

**Republic of Serbia**

**Government**

**UNIVERSAL PERIODIC REVIEW- UPR**

**THIRD CYCLE**

**MID-TERM REPORT OF THE REPUBLIC OF SERBIA**

**2018-2020**

**Belgrade, February 2021**

**Introduction**

Within the third cycle of UPR (January 2018), the Republic of Serbia received a total of 190 recommendations, of which it accepted 175 and noted 15 recommendations, on the basis of which the Council for Monitoring the Implementation of the Recommendations of the UN Human Rights Mechanism updated the Recommendation Implementation Plan. Upon return of the state delegation, on 13 February 2018, a public hearing was organised in the National Assembly of the Republic of Serbia in cooperation with the National Assembly Committee on Human and Minority Rights and Gender Equality, where the recommendations received by our country from the UN Human Rights Council were presented. The public hearing was attended by MPs, representatives of competent state bodies and institutions, civil society organisations, the Protector of Citizens, the Commissioner for the Protection of Equality, as well as representatives of the United Nations agencies and the OSCE Mission to Serbia.

Protection and promotion of human and minority rights remain a priority of the Government of the Republic of Serbia even in the period when the whole world has been facing the crisis caused by the COVID-19 pandemic. Fight for the citizens` lives and preservation of their health postponed the original plan for submitting this report. Also, the dynamics of the original reporting plan was influenced by elections held in the Republic of Serbia (parliamentary, provincial and local elections).

After the elections, the institutional capacities of the Government of the Republic of Serbia were strengthened by establishing the Ministry of Human and Minority Rights and Social Dialogue, the Ministry of Family Care and Demography and the Ministry of Rural Care. The Ministry of Human and Minority Rights and Social Dialogue has taken over the responsibilities and employees from the Office for Human and Minority Rights and the Office for Cooperation with Civil Society, which has raised the field of activity to a higher level and achieved continuity in professional work of monitoring the implementation of the recommendations of the UN Human Rights Mechanism.

Preparation of the Mid-term Report for the UPR began in July 2020 through establishing a multisectoral team for development of the report. It was proposed to the departments in charge of implementing the recommendations that members of the delegation of the Republic of Serbia from the Third Cycle of the UPR be included in the work of the team. Having in mind the importance and the fact that this type of report is to be submitted by the Republic of Serbia for the first time, in addition to the representatives of the executive, there have also been included the representatives of the legislative and judicial branches of authorities, the Platform of Organistions for Cooperation with UN Human Rights Mechanisms, the Protector of Citizens and the Commissioner for Protection of Equality, the Anti-Corruption Agency, the Regulatory Authority of Electronic Media, as well as the UN Human Rights Team and the OSCE Mission to Serbia.

The Recommendation Implementation Plan for the UPR was the subject of comments and harmonisation at the first meeting of the multisectoral team for development of the Mid-term Report (September 2020). The Recommendation Implementation Plan for the UPR contains: recommendation, department responsible for its implementation, indicators of implementation, relation with: recommendations of the UN treaty bodies, Sustainable Development Goals from the 2030 Agenda, Action Plan for Negotiating Chapter 23 within the process of Serbia's accession to the European Union and recommendation status. This approach has enabled all processes that take place in the field of protection and promotion of human rights to be connected into one unit.

Relating the UPR recommendations to the recommendations of the United Nations treaty bodies made it possible to identify already developed indicators, which were worked on in the previous period by civil society organisations, international organisations and competent state bodies and institutions. Proposals for indicators for UPR recommendations, which could not be determined by relating the recommendations, were made by the then Office for Human and Minority Rights with the support of consultants from the UN Human Rights Team in Serbia. All indicators were included in the Recommendation Implementation Plan for UPR and were discussed at the meeting of the multisectoral team, which was also attended by a representative of the Platform of Civil Society Organisations for Cooperation with UN Human Rights Mechanisms. This way of developing indicators is an example of good cooperation of all relevant actors in order to better monitor the implementation of recommendations. The Recommendation Implementation Plan is available on the website of the Government Council for Monitoring the Implementation of Recommendations of UN Human Rights Mechanism[[1]](#footnote-1).

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| **NO.** | **CLUSTER, THEMATIC UNIT** | **RECOMMENDATION** | **BODY RESPONSIBLE FOR IMPLEMENTATION** | **INDICATORS** | **RELATION WITH THE UN TREATY BODIES` RECOMMENDATIONS** | **RELATION WITH SDGs** | **RELATION WITH AP 23** | **ACTIVITIES UNDERTAKEN AND THE RECOMMENDATION STATUS** |
|  | **PREVENTION OF DOMESTIC VIOLENCE** | **(113.46)**  **Double efforts in effective prevention of all forms of violence against women (Indonesia)** | **Ministry of Justice**  **Ministry of Human and Minority Rights and Social Dialogue**  **Ministry of the Interior**  **Coordination body for gender equality**  **Ministry of Culture and Information** | ***Work on adopting the new AD strategy***  ***New anti-discrimination strategy adopted, providing for women as a vulnerable group and relevant measures and activities***  ***Work on adopting a new strategy for prevention and combating domestic violence and intimate partner relatioship violence against women***  ***Strategy for prevention and combating domestic violence and intimate partner relatioship violence against women has been adopted***  ***The strategies have been implemented***  ***Reports by the Commissioner for Protection of Equality***  ***Number of applications***  ***Number of cases***  ***Number of judgements***  ***Penal policy*** | **21.Human Rights Committee(2017)**  **22.24,30 Committee for incrimination of discrimination against women (2019)**  **26,28 Committee for economic, social and cultural rights (2013)**  **16. Committee against torture (2015)** | ***Goal 5***  ***Goal 16*** | **Activity 3.4.2.1. Adoption of the new Law on Gender Euality in order to fully comply with acquis and provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence**  **Activity 3.4.2.2.**  **Conduct impact analysis of the National strategy for gender equality for the period 2016-2020**  **Activity 3.4.2.3.**  **Development of a new strategic framework in the field of gender equality**  **Activity 3.4.2.8.**  **Conducting training of the employees in public bodies regarding gender equality in order to efficiently coordinate implementation and implementation monitoring of the gender equality policies** | **Having in mind that the Strategy also provides for monitoring process and assessment of its implementation success, then Office for Human and Minority Rights in Serbia conducted an analysis of implementation of the Strategy of preventing and protecting against discrimination for the period 2014-2018. Also, Baseline for new strategic document was developed. Priority of the newly established Ministry of Human and Minority Rights and Social Dialogue shall be adoption of anti-discrimination strategic documents and laws.**  **In May 2020 the Government of the Republic of Serbia adopted the Strategy for preventing and protecting children against violence for the period 2020-2023 with the Action Plan for the period 2020-2021.**  **In 2019, development of the National strategy for prevention and combating domestic violence and intimate partner relationship violence against women** |

Source: Council for monitoring the implementation of the UN recommendations-Example of the Recommendation Implementation Plan for UPR

The recommendations from the UPR, after the multisectoral team members` coordination, were grouped into 27 thematic units for the purpose of more efficient reporting and monitoring.

Based on the established mechanism for monitoring the UN recommendations, for the first time the Republic of Serbia is submitting a voluntary Mid-term Report within the Third Cycle of the UPR. The Ministry of Human and Minority Rights and Social Dialogue coordinated the process of preparing the contributions and drafted the Report. The report covers the period from the beginning of 2018 to the end of 2020.

The answers of the competent departments show that implementation of each of the recommendations is ongoing, as well as in which areas the work must be intensified in order to achieve the desired goals. An assessment of the implementation status of each of the recommendations will be presented in the final report.

Given the pandemic of the COVID-19 coronavirus, it was not possible to organise the public presentation of this document in the format used until then, but that was not an obstacle for the report to be available to the public and discussed through online consultations and comments. Also, the draft Report was published on the website of the Council for Monitoring the Implementation of Recommendations of UN Human Rights Mechanism.[[2]](#footnote-2)

Bearing in mind that, based on UN Security Council Resolution 1244 (1999), governing the Autonomous Province of Kosovo and Metohija is within the competence of the UN Mission in Kosovo and Metohija, the Republic of Serbia is not able to ensure the implementation of international treaties and human rights standards in this part of its territory. In accordance with the mentioned Resolution, UNMIK is responsible for the promotion and protection of human rights on the territory of the Autonomous Province of Kosovo and Metohija. When submitting the reports on the implementation of ratified UN conventions, the Republic of Serbia always requested that UNMIK inform the competent treaty bodies on the application of the standards from the valid conventions in the Autonomous Province of Kosovo and Metohija.

**The role of the national mechanism for monitoring UN human rights recommendations in drafting the UPR Mid-term Report**

The Council for Monitoring the Implementation of Recommendations of UN Human Rights Mechanism has been functioning in the Republic of Serbia since 2014[[3]](#footnote-3) as the only one in the region and one of the few in the world, a national mechanism for monitoring UN human rights recommendations. After the formation of the Government in 2020, an initiative was launched to amend the Decision on the Establishment of the Council, in order to carry on its continuity in work, and expand its composition with members from the Ministry of Human and Minority Rights and Social Dialogue, Ministry of Family Care and Demography and the Ministry of Youth and Sports. Professional, administrative and technical support to the Council`s work will be provided by the Ministry of Human and Minority Rights and Social Dialogue.

In order to better coordinate activities in the field of monitoring recommendations and more efficient communication with the Council, contact persons and their deputies have been appointed in all departments in charge of implementing the recommendations. In the previous period, the Council paid special attention to strengthening their capacities in order to monitor the Recommendation Implementation Plan, collecting and processing data, as well as developing indicators for recommendations that Serbia received from the United Nations human rights mechanisms. In the period from the beginning of 2018 until today, three two-day workshops were held with representatives of civil society organisations, the Protector of Citizens, the Commissioner for Protection of Equality, UNICEF, UN Women, the UN Human Rights Team and the OSCE Mission to Serbia participating in addition to the contact persons.

**Transparency and inclusiveness of the Council's work**

Specificity of the Council`s work, which is in line with the principles of its work, is the fact that the Council`s work from the very beginning included representatives of the National Assembly Committee for Human and Minority Rights and Gender Equality. This has contributed to a significant number of public hearings held since its establishment, at which the general public had the opportunity to get acquainted with the results of the dialogue with UN human rights mechanisms and themes important for improving the human rights situation. In this way, the cooperation between the legislative and executive authorities was achieved. Serbia had its last dialogue with CEDAW in February 2019, after which the Concluding Observations of the competent committee with recommendations were first handed over to the Speaker of the National Assembly, and then delivered to all relevant bodies and institutions at all levels.

The Protector of Citizens, the Commissioner for the Protection of Equality and the Commissioner for Information of Public Importance determined the modality of participation in the Council`s work, whether it was through attending sessions, giving recommendations, etc. The crucial thing is that they are part of the process of following the recommendations and attending all sessions of the Council. As these institutions also refer recommendations to state bodies and institutions, their practice and experience are relevant to the work and activities of the Council. At the same time, many of these recommendations correspond to the recommendations of the UN human rights mechanisms.

Transparency of the process implies that civil society organisations also participate in the Council`s work. The Council has concluded memoranda with 14 civil society organisations. Having in mind the interest of a large number of civil society organisations to contribute to the Council`s work, the Council initiated the establishment of a special mechanism for cooperation with the Council - the Platform of Organisations for Cooperation with UN Human Rights Mechanisms (currently consisting of 17 CSOs). The Platform's involvement in the work of this body does not impede the independence of civil society organisations and the ability to submit shadow reports to human rights mechanisms. The Council sees the Platform as a partner for co-operation with UN human rights mechanisms and continues, with the OHCHR in Serbia, to support their work. An example of good practice of cooperation of the Council with the Platform is a public hearing which, supported by UN Women in Serbia, was organised in February 2019 before the consideration of the Fourth Periodic Report on the implementation of the CEDAW Convention. This was the first time in Serbia that a discussion was held at the same time about shadow reports and the state report.

