA Serbia advocates, the government is keen to listen – even inviting them to help shape policy.

ADRA Serbia is using its influence to work with the government to establish a Network for Combating Homelessness, involving civil society organizations, academia, media, and local and national governments. They also recognize a lack of reliable statistics and effective strategic approaches to homelessness on the systemic level, and existing strategies often remain unimplemented. ADRA emphasizes the need for government commitment and quality monitoring. In October 2022, the Ministry for Human and Minority Rights and Social Dialogue invited ADRA to join a multisectoral body to address homelessness. This initiative includes discussions on personal documents, access to health and social services, the definition of homelessness, and homelessness and housing strategy. ADRA entered the process based on their substantial experience working with communities and providing multidisciplinary support. **The process began on International Human Rights Day, December 10, 2022. After six months, progress has been made, although there are obstacles, including the fact that the Ministry of Labour and Social Policy is still not fully participating. However, at the city level, a new shelter has been opened in Belgrade because of these discussions; a more strategic focus to address homelessness is finally being thought about in some areas of government.** ADRA is committed to holding the government accountable and ensuring the current initiative delivers actual results. ADRA intends to highlight what has been done and where progress could be made on the project's first anniversary by producing a report and engaging the media. They will highlight the excellent work and recognize where progress could be faster.

Currently, ADRA Serbia has three goals: 1. Ensure financial stability for their service provision programs; 2. Establish a national network that will map those already working with homelessness across the country to both strengthen their capabilities and improve civil society's collective advocacy; and 3. Leverage this shared knowledge and experience to improve policy continually. ADRA Serbia's work demonstrates how transformative Adventists can be when we seek to serve the vulnerable and advocate to our leaders to do the same – we lift up the lost, the forgotten, and the unheard, and we shift our communities and our regions to be a little more how God intends them to be, places where all can flourish. » Source: ADRA, Drumodom – ADRA Serbias work with the Homeless, 12 juin 2023: <https://adra.eu/drumodom-adra-serbias-work-with-the-homeless/>

ADRA, pas de date:

« In Belgrade alone, at least 4,000 people live in homelessness. In 2023, we supported 3,150 of them, and in the first nine months of 2024, an additional 500. Thousands are on the brink, where losing a poorly paid job could push them into homelessness.

How do they end up in such a situation?

They now live on the streets or in building basements, abandoned structures, without basic living conditions and exposed to constant uncertainty. These conditions are inhumane. Reliable research provides an answer: a series of unfortunate circumstances, rather than personal choice, usually leads to this situation. A common factor always mentioned is the absence of support—from family, society, and the state. Often, there is no state support system at all.

Their lives, health, and dignity are at risk, and the outlook is bleak.

In fact, field workers constantly learn that the stereotype of a "homeless person" doesn't reflect reality. Those in this situation include young people, women, educated individuals, and people whom you'd never suspect, as you pass by, that they are living and sleeping in conditions fit—perhaps—for animals.

What is needed, and what are we doing?

An urgent and systematic response is necessary. Relevant institutions must radically reform their approach.

Meanwhile, for the fifth year, we provide Showers on Wheels via a specialized vehicle, Drumodom, as well as essential food packages, healthcare, psychosocial support, and assistance with social integration.

Each month, around 700 people receive much-needed support; two find some form of permanent housing, or obtain personal documents allowing them to access healthcare and find employment. Monthly, this means: 600 hygiene services (showers, laundry, packages); 350 medical services (check-ups, specialist visits, coverage of medical costs); and 550 psychosocial support services, counseling, legal advice, and support with finding housing.

Each year, around 25 people find permanent housing, and about 150 obtain personal documents enabling them to access healthcare, receive social assistance, secure employment, rent apartments, and vote.

Starting in December 2024, we are also providing supported housing for nine young people who grew up without parents. When they leave state institutions or foster families, 4 out of 10 end up in homelessness. We are here to prevent that, to help them strengthen and empower themselves, and to begin an independent life. » Source: ADRA, Homelessness, pas de date: <https://adra.org.rs/impact-areas/homelessness/?lang=en>

AI & GCSPF, octobre 2024:

« Serbia's National Assembly adopted the Social Card Law in February 2021 as part of the country's Programme of Economic Reforms 2020-2022. The law entered into force on 1st March 2022 and by September 2023 it had been rolled out in 167 cities and towns for use in nearly all Centres for Social Work across the country. The law established the Social Card registry, an integrated and centralized electronic database, which pulls data on recipients' and applicants' socio-economic status from a range of official databases, which is then used by social workers to assess their eligibility for social protection. [...]

The law has had a particularly negative effect on Roma communities and people with disabilities, who are disproportionately represented in Serbia's social assistance system. As Amnesty International's research shows, the Social Card registry was imposed on an already flawed and thoroughly inadequate social security landscape, plagued by multiple and intersectional forms of discrimination. Introducing the Social Card registry brought with it all the risks associated with the use of automation in delivering social assistance and reduced social workers' role, who currently seem unequipped – or not empowered – to address errors of the semi-automated decision-making. [...]

