Ministry for Human and Minority Rights and

Social Dialogue

Sector for Human Rights

Belgrade, 12 August 2022

**Contribution to the Report – OHCHR Annual thematic study on the rights of persons with disabilities and support systems**

**1 (а).**

**I**

* *Constitutional, legal and bylaws framework*

The Constitution of the Republic of Serbia[[1]](#footnote-1)stipulates that all are equal before the Constitution, and law, and prohibits any form of discrimination, based particularly on mental or physical disability. Furthermore, to persons with disabilities special social protection shall be guaranteed (Article 69).

The Republic of Serbia ratified in 2009 the Convention on the Rights of Persons with Disabilities and Optional Protocol[[2]](#footnote-2). The initial report on the implementation of this Convention was presented in 2016, while the subsequent report will be submitted in 2023.

At the beginning of 2020, Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled, was adopted[[3]](#footnote-3).

[The Law on Prevention of Discrimination Against Persons with Disabilities](https://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/%20eli/rep/sgrs/%20skupstina/zakon/2006/33/1/reg)[[4]](#footnote-4) regulates general mode of prohibition of discrimination based on disability, special cases of discrimination of persons with disabilities, procedure for the protection of persons exposed to discrimination, and measures undertaken for encouraging equality and social inclusion of persons with disabilities.

[The Law on Sign Language](http://www.parlament.gov.rs/upload/archive/files/cir/pdf/zakoni/2015/673-15.pdf)[[5]](#footnote-5) regulates the use of sign language, learning of sign language, right to use of services of a sign language interpreter, the manner of the use of services of a sign language interpreter, measures for encouraging the application and improvement of sign language through informing and education in sign language, and other issues of importance for the use of sign language.

For harmonisation with the *Hyogo Framework of Action in the period 2005−2015* and *Sendai Framework for Action in the period 2015−2030,* in whose focus is the very status of persons with disabilities, the Law on Disaster Risk Reduction and Management of Emergency Situations[[6]](#footnote-6) was adopted. Through the *participation and solidarity principle* the Law distinguishes persons with disabilities as a particularly vulnerable social group with a priority for evacuation and implementation of other measures and activities in disaster risk management, where the persons with disabilities and the persons taking care of them are exempt from the obligation of performing protection and rescue tasks. Besides, it is stipulated that information and communications shall be delivered in an accessible and easily understandable form and format, including sign language and Braille alphabet.

In the social welfare field, the laws which certainly relate to the welfare of persons with disabilities, are as follows: Law on Social Welfare[[7]](#footnote-7), Law on Rights of Beneficiaries of Temporary Accommodation Provided in Social Welfare[[8]](#footnote-8) and Social Card Law[[9]](#footnote-9).

In the field of education, the laws relating to support and overcoming barriers that limit the ability of communication and understanding in the Republic of Serbia, are as follows:

The [Law on Preschool Education](http://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/eli/rep/sgrs/skupstina/zakon/2010/18/6/reg) prescribes support to children from vulnerable groups and foresees that in the Preschool Curriculum, the manner of developing individualised access in providing educational and pedagogical work and support to children and families from vulnerable social groups, observing the development, educational, healthcare and sociocultural needs of children, shall be elaborated. To children who need, due to social deprivation, developmental impairments and disabilities, additional support in education, the preschool institution shall provide elimination of physical and communication barriers, perform adjustments and, if necessary, ensure the implementation of an Individualised Education Plan (IEP1). Children with developmental impairments and disabilities shall exercise the right to additional support in a learning educational group, with an individualised plan or individualised education plan, and in a development group, pursuant to an Individualised Education Plan. The child shall be enrolled in the development group only on the basis of the opinion of an interdepartmental commission with the consent of parents, or other legal representatives. While attending the preschool programme, the development of the child shall be monitored and on the basis of the proposal of the Inclusive Education Team, the child can be transferred from the development group to the educational group.

The [Law on the Fundamentals of the Education System](https://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/eli/rep/sgrs/skupstina/zakon/2017/88/1/reg)[[10]](#footnote-10) does not permit differences in the education of children and students with developmental impairments and disabilities and other children and students. Furthermore, it prescribes that educational and pedagogical work for persons using sign language, i.e. special alphabet or other technical solutions, may be performed in sign language and with the tools provided in this language. The Law introduces Resource Centres with the aim of providing professional support to children, students and adults with developmental impairments and disabilities, their families and other educational institutions. Also, the development of *Individualised Education Plans* (IEP) is foreseen, aiming at optimal development of children and students and achieving educational outcomes in accordance with the prescribed goals and principles, and/or satisfying educational needs of children and students. The Law prescribes that an institution’s Development Plan shall also include *measures for the improvement of accessibility of adequate forms of support and reasonable adjustments as well as quality of education for children and students who need additional support*;...“. The school curriculum shall also include the manner of adjustments of work and conditions; goals and outcomes, as well as content of educational work and the manner of achieving additional support for pupils. This Law prescribes that when it is in the child’s best interest, the school may postpone the enrolment by one year.

The [Law on Secondary Education](https://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/eli/rep/sgrs/skupstina/zakon%20/2013/55/2/reg)[[11]](#footnote-11) foresees classes in sign language and with the help of tools of this language as well as the possibility of taking the secondary school final exams in conditions which provide overcoming of physical and communication barriers. Teams for inclusive education and providing school additional support shall prepare the conditions for organising and implementing the general secondary school final exams. Under the same conditions, the students shall perform the vocational and artistic graduation. Furthermore, the Law prescribes taking of the final exams of secondary vocational education in conditions which provide overcoming of physical and communication barriers; also, it is possible to make exemptions from taking an exam when it comes to school subjects, for which achievement standards have been adjusted during education, or taking an exam partially in accordance with the individualised education plan. School teams shall prepare plans for the organisation and implementation of the final exam for the students.