Since the very beginning of its establishment, the Council has been cooperating with the UN Human Rights Team in Serbia, as well as the OSCE Mission to Serbia. Also, UNICEF and UN Women in Serbia contributed to the work of the Council in respect of developing indicators for recommendations related to improvement of children and women`s position.

**Recommendation Implementation Plan**

Since 2015, the Council has been maintaing a special *Recommendation Implementation Plan*, which is updated after each presentation of state reports and currently contains 392 received and accepted recommendations of the UN human rights mechanisms. The Plan contains the text of the recommendations, departments responsible for implementing the recommendations, deadlines, indicators, relation with the Sustainable Development Goals, notes and status. During the preparation of the Mid-term Report for the UPR, the Recommendation Implementation Plan was expanded to include additional columns: relation with the recommendations of UN treaty bodies and the Action Plan for Negotiating Chapter 23: Judiciary and the Fundamental Rights in the EU accession process.

The Recommendation Implementation Plan shows that the relevant institutions must clearly define their competencies and thus take full responsibility for implementing specific recommendations, which is a precondition for a positive outcome. Additional factors that contribute to more efficient implementation are periodic updates of the Recommendation Implementation Plan. This clear division of competencies and the role of the relevant institutions have been established to ensure that the recommendations are implemented.

**Development of indicators for recommendations of UN human rights mechanisms**

The specificity of the Recommendation Implementation Plan is that the results of the implementation of recommendations are measured through indicators. Competent institutions and civil society organisations are working together to develop indicators. This concept ensures the measurability of the implementation of recommendations, improves coordination in the implementation process and communication among all participants, and at the same time improves the process of preparing periodic reports.

In the reporting period, a consensus was reached by the Government Council for monitoring the implementation of recommendations of the UN human rights mechanism and civil society organisations regarding the indicators for the recommendations of the Committee on the Rights of the Child. In cooperation with the Child Rights Center and members of the Coalition for Monitoring the Child Rights which consists of the Belgrade Center for Human Rights, the Center for Social Policy, Astra and the Užice Child Rights Center, with the support of UNICEF, in 2019 the *Matrix of Indicators for Recommendations of the Committee on the Rights of the Child* was developed.

For the needs of developing the Matrix, numerous workshops were organised both by the Council and the Coalition for Monitoring the Child Rights. The Council's workshops were attended by contact persons in charge of monitoring the implementation of recommendations of UN human rights mechanism who were harmonising the proposed indicators with civil society organisations, representatives of the Protector of Citizens and the Commissioner for the Protection of Equality.

The coalition included 35 organisations in their workshops, whose work contributes to the improvement of child's rights. Children and young members of the Children's Information and Cultural Service at the Child Rights Center were involved in the entire process of developing the indicators, and they expressed their opinions which were taken into account in the process of developing the indicators.

Within the project *Monitoring the implementation of recommendations of the United Nations Committee on the Rights of the Child with a special focus on improving children's participation*, implemented by the Child Rights Center in cooperation with the then Office for Human and Minority Rights designed special online platform for children. Children and young people were given the opportunity to give their opinion on each of the Committee's recommendations on the online platform and thus get involved in the process of monitoring their implementation. Thanks to this Matrix, the Mid-term Report on the Situation of the Rights of the Child in the Republic of Serbia for the period 2017-2019 was prepared.

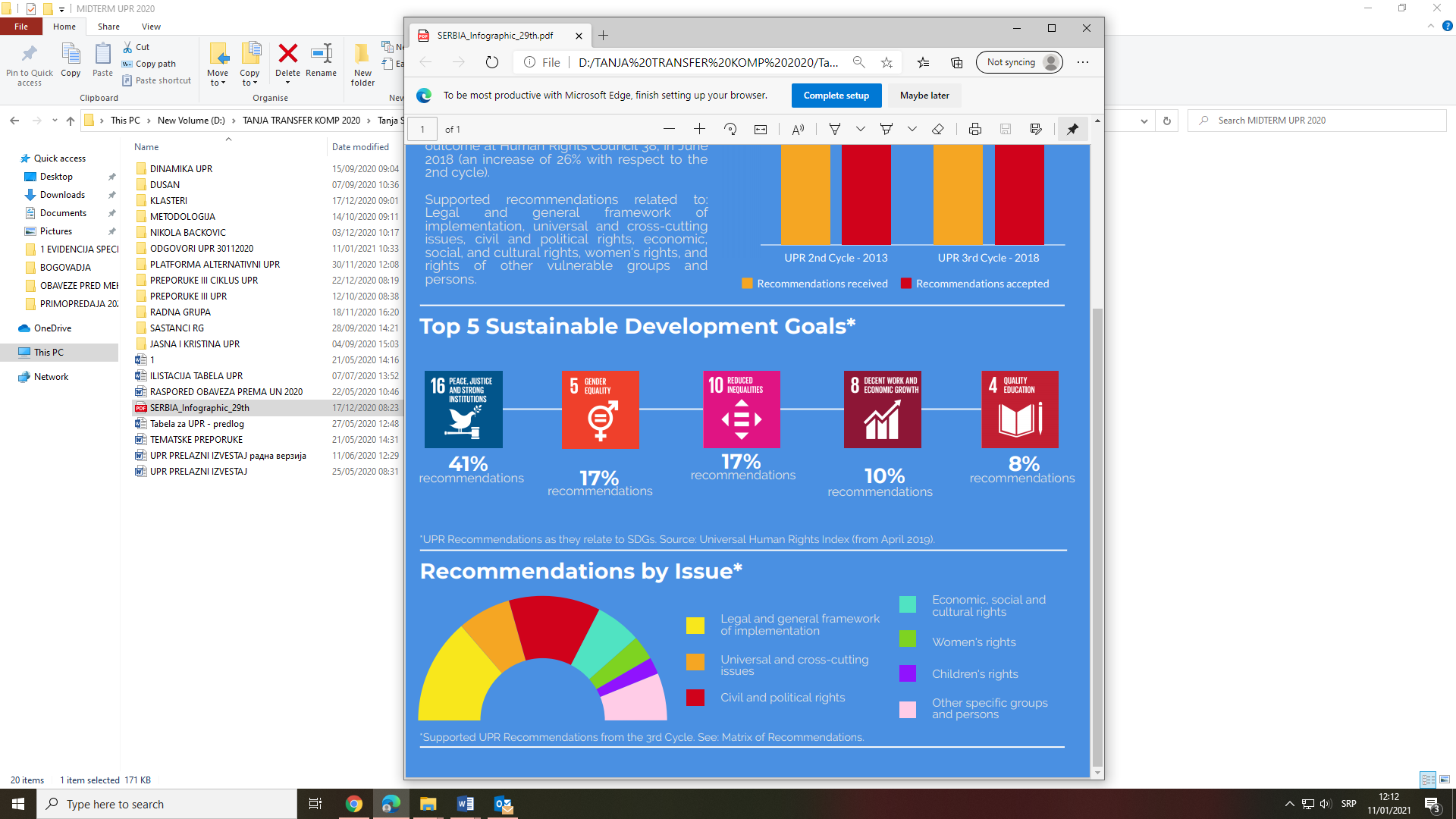
In addition to indicators for the recommendations of the Committee on the Rights of the Child, the Recommendation Implementation Plan also incorporates indicators proposed by the Platform of Organisations for Cooperation with UN Human Rights Mechanisms (for 55 recommendations by UN treaty bodies), indicators developed by UN Women in cooperation with civil society organisations CEDAW, as well as indicators developed jointly by the contact persons for monitoring the UN recommendation and civil society organisations at workshops organised by the Council.

Thanks to the support of the UPR Fund, indicators for recommendations from the Third Cycle of the UPR were developed, which enabled the preparation of the first interim report in the UPR process.

**Relation of UPR recommendations to recommendations of UN treaty bodies**

For the purposes of drafting the Mid-term Report for the UPR, all recommendations of the UN treaty bodies have been related to the recommendations received in the third cycle of the Universal Periodic Review.

**Relating the recommendations to the UN 2030 Agenda Sustainable Development Goals**



Within the Recommendation Implementation Plan through the column Sustainable Development Goals (SDGs) from the UN 2030 Agenda, we show how the implementation of a particular recommendation reflects on the implementation of SDGs and thus integrate all processes developing in the field of human rights in our country into one unit. The largest number of UPR recommendations relates to SDGs 16 (41%), followed by SDGs 5 and 10 (17%); SDGs 8 (10%) and SDGs 4 (8%).

**Relation of recommendations to activities from the revised Action Plan for Negotiating Chapter 23: Judiciary and Fundamental Rights**

The Action Plan for Negotiating Chapter 23: Justice and Fundamental Rights contains a large number of measures and activities that can relate to the recommendations of the Universal Periodic Review. Through the Recommendation Implementation Plan the activities from the action plan are identified, which can be directly related to a particular recommendation, thus ensuring that the human rights situation in Serbia is monitored in a comprehensive manner.

**Exchange of experience on the functioning of the national mechanism**

The Council will continue to work on improving the Recommendation Implementation Plan, with a willingness and openness to share this experience with other countries. For this reason, cooperation was established with representatives of Finland, Belgium and Austria, with whom experiences were exchanged regarding national mechanisms for reporting and monitoring recommendations within the third cycle of the UPR. Also, at the end of 2018, the Council organised a regional conference attended by representatives of Albania, Northern Macedonia, Montenegro and Bosnia and Herzegovina with the aim of exchanging good practices and experiences in the process of implementing the recommendations received from UN human rights mechanisms.

Serbia presented the national mechanism for monitoring UN recommendations on 19 September 2019, on the sidelines of the 42nd session of the UN Human Rights Council. The event was attended by representatives of over 20 United Nations member states, as well as representatives of international organisations and non-governmental organisations. It was concluded at the event that by establishing the Council, our country fulfilled all the requirements that were set at that time: to cooperate with the Parliament and civil society, as well as to relate the recommendations followed by Serbia to the UN 2030 Agenda Sustainable Development Goals.

**Cooperation with UN human rights mechanisms in the reporting process**

Within the process of reporting to the UN human rights mechanisms, all issues of importance for the fulfillment of international obligations were discussed at the sessions of the Council. In the reporting period, the Republic of Serbia submitted to the UN treaty bodies: Report on the Implementation of Recommendations Nos. 15, 33 and 39 in relation to the Third Periodic Report on the Implementation of the International Covenant on Civil and Political Rights (2018); Answers to additional questions regarding the Fourth Periodic Report on the Implementation of the Convention on the Elimination of All Forms of Discrimination against Women (2018); Report on the implementation of recommendations 16 and 17 in relation to the II-V Report on the Implementation of the International Convention on the Elimination of All Forms of Racial Discrimination (2018); Third Periodic Report on the Implementation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (2019); Third Periodic Report on the Implementation of the International Covenant on Economic, Social and Cultural Rights (2019); Sixth to Ninth Reports on the Implementation of the Convention on the Elimination of All Forms of Racial Discrimination (2020) and Answers to Additional Questions Concerning the Third Periodic Report on the Implementation of the International Covenant on Economic, Social and Cultural Rights. The Fourth Periodic Report on the Implementation of the Convention on the Elimination of All Forms of Discrimination against Women was presented to the Committee on the Elimination of Discrimination against Women. Also, in the reporting period, two thematic meetings were held with the participation of representatives of the Ministry of Justice, the Ministry of Foreign Affairs, the Office for Human and Minority Rights, the UN Human Rights Team in Serbia and civil society organisations regarding the enforcement of the Decision by the Committee against Torture.

