

# Fragnet national contribution to the Fundamental Rights Report – Challenges and achievements in 2025

Housing crisis and people experiencing  
homelessness

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# 1. Legal framework

*Please briefly elaborate on the legal framework to protect tenants or owners from homelessness and forced eviction. Please include respective provisions in the case of an execution order and in case an eviction takes place. Please consider specific provisions for vulnerable person, legal safeguards which prevent or limit evictions and intervention system in the case of eviction and early interventions before evictions.*

## **The Law on Housing and Building Maintenance**

The Law on Housing and Building Maintenance<sup>1</sup> stipulates that individuals may be evicted from buildings constructed in violation of laws governing spatial planning and construction, or from buildings located on land owned by another natural or legal person. Eviction is to be carried out only when necessary and justified to achieve a legitimate public interest, primarily to protect life, health and property (Article 78). If eviction is required on these grounds, and the affected person does not own another property and lacks sufficient means to secure alternative accommodation, the local self-government is obliged to provide appropriate housing. Appropriate housing, among other criteria, includes access for persons with disabilities, children and older persons (Articles 79).

During eviction and relocation procedures, the law establishes a general guarantee of the principle of protection for particularly vulnerable persons. This means that during such procedures, the rights of specific vulnerable groups must be safeguarded. These groups include, in particular, women, children, single parents, families with three or more children, victims of domestic violence, persons over 65 years of age and persons with disabilities (Article 80).

Article 81 regulates the procedure for adopting a decision on the necessity of eviction. It stipulates that, during the preparation of the draft decision on the necessity of eviction and the accompanying resettlement plan, the competent authority must consult and cooperate with persons affected by the resettlement, as well as with human rights organisations. The conclusions drawn from these consultations constitute a mandatory part of the draft decision on the necessity of eviction and the resettlement plan. Residents of the settlement from which eviction and resettlement are required, must be notified in a timely and appropriate manner of the early public review and the public hearing. Notification must be provided by publishing an announcement on the official website of the local self-government unit, posting printed notices on the notice board of the competent authority, and, where available,

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<sup>1</sup> Serbia, Law on Housing and Building Maintenance, Official Gazette of RS, N. 104/2016-6, 9/2020-3 ([Zakon o stanovanju i održavanju zgrada](#)), 23 December 2016.

publishing notices in local media. Representatives of social welfare authorities are required to participate in both the early public review and the public hearing, for the purpose of providing support to individuals who may be affected by eviction.

The law further stipulates that eviction orders may not be executed under adverse weather conditions (limited to adverse weather conditions and does not extend to all winter months), on Sundays, during public or religious holidays, at night, before elections or immediately before or after the start of the school year. State authorities are required to take into account the circumstances of the persons being evicted or relocated and, in agreement with them, determine the manner of enforcement that will be least harmful to their rights and legal interests (Article 85).

Finally, the law provides for housing support as a form of assistance to individuals who, for social, economic, or other reasons, are unable to resolve their housing needs under market conditions. Categories of beneficiaries for whom housing support programmes are defined include, in particular: homeless persons, victims of domestic violence, recipients of financial social assistance, beneficiaries of veterans' and disability protection, and persons with disabilities (Article 89).

The Law establishes several types of housing support, including rental of a dwelling, purchase or other means of acquiring ownership of an apartment or family house, improvement of housing conditions, assistance with the legalisation of an apartment or family house and housing provision (Article 92).

Housing provision refers to temporary accommodation and is defined as a form of housing support to be provided through an emergency procedure (Article 103). Temporary accommodation is intended particularly for persons who are homeless; whose apartment or family house has been damaged or destroyed due to natural or other disasters; whose apartment or family house has deteriorated or been significantly damaged to the extent that its structural stability is compromised and poses an immediate risk to life and health, neighbouring structures, or traffic safety, and who therefore qualify for emergency accommodation in accordance with the law regulating construction. Finally, temporary accommodation is also intended for persons who, as victims of domestic violence, have left their household and do not have the financial means to meet their housing needs independently.

## **The Law on Enforcement and Security Interest**

The Law on Enforcement and Security Interest<sup>2</sup> includes measures to prevent the enforcement debtor from losing their only home during enforcement proceedings, since 22 October 2025, when these specific protective measures are introduced. According to the adopted amendments, immovable property exclusively owned by the enforcement debtor and used to meet their housing needs cannot be subject to enforcement if certain conditions are met. However, those overly strict conditions would prevent most citizens from protecting themselves against forced evictions, as described in Table 1 – Major legislative/ policy measures on eviction and homelessness in 2025.