[The Law on Textbooks](http://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/eli/rep/sgrs/skupstina/zakon/2018/27/2/reg/)[[12]](#footnote-12) foresees *textbooks adjusted to* educational needs ofstudents with developmental impairments and disabilities. Furthermore, it defines *additional teaching tools* in accordance with the needs and capabilities of students and contributions to the fulfilment of goals and outcomes of the relevant subject. The Law prescribes that for educational and pedagogical work with children, students and adults with visual impairments, textbooks, manuals, additional teaching tools, didactic tools and didactic game tools shall be issued in Braille alphabet, in electronic form or adjusted formats (content in enlarged print, photos processed for the needs of visually impaired students, photographic magnifications, relief drawings, schemes, cards, audio, i.e. other forms or media). The provisions of this Article are accordingly applied to electronic supplementary material as well. The manual catalogue also contains manuals with adjusted alphabet and/or formats for students and adults with developmental impairments and disabilities.

The mentioned laws in the field of education are elaborated in more detail in the following Rulebooks:

* [Rulebook on the manner of textbook adjustment](https://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/eli/rep/sgrs/ministarstva/pravilnik/2020/21/7/reg)[[13]](#footnote-13);
* [Rulebook on more detailed instructions for determining the right to Individualised Education Plan, its application and evaluation](https://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/eli/rep/sgrs/ministarstva/pravilnik/2018/74/4/reg)[[14]](#footnote-14);
* [Rulebook on additional educational, healthcare and social support to children, students and adults](http://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/eli/rep/sgrs/ministarstva/pravilnik/2018/80/4/reg)[[15]](#footnote-15);
* [Rulebook on the criteria and standards for providing additional support in education of children, students and adults with developmental impairments and disabilities in the learning education group, i.e. other school and family](https://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/eli/rep/sgrs/ministarstva/pravilnik/2018/70/1/reg)[[16]](#footnote-16);
* [Rulebook on the final exam curriculum in primary education](https://www.paragraf.rs/propisi/pravilnik_o_programu_zavrsnog_ispita_u_osnovnom_obrazovanju_i_vaspitanju.html)[[17]](#footnote-17);
* [Rulebook on the secondary school enrolment](http://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/eli/rep/sgrs/ministarstva/pravilnik/2022/42/3/reg)[[18]](#footnote-18);
* [Rulebook on more detailed criteria for recognizing the forms of discrimination by employees, children, students or third parties in an educational institution](http://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/eli/rep/sgrs/ministarstva/pravilnik/2016/22/1/reg)[[19]](#footnote-19);
* [Rulebook on the actions undertaken by an institution in case of suspected or identified discriminatory behaviour and insult to reputation, honour or dignity of a person](https://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/eli/rep/sgrs/ministarstva/pravilnik/2018/65/2/reg)[[20]](#footnote-20);
* [Rulebook on pedagogical assistants and andragogical assistants](https://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/eli/rep/sgrs/ministarstva/pravilnik/2019/87/14/reg)[[21]](#footnote-21);
* [Rulebook on the Resource Centre](http://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/eli/rep/sgrs/ministarstva/pravilnik/2021/80/3/reg)[[22]](#footnote-22).
* Strategic framework

As regards strategic acts, the Government of the Republic of Serbia adopted the Strategy for the improvement of the position of persons with disabilities in the Republic of Serbia for the period 2020−2024[[23]](#footnote-23). The goal of the Strategy is to improve the overall social and economic position of persons with disabilities, and their equal participation in the society by removing obstacles in the area of accessibility, participation, equality, employment, education and training, social welfare, health and other areas of life, which contribute to equalizing their opportunities and achieving inclusive equality.

Another important strategic document of the Government in this field is the Strategy for deinstitutionalisation and development of social welfare services in the community for the period 2022−2026.[[24]](#footnote-24). This act should enable the development of social welfare services in the community, which will make the social welfare beneficiaries, who need more intensive support, to fulfil most of their needs in their environment out-of-institutions. It is primarily directed at persons with intellectual and mental impairments, who are at the greatest risk of being placed in an institution and social exclusion.

As regards the measures undertaken, we could emphasise the following:

With the aim of removing barriers and creating conditions for the population of the deaf and hearing-impaired persons to exercise on an equal basis their rights and express their needs, the Ministry of Labour, Employment, Veteran and Social Policy (*MLEVSP*), *actively conducts open competitions,* thus supporting the activities of both Republic and Provincial Associations of Deaf and Hard of Hearing Persons and their organisations.

For the improvement of accessibility of information and removal of communication barriers, MLEVSP supported *funding of deaf interpreter services,* engaging deaf interpreters who contribute to the removal of communication barriers of deaf and hearing-impaired persons.

Furthermore, *funding of video relay services and deaf interpreter services in the field* was introduced, thus providing, by engagement of deaf interprets, through the City of Belgrade Organisation of Deaf Persons, in cooperation with the Association of Deaf and Hard of Hearing Persons of Serbia, deaf interpreter services to deaf and hearing-impaired persons from Serbia, the region and diaspora, in such a manner that the potential users of these service, for the fulfilment of their needs in the territory of Serbia and Belgrade, can make calls to the Video Relay Centre.

