***On behalf of Mr. Djordje Stanicic, Secretary General of the Standing Conference of Towns and Municipalities -  National Association of Local Authorities in the Republic of Serbia***

Dear Mrs. Balbin,

In reply to the Letter from the UN Special Rapporteur on extreme poverty and human rights Mr. De Schutter and  Special Rapporteur on adequate housing Mr. Rajagopal, sent on 22nd June 2021 to European and National City Networks and Associations, regarding laws and regulations which may result in criminalization of persons living in extreme poverty or homelessness, please find below answers of the Standing Conference Towns and Municipalities – National Association of Local Authorities in Serbia, to the questions posed in the abovementioned Letter, reflecting the state of play at local level in the Republic of Serbia:

**1)    Does your city, province/canton, federal state, or national State have any laws or regulations in place that prohibit begging, eating, sleeping, or performing personal hygienic activities in all or certain public places? Could you kindly share as well the text of relevant legal norms?**

Local regulations in the field of social protection do not prohibit begging, eating, sleeping, or performing personal hygiene activities in all or certain public places.

**2)     Could you kindly provide your views as to whether or not regulations relating to begging applicable in your jurisdiction are compatible with the above mentioned UN human rights standards and the judgment of the European Court of Human Rights in the case of *Lăcătuş v. Switzerland*?**

The competencies of the local level of government do not refer to sanctioning begging, but to supporting people in a state of social need because “every individual and family in need of social assistance and support in order to overcome social and life difficulties and create conditions for basic needs have the right to social protection, in accordance with the law. Social protection rights are ensured through the provision of social protection services and material support.” (Law on Social Protection, "Official Gazette of the Republic of Serbia ", nr. 24/2011, art. 4)

**3)     Has your local, regional or national Government adopted any measures to decriminalise begging, eating, sleeping or performing personal hygienic activities in public places? Is your Government planning to undertake such measures in light of the judgement of the EuropeanCourt on Human Rights? If so, could you kindly explainwhat is envisaged, and which obstacles you may be facing?**

Local regulations in the field of social protection ensure respect for the principle of respect for the integrity and dignity of users, the principle of non-discrimination, the principle of the best interests of users, in accordance with the Law on Social Protection (Law on Social Protection ("Official Gazette of the Republic of Serbia ", nr. 24/2011), art. 24-26)

**4)     Which measures are in place in your municipality, province/canton/federal State to support people living in poverty from having to resort to begging, sleeping, washing, defecating or performing other hygienic activities in public places because they do not have access to employment, social assistance, adequate housing, public showers and toilets?**

The rights to other forms of material support (one-time financial assistance and other types of /assistance – people’s kitchen) are available to people in the street situation, as well as drop-in shelter services (from the group of daily community services) and accommodation services under the jurisdiction of local self-government (primarily shelters) in those LGUs that provide them, based on the Law on Social Protection ("Official Gazette of the Republic of Serbia ", nr. 24/2011, art. 110,111. i 209) and in accordance with the Rulebook on detailed conditions and standards for the provision of social protection services (Rulebook on detailed conditions and standards for the provision of social protection services ("Official Gazette of the Republic of Serbia ", nr. 42/2013, 89/2018 i 73/2019). The drop-in shelter service is available to children, young people, adults, and the elderly who live or work on the street and voluntarily request or agree to the service. The purpose of the drop-in shelter service is to provide temporary or occasional interventions and meet the current needs of users, as well as to mediate in ensuring the availability of other services in the community. The activities of the drop-in shelter service, in accordance with the assessment of the needs of the users, include: providing meals for the users; providing conditions for maintaining personal hygiene; procurement of clothing and footwear and providing conditions for their maintenance; providing accommodation; mediation in ensuring the availability of services in the community (health, educational, social, legal, etc.); education and support of users in acquiring basic life skills; providing psycho-social support. Among the target groups of accommodation services in the shelter are children and young people who are wandering, unaccompanied and in various crisis situations, who need temporary accommodation and needs assessment to refer to the use of other services, as well as adults and the elderly in crisis situations, homeless and beggars. The shelter accommodation service is aimed at establishing a sense of security as a basis for further progress and empowerment of users, in order to raise their capacity for safe living and inclusion in the community. Accommodation services are provided through program activities, which, in accordance with the assessment of user needs, provide: meeting basic living needs and ensuring a safe and pleasant environment, development and preservation of user potential, legal support, support in education and employment (Rulebook on detailed conditions and standards for the provision of social protection services, "Official Gazette of the Republic of Serbia ", nr. 42/2013, 89/2018 and 73/2019, art. 77-79, 25, 26. i 29).

As far as housing care is concerned, this type of housing support is recognized in the Law on Housing and Building Maintenance ("Official Gazette of the Republic of Serbia", nr. 104/2016 and 9/2020 – other laws). Housing care is the temporary accommodation of a person until his / her housing needs are resolved, especially the homeless, a person whose apartment or house was damaged or destroyed in disasters, a person whose apartment or family house is endangered due to dilapidation or major damage, so it is an immediate danger to life and human health, etc. Housing care is provided by urgent procedure, when conducted by municipal / city administrations.

We are at your disposal for additional explanations.

Kind regards,

**Aleksandra Vukmirović**

**Head of Unit for EU Integration and International Cooperation**

M: +381 (0)64 870 33 17

T:   +381 (0)11 735 79 27

 