## **The Law on Obligations**

The Law on Obligations<sup>3</sup> which regulates tenancy relations, does not contain specific provisions that protect tenants or owners from homelessness and forced evictions, nor any safeguards for persons in vulnerable situations.

## **Rulebook on the Conditions a Facility Must Meet for Appropriate Accommodation**

The Rulebook<sup>4</sup> further specifies the conditions a facility must meet to qualify as appropriate accommodation for people entitled to resettlement in such housing. The prescribed conditions concern adequate spatial standards of the housing unit, suitable provision of basic electrical, water supply and sanitation installations, and satisfactory safety and security standards, including physical safety and protection from adverse climatic conditions. The Rulebook does not set out or elaborate on any specific conditions applicable to vulnerable groups.

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<sup>2</sup> Serbia, Law on on enforcement and security interest, Official Gazette of RS, N. 106/2015, 106/2016,113/2017, 54/2019, 9/2020, 10/2023, 91/2025 ([Zakon o izvršenju i obezbeđenju](#)), 21. December 2015.

<sup>3</sup> Serbia, The Law on Obligations, Official Gazette of SFRJ, N. 29/78, 39/85, 45/89, 57/89, Official Gazette of SRJ, N. br. 31/93, Official Gazette of t SCG, N. 1/2003, Official Gazette of RS, N. 18/2020 ([Zakon o obligacionim odnosima](#)), 26 May 1978.

<sup>4</sup> Serbia, Rulebook on the Conditions a Facility Must Meet for Appropriate Accommodation, Official Gazette of RS, N. 75//2017 ([Pravilnik o uslovima koje treba da zadovolji objekat za odgovarajući smeštaj](#)), 4 August 2017.

## **Guidelines on Protection from or During Forced Evictions Caused by Development Activities in Accordance with the Law on Housing and Building Maintenance**

The Guidelines<sup>5</sup> should provide a more detailed explanation of the actions to be taken by the competent authorities in applying the Law on Housing and Building Maintenance. In particular, they include provisions governing the eviction and relocation of people without legally regulated tenure status from the immovable property they occupy for housing purposes and from the land on which the housing structure is located. The Guidelines also, to a certain extent, elaborate on the provisions regulating housing support measures applied to prevent homelessness in cases of eviction of such people.

The purpose of these Guidelines is to inform competent authorities of all relevant regulations and procedures applicable during resettlement carried out in the context of development activities undertaken in the public interest, particularly those aimed at safeguarding the rights of the most vulnerable populations affected by such resettlement.

The Guidelines identify several categories of insecure housing status, including persons experiencing homelessness; citizens at risk of foreclosure and forced eviction from their homes due to inability to repay mortgage debts for their sole dwelling; potentially all owners of apartments or houses that have not been legalised; and residents of substandard settlements, where a significant proportion of residents are Roma.<sup>6</sup>

The Guidelines note that the most severe situations involving insecure housing status on buildings and land are predominantly found in informal and substandard settlements inhabited by Roma. However, apart from this observation, the Guidelines do not provide a more detailed explanation of an approach specifically aimed at protecting the rights of Roma.

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<sup>5</sup> Ministry of Construction, Transport and Infrastructure (2022), Guidelines on Protection from or During Forced Evictions Caused by Development Activities in Accordance with the Law on Housing and Building Maintenance ([\*Smernice o zaščiti od/prilikom prinudnih iseljenja izazvanih razvojnim aktivnostima u skladu sa Zakonom o stanovanju i održavanju zgrada ministarstvo građevinarstva, saobraćaja i infrastrukture\*](#)), May 2022.

<sup>6</sup> Ministry of Construction, Transport and Infrastructure (2022), Guidelines on Protection from or During Forced Evictions Caused by Development Activities in Accordance with the Law on Housing and Building Maintenance ([\*Smernice o zaščiti od/prilikom prinudnih iseljenja izazvanih razvojnim aktivnostima u skladu sa Zakonom o stanovanju i održavanju zgrada ministarstvo građevinarstva, saobraćaja i infrastrukture\*](#)), May 2022, pp. 9-10.