In 2021, MLEVSP allocated *for the work of the Republic and Provincial Associations and 44 local associations of deaf and hard of hearing persons a total amount of RSD*34,922,634 (EUR 295,954), of which to the Association of Deaf and Hard of Hearing Persons of Serbia and local organisations it includes, for the interpreter service and video relay centre, total amount of RSD 13,215,240 was approved, while for the interpreter service of the Association of Deaf and Hard of Hearing Persons of Vojvodina, the amount of RSD 318,000 was approved, while for the interpreter service in provincial organisations, the amount of RSD 4,368,000 was approved.

An example of cooperation and joint action for the improvement of the position of persons with disabilities is the *National Centre for Serbian Sign Language Interpreting*, which officially started to operate in September 2021. Its services will be available 24 hours a day.

*In competitions for the improvement of the position of blind and visually-impaired persons, for the work of the Republic and Provincial Associations and 44 local associations they include,* MLEVSP allocated in 2021 total amount of RSD 29,764,286 (EUR 252,239) as follows: for the support to the Association of the Blind of Serbia and for 32 associations it includes, RSD 20,993,286, and for support to the Association of the Blind of Vojvodina and 12 associations it includes, RSD 8,761,000.

*MLEVSP* *provided* in the previous multi-annual period, *inter alia*, *funds for complete reconstruction and renovation of the warehouse for storage of Braille books of the Library “Dr. Milan Budimir“* in the amount ofRSD 5,902,410 (EUR 50,020). This is the largest library of this type in the Balkans and one of the biggest in Europe, possessing a modern audiobook recording studio, multimedia room and three Braille printers.

The Ministry of Education, Science and Technological Development performed the *Analysis of the activities undertaken by higher education institutions in the Republic of Serbia for the improvement of accessibility and easier movement and communication of students with developmental impairments and disabilities*. The Analysis included 58 faculties, two University Rectorates (in Novi Sad and Pristina) and the Niš University Library. The faculties provided support to students in different ways (enlarged letter font, printed material which facilitates attending courses and provision of teaching/learning materials in electronic form, attending courses through Moodle learning platform, recording and production of audiobooks in the teaching/learning process, software for visually impaired persons, inductive loop, equipment for visually impaired persons – Braille printer, electronic magnifying glass, adequate software).

**II**

As could be seen from the already given answers, many regulations contain provisions which in the field of education guarantee procedures and support for providing and understanding information for children, students and adults, primarily through Individualised Education Plans, but also through other various forms of educational support, in accordance with the needs of children and students.

According to the [Rulebook on the Resource Centre](http://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/eli/rep/sgrs/ministarstva/pravilnik/2021/80/3/reg), the tasks of the Resource Centre in the community are performed by institutions granted the Resource Centre status by the Ministry of Education, Science and Technological Development, based on the fulfilment of the criteria as regards the quality of work, equipment, human resources and cooperation achieved. Among other tasks of the Resource Centre, the following are mentioned: providing support to the *professional orientation teams in primary schools, i.e. career guidance and counselling teams in secondary schools*; as well as providing *professional orientation and career guidance and counselling to students and adults*.

*Peer support* is foreseen within preventive and intervention measures prescribed in the mentioned [[Rulebook on the actions undertaken by an institution in case of suspected or identified discriminatory behaviour and insult to reputation, honour or dignity of a person](https://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/eli/rep/sgrs/ministarstva/pravilnik/2018/65/2/reg)](https://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/eli/rep/sgrs/ministarstva/pravilnik/2018/65/2/reg), particularly when it comes to activities and measures of support related to desegregation of students. Preventive activities are prescribed (providing additional support for the inclusion in the peer group and inclusive education through the measures of individualised education, intensive learning of Serbian language or the languages of national minorities, and other support measures in accordance with the needs of the participants in education), as well as activities implemented by the institution within the desegregation plan (forming a peer team for the support to newcoming students, inclusion of the student parliament and explaining the significance of its role in the whole process). Measures to be applied for individuals during the desegregation process are prescribed (organising intensive learning – individualised supplementary classes, additional classes and individualised work, adequate peer support to children and students who do not know the language of teaching, organising peer learning, everyday joint activities and educational and pedagogical work with peers from other school classes, and development of a transition plan to regular classes with the aim of inclusion and organising the seating arrangement of children and students in the classroom within a school class or group implying frequent rotations).

**III**

The Law on Movement Using Guide-Dogs[[25]](#footnote-25), adopted in 2015, provides respect for human rights and dignity of persons with disabilities; inclusion in all spheres of social life on an equal basis by enabling movement with the help of a guide-dog in all public facilities, public surfaces, workspace, as well as the use of all means of public transport; equality and prohibition of discrimination, which is enabled by exercising the right to liberty of movement as well as socially responsible business.

The Rulebook on medical technical aids provided from the mandatory health insurance funds[[26]](#footnote-26) determines the type, i.e. class and category of medical technical aids, indications, duration and renewal, as well as conditions and manner for exercising the right to aids provided to the insured persons by the Republic Fund of Health Insurance from the mandatory health insurance funds. The Rulebook also determines possible additional payment for the aids, as well as conditions and manner of realisation of the additional payment.

