

On the frontlines of Serbia's struggle for housing justice

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MOVEMENT & MOBILIZATION

The privatization of the bailiff system in Serbia has led to a surge in evictions — a new organization has formed to fight for housing justice.

On a cold morning in the autumn of 2017, a group of neighbors, family members and housing activists rally to a call of a family in distress. They are locked inside their apartment, confronted by two goons and a lawyer representing a man who claims to be the new owner of the home. A bailiff is standing on the side, waiting for the family to sign a paper renouncing their claim on the property. Ten policemen are waiting outside the door and in the courtyard, preventing a group of housing activists from entering the stairwell.

The family had fallen into debt a few years back, but they have since managed to repay the loan. The court ignored this fact, proceeded with the foreclosure and the bailiff auctioned their flat with an estimated worth of €90.000 euros for merely €25.000.

Six hours pass, the owner of the house faints, falls to the ground and suffers an epileptic seizure lasting two hours. His wife struggles to keep the two bulky men from carrying him away. The activists call an ambulance, but the police — tired, shaken, but still following orders — won't let the medics in. Under a barrage of insults, threats and persuasion they cave in and let them through. Seizing the opportunity, the activists slip by the weary officers and barge into the flat.

Twenty people are now squatting the flat demanding that the bailiff and the police leave. They do and so does the lawyer. It seems that the siege is over. Two hours later, someone knocks on the door. The lawyer of the new owner, escorted by hooded thugs with clubs and metal bars, has returned to finish the eviction.

Seeing that people are still inside the flat, they leave after a brief exchange of threats.

The family is still living in their flat today; the eviction has been put on hold while they are fighting in the courts for the right to their home.

Their story is shared by many others — families, pensioners, single mothers, workers, refugees and war veterans who are struggling against evictions in Serbia. Over the past eight years, since the system of private bailiffs and their extended power to implement foreclosures was introduced, the constant attack on tenants and their right to housing has left many in a state of constant fear.

The crackdown on housing rights did not go unanswered. Individual acts of resistance led to a formation of a nationwide movement and an organization that stands at the forefront of the struggle for housing justice — the Roof.

ROOTS OF THE EVICTION EPIDEMIC

Before the breakup of Yugoslavia, more than 50 percent of all housing was “societal housing”, provided through workers’ monthly contributions. In the early 1990s, the need to fill up state coffers to fund the military during the Yugoslav war led to the decision to allow public companies and state institutions to sell off societal flats.

The housing fund was abolished and all forms of state and cooperative housing ceased to exist. As a result of this “transition”, Serbia today has a high percentage of home ownership — 98.3 percent is privately owned — but the owners are mostly poor and struggle to pay maintenance costs and utility bills.

Those who refused — or missed out — on the opportunity to invest in this newly-privatized real estate, struggled on the housing market that developed at the beginning of the new millennium. Stripped from life savings through inflation and unemployment, many were forced to get loans from speculative, mostly foreign banks and buy their homes from dodgy private

investors that sometimes sold the same — usually unfinished apartments — multiple times.

The self-managed and state-owned construction sector faced the same bleak economic prospects as other sectors during the transition to capitalism. Construction giants such as Trudbenik and Komgrap that provided high quality flats on a mass scale were privatized and then went bankrupt.

Over 800.000 refugees, mainly Serbs and Roma, fled from neighboring states to Serbia during the wars in Croatia, Bosnia and Kosovo. Since the state stopped investing in social housing, many of the refugees still live in improvised collective housing centers. Under these circumstances home ceased to be a place of refuge from the hardships of life and became another battleground of class struggle.

ACCELERATING THE DEMISE OF THE WORKING CLASS

In order to access credit in Serbia, an individual’s total assets need to be provided as collateral. In many cases this means their home. In a country of unregulated, low paid labor where 25 percent of the population lives on the brink of poverty and 7.2 percent lives in extreme poverty, privately owned houses and apartments are often the only assets available for seizure.