## 2. Major developments in 2025

**Table 1 – Major legislative/policy measures on eviction and homelessness in 2025**

	Reference/name/weblink	Short description and reference to the paragraph / page in the referenced document	Authorities responsible to implement
a) Legislative act / Policy measure	<p>Law on enforcement and security interest (Official Gazette of RS, N. 106/2015, 106/2016,113/2017, 54/2019, 9/2020, 10/2023, 91/2025) (<i>Zakon o izvršenju i obezbeđenju</i>)</p> <p>Adopted on: 22 October 2025</p> <p>Weblink: <a href="https://pravno-informacioni-sistem.rs/eli/rep/sgrs/skupstina/zakon/2015/106/1/reg">https://pravno-informacioni-sistem.rs/eli/rep/sgrs/skupstina/zakon/2015/106/1/reg</a></p>	<p>According to the adopted amendments to the Law on enforcement and security interest special safeguards are envisaged to prevent an enforcement debtor from losing their only home in the enforcement proceedings. A real estate property that is exclusively owned by the debtor and serves to meet their housing needs cannot be subject to enforcement if certain conditions are met. These conditions include: it is the debtor's only property; the debtor has resided at that address for at least five years prior to the initiation of enforcement proceedings and the residence has not been deregistered; the size of the property does not exceed 60 m<sup>2</sup>; the principal debt does not exceed half the market value of the property as established by the act of the local self-government; and, within the three years prior to filing the enforcement request, the debtor has not sold,</p>	Courts and public enforcement officers

		<p>donated, waived inheritance rights to, or transferred property through a lifelong support contract. The fulfilment of the above-mentioned conditions is decided by the court competent to rule on the enforcement request.</p> <p>Although the measure represents a positive development, overly strict conditions prevent most citizens from protecting themselves against forced evictions.</p> <p>Article 151b</p>	
b) Developments of safeguards to limit or prevent evictions	<p>Decision on the Temporary Limitation of Interest Rates in Credit Agreements Concluded with a Borrower – Natural Person (Official Gazette of RS, N. 102/2024)</p> <p><i>(Odluka o privremenom ograničenju kamatnih stopa kod ugovora o kreditu zaključenih sa korisnikom – fizičkim licem)</i></p> <p>Date of adoption: 20 December 2024</p> <p>Weblink: <a href="https://www.nbs.rs/exp/ort/sites/NBS_site/documents/propisi/propisi-zk/privremeno_ogranicenje_kamatnih_stopa.pdf">https://www.nbs.rs/exp/ort/sites/NBS_site/documents/propisi/propisi-zk/privremeno_ogranicenje_kamatnih_stopa.pdf</a></p>	<p>The National Bank of Serbia has issued a Decision effective from 1 January to 31 December 2025. This Decision introduces a temporary limitation on interest rates, which banks must apply to credit agreements concluded with natural persons. For mortgage loans, the variable interest rate cannot exceed 5%, and the fixed interest rate cannot be contracted at a value higher than 5%. Furthermore, at the time of concluding the contract, the effective interest rate on a mortgage loan cannot exceed the statutory default interest rate reduced by 4.5 percentage points.</p> <p>Article 3-9</p>	Banks
b) Developments	A11 (2025), Report on Social Rights in Serbia in	The practice of initiating enforcement proceedings	Local self-government

<p>of safeguards to limit or prevent evictions</p>	<p>2024: A System Against the Poor – Social Rights Between Outdated Laws, Algorithmic Decision-Making and Neglect of International Obligations</p> <p><i>(Izveštaj o socijalnim pravima u Srbiji u 2024. godini: Sistem protiv siromašnih – socijalna prava između zastarelih zakona, algoritamskog odlučivanja i zanemarivanja međunarodnih obaveza)</i></p> <p>Weblink:  <a href="http://www.a11initiative.org/wp-content/uploads/2025/05/SISTEM-PROTIV-SIROMASNIH_Godisnji-izvestaj-2025.pdf">www.a11initiative.org/wp-content/uploads/2025/05/SISTEM-PROTIV-SIROMASNIH_Godisnji-izvestaj-2025.pdf</a></p>	<p>against residents of social housing in the <i>Kamendin</i> settlement continued in 2024. Due to accumulated debts for rent and utility costs, eviction proceedings were initiated against residents of 235 social housing units in <i>Kamendin</i>. One of the eligibility criteria for obtaining social housing is that the beneficiary must be a recipient of social assistance (unemployed). However, the total amount of social assistance is lower than the rent costs, making it impossible for beneficiaries to pay rent and cover utility expenses regularly. This inevitably leads to enforcement proceedings and eviction.</p> <p>p. 67</p>	
<p>c) Protection of vulnerable groups and intervention mechanism</p>	<p>Law on the Guarantee Scheme and Subsidy of Part of the Interest Rate as a Measure to Support Young People in Acquiring Their First Residential Property (Official Gazette of RS, N. 19/2025)</p> <p><i>Zakon o utvrđivanju garantne šeme i subvencionisanju dela kamate kao mera podrške mladima u kupovini prve stambene nepokretnosti</i></p> <p><i>Date of the adoption:</i> 6 March 2025</p> <p>Weblink:</p>	<p>The aim of the Law is to make it easier for young people to obtain a housing loan and purchase their first residential property. The state subsidises part of the interest rate, the down payment is significantly reduced, and the law also allows unemployed persons to take out a loan with a joint guarantor. The Law stipulates that young people between the ages of 20 and 35 may apply for a loan with a minimum down payment of one percent. The state subsidises two percentage points of the</p>	<p>Banks</p>