In the [Rulebook on additional educational, healthcare and social support to children, students and adults](http://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/eli/rep/sgrs/ministarstva/pravilnik/2018/80/4/reg), one of the measures is also adjustment of the environment by installing ramps, handrails, elevators, adjusting accessible toilets, adjusting accessible routes, by installing lamps, sign pads, signs for doors, mobility maps, installing audio and light signals, etc. A support measure is also providing transport to children, students and adults who cannot use means of public transport, and, if necessary, for their companions as well, for education purposes or use of other services of social and health insurance, regardless of the distance from the place of residence. Decisions on the provision of aids, such as cochlear implant, hearing aid, wheelchair, Braille machine, and the like, are made by the interdepartmental commission, which informs parents and/or other legal representatives and the adults, and refers them to the competent persons.

The mentioned Rulebook on the Resource Centre prescribes that one of the tasks is performing the assessment of adequate types of assistive technology, professional counselling and support. The goal of establishing a Resource Centre is the improvement of the quality of inclusive education.

Furthermore, the mentioned *Analysis of the activities undertaken by higher education institutions in the Republic of Serbia for the improvement of accessibility and easier movement and communication of students with developmental impairments and disabilities* shows that access ramps and accessible routes were provided by 37 faculties; installation of accessible toilets was confirmed in the answers of 13 faculties, while 20 faculties confirmed the installation of elevators. The answers also contain other examples of the improvement in accessibility and easier movement (tactile map for visually impaired persons, rubber tactile strips for facilitating safe movement of blind and visually impaired persons, lowered windows of the Service for Teaching and Student Affairs, and wide enough doors of all classrooms and amphitheatres to allow persons using wheelchairs to enter).

**IV**

In accordance with the Law on Social Welfare, persons with disabilities, as regards out-of-institution social welfare services within local communities, can get: daily services in the community (day care centre, home assistance, personal companion), independent living support services (personal assistance), as well as the right to allowance for assistance and care of other person and increased allowance for assistance and care of other person.

***Services:***

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| ***Beneficiaries of day care centre services for children, youth and adults with disabilities (provided by licensed service providers) during the year, 2017-2021*** | | | | | | | | | | | |
| ***Age*** | ***2017*** | | ***2018*** | | ***2019*** | | ***2020*** | | ***2021*** | |
| *0 - 5* | *5* | | *14* | | *11* | | *16* | | *9* | |
| *6 - 14* | *95* | | *195* | | *202* | | *168* | | *153* | |
| *15 - 17* | *32* | | *84* | | *97* | | *95* | | *97* | |
| *18 - 25* | *146* | | *393* | | *393* | | *372* | | *333* | |
| *26 - 64* | *294* | | *843* | | *917* | | *926* | | *972* | |
| *65 - 79* | *12* | | *15* | | *17* | | *29* | | *20* | |
| *80+* | *10* | | *21* | | *26* | | *7* | | *15* | |
| ***Total number of beneficiaries*** | ***594*** | | ***1565*** | | ***1663*** | | ***1613*** | | ***1599*** | |
| *Source: Reports of licensed service providers* | |  | |  | |  | |  | |  | |
| ***Beneficiaries of personal companion*** ***services during the year (provided by licensed service providers), 2017 - 2021*** | | | | | | | | | | | |
| ***Age*** | *2017* | | *2018* | | *2019* | | *2020* | | *2021* | |
| *0 - 5* | *13* | | *41* | | *65* | | *86* | | *141* | |
| *6-14* | *462* | | *788* | | *1028* | | *1488* | | *2014* | |
| *15 - 17* | *99* | | *147* | | *235* | | *358* | | *427* | |
| *18+* | *42* | | *45* | | *77* | | *179* | | *178* | |
| ***Total number of beneficiaries*** | ***616*** | | ***1021*** | | ***1405*** | | ***2111*** | | ***2760*** | |
| *Source: Reports of licensed service providers* |  | |  | |  | |  | |  | |
| ***Beneficiaries of home assistance services during the year, provided by licensed service providers, 2017-2021*** | | | | | | | | | | | |
| ***Age*** | *2017* | | *2018* | | *2019* | | *2020* | | *2021* | |
| *0 - 5* | *9* | | *10* | | *3* | | *7* | | *11* | |
| *6 - 14* | *64* | | *74* | | *59* | | *60* | | *61* | |
| *15 - 17* | *28* | | *26* | | *35* | | *27* | | *31* | |
| *18 - 25* | *25* | | *39* | | *36* | | *41* | | *41* | |
| *26 - 64* | *1115* | | *1533* | | *1529* | | *1655* | | *1546* | |
| *65 - 79* | *5040* | | *6742* | | *7040* | | *6793* | | *7044* | |
| *80+* | *5727* | | *6998* | | *7579* | | *7415* | | *7704* | |
| ***Total number of beneficiaries*** | ***12008*** | | ***15422*** | | ***16281*** | | ***15998*** | | ***16438*** | |
| *Source: Reports of licensed service providers* |  | |  | |  | |  | |  | |
| ***Beneficiaries of personal companion*** ***services during the year, provided by licensed service providers, 2017-2021*** | | | | | | | | | |  | |
| ***Age*** | *2017* | | *2018* | | *2019* | | *2020* | | *2021* | |
| *18 - 25* | *12* | | *16* | | *19* | | *22* | | *27* | |
| *26 - 64* | *127* | | *169* | | *188* | | *229* | | *238* | |
| *65 - 79* | *14* | | *15* | | *17* | | *31* | | *29* | |
| *80+* | *0* | | *0* | | *0* | | *2* | | *2* | |
| ***Total number of beneficiaries*** | ***153*** | | ***200*** | | ***224*** | | ***284*** | | ***296*** | |