Members of marginalized communities, such as Roma, people with disabilities and women, are particularly vulnerable to poverty. Surveys show that 83% of Roma live in conditions of pronounced material deprivation, meaning that they are unable to provide for their basic needs, such as food. A 2019 government survey further indicated that 32% of substandard Roma settlements were not connected to electricity and 38% did not have access to the water supply grid. In addition, Roma – perhaps more than any other group in Serbia – face persistent discrimination in all spheres of life, including significant barriers to accessing health, education, employment and government services. People with disabilities in Serbia are also at higher risk of experiencing poverty, partly due to significant barriers to accessing employment or education, key factors that increase a person's risk of living below the poverty line. Women in Serbia have the highest unemployment rate in the Western Balkans (this refers to Albania, Bosnia and Herzegovina, Montenegro, Kosovo and North Macedonia), partly due to family care responsibilities. Women are also most likely to not have access to retirement pension insurance. Across nearly all ages and demographic groups, women tend to be at a very high risk of poverty. [...]

Informal work is a necessity for many who live in poverty. This is especially true for marginalized groups who face persistent exclusion from the formal labour market. Some informal Roma settlements almost entirely rely on the collection and sale of plastic, glass and metal to survive and were particularly affected by the introduction of the Social Card registry. In an informal settlement in Kraljevo, over one hundred families lost social assistance in the first months after the Social Card Law entered into force because the system detected earnings from the sale of secondary raw materials. Although some have since had their benefits reinstated, many faced months without any support, while others are still engaged in lengthy appeals process.

There is a benefit cut-off for a fifth and any further children, and a requirement that children receiving social assistance must “live, go to school and regularly attend class in the territory of Republic of Serbia,” both of which disproportionately affect Roma families. Many Roma families have more than four children and face extreme poverty, social exclusion and discrimination that limit their access to education. » Source: Amnesty International (AI) & Global Coalition for Social Protection Floors (GCSPF), Towards the right to social security for all. The social card registry: entrenching poverty and discrimination, octobre 2024, p.1-2, 4-7: <https://www.socialprotectionfloorscoalition.org/wp-content/uploads/2024/10/2024-R2SSC-Case-Studies-Serbia.pdf>

Balkan Insight, 23 novembre 2023:

« Srdjan Stojanovic already had plenty of reasons to be angry but Belgrade's mayor gave him another one in mid-October.

In a remark that caused widespread consternation, Aleksandar Sapic, a former waterpolo professional, said the fact there are so many homeless people on the streets of the Serbian capital “is proof that Belgrade has become a metropolis, because the richest cities have a problem with homeless people”.

Stojanovic, one of the city's thousands of homeless, was astonished.

"Mr Sapic, if you had any sense of shame, given the position you hold, you would not allow for anyone to live on the street in their own country," said the 57-year-old.

Danilo Curcic, programme coordinator of A11 Initiative for Economic and Social Rights said Sapic's conservative estimate of 5,000 homeless in Belgrade is far from a reflection of the city's progress, but proof of systemic housing and social issues facing even middle class families due, among other things, to skyrocketing rents and purchase prices and less affordable mortgages.

"There are many reasons for this situation," Curcic told BIRN. "De-industrialisation that has caused a huge number of people to lose their jobs, the absence of housing policies, rising housing costs, problems with ineffective and unfair social protection..."

"There are other reasons as well, but we're not dealing with any of them," he said. "So we should expected to remain a 'metropolis', as Mayor Sapic says."

Vuk Vuckovic, who spent years interviewing homeless people on behalf of the humanitarian organisation ADRA, saw another reason behind the mayor's apparent indifference.

Homeless people, he said, "often don't have personal documents and therefore, for politicians, they are not a group they stand to benefit from. They can't vote, so why would they [politicians] care about them and their needs?" » Source: Balkan Insight, Belgrade's Homeless: Left by the State to Fend for Themselves, 23 novembre 2023: <https://balkaninsight.com/2023/11/02/bel-grades-homeless-left-by-the-state-to-fend-for-themselves/>

CoE, 25 septembre 2025:

« Roma women have long been subjected to systemic discrimination in Serbia, a concern consistently highlighted by various international human rights organisations, including in the CEDAW Committee's Concluding Observations on the Fourth Periodic Report and GREVIO's Baseline Evaluation Report on Serbia. Despite the widespread prevalence of various forms of violence against women within the Roma community in Serbia, Roma women's experiences of such violence are marked by profound mistrust in the authorities, affecting all pillars of the Istanbul Convention. Prevention measures fail to address their specific cultural needs, their access to protection services is obstructed by cultural biases and access to justice is hindered by discriminatory attitudes among justice professionals.