**Steps to improve the following of recommendations**

The Council has initiated the development of the first electronic database, which will consist of the Recommendation Implementation Plan. It has been planned for the database to be interactive and constantly innovated and updated. The database will make the data accessible, public and transparent. When the database is fully developed, CSOs will be able to make entry of their assessments and comments on the implementation of recommendations.

Based on all the above, we conclude that the work of this mechanism enables more efficient consideration of recommendations, then the degree and quality of their implementation, improvement of cross-sectoral cooperation of competent departments, cooperation with civil society and relevant actors, as well as strengthening cooperation with United Nations mechanisms. In this way, the entire process of monitoring international agreements in the field of human rights has been completed and improved - from receiving recommendations through their implementation to drafting state reports which should show the achieved results in the field of human rights protection and the extent to which status of vulnerable social groups and enjoying the human rights of all citizens in Serbia have been improved.

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| **Recommendation**  **Number and country** | **CLUSTER I**  **COOPERATION WITH THE UN AND REPORTING PROCESSES** |
| 114.10  (Ukraine)  114.11  (United Kingdom) | The Republic of Serbia actively cooperates with the Office of the United Nations High Commissioner for Human Rights, as well as with the special procedures of the United Nations in the field of human rights, to which it sent an open invitation for visits in 2005. Since the first cycle of the UPR (2013), more than 400 requests from the Office of the United Nations High Commissioner for Human Rights and the UN Special Rapporteur on Human Rights have been answered. Serbia was visited by: N. Pillay, UN High Commissioner for human rights (June 2013); Ch. Beyani, UN Special Rapporteur on the human rights of internally displaced persons (October 2013 and September 2016), UN Working Group on Enforced Disappearances (June 2014); L. Farha, Special Rapporteur on the right to adequate housing (May 2015); K. Bennoune, Special Rapporteur in the field of cultural rights (June 2016), Special Rapporteur on the situation of human rights defenders (2017), N. Melzer, Special Rapporteur on torture (2017 and 2019).  The procedure for selecting national candidates for appointment to positions in the treaty bodies of the United Nations and the Council of Europe was established by the then Office for Human and Minority Rights in 2016. The procedure implies announcing public calls for the selection of candidates in accordance with the procedures valid in the Republic of Serbia, establishment of a commission for the selection of candidates consisting of representatives of the Ministry of Foreign Affairs, the Department for Human and Minority Rights, as well as the department responsible for the implementation of a particular convention, so that the entire selection process is transparent and inclusive. By said procedure, the candidates were selected and currently they represent Serbia in the UN Subcommittee against Torture, the UN Committee on Enforced Disappearances, the Advisory Committee of the Framework Convention for the Protection of National Minorities, the Committee of Experts on the European Charter for Regional or Minority Languages, the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, the European Commission against Racism and Intolerance and GRETA. In November 2020, a public call was announced for independent experts to apply for membership in the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment. |

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| **UPR recommendation**  **Number and country** | **CLUSTER II**  **IMPROVING THE LEGISLATIVE AND INSTITUTIONAL FRAMEWORK IN THE FIELD OF HUMAN RIGHTS** |
| 113.4  (Morocco)  114.37  (Palestine)  114.38  (Vietnam) | Within the continuous harmonisation of the Criminal Code[[4]](#footnote-4) with international standards during the process of Serbia's accession to the European Union, continuous work has been done on the harmonisation of criminal legislation with international norms. As the needs for amendments to the CC are numerous and arise from numerous negotiating chapters, it is not possible to implement all the amendments at the same time.  The Republic of Serbia is committed to environmental protection and at the international level is actively working towards fulfilling the obligations arising from the UN Framework Convention on Climate Change (UNFCCC) as well as the Paris Agreement on Climate Change. Serbia participated in the Summit on Climate Change on 23 September 2019 and, among other things, supported prominent initiatives on practical measures and ways to achieve the goals of the Paris Agreement on Climate Change, regarding the impact of climate change on human rights in the field of gender equality, cultural rights, health policy. In order to establish gender-sensitive reporting in the field of climate change, a framework for data collection, monitoring and reporting has been prepared, while the first Action Plan for gender mainstreaming in climate change policies under UNFCCC guidelines is being drafted. The Government has adopted a Negotiating Position for Chapter 27 - Environment and Climate Change, which creates the conditions for the opening of another very important chapter in 2020 as part of the EU accession process. The Ministry of Environmental Protection, with the support of UNDP, has prepared a Study on the socio-economic aspects of climate change, which specifically analyses the impact of climate change on vulnerable groups.  The Republic of Serbia regularly monitors the work of companies operating abroad within the framework of the implementation of the UN Guiding Principles on Business and Human Rights. |

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| **UPR recommendation**  **Number and country** | **CLUSTER III**  **OMBUDSMAN** |
| 113.5  (Poland)  113.6  (Algeria)  113.7  (Moldova)  114.14  (Ukraine)  114.16  (Ireland)  114.20  (Costa Rica) | The Protector of Citizens or Ombudsman is the national institution for human rights in Serbia, accredited in 2010 with the highest status "A" by the Global Alliance of National Human Rights Institutions (GANHRI). It was re-accredited in 2015 in the same status.  In practice, the Protector of Citizens has developed a very active cooperation in the international human rights system and civil society organisations. In the performance of his duties, the Protector of Citizens of the National Preventive Mechanism (NPM) cooperates with associations whose goal according to the statute is the promotion and protection of human rights and freedoms, in accordance with the law. Civil society organisations, members of the NPM, are selected following a competitive public call.  The capacities of the Protector of Citizens are continuously strengthening. Current staff capacities are: 89 employees, as follows: 79 for an indefinite period of time (of which 3 civil servants in an appointed positions and 4 state employees), 3 civil servants are employed for a definite period of time in the Protector of Citizens` Cabinet during his term, and 5 for a definite period due to increased workload and 2 civil servants for a definite period of time due to the replacement of an absent employee. A total of 74 employees perform jobs with higher education, and 15 with secondary education, 70 are women and 19 are men.  In the period from 6 December 2017 to 6 February 2018 the Ministry of Public Administration and Local Self-Government conducted public online consultations on the text of the draft Law on the Protector of Citizens. The draft law was published on the website of the Ministry, the e-Government portal and the website of the Office for Cooperation with Civil Society. No comments on the published draft were submitted during that period. In order to develop the best possible baseline for developing the draft Law on Amendments to the Law on the Protector of Citizens, at the end of 2018 a comparative analysis of the situation in EU countries in the field of work of the Protector of Citizens was made highlighting the following: analysis of procedure selection and termination of office, application of the national mechanism for prevention of torture, protection of the rights of the child, access of the Protector of Citizens to persons deprived of their liberty. In June 2019, the positions of the Venice Commission regarding the work of the Ombudsman were submitted to this ministry.  The Ministry of Public Administration and Local Self-Government has established direct cooperation with the newly elected Protector of Citizens. In September 2019, the Office of the Protector of Citizens submitted to the Ministry of Public Administration and Local Self-Government a proposed text of the new Law on the Protector of Citizens, which was then taken into consideration by the Special Working Group. Also, the Working Group cooperated with SIGMA experts regarding the comments they made on this proposed text, which refer to the extension of the scope to the judiciary, term of office, procedure and conditions for the election and termination of the Protector's term of office, reporting, etc. As certain provisions in the proposed text require additional consultations, after establishing the new Government, the Minister of Public Administration and Local Self-Government formed a Special Working Group on 28 December 2020 for developing the text of the draft Law on Amendments to the Law on the Protector of Citizens. The Protector of Citizens and the Deputy Protector of Citizens are also included in the Working Group. The Working Group is working intensively on the preparation of the text of the draft Law. The annual work plan of the Government provides for determination of the draft Law on Amendments to the Law on the Protector of Citizens in the third quarter of 2021, after which it will be sent to the National Assembly for adoption. |

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| **UPR recommendation**  **Number and country** | **CLUSTER IV**  **OMBUDSMAN FOR CHILDREN** |
| 114.17  (Mongolia)  114.19  (Slovakia) | The Protector of Citizens has repeatedly stated that the establishment of a new institution, which would also deal with the protection, promotion and monitoring of children's rights, will not improve the rights of the child. In the opinion of this independent state body, duplication of institutions is neither in the interest of the child nor in the interest of the citizens. In order to further strengthen the independence of the institution, the Protector of Citizens developed a working version of the new Law on the Protector of Citizens which incorporates international standards for the protection and promotion of the Ombudsman institution contained in the Venice Principles of the Council of Europe. The working version of the new Law on the Protector of Citizens pays special attention to the promotion of the rights of the child, so that the Protector of Citizens has the position of a special body for the protection and promotion of the rights of the child. For the performance of work in the field of children's rights, a special allocation of funds from the budget is envisaged, within the budget of the Protector of Citizens, while the Deputy Protector of Citizens who takes care of children's rights would get greater independence in work. The Protector of Citizens believes that the new institution in the protection of children's rights in the Republic of Serbia could not solve the problems and challenges in exercising the rights of the child, which the Protector of Citizens has been pointing out for years, but would be one more institution that would also point to them.  The Ministry of Labour, Employment, Veteran and Social Affairs, whose mandate included the family legal protection, developed the draft Law on the Rights of the Child and the Protector of the Rights of the Child, and the public debate was conducted in the period from 5 to 26 June 2019. The reason for adopting the Law on the Rights of the Child and the Protector of the Rights of the Child, among other things, is the state's desire to comprehensively regulate the rights of the child - from their definition, protection, improvement and promotion and to define a new state body of the Protector of the Rights of the Child who shall protect the position of children in society.  This ministry points out that establishing a special Protector of the Rights of the Child is a recommendation of the UN Committee on the Rights of the Child, which was sent to the Republic of Serbia in 2016. In the opinion of this ministry, the establishment of the Protector of the Rights of the Child would not duplicate institutions, but there would be only one independent body that has the legal position of the Protector of the Rights of the Child, which would certainly be in the interest of children and society. This ministry is of the opinion that such a body, with greater professional and other capacities than the current ones in the existing Protector of Citizens, would successfully consider the problems and challenges in exercising the rights of the child and work on their solution in cooperation with other bodies. |