*Source: Reports of licensed service providers*

***Rights:***

* *Allowance for assistance and care of other person, increased allowance for assistance and care of other person*

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| ***Beneficiaries of the basic allowance for assistance and care of other person, 31/12/2017-31/12/2021*** | | | | | |
| ***Age*** | ***2017*** | ***2018*** | ***2019*** | ***2020*** | ***2021*** |
| *Children* | *3657* | *3828* | *3867* | *4369* | *4485* |
| *Youth* | *1152* | *1124* | *1132* | *1154* | *1157* |
| *Adults* | *5117* | *5212* | *5118* | *5251* | *5168* |
| *Seniors* | *6271* | *6071* | *5632* | *5602* | *5080* |
| ***Total number of beneficiaries*** | ***16197*** | ***16235*** | ***15749*** | ***16376*** | ***15890*** |
| *Source: MLEVSP* |  |  |  |  |  |
|  |  |  |  |  |  |
| ***Beneficiaries of increased allowance for assistance and care of other person, 31/12/2017-31/12/2021*** | | | | | |
| ***Age*** | ***2017*** | ***2018*** | ***2019*** | ***2020*** | ***2021*** |
| *Children* | *4028* | *4154* | *4113* | *4204* | *4334* |
| *Youth* | *2335* | *2336* | *2364* | *2372* | *2355* |
| *Adults* | *16187* | *16150* | *16110* | *15978* | *15434* |
| *Seniors* | *13329* | *13676* | *13751* | *13699* | *12678* |
| ***Total number of beneficiaries*** | ***35879*** | ***36316*** | ***36338*** | ***36253*** | ***34801*** |
| *Source: MLEVSP* |  |  |  |  |  |

In addition to the above stated, we would like to point out that the [Law on the Fundamentals of the Education System](https://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/eli/rep/sgrs/skupstina/zakon/2017/88/1/reg) prescribes that a personal companion is available to a child with disabilities or developmental impairments provided that the child is part of an educational institution until the end of regular schooling, including the completion of a secondary school. The Law envisages that support will be provided for a group of children or students in the institution, as well as assistance for the employees by a *pedagogue assistant* who will also cooperate with parents, other legal representatives, representatives of local self-government units, and other competent services.

**V**

In accordance with the Law on Social Welfare, persons with disabilities exercise the right to *independent living support services* (supported living services) and *accommodation services* (residential placement, foster care, respite housing), that is:

* + - * ***Independent living support services (supported living services)***

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| *Beneficiaries of supported living services for persons with disabilities, 2017.-2021* | | | | | |
| ***Age*** | *2017* | *2018* | *2019* | *2020* | *2021* |
| *18 - 25* | *4* | *2* | *2* | *3* | *1* |
| *26 - 64* | *28* | *24* | *24* | *18* | *19* |
| *65+* | *2* | *3* | *1* | *0* | *0* |
| ***Total number of beneficiaries*** | ***34*** | ***29*** | ***27*** | ***21*** | ***20*** |

*Source: Reports of licensed service providers*

* + - * ***Accommodation services (residential placement, foster care[[27]](#footnote-27), respite housing)***

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| *The number of beneficiaries with developmental impairments in housing facilities, 31/12/2017-31/12/2021* | | | | | |
| *Age* | *2017* | *2018* | *2019* | *2020* | *2021* |
| *Children* | *551* | *504* | *478* | *434* | *397* |
| *Adults* | *15197* | *16223* | *16651* | *15238* | *15931* |
| ***Total*** | ***15748*** | ***16727*** | ***17129*** | ***15672*** | ***16328*** |

*Source: Reports of housing facilities*

*Respite housing beneficiaries during the year (provided by licensed service providers) 2017-2021*

|  |  |  |
| --- | --- | --- |
| ***Age*** | ***2020*** | ***2021*** |
| *15 - 17* | *2* | *12* |
| *18 - 25* | *6* | *14* |
| *26 - 64* | *30* | *39* |
| *65 - 79* | *28* | *77* |
| ***Total number of beneficiaries*** | ***66*** | ***142*** |

*Source: Reports of licensed service providers*

**VI**

In addition to the mentioned forms of support, we would like to emphasise the following:

* *Wage compensation or salary compensation for absence from work due to special child care****[[28]](#footnote-28)****.*
* *The right to a special monetary compensation,*
* *Counseling-therapeutic and social-educational services*

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| ***The average number of beneficiaries of special monetary compensation 2017-2021*** | | | | | |
| *Year* | *2017* | *2018* | *2019* | *2020* | *2021* |
| *Average number of beneficiaries* | *537* | *539* | *550* | *561* | *556* |
| *Source: MLEVSP* |  |  |  |  |  |

**VII**

Material benefits in this field are part of the support provided through the social welfare system in the Republic of Serbia. One example is allocation of funds for the *right to the reimbursement of expenses of a stay in a preschool institution for children with developmental impairments and disabilities*.

**1 (б).**

The *MLEVSP* implements laws, policies, plans and strategies for individualised support to persons with disabilities, especially in the fields listed in the Questionnaire under IV,V,VI and VII.