15. The Serbian authorities have, to some extent, acknowledged these challenges, recognising that Roma women report incidents of abuse at lower rates and are more likely to remain in abusive relationships due to a range of factors. These include economic dependency, a lack of recognition of non-physical forms of violence that are often perceived as "normal" by the victims, fear of retaliation from perpetrators and family members towards themselves or their children, or fear of being excluded from their communities, and particularly, distrust in state institutions as a result of experiences of racism and discrimination in institutions.

16. Moreover, Roma culture and traditions are often used to justify overlooking certain forms of violence against Roma women and girls. A particularly prevalent example is the widespread stereotype linking child marriage to Roma culture and tradition, which is seldom examined within the broader context of systemic inequality, limited access to education and healthcare, patriarchal family structures, and poverty. While recognising the distinction between underage and forced marriages, GREVIO emphasises that the young age of brides often prevents them from giving full and free consent or resisting a forced marriage. GREVIO reiterates that the Serbian authorities have a duty to protect all women and girls from all forms of violence covered by the convention and that culture, custom, religion, tradition or “honour” cannot be used as justification for any act of violence within its scope. » Source: Council of Europe (CoE), Building trust by delivering support, protection and justice. Serbia First thematic evaluation report, 25 septembre 2025, p.12: <https://rm.coe.int/first-thematic-evaluation-report-building-trust-by-delivering-support-/4880289a48>

EC, 8 novembre 2023:

« *The criminal code relating to prohibition and punishment of criminal racial acts has yet to be aligned with the EU acquis. Hate speech, threats and violence continued to target human rights defenders, the Roma community, and lesbian, gay, bisexual, transgender, intersex and queer (LGBTIQ) persons. The Commissioner for Equality reported cases of attacks and threats against migrants organised by extremist and farright groups, as well as attacks based on hatred and ethnic identity. [...]*

Roma women, older women, poor women, women with disabilities, refugee and internally displaced women, continue to experience multiple and intersecting forms of discrimination. These women continue to have limited access to health, education, employment, and social assistance, and they lack protection from gender-based violence. [...]

Most Roma people in Serbia have civil documentation. The number of individuals at risk of statelessness in Serbia fell significantly to 2 000. The procedure for registering all births, regardless of the parents' status, needs to be implemented effectively and monitored. In the area of education, Roma students in elementary and secondary education continued to receive scholarships through affirmative measures. School dropout rates remain high, especially for Roma girls. Only 7% of Roma children up to 5 years of age attend preschool, compared with 61% in the general population. Only 28% of children living in Roma settlements enrol to upper secondary education, and the rate of completion of secondary school is 61% (overall population 98%), while that rate is the lowest for girls from Roma settlements (49%). Segregation in education needs to be addressed. Roma students are still over-represented in special schools and classes. Transition from education to the labour market is especially challenging for young Roma people. The national programme for transforming undeclared work among Roma has yet to be adopted to support the Poznan Declaration's objective on employment. Following the adoption of the Law on social entrepreneurship, which is expected to encourage formal work of the Roma, registration of the status of social enterprises is possible since November 2022. As of June 2023, 11 social enterprises had registered. A total of 44 young college-educated Roma have completed training courses at the National Academy for Public Administration since the start of this programme in 2021. Another 26 Roma men and women have so far been employed in local self-governments following a public call

launched in 2022. Overall, the Roma are still under-represented in the public administration.

Almost 20% of the population of the Roma settlements that were mapped have no or irregular access to safe drinking water, while over 55% have no or irregular access to sewer networks, and 14.5% have no or irregular access to electricity. The legalisation of Roma settlements needs to be tackled as a matter of priority as required by the Poznan Declaration, notably by updating and sharing the database on settlements and assigning staff to manage it effectively. Forced evictions are still taking place, which is not in line with the Law on housing or international standards. This Law needs to be implemented effectively, especially the provisions prescribing housing support and relocation of informal settlements. [...]

On health inequalities, access to healthcare services remains an issue for persons with disabilities, persons living with HIV, children and adults who use drugs, prisoners, women involved in prostitution, LGBTIQ persons, internally displaced persons and Roma. [...]

According to the authorities' ex post analysis of the first year of functioning of the social card register, in use since April 2022, this register has helped social welfare staff identify both 'errors of inclusion' and 'errors of exclusion' in individuals' eligibility to social assistance benefits. However, CSOs raised concerns on the risks of Roma and other vulnerable individuals – such as individuals performing seasonal or part-time work - being unduly excluded from the benefits if their specific circumstances, in addition to the data automatically processed by the social card register, are not sufficiently assessed by social welfare staff prior to a decision being made. In addition, it could be challenging for these vulnerable individuals to exercise their right to appeal an exclusion decision. » Source: European Commission (EC), Serbia 2023 Report, 8 novembre 2023, p.46-47, 51-52, 110, 119: https://enlargement.ec.europa.eu/system/files/2023-11/SWD_2023_695_Serbia.pdf

ERRC, 19 février 2025:

« Brutal racialized police violence is a symptom of a sick state, and the culture of violence nurtured by the Serbian regime has created a climate of impunity for abusers in uniform. Too often, Roma bear the brunt of such violence. Protestors on the streets now are demanding a fundamental transformation of the relations between citizens and state, an end to corruption, and the reinstatement of the rule of law.