The eviction epidemic started with the privatization of the eviction protocol in 2011. Through legislative changes, the state introduced private bailiffs as a supposed solution to the problem of “inefficient enforcement” of court verdicts — previously done by public court bailiffs. This reform was adopted by the ruling center-right Democratic Party’s government under pressure from the European Union.

While the narrative designed for the general public was that the private bailiffs would provide working people with a quick way to collect back payments of their salaries the reality fell short of this promise.

Instead of workers from privatized and ruined factories being able to claim their redundancy

pay and wages, the law only accelerated the demise of the already impoverished working class. Justice became accessible only to those who were able to pay the bailiff fee. The new enforcement system provided banks, loan sharks, utility companies, corporations and wealthy tycoons with an additional tool for the dispossession of poor and indebted members of society.



The design of the new system implies the bailiff's personal interest in the enforcement process. Since bailiffs have the power to decide how the debt will be repaid, it often happens that they choose to sell a flat even for a relatively small debt. The bailiff is the one who assesses the value of the property and is also the one who sells it, keeping a hefty commission.

Since their services are expensive, they are not affordable for working class people. Flats and houses are sold at auctions that are often organized in obscure and isolated places. Homes are often sold at prices much times lower than the estimated market value, and there have been cases where buyers have been other bailiffs, their relatives or people close to them. Other buyers are wealthy individuals, banks and loan sharks.

Peoples' misery doesn't end with their flats being sold. The debtor is required to pay the enforcement fee for being kicked out of their own flat. At the end of 2017, a single mother was thrown out of a flat that she bought but subsequently lost when it was restituted to a previous owner. A bailiff who grossed €800.000 that year alone, charged them €11.000 for the cost of her enforcement "services".

Bailiffs are assisted by the police or private security firms. Evictions often involve the forced removal of people from their homes and communities, frequent aggressive behavior and intimidation by the bailiffs, the police and private security. On more than one occasion, social service workers threatened mothers to take away their children if they failed to comply

with eviction orders. In late 2018, a man's dog was euthanized on the spot when the bailiff came to evaluate his property while he was not home.

In Serbia, the state has no obligation to protect the evicted. The institution of emergency accommodation has been abolished and there is no housing support for the homeless.

DEBT ENFORCEMENT

With the legislative changes that came into force in 2016, private bailiffs were renamed "public bailiffs" to hide the true nature of their work. Control over the bailiffs was transferred from courts to the bailiffs themselves — complaints about fraud and irregularities now are to be submitted to the ones who allegedly committed them.

This cartel of 215 "public bailiffs" established a racket through which they ruthlessly enforce debts with the assistance of the police. In addition to acting on court decisions, bailiffs also act on so-called "credible documents" from creditors — such as utility or phone company bills and debts towards banks — without prior court verdicts. At the beginning of 2019, bailiffs were tasked with enforcing more than 300.000 individual cases of debt in a country of six million inhabitants.

Today, the enforcement of debt repayments has become paramount — it can be done from dawn till dusk, under extreme weather, during holidays and without taking health and socio-economic status of the people being evicted into account. People often lose not only their homes, but also their furniture and family heirlooms, which are auctioned off. Public bailiffs also confiscate up to two-thirds of debtors' salaries and pensions. There have been cases of illegal confiscation of social benefits and alimonies.

The privatization of the bailiff system, aimed at dismantling the so-called "debtors lobby", gave rise to a new stratum of the middle class that is profiteering from the bailiff system — bailiffs, sales agents and auction hosts, moving companies, better-off buyers, locksmith and private security firms. Debt enforcement

continues even when irregularities or frauds have been identified in the court — nothing delays the swift hand of the so-called justice of the capitalist state.

In 2017 alone, 3,736 real estate seizures were carried out, according to the Chamber of Bailiffs, while the daily newspaper *Politika* states that more than 3,000 families have been evicted from their apartments in the last seven years. Homelessness is being produced at the same rate of new housing blocks.

In Belgrade, over 15 percent of its nearly 700.000 apartments is vacant, while in other cities this number can rise up to 20 percent. At the same time, Serbia is the European champion in terms of overcrowded housing with more than half of the households classified as such.