The *MLEVSP* provided thefollowing financial support in 2021:

* *Programme competition for the improvement of the position of persons with disabilities in the RS in 2021* – this level is used for financing or participating in the financing of activities implemented in 33 unions of associations of persons with disabilities and 512 local organisations within the union in the amount of RSD 248,683,603 (EUR 2,107,488.16);
* *Permanent open competition for the improvement of the position of persons with disabilities in the RS in 2021* - this level is used for financing or participating in the financing of programmes implemented by the associations of persons with disabilities and other associations of citizens registered on the territory of the RS, whose goal is to improve the accessibility of physical environment, improve spatial and technical conditions for associations’ work, equalise opportunities of persons with disabilities, and other programmes that affect the improvement of the position of persons with disabilities, which ensured the financing of 106 different programmes. The total amount of RSD 180,022,055 (EUR 1,525,610) was used for these purposes;
* For purpose of exercising the right to exemption from payment of customs duties on the import of motor vehicles for persons with disabilities, VAT refund was paid to the persons with disabilities who were found to have a 100% physical impairment on one basis, in the total amount of RSD 7,392,812 (EUR 62,650), for 40 persons with disabilities who exercised the right to recovery of funds. A total of 28 transport companies received reimbursement of expenses for the transportation of persons with disabilities in the total amount of RSD 9,291,086 (EUR 78,738), while reimbursement of banking services expenses for the VAT paid for the import of motor vehicles for persons with disabilities, who exercise the right to recovery of funds, was made in the total amount of RSD 56,530 (EUR 480).

The service of a *personal companion for the child* is a social welfare service (group of services: daily services in the community) under the competence of the *MLEVSP*.

Forms of support in the field of education are budgeted by the Ministry of Education, Science and Technological Development, such as:

* Development and implementation of the IEP;
* Operation of resource centres;
* Adjustment of taking final exams;
* Additional support for children and students in preschool institutions, primary and secondary schools;
* Provision of customised textbooks;
* Ensuring equal conditions and access to education;
* Protection against discrimination;
* Possibility of learning sign language;
* Pedagogue assistants for working with children and students with developmental impairments and disabilities;
* Training for pedagogue assistants;
* External associate counsellors for inclusive education, education in the languages ​​of national minorities and protection from violence and discrimination;
* Application of affirmative measures for enrollment in a secondary school;
* Development of mechanisms of prevention and protection against discrimination, etc.

*The budget of a local self-government unit* provides funds for additional support for children and students in accordance with the opinion of the Interdepartmental Commission, except for the children and students for whom funds are provided in the RS budget, as well as funds for transportation, acoommodation and food for children and students with developmental impairments and disabilities and their companions, regardless of the distance of their place of residence from the school. The personal companion service is provided through a local self-government unit, which should establish this service with a special act that also regulates the manner of financing persons hired as a personal companion for the child.

**1 (ц).**

[*The Council for Persons with Disabilities*](http://www.infosavetosi.gov.rs/)is an expert and advisory body of the RS Government and deals with the issues of the social and economic position of persons with disabilities. The Council initiates initiatives for coordination in the process of adopting regulations, implementing legislative and other acts on the protection of persons with disabilitiees, and establishing cooperation with governmental and non-governmental international organisations that deal with the protection of persons with disabilities. Council’s tasks are the following: initiating mesaures to harmonise policies of the RS Government in the fields that refer to persons with disabilities, initiating the adoption of measures for creating coherent policies in this domain, recommendations for achieving social indicators in the field of care for persons with disabilities, proposing policies for exercising rights in accordance with the International Convention on the Rights of Persons with Disabilities, as well as other issues related to the improvement of the position in society.

*The National Organization of Persons with Disabilities of Serbia (NOOIS)* was founded on 22 July 2017 and represents the united movement of persons with disabilities in Serbia and the most important force in representing the interests and needs of over 800,000 persons with disabilities and their legal representatives. Namely, the informal network of civil society organisations that deal with the problems of persons with disabilities, which had been operating for decades, grew into a formal network with a legal status that year. Through their organisations and the NOOIS directly, persons with disabilities participate in the work of the Council for Persons with Disabilities and monitor the work of all competent authorities and bodies in the Republic of Serbia when dealing with issues of importance to all persons with disabilities.

On this occasion, we would like to point out that in 2014, the RS Government formed the *Council for Monitoring the Implementation of the Recommendations of the UN Human Rights Mechanisms[[29]](#footnote-29),* with theaim of fulfilling the recommendations from the Second Cycle of the Universal Periodic Review. This mechanism ensures an insight into the quality and dynamics of the execution of internationally accepted obligations under the direct competence of state authorities, which will result in the improvement of the status of human rights and the position of vulnerable groups of society with the adequate implementation of recommendations. The work of the Council is based on the principle of inclusion and the principle of transparency. Inclusion implies that, in addition to executive authorities, the Council also includes the representatives of the Parliament, independent bodies, civil society organisations and other relevant actors in its work. The Council included civil society organisations in its work by preparing and concluding the Memorandum. A total of 14 civil society organisations have signed the Memorandum with the Concil so far, inlcuding the organisations whose work focuses on persons with disabilities. Since part of the recommendations refers to persons with disabilities, it is clear that this mechanism contributes to the improvement of the position of people with disabilities, as one of the most vulnerable social groups.

On this occasion, we would like to point out that the Law on Social Entrepreneurship[[30]](#footnote-30) was also adopted in February 2022, whose implementation will start in November 2022. A broad consultative process was conducted during the adoption of the Law. The Law regulates the area of activity of social entrepreneurship, the legal status, rights and obligations of entities, conditions for acquiring, registering and terminating the status of social entrepreneurship, the concept and support of socially vulnerable groups, encouragement of the development of social entrepeneurship, reporting, supervision and other issues of importance for social entrepeneurship. The objective of this Law is creating a favourable business environemnt for the development of social entrepeneurship, developing awareness of the importance of social economy and social entrepreneurship and meeting identified social needs. This Law defines socially vulnerable groups as groups of citizens who need additional systemic support in order to be included in the community life as equal, which certainly include persons with disbilities. The Law prescribes the provision of active support through employment and improvement of business operations of social entreprises, which will be more precisely determined with the *Social Entrepreneurship Development Programme*, which the Government will, at the proposal of the *MLEVSP,* adopt on a five-year basis. This Law prescribes the establishment of the *Council for Social Entrepreneurship* whose work is based on the public-private partnership, that is, it consists of an equal number of the representatives of the public and private sectors.