Towards this end, a complete overhaul of the way people in general and minorities in particular are policed is indispensable. A recent ERRC report, Ruthless and Racist: Policing Roma in the Balkans, uncovered the extent of police violence and discrimination against Roma, and outlined what must be done for justice to prevail in Serbia. [...]

Policing Roma

Clearly, the issue of police violence against Roma cannot be resolved in isolation from the wider crises of democratic backsliding and authoritarianism. But this issue has long been a 'concern' for international monitoring bodies. It occurs within a context of what

hundreds of thousands of protestors in Belgrade first denounced in June 2023 as a “culture of violence” promoted by the government and its loyal media outlets; a historical track record of coordinated public violence against religious and ethnic minorities; and the legacy of para-militarised and ultra-violent policing in times of war and conflict.

In a 2022 report following its visit to Serbia, the Council of Europe’s Committee for the Prevention of Torture (CPT), called for action to address the serious problem of ill-treatment by the Serbian police. In addition to physical violence – which included “slaps, punches, kicks and truncheon blows to various parts of the body, the application of electro-shocks by handheld devices and car batteries and forcing detained persons to remain in stress positions for prolonged periods” – numerous remand prisoners claimed to have been racially abused due to their Romani or Albanian ethnic origin.

The ERRC, in a submission to UNCAT, asserted that “police brutality against Roma is endemic in Serbia, particularly against young Romani men and boys”; and detailed a number of cases of inhuman and degrading treatment of Roma at the hands of Serbian police in recent years.

Cases included evidence of police torturing Romani people to extract confessions (including asphyxiating a man with a plastic bag and holding a gun to his head), threatening to take children away from families, withholding food and water during interrogation, denying access to medical aid and legal counsel, as well as multiple accounts of groups of officers taking turns to beat defenceless Roma in interrogation cells. The police officers who perpetrate these human rights violations rarely if ever face any consequences for their actions. [...] » Source: European Roma Rights Centre (ERRC), Something is rotten in the state of Serbia, 19 février 2025: <https://www.errc.org/news/something-is-rotten-in-the-state-of-serbia>

ERRC, décembre 2024:

« In March 2022, the Council of Europe’s Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), called for resolute action by the authorities to address the serious problem of ill-treatment by the Serbian police. In a report following the CPT delegation’s visit to Serbia, the committee stated that it received a significant number of credible and consistent allegations of physical ill-treatment of detained persons by police officers, “purportedly inflicted as a means to force the suspects to provide information or to confess to particular crimes, and to a lesser extent to punish them for the alleged crime committed or for resisting arrest.” In addition to physical violence – which included “slaps, punches, kicks and truncheon blows to various parts of the body, the application of electro-shocks by handheld devices and car batteries and forcing detained persons to remain in stress positions for prolonged periods” – numerous remand prisoners claimed to have been racially abused due to their Romani or Albanian ethnic origin. [...] »

Roma exclusion, poverty and discrimination

Serbia’s 2022 census counted nearly 132,000 Roma, or under 2% of the population. However, most experts warn that such official figures are probably undercounts, with

domestic and international estimates ranging between 300,000 and 460,000 Roma, which would make them the country's largest minority group.

Most Romani people live in South-East Serbia (about 39%), with a still significant population living in Vojvodina (29%) and a smaller proportion living in the Belgrade area (19%). Approximately 70% of Romani people in Serbia live in Romani majority neighbourhoods. A mapping exercise conducted in the wake of the Covid pandemic, and published in December 2020, covered 702 substandard Romani majority neighbourhoods with a population of about 168,000. The mapping found that in 159 of such neighbourhoods, a total of 32,843 residents had no or irregular access to clean water. Access to sewerage networks was found to be irregular or missing in 457 substandard Romani majority neighbourhoods which are home to 93,050 Romani people, while 24,104 Romani people living in 64 settlements had no access to electricity. UNCERD, in its latest report on Serbia, expressed concerns about the substandard living conditions in informal settlements. It reports that one third of registered homeless persons are of Romani origin, and that forced evictions from settlements continue to take place without consultation, due process of law, or the possibility of alternative accommodation. With regards to education, UNCERD was 'deeply concerned' that the percentage of Romani children enrolled in all levels of education is drastically lower than that of the general population of children, and it urged the State "to put an end to de facto public school segregation of Roma children and ensure access to quality education for Roma children, including through anti-racism and human rights training for school staff, awareness-raising efforts targeting parents and increased employment of Roma teachers."