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| **UPR recommendation**  **Number and country** | **CLUSTER V**  **HUMAN RIGHTS TRAINING SESSIONS** |
| 113.29  (Morocco)  113.35  (Algeria) | Reform activities continued in accordance with the Public Administration Reform Strategy in the Republic of Serbia[[5]](#footnote-5). After the enactment of the Law on the National Academy of Public Administration[[6]](#footnote-6) 2017 and the Law on Amendments to the Law on Civil Servants in 2018[[7]](#footnote-7), which improved the functional elements of professional development of civil servants, conditions were created for unhindered exercise of competencies of the National Academy of Public Administration. Also, the Law on Amendments to the Law on Employees in Autonomous Provinces and Local Self-Government Units as of 2018[[8]](#footnote-8) harmonises the system of professional development of employees in local self-government units with the entire system of professional development of employees in public administration, with the necessary adjustments to the extent relevant to specificities and the needs of employees and bodies and organisations in the system of local self-government.  The National Academy of Public Administration started operating in 2018 and maintained the continuity of professional training of civil servants, which was previously in the mandate of the Human Resource Management Service of the Republic of Serbia. The programme of general continuous professional development of civil servants contained several programme areas, including a special programme area of *Human Rights Protection and Data Privacy*. The programme area contained several different themes which refer to protection against discrimination, protection of human rights, mechanisms for monitoring the human rights situation in the Republic of Serbia, gender equality and gender-based violence, rights of persons belonging to national minorities, protection of classified information, personal data protection, enforcement of judgments of the European Court of Human Rights.  The National Academy of Public Administration keeps a central record of professional development programmes in public administration, i.e. record of professional development programmes in state bodies and local self-government units[[9]](#footnote-9). Since 2019 professional development of civil servants and employees in local self-government units has been taking place in accordance with the programmes adopted by the Government of the Republic of Serbia at the proposal of the National Academy of Public Administration. In this way, the conditions for equal access to the right to professional development of all employees in public administration are fully provided, in accordance with the unified criteria, values and standards of professional development in public administration.  *The General Training Programme for Civil Servants for 2019 and 2020* contains training programmes dedicated to, among other things, sustainable development and environmental protection (online training), protection of human rights, protection against discrimination, discrimination before public authorities, enforcement of judgments of the European Court of Human Rights, gender equality, the rights of persons belonging to national minorities, migration management, promotion of prevention and suppression of trafficking in human beings at the national level, and within the special area of ​​professional development Human Rights and Data Privacy.  Also, the *General Training Programme for Employees in Local Self-Government Units for 2019 and 2020* also contains a special area of ​​professional development that includes several training programmes dedicated to the exercise and protection of human and minority rights, including the exercise of the rights of persons belonging to national minorities in local self-government units, protection against discrimination before the bodies of local self-government units, exercise of rights of the child, basic elements of migration management, local action plans for improving the position of various categories of migrants, development and implementation of measures for social inclusion of Roma at the local level, gender equality in local self-government, improvement of prevention and suppression of trafficking in persons at the local level, implementation of the Law on Free Legal Aid. Currently, activities are being implemented regarding the preparation of training programmes for 2021.   |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | | Type of training /National Academy of Public Administration | **2018** | | **2019** | | **2020** | | | Number of training sessions | Number of participants | Number of training sessions | Number of participants | Number of training sessions | Number of participants | | Protection of human rights and data privacy | 19 | 255 | 17 | 324 | 9 | 481 | | Discrimination before the public bodies | 1 | 14 | 1 | 11 | 1 | 36 | | Protection of human rights and Protector of Citizens | 1 | 22 | 1 | 23 | 1 | 52 | | Protection against discirmination | 2 | 36 | 2 | 35 | 1 | 43 | | Rights of persons belonging to national minorities | 2 | 13 | 2 | 26 | 2 | 65 |   Source: National Academy of Public Administration  The human rights training programme was developed within both the initial and continuing training conducted by the Judicial Academy. In the reporting period, 12 training sessions on the topic "Implementation of anti-discrimination legislation" were conducted. Special mention should be made of the workshops on the topic "Protection of human rights and prevention of discrimination in the field of migration". There were also 50 training sessions on the topic "Minors as offenders of criminal offences and minors as victims of criminal offences", as well as 19 training sessions on the subject of Personal Data Protection and many others in the field of application of international human rights standards.  Also, in addition to training for employees in the judiciary, the Judicial Academy is authorised to provide initial training for qualified law graduates who aspire to professionally engage in the judiciary and professional training for judges, prosecutors and court staff.  Human rights education is also provided through the implementation of the Reference Framework of Competences for Democratic Culture. Within the project Education for All, which the ministry in charge of education is implementing with the Council of Europe, a manual for implementation of the Reference Framework is being prepared through all subjects and school activities of those values, attitudes, critical thinking and skills that belong to democratic competencies.  Themes that promote tolerance, anti-discrimination, absence of violence and civic values are continuous themes that are part of a large number of training sessions and other events organised by the education system.  One of the five priority areas of compulsory teacher training, determined by the Rulebook on Continuing Professional Development of Teachers, Pre-School Teachers and Professional Associates[[10]](#footnote-10) is: creating a tolerant and non-discriminatory environment for each individual, as well as prevention of violence, prevention of discrimination and inclusion of children from socially marginalised groups. In the Catalogue of the programme of continuing professional development of teachers, pre-school teatchers and professional associates for the school years 2018/2019, 2019/2020 and 2020/2021, there are a total of 32 programmes dealing with human rights.  There are seven programmes in the field of improving competencies for civic values, and 24 programmes aim to improve the capacity of teachers and other professional associates to act in the field of protection against gender-based violence and discrimination. The accredited programme/seminar *All our identities* stands out. The seminar has so far been implemented for seven times and attended by 140 participants, of which 12 men and 128 women who are teachers of Civic Education, classteachers, subject teachers of social subjects in primary and secondary schools. The programme goal: Inclusion of gender perspective in primary education through direct engagement of teachers, through their empowerment to introduce interventions in teaching content, as well as through changing attitudes about gender roles and gender relations, for further development of a fair and sustainable society. - Intersection, how gender identity intersects with others.  Civic education teachers have undergone the following training sessions: School without violence - Prevention of gender-based violence; Protecting students from human trafficking; Digital violence - prevention and response.  Distance training *Improving the capacity of educational institutions in the prevention and treatment of discrimination* (2020) aims to improve the competencies of employees in the system for implementing the Rulebook on a conduct of an institution in the event of suspicion or established discriminatory behaviour and insulting the reputation, honour or dignity[[11]](#footnote-11). The training gathered 350 educational advisors and inspectors, teachers, principals and pedagogues/psychologists from 60 schools in the Republic of Serbia.  The goal of the project *Cross-border intercultural cooperation of educational institutions of the Republic of Serbia and the Republic of Croatia* (2018) is to develop intercultural cooperation, mutual respect and appreciation, tolerance in intercultural environments and prevention of violence. During the project, two three-day training sessions for school teams, a one-day workshop, a round table with the aim of exchanging experiences of applied activities and two consultative meetings were held. Total number of directly trained teachers is 24. Teachers implemented the knowledge and skills acquired during the training at the school level in working with students (about 1,100 primary and secondary school students in the Republic of Serbia were included) through various extracurricular activities on developing intercultural dialogue, mediation, prevention of conflict and violence.  The project *Gender Mainstreaming, Prevention of Violence and Discrimination in Kindergartens and Schools[[12]](#footnote-12)*“ was implemented by the Ministry in charge of education from 2017-2019 with UNICEF and the Center for Interactive Pedagogy. Training sessions for pre-school teachers were held, 350 employees were included. The activities covered 960 children of all ages and 624 parents. 815 teachers participated in the training sessions for primary and secondary school, and a total of 1,025 primary and secondary school students were included in the workshops and actions. |

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| **UPR recommendation**  **Number and country** | **CLUSTER VI**  **PROHIBITION OF TORTURE** |
| 114.15  (Georgia)  114.18 (Macedonia)  114.85  (Portugal) | Within the gradual harmonisation of the Criminal Code with international standards during the EU accession process, it is planned to harmonise Articles 136 and 137 paragraphs 2 and 3 of the Criminal Code[[13]](#footnote-13) with all elements of the crime of torture, defined in Article 1 of the Convention. As the needs for amendments to the Criminal Code are numerous and arise from numerous negotiating chapters in the process of the Republic of Serbia accession to the EU, it is not possible to implement all amendments at the same time.  With the amendments to the Criminal Code as of 2019, the punishment for the crimal offence referred to in Article 137 *Maltreatment and Torture* was increased in the situation when the offender is an official and now the punishment for the qualified form of this crime is imprisonment from two to ten years, while it was from one year to eight years.  The Protector of Citizens has been pointing out for years the need to harmonise the provisions of the Criminal Code with the definition of torture under Art. 1 of the UN Convention against Torture.  Rulebook on internal organisation and systematisation of jobs in the professional service of the Protector of Citizens as of 1 March 2019, now provides for the National Preventive Mechanism which previously functioned at the level of the secretariat, to be a special organisational unit at the departmental level, and the number of employees in it has increased (a total of six jobs systematised).  The Administration for the Enforcement of Penal Sanctions of the Ministry of Justice, in cooperation with the Ministry of Health, implemented measures and activities prescribed by the Strategy for Development of the System of Enforcement of Penal Sanctions in the Republic of Serbia until 2020, in order to further develop health services in prisons, especially mental health of persons deprived of their liberty. Within the Council of Europe project *Strengthening the protection of the rights of persons deprived of their liberty in the Republic of Serbia*, the Manual for the work of health personnel in institutions for the enforcement of penal sanctions was developed. After that, the Government of the Republic of Serbia adopted the Programme for the Protection of Mental Health in the Republic of Serbia for the period 2019-2026.  In the past period, reconstructions and adaptations of one part of the space intended for provision of health care in the institutions and complete reconstruction of the Special Prison Hospital in Belgrade were carried out. Centralised procurement of medicines was introduced and centralised procurement of medical equipment for all institutions and the Special Prison Hospital was implemented. Training sessions for health workers in the system of enforcement of criminal sanctions are regularly organised and the number of health personnel is increased in accordance with the possibility of financing.  The provision of psychiatric protection to persons deprived of their liberty is enabled in all institutions. In most institutions, psychiatrists are hired from local health institutions, and in some institutions a psychiatric specialist is permanently employed. The Administration undertakes activities in order to improve psychiatric services in institutions, which is also a continuous activity. A special ward for acute psychiatry has been reconstructed in the Special Prison Hospital, which is intended for inpatient treatment of convicted persons.  In order to conduct an effective investigation into cases of maltreatment, *Methodology for conducting an investigation in cases of maltreatment* *by the police* has been developed, which is intended for public prosecutors and police officers. The Judicial Academy conducted 18 training sessions on this theme in the reporting period. The content of the training was as follows: - The concept of maltreatment, international and national legal framework, the case law of the European Court of Human Rights (Article 3 of the Convention), the entities responsible for conducting the investigation; - Conducting an investigation in cases of maltreatment (when an obligation arises, independence and impartiality of the investigation, urgency in action); - Actions to be taken to make the investigation effective; - Analysis and evaluation of evidence and rights of the injured party. |
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| **UPR recommendation**  **Number and country** | **CLUSTER VII**  **FIGHT AGAINST CORRUPTION** |
| 114.54  (France) | The new Law on Prevention of Corruption[[14]](#footnote-14) has been in force since 1 September 2020. The law is largely in line with international standards, the EU acquis and GRECO recommendations. This law regulates the legal position, competence, organisation and work of the Agency and introduces numerous innovations related to conflicts of interest, cumulation of public functions, reporting of assets and income of officials, powers of the Agency, election of managing bodies.  The Law on Prevention of Corruption is an umbrella anti-corruption law that significantly expands the competence and strengthens the independence of the Anti-Corruption Agency. It provides sufficient financial and human resources for the work of the Agency, as well as links with other relevant institutions (including access to their databases). The Agency is explicitly authorised to file claims for initiating misdemeanor proceedings and file criminal charges. The Agency's administrative investigation has been strengthened through the right of direct access to state authorities' databases. The Agency also receives responsibilities related to the Law on Lobbying, maintains the Register of Lobbyists, and supervises lobbyists and lobbied persons.  The basic goals of the new law are to protect the public interest, reduce the risk of corruption, strengthen the integrity and accountability of public authorities and public officials. Together with the previously adopted Law on Organisation and Jurisdiction of Government Authorities in the Suppression of Organised Crime, Terrorism, and Corruption, the Law on Lobbying and the Law on the Origin of Property, Serbia has significantly improved the normative framework for even more efficient fight against corruption.  In order to strengthen the administrative and operational capacities, as well as the appropriate infrastructure, during 2020, the Anti-Corruption Agency employed 17 persons for an indefinite period of time after a public competition. Part of the necessary IT equipment was provided and the existing application software was improved.  The 2020 Report of the European Commission states that the number of completed cases related to high-level corruption has decreased compared to previous years, and that Serbia needs to intensify efforts and work on preventing and combating corruption. |