Funds were provided for the support of companies for professional rehabilitation and employment of persons with disabilitiees in the form of wage subsidies for employed persons with disabilities in the amount of RSD 644,855,644 (EUR 5,464,878). This right was exercised by 63 companies. Also, the financing of 48 companies’ applications for the improvement of working conditions for about 1,010 persons with disabilities was supported through a public call, in the amount of RSD 175,000,000 (EUR 1,483,050).

**1 (д).**

The Council for Persons with Disabilities, in its new composition since 2021, coordinates with the competent state authorities the adoption of legal regulations, monitors the execution of assumed inernational obligations, improvement of cooperation with civil society organisations and considers the issues of social and economic position of persons with disabilities. The NOOIS and other unions of associations of persons with disabilities are an important partner in the creation of a policy aimed at protecting the rights and improving the position of persons with disabilities.

In that sense, representative organisations of persons with disabilities have their representatives in the NOOIS, and through the NOOIS, in the Council for Persons with Disabilities. In this manner, the organisations can monitor the work of all competent authorities and bodies in the RS dealing with the issues that are important for all persons with disabilities, as well as with creating and proposing activities that are important for their members, which will be conducted by the competent authorities.

The state directed its financial support to the programmes implemented by unions and associations, and programmes whose objective is to increase the level of inclusion of persons with disabilities in the social and economic life of society are particularly important. Cooperation with unions of associations of persons with disabilities exists both in the process of preparation of a programme competition and submission of applications for the competition, as well as in the implementation of planned activities. Support is aimed at further strengthening the capacities of companies for professional rehabilitation and employment of persons with disabilities, as a special form of employment of persons with disabilities. In this regard, in 2021, financial support was provided to the organisations implementing programmes of public interest through two open competitions (Programme and Permanent open competition) in the total amount of RSD 428,705,658.87 (EUR 3,633,098.80).

Also, in accordance with the Regulation on funds for encouraging programmes or the missing part of funds for financing programmes of public interest implemented by associations[[31]](#footnote-31), the Ministry of Education, Science and Technological Development also supports on a yearly basis programmes of public interest and importance for pre-university education which are implemented by citizens’ associations. One part of the funds is intended for the programmes of improvement and development of social and educational inclusion of children with developmental impairments and disabilities. Through projects, organisations contribute to the development of inclusive education and the inclusion of children and persons with developmental impairments and disabilities in social life.

**2 (а).**

All the laws and regulations stated in the first part of the Questionnaire are relevant.

Key strategies that deal with the mentioned support systems have been mentioned and are the following: [Strategy for the improvement of the position of persons with disabilities in the Republic of Serbia for the period 2020-2024](http://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/eli/rep/sgrs/vlada/strategija/2020/44/1/reg); [Strategy for education development in the Republic of Serbia until 2030](http://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/eli/rep/sgrs/vlada/strategija/2021/63/1/reg), as well as the Strategy for prevention and protection against discrimination for the period 2022-2030.

*The* *Joint Body for Support and Coordination of the Supervision of the Work of Interdepartmental Commissions* exists at the national level and consists of high-ranking representatives of four line ministries: the Ministry of Education, Science and Technological Development, the Ministry of Health, the MLEVSP and the Ministry of Public Administration and Local Self-Government, as well as the representatives of other authorites and bodies. Interdepartmental commissions have been establihsed and operate at the level of all local self-governmnet units (municipalities, cities). The commissions’ task is to assess the need for additional support, recommend additional support, monitor implementation of proposed support measures, and assess the need for changing support measures in education, social welfare and health care.

**2 (б).**

Financing of the system is more closely described in the answer to question No. 1.

**3.**

The entire normative and strategic framework that was mentioned is aimed at the improvement and development of support systems.

On this occasion, we would also like to point out that the project “*Enhanced Equal Access to and Completion of Pre-University Education for Children in Need of Additional Suport in Education (Learning Together)”,* financed by the European Union and implemented by the Ministry of Education, Science and Technological Development and UNICEF Serbia, during the three years of implementation (2021-2024), will directly affect further development and improvement of inclusive education in Serbia. The project is planned to cover at least 10 percent of schools in Serbia through strengthening the competencies of 4,000 experts in education and other fields, as well as about 1,000 professionals from all interdepartmental commissions in Serbia. The plan is to support the development of professional learning communities and mentor support for educators through the model of an institution for inclusive education, work of expert associate advisors, activities of recourse centres and work of inclusive education networks in 20 municipalities that are directly involved in the project. The project will contribute to the eestablishment and development of the work of three resource centres and the procurement of assistive technologies to support the education of students with developmental impairments and disabilities, and it will also support the work of the National Coalition for Inclusive Education. The project will improve the [Framework for Monitoring Inclusive Education in Serbia](http://socijalnoukljucivanje.gov.rs/wp-content/uploads/2014/10/Okvir-za-pracenje-inkluzivnog-obrazovanja-u-Srbiji.pdf), which was created in 2014, and the Study of Financing Inclusive Education will also be created.