Five years on, many of the same concerns have been echoed by the European Commission in its 2023 report on Serbia. The report called for robust monitoring and data collection, improved Roma-sensitive budgeting, as well as strengthened coordination between ministries, national and local authorities, to implement Serbia's new strategy and action plan for Roma inclusion, which was updated in October 2022. The Commission called for segregation in education to be addressed, legalisation of Roma settlements to be tackled as a matter of priority, and noted that forced evictions are still taking place, which is not in line with the Law on housing or international standards. Concerning social welfare, the Commission noted that "limiting the number of children eligible for parental and child allowance, and conditioning the parental allowance on certain criteria, such as school attendance and vaccination of children, are disproportionately affecting Roma children and families."

In its 2023 report, Amnesty International warned that Serbia's introduction of the Social Card registry, touted and funded by the World Bank as a 'tool for inclusion', has, in fact, worsened poverty and stripped thousands of social assistance, "especially Roma and people with disabilities." As Amnesty noted, even prior to the introduction of the Social Card registry Serbia's social assistance system was not fit for purpose. Strict eligibility requirements leave 250,000 people living in poverty without social assistance, and those who qualify receive a meagre monthly amount that is not sufficient to keep them out of poverty. [...]

Police violence against Roma in Serbia is a longstanding 'concern' and occurs within a context of what hundreds of thousands of protestors in Belgrade denounced in June 2023 as a "culture of violence" promoted by the government and its loyal media outlets, a recent history of

coordinated public violence against religious and ethnic minorities, and the legacy of para-militarised and ultra-violent policing in times of war and conflict. [...]

Beyond policing, recent research by the ERRC catalogued a litany of human rights abuses against Roma at all levels of the criminal justice system in Serbia. It corroborated earlier findings that overrepresentation of Romani people in the criminal justice system is due to a combination of factors which includes persistent racial profiling and over-policing of Romani communities, social marginalisation and higher rates of poverty, lack of eligibility for alternatives to sentencing, and a presumption of guilt rooted in wider racist narratives around so-called 'Gypsy crime'. on the shoulder with a nightstick. Then they took me to another office and told me to stretch out my arms with the palms up. They balanced a thick book on my hands and hit me with a wooden club on the back. All the time, they kept insulting me and cursing my Gypsy mother and saying I had to confess to some kind of robbery. They took the book away and put a black plastic bag over my head. One of them pulled the bag tight around my neck and shouted that he would strangle me if I didn't confess. I said I hadn't done anything and, when they saw they couldn't make me confess to something I hadn't done, they decided to let me go." The report found that, similar to a number of countries, Roma are more likely to be ethnically profiled and drawn into the criminal justice system than non-Roma in Serbia. Once drawn in, Roma are less likely to receive adequate legal representation and more likely to be held in pretrial detention and receive custodial sentences than their non-Roma counterparts. There were also persistent allegations that individuals were tried and sentenced without any assistance from a lawyer whatsoever.

For their part, Romani interviewees expressed distrust in a criminal justice system that reflected the biases and racism that prevails in the wider Serbian society where, as one interviewee put it, the majority population viewed Roma as "less valuable, uneducated, unemployed and subsidised solely by social welfare and theft... They just don't like us; they look at us like we are the worst." When it came to policing in particular, the Romani respondents had little trust in law enforcement and felt officers were prejudiced against Roma; all Romani interviewees from Serbia recounted being routinely stopped by police; most recalled incidents of harassment and verbal abuse, and half of them had direct experience of being physically assaulted by police. Almost half the police officers interviewed did not understand what discrimination is; many believed that it was acceptable to break the law to resolve an issue, and of those police officers canvassed in two surveys, 29% and 41% appeared to believe that Roma "usually steal." [...]

As mentioned earlier, the visiting delegation from the Council of Europe's CPT expressed its deep concern in 2022 that police brutality remains a serious problem and that in addition to physical violence, "numerous remand prisoners also alleged to have received verbal insults of a racist nature notably in the light of their Albanian or Romani ethnic origin."

The alleged ill-treatment related to: the time of apprehension, after the persons had been brought under control (and handcuffed); the time when the suspects were being transported to the police station; and the time when the suspects were held in an office and interviewed by police officers. The CPT stated that these allegations were supported by both documented descriptions and photographic evidence contained in the medical files of remand prisoners, and it was "able to follow-up on particular allegations relating to

the infliction of severe illtreatment in specified locations described by the detained persons". In one example cited, in the office of an anti-narcotics police inspector in Belgrade, the CPT found "jumpstart electrical cables and a five-litre water cannister, which lends credibility to the allegations made by detained persons that they were subjected to electro-shocks in this precise office."