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| **UPR recommendation**  **Number and country** | **CLUSTER VIII**  **JUDICIARY / RULE OF LAW** |
| 113.1  (Norway)  113.2  (Sweden)  113.3  (France)  113.20  (Australia)  113.22  (Germany)  113.23  (Morocco)  113.24  (Еstonia)  113.25  (Kоrea)  113.26  (Singapore)  113.27  (Canada) | In September 2018, the draft Constitutional Amendments in the field of justice were presented. After receiving the positive opinion of the Venice Commission on the draft which was harmonised with the comments of the expert public, the official procedure of changing the Constitution began. On 14 June 2019 the competent National Assembly Committee approved the initiative of the Government of the Republic of Serbia to change the Constitution in the field of justice. As the procedure of amending the Constitution was not completed during said National Assembly convocation mandate, the procedure of amending the Constitution in the convocation of the National Assembly, whose mandate began in August 2020, will continue in the following period.  In order to amend the Constitution, we note that in January 2019, the authorities established five working groups to amend the necessary legislation, including legislation on the jurisdiction and organisation of courts and prosecutors' offices, judges and prosecutors, responsibilities and functioning of judicial and prosecutorial councils and the Judicial Academy. One of the common conclusions is that a large number of changes that need to be implemented in the set of judicial laws have no direct connection with the amendment of the Constitution, and that the Working Groups can work on these issues regardless of other circumstances.  The process of adopting the National Judicial Development Strategy for the period 2020 to 2025 was preceded by a long and comprehensive consultative process that included all judicial institutions, professional associations, civil society organisations and a group of experts in the field of justice. The strategic goals from the new Strategy follow the commitment of the Republic of Serbia to full membership in the European Union. Thus, in the coming period, work will be performed on strengthening the independence and autonomy of the judiciary, impartiality, efficiency, expertise and responsibility of the judicial system, i.e. achieving access to justice and judicial institutions and strengthening trust in the work of the judiciary.  The National Assembly, at its session on 22 December 2020, elected new members of the High Judicial Council (HJC) and the State Prosecutorial Council (SPC).  The HJC and the SPC decide on the required number of judges and prosecutors, on the election to judicial functions, evaluation, transfer and referral, disciplinary responsibility and termination of the function of judges and prosecutors. They are also responsible for initial and continuing professional training in the field of justice.  The HJC and the SPC continued to monitor the complaints of judges and prosecutors. In 2019 the High Judicial Council issued two public statements in which it condemned the public comment. In 2019 the SPC reviewed 18 complaints and recommended measures in three cases. In one case, it identified justified concerns about influence through public comments and media campaigns.  The disciplinary rules and codes of ethics of the HJC and the SPC are being amended. Steps have been taken to establish ethics committees as permanent bodies of the HJC/SPC.  Improving the cooperation of the HJC and the SPC with the Anti-Corruption Agency, through regular meetings and consideration of current problems in order to consistently and timely implement the obligation to submit reports on assets and income (asset cards) of judicial office holders is being successfully implemented. The reports on assets and income were submitted by 7,718 judges and 2,976 prosecutors. During the reporting period, three regular meetings were held, attended by representatives of the Anti-Corruption Agency, the High Judicial Council and the State Prosecutorial Council.  In accordance with the agreement from 2018 between the four courts of appeal and the Аction plan for unification of court practice, regular joint sessions and meetings with lower courts continued in order to harmonize court practice. Further steps have been taken to improve transparency by publishing over 5,000 anonymized court decisions of four appellate courts in the case law database (www.sudskapraksa.sud.rs), the Commercial Court of Appeals and the Misdemeanor Court of Appeals. This database also contains over 12,000 anonymized decisions of the Supreme Court of Cassation (which are also published on the website of the Supreme Court of Cassation). These anonymizing decisions are available to the general public, while over 55,000 integral decisions are also entered into the database and they are available to judges who can thus have an insight into the practice of other courts regarding a specific legal issue. By the end of 2020, the decisions of the Administrative Court were included in the database, so about 140,000 decisions in integral form and about 9,500 anonymized decisions were transferred from the internal database of this court.  Efforts to reduce the number of old items continued. The analysis of the previously adopted program for resolving old cases for the period 2016-2020 shows that at the level of all courts in the Republic of Serbia, it can be noticed that, starting from 2016, there is a continuous decline in the number of unresolved old cases. Thus, if the number of old unresolved cases on 30.6.2020 is observed. compared to 31.12.2012, it can notice a decrease in the total number of old cases of 69.54%. Excluding enforcement, this reduction is 34.66%. Observing the number of old enforcement cases in basic and commercial courts at the beginning of 2020 and by the end of November 2020, their number decreased as a result of amendments to the Law on Enforcement and Security. According to available data, the basic courts reduced the number of old enforcement cases by 34.38% by the end of November 2020, compared to the number of these cases on January 1, 2020.  A total of 197 notaries public and 231 public executors were appointed (data from 31.12.2020).  *The Law on Free Legal Aid[[15]](#footnote-15)* began to be implemented in October 2019. The aim of this law is to provide every person with effective and equal access to justice. In accordance with this Law, the Register of Free Legal Aid and Free Legal Support Providers was published on the website of the Ministry of Justice. |

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| **UPR recommendation**  **Number and country** | **CLUSTER IX**  **PROHIBITION OF DISCRIMINATION** |
| 113.8  (Cuba)  113.9  (Cyprus)  113.10  (France)  113.11  (Vietnam)  113.12  (Bhutan)  113.14  (Italy)  114.12  (Uruguay)  114.21  (Switzerland)  114.25 (Mozambique)  114.101  (Tunisia) | In September 2019, the draft Law on Amendments to the Law on Prohibition of Discrimination was developed. With this draft, the necessary harmonisation with the EU acquis and recommendations from the UPR was made, and the Ministry of Labour, Employment, Veteran and Social Affairs conducted a public debate and received positive opinions from the European Commission and the competent authorities of the Republic of Serbia.  By the Law on Ministries dated 2020 the Ministry of Human and Minority Rights and Social Dialogue was established. This ministry prioritises the improvement of the normative framework in the field of anti-discrimination: the Law on Prohibition of Discrimination, the Law on Gender Equality and the Law on Same-Sex Partnerships, as well as strategic documents and accompanying action plans in the fields of anti-discrimination, gender equality, creating a supportive environment for civil society as well as social inclusion of Roma men and women in the Republic of Serbia.  The Strategy of Prevention and Protection against Discrimination with the accompanying action plan was implemented until 2018. Implementation of the Action Plan was also continuously monitored through quarterly reports, a total of six reports were prepared. For the first time, the Government Council was established for these purposes for supervision, which made it an example of good practice in the implementation of public policies in our country. The Council monitored the progress in the implementation of measures, implementation of activities, compliance with deadlines and warned of challenges in the implementation of measures within the implementation of the Action Plan. By the Council`s decision, a set of training sessions was created and held, in which contact persons, representatives of competent institutions - implementers of measures and civil society organisations participated. The training sessions were related to reporting on the implementation of the Action Plan and achieving the indicators envisaged by it. Bearing in mind that the Strategy envisaged a process of monitoring and evaluating the success of its implementation, the then Office for Human and Minority Rights, in cooperation with the United Nations Human Rights Team in Serbia, prepared an Analysis of the implementation of the Strategy for Prevention and Protection against Discrimination for the period 2014-2018. Also, the Baseline for the new strategic document was developed.  The prohibition of discrimination and gender equality are recognised as principles by the National Youthe Strategy of the Republic of Serbia for the period 2015-2025, as well as the accompanying three-year Action Plan.  The mandate of the Commissioner for the Protection of Equality expired in May 2020, and the former Commissioner for the Protection of Equality was re-elected in November 2020. Based on the information by the Commissioner for the Protection of Equality, the largest number of complaints was filed by citizens due to discrimination on the grounds of disability, age and gender equality. Commissioner for the Protection of Equality expressed concern about increased number of cases of discrimination and hate speech during the state of emergency, which were directed in particular on women, elderly people, persons infected with COVID-19, persons returning from abroad and LGBTI persons.  Cases of discriminatory behaviour in the field of education are also reported to the ministry responsible for education on the SOS hotline. In the 2018/19 school year, 890 cases were reported, and in 2019/20 school year 950 cases were reported.  In order to fight racism, racial discrimination, xenophobia and related intolerance, the Ministry of Culture and Information systematically works on the development and improvement of media literacy, which develops critical thinking, responsible behaviour in the public media space, includes the fight against stereotyping, racism and hate speech. In order to coordinate all actors in the field of media literacy, this ministry organises meetings approximately twice a year with the participation of representatives of line ministries, international organisations, projects, media and professional associations, academia and civil society.  In an effort to systematically improve the field of media literacy, a *Handbook on Media Literacy for Pre-University Education* has been developed for pre-school teachers, teachers and professional associates. The handbook also contains a web portal and is written in a gender-sensitive way, certain chapters deal specifically with stereotyping and will be translated into minority languages in the coming period. This activity was positively assessed in the framework of the Progress Report of the Republic of Serbia for Chapter 10. During the European Media Literacy Week in March 2019, the Ministry of Culture and Information held 16 workshops *One school lesson for media literacy* for more than 250 students of secondary, primary and pre-school institutions. The workshops aimed at contributing to the development of critical thinking and responsible behaviour in the public media space, as well as the fight against incitement to stereotypes, racism, and hate speech. Also, on the occasion of the UNESCO Global Media and Information Literacy Week, which is celebrated from 24 to 31 October, six workshops were held for primary and secondary school students in 2019 and four workshops in 2020.  The Ministry of Culture and Information allocates significant funds for co-financing projects through competitions and individual grants in the field of public information, providing support to projects aimed at television, radio and internet media, print media and news agency services that contribute to raising public awareness of minority rights, diversity, as well as the development of dialogue, better acquaintance and understanding between members of minorities and the majority population. One of the priority topics for co-financing projects is the prevention of discrimination through the media. Also, this ministry continuously supports the cultural activities of socially vulnerable groups in order to create conditions for an inclusive society. In the period 2018-2020, about 700 projects were supported with the budget funds in the amount of RSD 130 million.  Since 2018, the Ministry of Youth and Sports has financed 30 projects of citizens' associations through public competitions in order to improve the capacity of actors of youth policy for implementing the principles of non-discrimination and equal opportunities in their policies and practices to improve the position and greater social inclusion of young people, and in particular the ones from vulnerable groups. Also, in 2018, this ministry financed a project worth RSD 1.1 million through a public competition, within which the capacities of local networks of student parliaments for combating discrimination, radicalism and violence of young people in the community were built and the level of awareness of secondary school students about diversity as human value was raised. A group of 18 activists was trained to promote human rights and combat discrimination against minority groups, a group of 18 peer educators for promoting human rights and equality, about 280 high school students` awareness was raised regarding the importance of accepting diversity as universal human values ​​and the level of understanding equality and respect for diversity was improved among about 240 high school students from the territory of Leskovac, Zaječar, Novi Pazar, Zrenjanin, Niš and Novi Sad. Informing young people and the general public is realised through the website of the ministry[[16]](#footnote-16), the Youth Rule portal[[17]](#footnote-17) and through the websites of associations that have been granted projects.  In the period 2018-2020 in public competitions within the programme *Implementation of anti-discrimination policies in the Republic of Serbia*, the Office for Human and Minority Rights supported a total of 92 programmes of citizens' associations with budget funds in the amount of RSD 53,197,081. The programmes are aimed at improving the position of all vulnerable social groups and have been implemented throughout the country.  During the reporting period, the Commissariat for Refugees and Migration supported 101 programmes of civil society organisations important for social integration and available mechanisms for exercising rights for the population of refugees, internally displaced persons and returnees under the readmission agreement, including Roma men, women and children. Also, RSD 10.3 million were allocated for projects aimed at strengthening tolerance towards migrants, reducing prejudice, development of communication and dialogue in seven local self-government units in which migrants were accommodated.  During 2018, anti-discrimination documents “Instruction with guidelines for prevention and protection against gender-based discrimination and discrimination based on other personal characteristics in the Ministry of the Interior” and “Manual for prevention and protection against gender-based discrimination and discrimination based on other personal characteristics in the Ministry of the Interior of the Republic of Serbia”, which all managers in the Ministry are informed about and obliged to act upon.  The Manual for Application of Mediation within the Ministry of the Interior of the Republic of Serbia has also been developed, the purpose of which is to regulate the manner in which internal mediators shall act in order to resolve conflict situations in cases of discrimination and harassment at work.  The Judicial Academy continuously conducts training sessions for public prosecutors and judges on discrimination and gender-based violence. More information in the Cluster Human Rights Training Sessions.  The Government of the Republic of Serbia marked the International Human Rights Day every year with representatives of state institutions and bodies, civil society organizations and international organizations. In 2020, the Ministry of Human and Minority Rights and Social Dialogue marked this day with a Conference "*The effects of corona virus - COVID - 19 on the state of Human Rights in Serbia*." |