	<a href="https://www.paragraf.rs/propisi/zakon-o-utvrđivanju-garantne-sume-mera-podrske-mladima-u-kupovini-prve-nepokretnosti.html">https://www.paragraf.rs/propisi/zakon-o-utvrđivanju-garantne-sume-mera-podrske-mladima-u-kupovini-prve-nepokretnosti.html</a>	<p>interest rate for a period of six years.</p> <p>It is often stated in public discourse that these measures are populist and do not provide a systemic solution to housing policy,<sup>7</sup> and that housing cannot be effectively addressed through the <i>ad hoc</i> adoption of legislation on preferential housing loans without comprehensive analysis and meaningful public participation.<sup>8</sup></p>	
<p>c) Protection of vulnerable groups and intervention mechanism</p>	<p>A11 (2025), Report on Social Rights in Serbia in 2024: A System Against the Poor – Social Rights Between Outdated Laws, Algorithmic Decision-Making and Neglect of International Obligations</p> <p><i>(Izveštaj o socijalnim pravima u Srbiji u 2024. godini: Sistem protiv siromašnih – socijalna prava između zastarelih zakona, algoritamskog odlučivanja i zanemarivanja međunarodnih obaveza)</i></p> <p>Weblink:  <a href="http://www.a11initiative.org/wp-content/uploads/2025/">www.a11initiative.org/wp-content/uploads/2025/</a> </p>	<p>The A11 NGO report indicates that the practice of forced eviction of Roma families continued throughout 2024. These evictions were carried out without the issuance of formal eviction orders and were instead based on decisions concerning the removal of municipal waste. As a result, the dwellings inhabited by Roma families were classified as municipal waste on the grounds that they were not built from solid materials. Furthermore, no alternative accommodation was provided after the evictions. In several cases, the authorities proposed family separation,</p>	<p>Local self-government</p>

<sup>7</sup> Danas (2025), Why are so few young people interested in subsidised housing loans? ([Zašto je malo mladih zainteresovano za subvencionisane kredite za stanove?](#)), press release 14.08.2025

<sup>8</sup> KOMS (National Youth Council of Serbia) (2025), Alternative Report on the Situation and Needs of Youth in the Republic of Serbia – 2025 ([Alternativni izveštaj o položaju i potrebama mladih u Republici Srbiji - 2025](#)), Belgrade, KOMS, pp. 13-14.

	<p><a href="#">05/SISTEM-PROTIV-SIROMASNIH Godisnji-izvestaj-2025.pdf</a></p>	<p>offering to place parents in shelters for adults while referring children to children’s shelters. Although such conduct is prohibited under the Law on Housing and Building Maintenance (Article 87).</p> <p>pp. 59-66</p>	
<p>c) Protection of vulnerable groups and intervention mechanism</p>	<p>A11 (2025), Waiting list for the Shelter in Belgrade: Access to basic services is not a privilege, but a matter of survival for people living on the street.</p> <p><i>(Lista čekanja za Prihvatište u Beogradu: Pristup osnovnim uslugama nije privilegija, već pitanje života ljudi koji žive na ulici)</i></p> <p>Published on: 16 Decembre 2025</p> <p>Weblink: <a href="https://www.a11initiative.org/lista-cekanja-za-prihvatiliste-u-beogradu-pristup-osnovnim-uslugama-nije-privilegija-vec-pitanje-zivota-ljudi-koji-zive-na-ulici/">https://www.a11initiative.org/lista-cekanja-za-prihvatiliste-u-beogradu-pristup-osnovnim-uslugama-nije-privilegija-vec-pitanje-zivota-ljudi-koji-zive-na-ulici/</a></p>	<p>An NGO report indicates a negative trend in the capacity of the Shelter service, currently provided within the Belgrade Gerontology Centre (Voždovac municipality). All available places were already fully occupied by mid-December. As the service is intended for crisis of accommodation and urgent support, limited availability raises serious concerns. According to NGO sources, approximately 75 places in the Shelter and around 40 places in the Night Shelter are fully occupied. In addition, the City of Belgrade has not yet opened the much-needed day centres where people experiencing homelessness could stay warm during winter.</p>	<p>Local self-government</p>