In its 2021 submission of written comments to the UN Committee Against Torture, the ERRC asserted that "police brutality against Roma is endemic in Serbia, particularly against young Romani men and boys." The submission detailed a number of cases of inhuman and degrading treatment of Roma at the hands of Serbian police in recent years. The submission included evidence of police torturing Romani people to extract confessions (including asphyxiating a man with a plastic bag and holding a gun to his head), threatening to take children away from families, withholding food and water during interrogation, denying access to medical aid and legal counsel, as well as multiple accounts of groups of officers taking turns to beat unarmed Roma in interrogation cells. The police officers who perpetrate these human rights violations rarely if ever face any consequences for their actions. In the 2023 report by the ERRC and Fair Trials on Roma and the criminal justice system, stories of police abuse, harassment, and violence were recurrent amongst the Romani interviewees encountered by researchers. Most said that they had heard the police making disparaging and discriminatory remarks about Roma, while 50% recounted that they been physically assaulted by police officers. One interviewee told researchers: "I was beaten many times [by the police], cursing my gypsy mother. They intercepted my family, harassed my parents at night for an interview. When I went to court, the police stopped me and searched the whole car without a search warrant. Once they brought me to the station, I asked for a lawyer, they didn't allow it, but they beat me up and then they let me go as if nothing had happened." The following is an indicative selection of recent cases that strongly suggests routine violence and a culture of impunity among law enforcement when it comes to policing Roma. [...]

Police brutalise romani man, confiscate his id card, then later charge him for having no id card

A routine ID check by two police officers on 13 September 2023 quickly escalated, when they began beating and kicking the Romani man they had stopped. They confiscated his ID card, pinned him down, cuffed him and put him in their patrol car. During the ride to the Novi Beograd Police Station, he was repeatedly struck and slapped in the face by the officers. He was detained for 40 minutes, subjected to further physical abuse, and presented with a document to sign. His ID card was never returned.

A medical report from the Emergency Clinic of the University Clinical Centre of Serbia in Belgrade confirmed that he suffered contusions and superficial lesions on the left side of his head, as well as contusions in the eye area. The Vojvodina Roma Centre (VRC), in cooperation with the ERRC, filed a complaint with the Sector for Internal Control of the Ministry of Interior.

On 4 October 2023, he went to the police station to request the return of his ID card. The police officers at reception refused to check the whereabouts of his ID, told him to file a request for a new one, and reprimanded him for going weeks without identification. He obtained a new card about two weeks later.

However, on 10 October he was notified that a procedure had been initiated against him for failing to carry his ID card on 13 September. At the hearing before the Misdemeanour Court in Belgrade, Milan denied any wrongdoing and provided a detailed account of his ordeal. The ERRC's Legal Consultant, Andrea Čolak, was present at the hearing and described how the judge was baffled, finding it hard to grasp the fact that the police officers' aggression was random, unprovoked, and utterly unjustified:

"Unfortunately for many Roma, unwarranted police harassment and brutality are common experiences. As in Milan's case, there was nothing in his actions that necessitated the police officers carry out an identity check, use hostile language, physically constrain, and finally beat Milan. Nothing apart from his ethnicity and marginalisation that made him an easy target for a brutal demonstration of police power. Too often such violence remains ignored and unpunished, and as a result – normalised." » Source: European Roma Rights Centre (ERRC), RUTHLESS AND RACIST: POLICING ROMA IN THE BALKANS, Greece, North Macedonia, Serbia, décembre 2024, p.43-49, 54: https://www.errc.org/uploads/upload_en/file/5643_file1_ruthless-and-racist-policing-roma-in-the-balkan.pdf

KlikAktiv, pas de date:

« Center for Development of Social Policies was founded with the aim to provide assistance to all people in need. Early years of the organisation were devoted to providing assistance mostly to homeless people in Belgrade and people of Roma population.

In 2014 KlikAktiv conducted the first survey on homelessness in Belgrade. For the purpose of this survey our volunteers and staff interviewed 188 homeless people who were living on the streets of Belgrade at that time. Many of them are on the streets to this day. This survey presented both the demographic data as well as social factors that lead to homelessness and day-to-day struggles of the homeless people in Serbia.

During the following years, KlikAktiv continued its work in providing assistance to homeless people, but it also widened its group of beneficiaries. KlikAktiv expanded its activities by providing assistance to other vulnerable groups including Roma population, returnees, asylum seekers and refugees, but also all other people in need. Within its activities, KlikAktiv provided mostly psychological and social support as well as humanitarian aid.

With weak response of the state institutions, the number of underserved people in need has significantly increased over the past years. Rocki, a returnee from EU and legally invisible person (as his birth was never registered by authorities and he never possessed any ID document) who we helped to address the local court in order to regulate his status and Violeta, a homeless woman whose application for ID card was rejected by the Belgrade's police, are just some of the people we helped.

Today, KlikAktiv still stands in solidarity with all undeserved vulnerable groups including homeless people, Roma population, returnees and all others in need. We do our best to provide help whenever possible and we try to provide assistance to all people who have been denied assistance by other service providers. » Source: KlikAktiv, On the streets, pas de date : <https://klikaktiv.org/street>

Praxis, avril 2025:

« In the previous period, Serbia improved and revised its legal and strategic framework to combat discrimination and gender inequality. However, the implementation in practice has not lead to significant progress concerning the position and exposure to discrimination, as evidenced in the 2024 Annual Report of the Commissioner for Protection of Equality. Judging by the number of submitted complaints, discrimination on the grounds of belonging to a national minority holds the fifth place of all submitted complaints, while more than half of those complaint are submitted for discrimination of the Roma minority. As in previous years, the most complaints were filed in the area related to proceedings before public authorities. A significant number of complaints was submitted for discrimination on the grounds of two or more personal characteristics, which suggests multiple discrimination.