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| **UPR recommendation**  **Number and country** | **CLUSTER X**  **RIGHTS OF LGBTI PEOPLE** |
| 114.29  (Czechia)  114.32  (Portugal)  114.33  (New Zealand)  114.34  (Honduras)  114.35  (Australia)  114.36  (Iceland) | One of the priorities of the newly established Ministry of Human and Minority Rights and Social Dialogue is the adoption of the Law on Same-Sex Partnerships. In December 2020, the process of forming working groups for drafting the law began. During 2021, a broad process of consultations and social dialogue is expected in order to increase social awareness and perception of citizens that fundamental human rights should be enjoyed by all without distinction and that the adoption of this law means the possibility of equating LGBTI people with other citizens.  By improving the legal framework in the field of registry books, i.e. the Law on Amendments to the Law on Registry Books[[18]](#footnote-18) the implementation of which began on 1 January 2019, it is possible to record data on gender reassignment in the birth register, in accordance with the Rulebook on the manner of issuance and form of the certificate of the competent health institution on the gender reassignment, which was mutually prescribed by the Minister in charge of administration affairs and the Minister in charge of health affairs, which is a precondition for exercising a large number of other rights. In addition, special attention was paid to the sensitivity of data on gender reassignment, so in this regard the Law limits the circle of persons who have the right to access the registry book, files, as well as issuing birth certificates for persons who have changed gender.  Gender identity, sexual orientation are recognised as the basis for possible cases of discrimination in the Law on the Foundations of Education and Upbringing[[19]](#footnote-19) and the accompanying rules on the prohibition of discrimination. 350 teachers, professional associates, educational inspectors and advisors were trained for the application of these regulations in the field of education.  In 2018, the Ministry in charge of education amended the *Rulebook on quality standards for textbooks and instructions on their use*. Based on the textbook quality standards, training was conducted for 617 textbook manuscript evaluators regarding discriminatory content and ways of acting if it is determined.  At the request of the Lesbian Human Rights Organisation "Labris", the Institute for the Advancement of Education initiated a review of the content of approved textbooks for secondary schools in order to determine whether there were discriminatory contents related to the treatment of same-sex sexual orientation. The Institute gave the opinion that out of eight reviewed textbooks, seven contained shortcomings due to which they should not be further used, after which the publisher was ordered to withdraw the textbooks from the Sales Catalogue.  Amendments to the Criminal Code in 2016 amended the criminal offense of violation of equality so that this offense can now be committed even if human and citizen`s rights are restricted or denied due to sexual orientation or gender identity (Article 128).  Regarding the prosecution of hate crimes, the first judgement was passed in October 2018. Namely, during the pronouncement of the judgement and meting out the penalty in the case of domestic violence, the court stated as a special aggravating circumstance the motive of hatred due to the sexual orientation of the injured party. The defendant was given a suspended sentence by being sentenced to one year in prison with a probation period of three years, as well as a security measure prohibiting the defendant from approaching and communicating with the injured party. So far, a total of seven final convictions have been passed in connection with the application of Art. 54a of the Criminal Code.  In order to more efficiently apply Art. 54a of the Criminal Code, *Guidelines for the prosecution of hate crimes* were developed in 2018. The aim of the Guidelines is to help public prosecutors identify and better understand the problem of hate crimes, as well as to point out their duty to conduct an efficient and effective investigation in detecting and prosecuting perpetrators of these crimes, in accordance with international standards. Effective criminal prosecution and adequate sanctioning of hate crimes contribute to the deterrent effect, which criminal sanctions have on perpetrators and potential perpetrators, and at the same time send a message to victims, but also to society as a whole, that any form of violent intolerance is illegal and punishable. It is important to note that the perpetrators that cause hatred or intolerance related to personal properties via the Internet are being prosecuted more and more efficiently.  In February 2020, police officers from the Police Directorates in Novi Sad and Niš participated in the Regional Seminar *Fight against Hate Crimes and Exchange of Best Practices in the Protection of LGBT Rights and Communities* in Montenegro, within the EU/COE regional programme *Horizontal Facility for the Western Balkans and Turkey II*. The seminar was intended for representatives of law enforcement agencies and civil society organisations dealing with human rights. The seminar was attended by 27 police officers and 12 representatives of civil society organisations from five countries[[20]](#footnote-20).  During October and November 2019, the liaison officers of the LGBTI population of the Police Directorate for the City of Belgrade attended the training for coaches for police officers on *Policing hate crime against LGBTI persons*, organised by the Sexual Orientation and Gender Identity ( SOGI) Unit of the Council of Europe in Madrid and Rome. In December 2020, a conference was organised in Belgrade with the participation of representatives of the Council of Europe, competent state bodies and civil society, at which the Manual for the Fight against Hate Crimes against LGBTI Persons, intended for members of the police, was presented.  Pride parades and all the accompanying manifestations were held in the reporting period without any incidents. Also, manifestations and the International Day against Homophobia are successfully celebrated from year to year not only in Belgrade, but also in Niš, Novi Sad, Novi Pazar, Subotica, Pančevo, Kragujevac, Kraljevo, Zrenjanin, Šabac and Vranje.  During March 2018, in order to achieve quality and continuous systemic cooperation with the LGBTI population, organisations and their representatives, the Police Directorate for the City of Belgrade appointed a female police officer as an officer for liaison with the LGBTI population. In this way, the gender capacities of liaison officers with LGBTI persons have been strengthened. In July 2019, in cooperation with the Ministry of Interior and the citizens` association "Labris" from Belgrade, two conferences were held for liaison officers for the LGBTI community, which analysed the needs of the LGBTI community and the activities of officers, during which positive experiences in police work were exchanged with members of the LGBTI community.  Every year, the citizens' association "Gay - Straight Alliance" awards the "Rainbow" prize for contribution to the fight against homophobia and transphobia and the protection and promotion of the human rights of LGBT people in Serbia. The prize award ceremony is attended by state and local institutions and bodies, independent state bodies, civil society organisations and international organisations.  The Ministry of Culture and Information allocates significant funds for co-financing projects through competitions and individual grants in the field of public information, providing support to projects aimed at television, radio and internet media, print media and news agency services that contribute to raising public awareness of minority groups, including LGBTI community, respect for diversity, as well as the development of dialogue, better acquaintance and understanding between members of minorities and the majority population. One of the priority themes for co-financing projects is the prevention of discrimination through the media. In 2018, two projects of the Regional Information Center were supported, in the total amount of RSD 950,000. Holding of the international queer festival Merlinka is continuously supported and it has been trying to expand the viewers` experience in films with LGBTI themes for 12 years.  In the period 2018-2020, in public competitions, within the programme "Implementation of anti-discrimination policies in the Republic of Serbia", the former Office for Human and Minority Rights supported a total of seven programmes of citizens' associations aimed at the human rights of LGBTI people with budget funds in the amount of RSD 2,602,130. In the reporting period, the Ministry of Youth and Sports financed eight projects of citizens' associations aimed at the rights of LGBTI people through public competitions. |

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| **UPR recommendation**  **Number and country** | **CLUSTER XI**  **RIGHTS OF PERSONS WITH DISABILITIES** |
| 113.56  (Russia)  114.98  (Honduras) | In March 2020, the Strategy for Improving the Position of Persons with Disabilities for the period until 2024 was adopted. The Public Debate on the proposed Action Plan for the implementation of the Strategy for 2021 and 2022 has been completed, and it has been forwarded to the competent institutions for opinion. Serbia also adopted the Mental Health Protection Strategy in November 2019.  In order to prevent multiple and cross-discrimination against women and girls with disabilities, and especially in access to justice and protection from domestic violence, the Law on Free Legal Aid identifies victims of domestic violence and persons with disabilities as ex lege beneficiaries. In this way, multiple discriminated groups have significantly facilitated access to justice.  In the current epidemiological situation caused by the COVID-19 pandemic, special emphasis is placed on the sustainability, functional adaptation and implementation of social protection services - primarily in institutions that care for various persons with disabilities, but also in daily work with users of services provided by social work centers throughout territory of the country. The Ministry in charge of social protection, through recommendations, guidelines, instructions and directives, ensured the continuity of the provision of services and the exercise of rights, taking into account the epidemiological situation in each individual case. The right of users of social protection services to participate in decisions regarding their protection was in no way, nor is it now suspended.  In the area of inclusive education, the greatest progress has been made in harmonising and improving the regulations governing this area. In accordance with the Law on the Foundations of the Education and Upbringing dated 2018, the following regulations have been adopted: Rulebook on detailed instructions for determining the right to an individualised education programme, its application and evaluation; Rulebook on additional educational, health and social support for children, students and adults; Rulebook on criteria and standards for providing additional support in the education of children, students and adults with disabilities in the educational group, or other school and family; Rulebook on pedagogical assistant and andragogical assistant and Rulebook on the manner of adapting the textbooks.  Free textbooks are given to students who are educated according to an individualised education programme - IEP, and customised free textbooks (in Braille, with an enlarged font, in electronic format) are given to students with disabilities. Every school year, about 7,000 textbook units are adjusted.  The right to free transportation has been extended to secondary school students; affirmative measures of enrollment in secondary schools and higher education institutions are applied and final and entrance exams for students with disabilities are adjusted; four programmes have been accredited and training sessions have been conducted to strengthen the capacity of over 2,000 employees in education for the prevention of dropouts, activities for the inclusion and participation of all children and students through education; training was provided for regular school teachers who have students using Braille; training sessions were organised for members of interdepartmental commissions (400 students from 136 municipalities); the programme *Transitional model for inclusion of students over seven and a half years of age in education*.  The result of these measures is an increase in the coverage of children and students with education, an increase in the number of students from vulnerable groups at higher levels of education, an increase in IEP students in regular schools (over 21,000 students) with a decreasing number of students in schools for students with developmental disorders and disability.  During the pandemic COVID-19 (2020), the research Monitoring the way of participation and learning process of students from vulnerable groups during the implementation of educational work by distance learning[[21]](#footnote-21) was conducted. The National Report on Inclusive Education in the Republic of Serbia for the period 2015-2018[[22]](#footnote-22) has been published.  In the pandemic conditions, the ministry in charge of education paid special attention to distance learning, and additional efforts were made to increase the accessibility and quality of education of vulnerable groups, including students with disabilities. In the field of inclusive education of children with disabilities, a set of recommendations on the inclusion of children and students has been prepared for educational institutions in accordance with the decision of the Parents' Council. The work is planned where possible in small groups of 1 or 2 students. In cooperation with UNICEF, RTS was provided with software for automatic conversion of voice into subtitled text in order to improve accessibility for deaf and hard of hearing students.  In the field of housing, the project *European Union for more accessible public buildings* has been launched, which will be funded by IPA 2016.  Unemployed persons with disabilities register with the National Employment Service (NES) and are included in active employment policy measures in accordance with the provisions of the Law on Employment and Unemployment Insurance and the Law on Professional Rehabilitation and Employment of Persons with Disabilities. Registration is tailored to the conditions of the pandemic by allowing unemployed people to register electronically.  Observed by type/category of disability, in the total registered unemployment of persons with disabilities, the most represented are PWDs[[23]](#footnote-23) who were assessed for working ability[[24]](#footnote-24) with a share of about 53%. Then PWDs that belong to the so-called categorised youth and other categorised persons with a share of 25% follow, PWDs who acquired the status in accordance with the regulations of the veteran-disability protection system (share of 15%), while the smallest number is for PWDs who acquired the status in accordance with the regulations governing area of pension and disability insurance (7%).  Observed by age structure, the category of young people (15-29 year old age group) includes 1,714 unemployed PWDs (share of 9.3% in total registered unemployment of PWDs, which is less favourable compared to the share of unemployed youth in total registered unemployment of 21.8% , while the category of the elderly (50-64 year old age group) includes 9,427 unemployed PWDs (share of 51.34% in the total registered unemployment of PWDs, which is less favourable compared to the share of unemployed elderly people in the total registered unemployment of 34.4%).  Observed by level of qualification, 7,481 PWDs are without qualifications or with low level of qualifications (share of 40.7% in total registered unemployment of PWDs, which is less favourable in relation to the share of unemployed without qualifications or with low level of qualifications in total registered unemployment of 33. 5%). The intermediate level of qualifications is possessed by 9,858 unemployed PWDs (share of 53.7% in the total registered unemployment of PWDs), while the share of PWDs with a higher level of qualifications is 5.6% (1,022 persons). Observed by length of job search, 15,150 unemployed PWDs have been looking for a job for more than 12 months (82.5% of PWDs are in the category of long-term unemployed), which is less favourable than the share of long-term unemployment in total registered unemployment (65.6%).   |  |  |  |  | | --- | --- | --- | --- | | **Professional rehabilitation and encouragement of employment of persons with disabilities** | **2018**  **PWDs/women** | **2019**  **PWDs/women** | **January-September 2020**  **PWDs/women** | | active employment policy measures | 10,018 (4,494 women) | 8,899 PWDs (4.121 women) | 3,273 PWDs (1,527 women) | | active job search measures | 6,868 unemployed PWDs (2,938 women) | 6,157 unemployed PWDs (2,781 women), | 1,474 PWDs (640 women) | | additional education and training programmes | 653 unemployed PWDs  (403 women) | 501 unemployed PWDs  (277 women), | 59 PWDs  (32 women) | | employment subsidy programmes | 901 unemployed PWDs (415 women) | 1,043 unemployed PWDs (511 women), | 715 PWDs (303 women) | | public works programme | 1,596 unemployed PWDs (738 women) | 1,198 unemployed PWDs (552 women) | 1,025 PWDs (508 women) | | **Allocated funds /RSD** | **550 million** | **550 million** | **550 million** | | Note: The reduced coverage of unemployed persons with active employment policy measures (including PWDs) in 2020 is a consequence of the limited possibilities for the smooth implementation of active employment policy measures, in line with epidemiological measures. | | | |     Programmes and projects aimed at promoting and improving the rights of persons with disabilities are supported at all levels of government.  Every year, the Ministry of Labour, Employment, Veteran and Social Affairs announces public call for citizens' associations in order to improve the position of persons with disabilities. Funds for this call are provided within the budget of the Republic of Serbia and range in the amount of about RSD 200 million a year.  The Ministry of Culture and Information has allocated RSD 24 million for 53 projects for co-financing media content production projects intended for people with disabilities in 2018 and 2019. Also, 87 programmes in the field of cultural activities of persons with disabilities were supported with funds in the amount of RSD 20 million. This ministry allocated RSD 45 million for implementation of the programme of the Union of the Blind of Serbia in the period 2018-2020.  The two international film festivals *Bosi Fest* and *Uhvati Film* use film as a medium to place current and engaged topics, with special emphasis on the position of women and people with disabilities.  In the reporting period, the Ministry of Youth and Sports financed 15 projects of citizens' associations aimed at the rights of persons with disabilities through public competitions. |