GROWING REPRESSION OF THE HOUSING MOVEMENT

At the beginning of 2017, several left-wing organizations and individuals founded a housing justice organization called the Roof (Združena akcija Krov nad glavom). Through community organizing, advocacy work, research, awareness campaigns, protests, bank occupations and more than a hundred anti-eviction actions, the organization has played a crucial role in shifting the ideological paradigm — evictions are no longer viewed as private affairs of indebted individuals, but as the illegitimate dispossession of ordinary people by the rich, which must be resisted.

More and more people who are struggling with housing problems are joining the movement. The main goal of the Roof is to struggle for a society where no one will be homeless, a society where the right to a home is guaranteed.

Solidarity and self-organization of people in the streets has been growing. Neighbors and co-workers are getting increasingly involved in anti-eviction actions and the state is pressuring the movement. As of now, members of the organization are faced with more than 20 individual criminal charges for obstructing police — each carrying a potential prison sentence from one to three years.

In April 2019 the police took 17 activists of the Roof who gathered in solidarity with Mandić family in Novi Sad into custody. The Mandić family had invested €40.000 in a joint construction effort together with another family who owned the land. They gave the money in advance, without a written contract, counting on the verbal agreement. Instead of honoring the agreement the landowners took the money and filed a lawsuit against Mandić family. Without written proof that they gave the money to the landowners Mandić family lost the case and were evicted from the half-finished house.

Another mass arrest took place in the summer of 2018, when police surrounded a building where 22 refugees from Kosovo, Bosnia and Croatia had been occupying empty flats for the past ten years. The Commissariat for Refugees was determined to evict them. Activists charged the police line and managed to break through to the building and block the entrance. They were all rounded up and sent to the police station. Thanks to the heroic efforts that were televised, the eviction was canceled and the Commissariat agreed to negotiate.

Last June, two activists of the Roof were attacked and brutally beaten on the university campus by two masked men. The same men had been seen plastering “Serbian Right” posters on the campus — a right-wing proxy party that does the dirty work for the ruling Serbian Progressive Party.

This attack clearly reveals the reactionary role of the various right-wing organizations that are under the direct control of the government. They serve as a tool for dealing with people who are fighting for a better and just society. This attack is an example of increased repression and the determination of the state to criminalize solidarity by all means necessary.

“NO ONE WITHOUT A HOME, A HOME FOR ALL — NOW!”

After two years of intensive street mobilizations and anti-eviction struggles, the government reacted to the mounting pressure by changing the Law on Enforcement. The law was drafted with the support of the EU, USAID and the

Council of foreign investors, but without the participation of the Roof and the public, without prior public debate and quickly voted through parliament during the summer of 2019.

Instead of addressing pressing grievances with the current system of evictions, the state criminalized solidarity by implementing fines and prison sentences for “eviction obstruction”. When the law comes into force, even filming an eviction procedure will be deemed as “obstruction of the eviction process” and can land you in prison. The law also ramped up eviction costs as a way of discouraging people from resisting. This is a clear indication that the state stood up for the protection of the bailiffs’ and unscrupulous creditors’ interests.

In June 2019, as an attempt to pressure the law makers, the Roof organized a public protest under the slogan “No one without a home, a home for all — now!” The rally began with a minute of silence for Ljubica Stajić, who had committed suicide a few days before by setting her apartment on fire.

Several days later, activists of the Roof protested outside the European Union embassy in Serbia

and demanded a meeting with the European Delegation chief — since EU institutions have been supporting the implementation of the law on enforcement. The EU had praised the results of the bailiffs in its report on the progress of Serbia in EU integration, and had secretly funded and organized so-called round table discussions about the law that had been closed for the general public. The European Delegation avoided a meeting with activists of the Roof in which the question of the EU’s responsibility in the process of passing this criminal law was to be raised.

Thanks to the pressure from organized resistance, evictions have become difficult to ignore; instead of giving up, more and more people choose to defend their homes by seeking help in their communities. The struggle is spreading from the capital to other cities, towns and villages and a new nationwide movement for the right of housing is within sight.

What has changed in the last two years is that the dispossessed are no longer left to their own means.

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