**4.**

More detailed information is provided in the statistics provided in the answer to question No. 1. / IV, V and VI.

**5.**

At the beginning of the COVID-19 pandemic, persons with disabilities were not sufficiently recognised as a particularly affected group. People who use wheelchairs and people with intellectual disabilities were particularly at risk.

However, through cooperation of competent institutions, a number of problems concerning accessibility of various services in the field of health, education, work and employment, freedom of movement, functioning of the support services have been resolved. A great challenge was to adequately respond to specific needs in conditions that have not been seen before. The functioning of the support service of personal assistants, personal companions and home assistance was provided in cooperation with competent institutions. Difficulties related to the restriction of movement of persons with intellectual disabilities and their companions have been overcome.

Persons with impaired hearing were provided with adequate access to important information, websites and officials’ statements.

Education of children with disabilities was a great challenge, especially in terms of access to education of children with intellectual disabilities and sensory impairments.

In terms of health care, people on dialysis were affected the most. In cooperation with the MLEVSP, the NOOIS provided a sufficient amount of disinfectants, masks and other protective equipment that was distributed to unions and associations, and then to persons with disabilities.

The *MLEVSP* formed a Viber group, which helped people with disabilities in terms of obtaining information and building stronger mutual connection.

A study on the situation of persons with disabilities during the pandemic was published on the NOOIS’ website, which contains in-depth interviews and filled in questionnaires by state authorities, which ensured the adoption of adequate recommendations in key areas and creation of a more favourable legal framework during the pandemic.

1. *Official Gazette of the Republic of Serbia*, Nos. 98/2006 and 115/2021 [↑](#footnote-ref-1)
2. *Official Gazette of the Republic of Serbia* – International Treaties, No. 42/2009 of 2 June 2009 [↑](#footnote-ref-2)
3. *Official Gazette of the Republic of Serbia* – International Treaties, No. 1/2020 [↑](#footnote-ref-3)
4. *Official Gazette of the Republic of Serbia,* Nos. 33/2006 and 13/2006 [↑](#footnote-ref-4)
5. *Official Gazette of the Republic of Serbia,* No. 38/2015 [↑](#footnote-ref-5)
6. *Official Gazette of the Republic of Serbia*, No. 87/18 [↑](#footnote-ref-6)
7. *Official Gazette of the Republic of Serbia*, No. 24/2011 [↑](#footnote-ref-7)
8. *Official Gazette of the Republic of Serbia*, No. 126/2021 [↑](#footnote-ref-8)
9. *Official Gazette of the Republic of Serbia*, No.. 14/2021 [↑](#footnote-ref-9)
10. *Official Gazette of the Republic of Serbia*, Nos. 88/17, 88/17, 27/18, 10/19, 6/20 and 129/21 [↑](#footnote-ref-10)
11. *Official Gazette of the Republic of Serbia*, Nos. 55/2013, 101/2017, 27/2018 – other law, 6/2020, 52/2021, 129/2021 – other law, and 129/2021 [↑](#footnote-ref-11)
12. *Official Gazette of the Republic of Serbia*, No. 27/18 [↑](#footnote-ref-12)
13. *Official Gazette of the Republic of Serbia*, No. 21/2020 [↑](#footnote-ref-13)
14. *Official Gazette of the Republic of Serbia*, No. 74/2018 [↑](#footnote-ref-14)
15. *Official Gazette of the Republic of Serbia*, No. 80/2018 [↑](#footnote-ref-15)
16. *Official Gazette of the Republic of Serbia*, No. 70/ 2018 [↑](#footnote-ref-16)
17. *Official Gazette of the Republic of Serbia*, No. – Education Gazette, Nos. 1/11, 1/12, 1/14, 12/14, 2/18 and 3/21 [↑](#footnote-ref-17)
18. *Official Gazette of the Republic of Serbia*, No. 42/2022 [↑](#footnote-ref-18)
19. *Official Gazette of the Republic of Serbia*, No. 22/2016 [↑](#footnote-ref-19)
20. *Official Gazette of the Republic of Serbia*, No. 65/2018 [↑](#footnote-ref-20)
21. *Official Gazette of the Republic of Serbia*, No. 87/2019 [↑](#footnote-ref-21)
22. *Official Gazette of the Republic of Serbia*, No. 80/2021 [↑](#footnote-ref-22)
23. *Official Gazette of the Republic of Serbia*, No. 44/20 [↑](#footnote-ref-23)
24. *Official Gazette of the Republic of Serbia*, No. 12/22 [↑](#footnote-ref-24)
25. *Official Gazette of the Republic of Serbia*, No. 29/2015 [↑](#footnote-ref-25)
26. *Official Gazette of the Republic of Serbia*, Nos. 5/2020, 42/2020, 133/2020, 18/2022 and 36/2022 [↑](#footnote-ref-26)
27. The Republic Institute for Social Protection (RISP) does not have reliable data on the number of foster care beneficiaries with disabilities. [↑](#footnote-ref-27)
28. The RISP does not have reliable data on the number of beneficiaries of these rights. [↑](#footnote-ref-28)
29. *Official Gazette of the Republic of Serbia*, Nos. 140/2014 and 11/2020 [↑](#footnote-ref-29)
30. *Official Gazette of the Republic of Serbia*, No. 14/22 [↑](#footnote-ref-30)
31. *Official Gazette of the Republic of Serbia*, No. 16/2018 [↑](#footnote-ref-31)