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Montenegro: Ensure adequate alternative housing for evicted families

Amnesty International is calling on the Montenegrin authorities to provide adequate alternative accommodation for six families and two individuals living in the Zverinjak settlement in Nikšić, who are due to be evicted from their homes, on 15 May.

The seven households, (currently 14 adults and 20 children), have been living in an informal settlement on what is now privately owned land for the past eight years. They include five Roma families who were displaced from Kosovo following the 1999 armed conflict. The two other households include a single mother and her children, and two retired men, who have no available alternative housing.

The landowner has received authorization from the Nikšić court to evict the families and demolish their houses. Over the past three years, he has agreed to postpone the eviction on several occasions, in order to allow the Montenegrin authorities to provide the affected people with alternative accommodation. In March 2014, he agreed to postpone the eviction until 15 May.

Amnesty International is deeply concerned that the Montenegrin authorities have repeatedly failed to provide these families with any of the safeguard and protections set out in international law on forced evictions, including to ensure that the affected community is provided with adequate alternative housing. As a result, Amnesty International is concerned that the seven households will be forcibly evicted, in violation of international standards including the International Covenant on Economic, Social and Cultural Rights (ICESCR) to which Montenegro is a state party, and which guarantees the right to adequate housing.

Montenegro, as a state party to the ICESCR, is obliged to ensure that the affected families are provided with adequate alternative accommodation, and are not rendered homeless. This has been emphasized by the Committee on Economic, Social and Cultural Rights, which has stated that where the affected people are “unable to provide for themselves, the State party must take all appropriate measures... to ensure that adequate alternative housing, [or] resettlement ... is available”.

Adequate housing should include: legal security of tenure and availability of services and infrastructure, including water, sanitation and energy for cooking, lighting and heating. Adequate housing should also be affordable, habitable, and located with direct access to transport, health centres, work opportunities and schools.

Before their resettlement, the families at Zverinjak should be provided with adequate prior notice and information, and ensured access to legal remedies and compensation for any losses suffered. The authorities should engage in meaningful consultation on the resettlement with the affected families, including to identify feasible alternatives to the eviction.

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