### 3. Number of execution orders and actual evictions for private households

*Please provide data or estimates for 2025 or published in 2025, and as available for different categories (tenants/owners and as outlined in 2b and 2c) and any trends. Please indicate data limitations and justification for the choice of source(s) or lack of data*

Data on the number of execution orders and actual evictions concerning private households are not publicly accessible. According to information obtained from CSOs, the Chamber of Public Enforcement Officers, of the Republic of Serbia previously maintained detailed records on the number of enforcement procedures, including disaggregated data on evictions of natural and legal persons and on the types of real estate subject to enforcement. However, the Chamber no longer keeps separate records distinguishing between natural and legal persons, nor does it maintain specific registers by type of property. Consequently, only aggregate data on enforcement procedures across all types of real estate are available and there are no specific statistics relating to residential properties. Furthermore, the Chamber of Public Enforcement Officers has not responded to the official request for access to the above-mentioned data. Also, civil society organisations engaged in providing support to individuals and households affected by evictions do not maintain comprehensive, systematic, or any records regarding the total number of evictions that occurred in 2025.

There are no official statistics on the annual number of persons experiencing homelessness in Serbia.<sup>9</sup> The only source of official data remains the population census. According to the information provided upon request, the Statistical Office of the Republic of Serbia reported that the 2022 Population Census recorded 9,371 homeless persons, including 252 classified as primary homeless and 9,119 as secondary homeless. However, estimates from organisations such as the Red Cross of Belgrade, ADRA and other CSOs indicate that between 5,000 and 10,000 persons experience homelessness in Belgrade alone, with projections suggesting that several tens of thousands may be affected across the country.<sup>10</sup> In light of these discrepancies and the

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<sup>9</sup> Ministry of Construction, Transport and Infrastructure (2022), Guidelines on Protection from or During Forced Evictions Caused by Development Activities in Accordance with the Law on Housing and Building Maintenance ([Smernice o zaštiti od/prilikom prinudnih iseljenja izazvanih razvojnim aktivnostima u skladu sa Zakonom o stanovanju i održavanju zgrada ministarstvo građevinarstva, saobraćaja i infrastrukture](#)), May 2022, pp. 9-10.

<sup>10</sup> ADRA (2025), Report on Homelessness in Belgrade (and beyond): Personal Documents, Social Protection Services and Housing Solutions. ([Izveštaj o beskućništvu u Beogradu \(i šire\): lična dokumenta, usluge socijalne zaštite i stambena rešenja](#)), Belgrade, ADRA, January 2025, p. 2.

absence of regular data collection, it is not possible to provide annual reporting on trends in homelessness in Serbia.

## Annex – Promising practice

Promising practice	
Title (original language)	No promising practice has been identified for this thematic area.
Title (EN)	
Organisation (original language)	
Organisation (EN)	
Government / Civil society	
Funding body	
Reference (incl. URL, where available)	
Indicate the start date of the promising practice and the finishing date if it has ceased to exist	
Type of initiative	
Main target group	
Indicate level of implementation: Local/Regional/National	
Brief description (max. 1000 chars)	
Highlight any element of the actions that is transferable (max. 500 chars)	
Give reasons why you consider the practice as sustainable (as opposed to 'one off activities')	
Give reasons why you consider the practice as having concrete measurable impact	
Give reasons why you consider the practice as transferable to other settings and/or Member States?	
Explain, if applicable, how the practice involves beneficiaries and	

stakeholders in the design, planning, evaluation, review assessment and implementation of the practice	
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