Discrimination against Roma is a problem addressed by institutions and public policies, but the persistence of discriminatory treatment and behaviour towards them indicates that it is necessary to strengthen existing resources and build new capacities through a comprehensive anti-discrimination policy. The Roma most often face discrimination in their daily contacts with fellow citizens, at work and while performing their usual daily tasks and activities. Employment, exercising the right to work, social protection and health care and education are all areas where they are frequently exposed to discrimination. Spatial segregation and segregation in education, as well as hate speech, are forms of discrimination that, despite the established institutional protection, make exercising the rights of Roma more difficult. They rarely report discrimination because they find it difficult to prove it and are exposed to unpleasant experiences, including the fear of pressure and violence by perpetrators during the evidentiary procedure. Fear of discrimination is strengthened by the activities of extreme right-wing organizations, whose members increasingly attack Roma, while the authorities do not respond to such offences or respond mildly.

Despite the high number of occurrences, incidents of discrimination typically go unreported. Roma often have to accept discrimination against them as part of their daily lives and are reluctant to report cases to the authorities out of fear of retaliation or because they lack faith in the effectiveness of the justice system. Also, Roma are in need of legal support since they often lack knowledge of the legal definition of discrimination, the available legal remedies and the legal fora they could turn to. They are also discouraged by the inefficient nature of the legal system and the various barriers they face once they choose to report it. Therefore, the number of cases reported to the Commissioner for Protection of Equality in Serbia only represent a small proportion of the actual discrimination Roma face. [...]. » Source: Praxis, NGO Praxis'contribution to Serbia 2025 annual report, avril 2025, p.7-8: https://www.praxis.org.rs/images/praxis_downloads/Praxis_Contribution_EC_2025_Annual_Report.pdf

USDOS, 23 avril 2024:

« According to UNHCR, approximately 785 persons were at risk of statelessness in the country; some of whom remained without birth registration, while others did not have citizenship, personal identification cards, or registered residences. According to

UNHCR, more than 95 percent of the population at risk of statelessness were Roma, primarily Romani IDPs from Kosovo. The country had laws and procedures giving individuals the opportunity for late birth registration and residence registration as well as the chance to gain nationality. Children whose parents lacked personal documents (identification cards) could not, however, be registered immediately after birth, creating additional cases of persons at risk of statelessness. Poverty, social marginalization, lack of information, cumbersome and lengthy bureaucratic procedures, difficulty in obtaining documents, lack of an officially recognized residence, and lack of birth registration limited the ability of those at risk of statelessness to gain nationality. The Romani population needed legal assistance in the civil registration procedure, obtaining documentation, and the procedures for acquisition of nationality needed to access basic socioeconomic benefits of citizenship and full inclusion into society. Nonetheless, NGOs assessed the country made significant progress on this matter during the past decade thanks to coordinated efforts among the government, UNHCR, and civil society organizations. [...]

The Ministry of Health funded a project called "Improving the Reproductive Health of Roma Women in Novi Sad," which carried out a series of lectures on female and reproductive health and organized medical exams for project beneficiaries. According to the health-care center in Novi Sad, there were no clear indicators of the number or percentage of Romani women who accessed women's health care. According to medical professionals, adolescent abortions, pregnancies, and deliveries were 10 times higher in the Romani population than in the general population, reflecting lower than average access to family planning information and services. [...]

According to the ombudsman and the equality commissioner, Roma suffered more discrimination and marginalization than any other minority. Roma lacked information concerning their rights and mechanisms available to them to combat discrimination. On April 11, a group of young men attacked a group of Romani individuals in Turekovac with baseball bats and knives. They broke windows and gates of several houses and verbally accosted Roma. Police identified six attackers and announced they would face misdemeanor charges for destruction of property and violating public order. The Alliance Against Discrimination of Roma filed a complaint with the commissioner for equality to establish intention to harm behind the attack and called for the Ministry of Interior to investigate why police did not pursue charges of inciting racial discrimination and hatred. [...]

According to independent institutions, NGOs, and experts, hate speech and discriminatory language were routinely used by media, public personalities, politicians, sports fans, and social media users against minority communities, and applicable laws were not adequately implemented. In March, Belgrade Mayor Aleksandar Sapic stated the solution to the problem of illegal settlements in the city was for Roma to be integrated in society, which he noted was difficult "as they (Roma) reject [integration] and in such a way endanger their [lives] and lives of their fellow neighbors and citizens." The commissioner for the protection of equality condemned this statement as "inappropriate and deeply worrisome" and concluded such statements perpetuate discriminatory narratives. [...]