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| **UPR recommendation**  **Number and country** | **CLUSTER XII**  **SOCIAL HOUSING AND POVERTY REDUCTION** |
| 114.84  (Greece) | The Republic of Serbia continues to pursue an integration policy to combat ethnic, social, and economic segregation. Public policy measures, which are designed and implemented to provide housing support to Roma, primarily relate to improving the housing conditions of Roma in Roma settlements, provided by the Law on Housing and Building Maintenance and the Strategy for Social Inclusion of Roma Men and Women in the Republic of Serbia for the period 2016 -2025. A draft National Housing Strategy has been prepared.  Based on the Law on Housing and Building Maintenance[[25]](#footnote-25) which has been implemented since 2017, several bylaws have been passed, rulebooks that have been harmonised with international human rights treaties, in respect of appropriate housing and protection during forced evictions. In addition, in order to bring the Law closer to citizens and target groups, a guide was developed - the Law in Pictures (5,000 copies were printed).  Eviction from informal settlements is carried out in compliance with the highest international human rights standards. The Law on Housing and Building Maintenance prescribes when and under what conditions the eviction procedure is carried out, legal protection in that procedure, as well as the possibility of moving to appropriate accommodation, if they do not own other real estate for housing or funds to provide other accommodation. On the territory of the City of Belgrade, displaced residents are provided with access to education (enrollment in schools and kindergartens, transportation to school, free textbooks, additional classes in the settlement), and all costs for the above are borne by the City of Belgrade. In order to improve the overall quality of life in the newly formed settlements, administrative, commercial services, social protection services (financial social assistance, one-time assistance, free meals for all socially disadvantaged citizens, presence of social services, etc.), personal identification documents, public transport, waste disposal, maintenance of settlements and their surroundings (disinsection, disinfection, deratisation), arrangement of settlements (setting up children's playgrounds, arranging green areas) are provided. Working-age tenants in social housing and newly formed settlements were offered a number of jobs - both in city utility companies and in private companies. Motivational workshops were also organised for them, where they received practical advice for employment, the opportunity to finish primary school, vocational training, courses, etc. The Belgrade City Center for Social Entrepreneurship, in cooperation with the United Nations Office for Project Services (UNOPS), awarded self-employment grants in equipment for 50 unemployed Roma people with the best business plans.  Within the largest housing programme in Serbia, *Let's build a home together*, which was implemented by the City of Belgrade with the EU and UNOPS from 2013-2020, 149 families or 701 persons were taken care of. The project included three housing models (housing in a nonprofit lease, purchase of rural houses and provision of construction materials for the reconstruction of houses). The General Plan of the City of Belgrade and the Development Strategy of the City of Belgrade until 2021 identify social housing as a special type of housing, and socially vulnerable Roma as one of the most vulnerable social groups in need of assistance in providing appropriate housing conditions.  Through EU programmes worth about EUR 40 million, intended for the inclusion of Roma men and women, continuous support was provided with the aim of raising the capacity of local government units through the establishment and strengthening of mobile teams and their institutional sustainability, as well as developing the project documentation for improvement of infrastructural conditions, standard of living and housing conditions. Projects worth about EUR 26.9 million are currently being implemented.  Through the IPA 2012 project *Here we are together - European support for Roma inclusion* for the first time established records on the number and place of informal settlements in the Republic of Serbia (583), which allowed funds to be directed to solving these problems. A Geographic Information System (GIS) has been created to monitor the situation in informal Roma settlements in Serbia. This database allows monitoring of key indicators of the situation in informal settlements. The data obtained by collecting data from this database are the starting point in creating a situation analysis in the implementation of programmes implemented through IPA 2013, 2014 and 2016.  Implementation of the IPA 2013 project *Technical Assistance for improving the living and housing conditions of the Roma population presently residing in informal settlements in the Republic of Serbia*, worth EUR 1,370,200, began in June 2017 and ended on 19 September 2019. Some of the most significant results achieved through this project are: infrastructure in informal Roma settlements was built that will improve living conditions for over 5,000 Roma men and women, a total of 185 housing units for about 800 persons were built and renovated; technical documentation was developed which was required for projects of improving the housing conditions for over 700 houses, 300 flats as well as for projects of infrastrusture improvement for over 4,000 beneficiaries, members of Roma population; 20 mobile teams for social inclusion of Roma men and women were established in 20 local self-government units in Serbia.  Through the grant scheme within this IPA 2013 project, worth EUR 6.5 million, a total of nine projects were implemented in 11 local self-government units. The projects referred to the improvement of infrastructure in Roma settlements and the construction of housing units for Roma men and women who lived in inappropriate conditions.  Through the project, the infrastructure of roads, sewerage and water supply was improved and individual houses and flats were built (114 houses and 12 flats were built, 62 houses were reconstructed). Also, 5.1 kilometers of roads, about 6.1 kilometers of sewerage and about 2.2 kilometers of water supply network were built, the rivers Straževica and Toplica in Prokuplje were regulated, 1 kilometer of gas pipeline was built, about 1 kilometer of street lighting, 800 meters of canals were restructured and 4 playgrounds for children were built. The implementation of activities has directly or indirectly improved the living conditions of about 2,100 members of the Roma population.  The IPA 2016 project *EU Support to Roma Inclusion - Empowering Local Communities for Roma Inclusion*, worth EUR 4.2 million, started in December 2017 and will last for 36 months. The overall goal of the project is to improve the position of Roma in local communities through the implementation of strategic measures defined in the Strategy for Roma Inclusion for the period 2016-2025. So far, the following activities have been implemented through the project: A Memorandum of Understanding was signed with 10 local self-government units (Arandjelovac, Bečej, Vršac, Doljevac, Lebane, Loznica, Mladenovac, Pirot, Smederevska Palanka and Surdulica) and local action plans were drafted; 10 mobile teams and 10 local multisectoral policy coordination bodies were formed, the Guide for preparation, budgeting and monitoring of the local action plan for Roma inclusion was developed and presented, 36 contracts were signed for projects to be financed from the grant scheme; contracts were signed with 11 selected local self-government units regarding development of urban plans for informal Roma settlements.  The IPA 2014 project *Technical Assistance for Improving the Socio-Economic Living Conditions of the Roma Population*, worth EUR 2.7 million, started on 4 March 2019 and will last for 24 months. The project consists of three components: 1. development of the necessary technical documentation for sustainable improvement of housing conditions in 100 informal Roma settlements in Serbia; 2. strengthening the capacity of local self-government units and relevant representatives of national institutions for the successful use of EU pre-accession funds and achieving the sustainability of project results; 3. providing support in building the capacity of mobile teams and improving local mechanisms for inclusion of Roma men and women. The following activities will be implemented through the project: updating data in 100 informal Roma settlements through cooperation with representatives of local self-government units and mobile teams, analysis and evaluation of needs; updating the national GIS database on informal Roma settlements; selection of 100 informal Roma settlements and preparation of urban and technical documentation necessary for the improvement of housing conditions and social inclusion of Roma men and women in local self-government units, which can be used for applying for funds from future funds; providing support to local self-government units for the preparation of concepts and projects for applying for future IPA grants and capacity building of local and national staff in achieving sustainability of project results, through training sessions, exchange of experience and presentation of good international and local practices; cooperation with local self-government units in which mobile teams have already been established, providing support for the establishment of new mobile teams, with further improvement of local mechanisms for inclusion of Roma men and women.  The IPA 2018 project *European Union Support to Social Housing and Active Inclusion*, worth EUR 20 million, started in December 2019 and will last for 36 months. The overall goal of the project is to contribute to strengthening social inclusion. The end users are 500 families from vulnerable groups in 20 LSGUs. Vulnerable groups covered by the project are: Roma, women victims of domestic violence, persons with disabilities, children and young people without parental care. The project will be funded through grants in 20 LSGUs.  The Commissariat for Refugees and Migration provided **detailed information regarding housing solutions within the CLUSTER for Refugees and Internally Displaced Persons (IDPs)**. |