Education: Education was free through the secondary level, but was compulsory only from preschool ages through 15. Ethnic discrimination and economic hardship discouraged some children from attending school. In Romani and poor rural communities, girls were more likely than boys to drop out of school and normally did so at an earlier age. According to the Ministry of Education's Science and Technological Development Department's National Report on Inclusive Education 2019-2021, children from vulnerable groups were more likely to have limited access to preschool education programs. » Source: US Department of State (USDOS), 2023 Country Report on Human Rights Practices: Serbia, 23 avril 2024: <https://www.ecoi.net/en/document/2107724.html>

Vreme, 11 octobre 2024:

« According to the 2011 census, 445 so-called primary homeless people, that is, those who live on the street, were registered, while the number of secondary homeless people, that is, those who live in informal facilities or informal settlements, is 17.842

As emphasized by the organization "Initiative A11", which is a member of the Network of Organizations Against Homelessness, the population census, as well as other official data sources, do not adequately record homelessness. As they estimate, there are more than 4.000 of them in Belgrade alone.

"The methodology of listing people who are in a situation of homelessness has not changed, although we warned that the methodology is inadequate." People who are in a situation of homelessness are not registered directly in the places where they stay and live, but the census is carried out through the institutions to which people in a situation of homelessness turned for help", said Marko Vasiljević for New Economy from the organization Initiative A11.

The problem with the approach, as he said, is that many homeless people have never asked for help from any institution, so the data on their number, according to Vasiljević, are underestimated and that there are far more of them, as the data proves.

Where are all these people going?

The representative of the A11 Initiative, Marko Vasiljević, said in an interview for New Economy that people in a situation of homelessness are mostly offered temporary solutions, that is, shelters that have less capacity than the actual need for them.

On the other hand, staying in such institutions is time-limited, i.e. it is only allowed for six months, and in this way the permanent problem of homelessness is not solved.

"The permanent problem would be solved only through the development of affordable models of social housing and the recognition of persons in a situation of homelessness as a particularly vulnerable category that will have some kind of priority in terms of housing care within the social housing system," said Vasiljević.

There are not many shelters in larger cities. For adults and the elderly, shelters where homeless people can seek accommodation exist in 12 local self-government units.

According to Vasiljević, many of them cannot even receive institutional support because they are "outside the system", and the reason for this is that they cannot register their place of residence.

"If you do not have a place of residence, you cannot have an identity document, and when you do not have an identity card (document), you cannot access any right in the field of social protection, that is, any social service," he said.

Thus, homeless people cannot exercise their rights to even minimal cash social benefits, and since they are not beneficiaries of social benefits, they cannot even use the National Kitchen.

"Often people stay completely out of the system." There is a legal solution, but there are also numerous problems in its application. Thus, people who are in a state of homelessness can register their place of residence at the address of the competent center for social work. However, it most often happens that the police do not want to accept this type of request and send them back to the social service," said Vasiljević.

He added that the responsible Center for Social Work then refers them again to the Ministry of Internal Affairs (MUP), i.e. the police, and that this process sometimes takes several months.

By simply walking from institution to institution and obtaining consent, people give up the idea of residence and thus remain on the street without any possibility of exercising social rights and support.

So, on the street, they rely on the help of non-governmental organizations or on the "Solidarity Kitchen", an organization that distributes free meals to homeless people without administrative conditions, or they go to the Serbian Orthodox Church, which also distributes meals.

The Mayor of Belgrade stated a year ago that the capacities of the Shelter for adults and the elderly have never been filled and that there is no need for a larger capacity than 104, which this shelter has.

However, this shelter can only be used by those who are "registered" in the system, that is, those who have an ID card. Precisely because of administrative obstacles, according to representatives of non-governmental organizations, this number has not been filled.

» Source: Vreme, Serbia without data on how many people are homeless, 11 octobre 2024: <https://vreme.com/en/drustvo/srbija-bez-podataka-koliko-ljudi-je-bez-krova-nad-glavom/>

En tant que principale organisation d'aide aux personnes réfugiées en Suisse et faïtière des œuvres d'entraide et des organisations actives dans les domaines de l'exil et de l'asile, l'Organisation suisse d'aide aux réfugiés (OSAR) s'engage pour une Suisse qui accueille les personnes réfugiées, les protège efficacement, respecte leurs droits fondamentaux et humains, favorise leur participation dans la société et les traite avec respect et ouverture. Dans sa fonction, l'OSAR renforce et défend les intérêts et les droits des personnes bénéficiant d'une

protection et favorise la compréhension de leurs conditions de vie. Grâce à son expertise avérée, elle marque le discours public et exerce une influence sur les conditions sociales et politiques.

D'autres publications de l'OSAR sont disponibles sur le site www.osar.ch/publications. La newsletter de l'OSAR, qui paraît régulièrement, vous informe des nouvelles publications. Inscription à l'adresse www.osar.ch/newsletter.