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| **UPR recommendation**  **Number and country** | **CLUSTER XIII**  **RIGHTS OF NATIONAL MINORITIES** |
| 113.13  (Indonesia)  113.57  (Lebanon)  113.58  (Mexico)  113.59  (Philippines)  113.60  (Russia)  113.61  (Bulgaria)  113.62  (Singapore)  113.63  (Sierra Leone)  113.64  (East Timor)  113.65 (Venezuela)  113.66  (Uruguay)  113.67 (Afghanistan)  113.68  (Chile)  113.69  (Egypt)  113.70  (Ivory Coast)  114.22  (Croatia)  114.23  (Kyrgyzstan)  114.26  (Albania)  114.99  (Romania)  114.100  (Northern Macedonia) | The socio-political system of the Republic of Serbia is organised on the principle of complete protection of national minorities. The Constitution of the Republic of Serbia stipulates that members of national minorities may elect their national councils in order to exercise the right to self-government in the field of education, culture, information and the official use of languages ​​and scripts. National councils of national minorities are a form of non-territorial self-government and are elected in direct elections, which provides them with democratic legitimacy. Direct elections for national councils are held according to the same model as elections for the National Assembly. In the elections held in November 2018, representatives of 18 national minorities (Albanian, Ashkali, Bosniak, Bulgarian, Bunjevac, Vlach, Greek, Egyptian, Polish, Hungarian, German, Roma, Romanian, Rusyn, Slovak, Slovenian, Ukrainian and Czech national minorities) registered in special electoral rolls voted for council members in direct elections. Members of the national councils of the Macedonian, Russian, Croatian and Montenegrin national minorities were elected at the electoral assemblies. In the direct elections, 208,570 voters voted, out of a total of 467,545 voters registered in the electoral rolls, i.e. 44.61%, (in the 2010 elections the turnout was 54.5%, and in 2014 it was 37.63%).  A total of 23 national councils of national minorities have been entered in the Register of National Councils (the Executive Committee of the Federation of Jewish Communities of Serbia performs the function of a national council on the basis of Article 134 of the Law on National Councils of National Minorities). In 2018 training sessions were conducted for all authorised officials for keeping the special electoral rolls in local self-government units and their managers (a total of 395 officials and 184 municipalities and cities).  Funds for the work of national councils are provided from the budget of the Republic of Serbia, the budget of the autonomous province and the budget of a local self-government unit. Funds from the Republic budget are allocated with 30% and 25% from the provincial budget in equal amounts to all registered national councils, and the rest of the funds in proportion to the number of members of a national minority represented by the national council in the territory of the country or province, as well as the total number of institutions of that national minority in the field of culture, education, information and official use of language ​​and script and the scope of activities of these institutions.  Amendments to regulations adopted in 2018, primarily the Law on the Protection of Rights and Freedoms of National Minorities[[26]](#footnote-26), the Law on National Councils of National Minorities[[27]](#footnote-27), which more clearly define the powers of national councils, reduce excessive politicisation and ensure more transparent work, have contributed to the improvement of minority rights, including the Law on the Official Use of Languages and Scripts[[28]](#footnote-28), the Law on Registry Books[[29]](#footnote-29) and the Law on Local Self-Government[[30]](#footnote-30). The exercise of the rights of national minorities is also regulated by numerous other laws in the field of education, culture and information, the official use of language and script, the judiciary and the electoral system.  On 8 February 2020, the National Assembly adopted amendments to the Law on the Election of Deputies[[31]](#footnote-31) and the Law on Local Elections[[32]](#footnote-32) which reduced the electoral threshold from five to three percent. The amendments to the law stipulate that the parties of national minorities do not need to achieve three percent in order to be assigned mandates, while when distributing mandates by applying the method of the highest quotients, the quotients of election lists of minority parties increase by 35 percent. The election list of a party or coalition of national minority parties is announced by the Republic Electioral Commission (REC), which may request the opinion of the competent national council on whether the submitter of the election list is a national minority party or a coalition of national minority parties. Following the elections for deputies held on 21 June and 1 July 2020, minority election lists won a total of 19 seats in the National Assembly (the National Assembly has a total of 250 deputies). Some deputies - members of national minorities, were on other election lists, which did not have the status of minorities, and the total number of deputies belonging to national minorities in the National Assembly is significantly higher.  The Law on Employees in Autonomous Provinces and Local Self-Government Units[[33]](#footnote-33), Law on Amendments to the Law on Public Agencies[[34]](#footnote-34) and the Law on Amendments to the Law on Civil Servants[[35]](#footnote-35) provide a legal basis for taking affirmative action measures to encourage employment of all national minorities in bodies of autonomous provinces, local self-government units, public agencies and state bodies. Also, in 2018 the Government of the Republic of Serbia passed the Regulation on internal and public competitions for filling vacancies in state bodies[[36]](#footnote-36), which regulates in more detail the manner of giving preference to members of national minorities in the competition procedure in all state bodies.  The Action Plan for exercising the rights of national minorities is continuously monitored. Reports on its implementation are compiled quarterly on the basis of contributions in which about 80 different institutions to which the Action Plan refers participate. So far, 16 reports have been prepared and presented to the public. All reports are publicly available. The reporting process and report development methodology have two main features: transparency at all stages of the process and inclusiveness. Involvement of national councils of national minorities is present at all stages of the reporting process, as well as monitoring the implementation of the Action Plan. The manner in which they will be included was decided by the national councils of national minorities. Councils for interethnic relations, independent bodies that are formed in multiethnic units of local self-government (53 councils), also participate in reporting. Since the beginning of implementation of the Action Plan, a high percentage of implementing activities has been recorded (fully implemented and continuous activities and almost fully implemented activities), which averages about 83% in each reporting cycle, while results have been achieved in all areas of the Action Plan.  Implementation of the Action Plan is supervised by the Council for National Minorities of the Government of the Republic of Serbia chaired by the Prime Minister and consists of line ministers, as well as the presidents of all national councils of national minorities. The Council meets regularly. After the election of the new Government, in December 2020 the Government passed a Decision on amendments to the Decision on the formation of the Council for National Minorities, which changed the composition of the Council, i.e. newly elected ministers were appointed as members of this body.  Prohibition of discrimination on the grounds of religion in the Republic of Serbia is regulated in more detail by a series of laws that govern certain areas of social life and which sanction discrimination (Criminal Code, Law on Churches and Religious Communities, Law on Prohibition of Discrimination, Labour Law, Law on Foundations of Education and Upbringing, the Law on Asylum and Temporary Protection, the Law on the Protection Programme for Participants in Criminal Proceedings and others).  In the context of resolving the injustice committed, including violence and discrimination against religious minorities, there is the Law on Remedying Consequences of Seizure of Assets from Holocaust Victims with no Legal Living Heirs[[37]](#footnote-37). Based on the aforementioned Law, funds in the amount of EUR 950,000 per year will be allocated to the Federation of Jewish Communities from January 2017 for the next 25 years. Surviving descendants of Holocaust victims now living in Serbia and Israel have already been successfully exercising their rights before the Agency for Restitution.  On 24 February 2020 the National Assembly adopted without a single vote against the Law on Staro Sajmište Memorial Center[[38]](#footnote-38), in order to preserve the memory of members of the Serbian, Jewish and Roma communities who were killed at the Staro Sajmište during the Second World War.  Within the EU project *Support to Media Reforms*, a Handbook for the Promotion and Development of Media Literacy in Pre-University Education was developed. As part of the promotional campaign for the Handbook, an eighteen-episode feature-documentary-animated television series intended for children and young people has been prepared for broadcast. Radio Television of Vojvodina will adapt this content to be broadcast in the languages of national minorities on both public service media, and it will also be available in the digital version of the Handbook.  Programmes and projects are supported at all levels of government in order to improve the position of national minorities, promote tolerance and their rights. Among other things, RSD 80 million were allocated for 172 projects for co-financing projects in the field of public information in the languages of national minorities in 2018 and 2019. 12 multilingual projects implemented in Serbian and one or several languages of national minorities were supported, which contribute to the development of dialogue, better acquaintance and understanding in multinational environments.  In the reporting period, the Ministry of Youth and Sports financed 13 projects of citizens' associations aimed at the rights of national minorities through public competitions. |

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| **UPR recommendation**  **Number and country** | **CLUSTER XIV**  **RIGHTS OF ROMA MEN AND WOMEN** |
| 113.71  (Maldives)  113.72 (Mozambique)  113.73  (Germany)  114.102  (Uruguay)  114.103  (Albania)  114.104  (Austria) | The Strategy for Social Inclusion of Roma Men and Women in the Republic of Serbia for the period 2016-2025 is continuously monitored. For implementation of the two-year Action Plan for the period 2017-2019, EUR 6,722,481 were provided (70% from the budget of the Republic of Serbia, and 30% from donor and other EU funds). The results of the report on implementation of the Strategy show that continuity in the work on providing access to services and better quality of life for Roma citizens has been maintained through the introduction of Roma representatives in the process of implementing public policies (pedagogical assistants, health mediators, coordinators for Roma issues).  In accordance with its mandate, the newly formed Ministry of Human and Minority Rights and Social Dialogue has undertaken the obligation to complete the process of adopting the new two-year Action Plan for implementation of the Strategy for Social Inclusion of Roma Men and Women in the Republic of Serbia.  The Government of the Republic of Serbia, in cooperation with the European Commission, has been organising seminars on social inclusion of Roma men and women every two years since 2011 in order to monitor the improvement of the position of this national minority and define priorities for the next period, in the form of operational conclusions, and reports on their implementation are submitted to the European Commission. The then Office for Human and Minority Rights conducted an analysis of all operational conclusions. At the Seminar held last year, the operational conclusions for the period 2019-2021 were agreed.  In 2018, the Coordination Body for Gender Equality and UNICEF in Serbia launched an initiative to establish a *National Coalition to End Child Marriage*. The establishing meeting of the National Coalition was held on 21 February 2019 in Belgrade. The work of the National Coalition is coordinated by the Coordination Body for Gender Equality. The overall goal of the Coalition is to contribute to ending of child marriages in Serbia, especially in the Roma population, through targeted and coordinated action of relevant actors, in accordance with the goals of sustainable development from the UN 2030 Agenda. The intention is to achieve the goals by advocating the removal of institutional and social barriers to the implementation of relevant legislative and strategic frameworks, as well as by promoting examples of good practice implemented in partnership with local communities, non-governmental, governmental and private sectors and media. The work of the National Coalition continued in 2020 by including in the celebration of the campaign "16 days of activism against violence against women" with the message *Child marriage is not a Roma tradition*.  The database for monitoring the process of Roma inclusion[[39]](#footnote-39), which has been operational since 2016, is continuously filled with data. During 2019, three regional training sessions were organised for representatives of cities and municipalities in order to use the database. Development of a multilingual online platform of the Coordination Body for monitoring the implementation of the Strategy for Social Inclusion of Roma Men and Women in the Republic of Serbia is underway, where there will be a database with all relevant data related to monitoring the implementation of the Strategy in Romani and Serbian languages. Also, the website of the Ministry of Construction, Transport and Infrastructure has been translated into Romani.  The Law on Free Legal Aid was adopted in November 2018 and its implementation began on 1 October 2019. Having in mind the socio-economic position of Roma, it is expected that a large number of beneficiaries of the right to free legal aid will be from the Roma population and that the full implementation of this Law will enable significantly better access to justice and facilitate social inclusion.  The Republic of Serbia continuously makes efforts to improve the health care of women and children, and above all members of vulnerable social groups, including Roma. According to the provisions of the Law on Health Care[[40]](#footnote-40) and the Law on Health Insurance[[41]](#footnote-41) all persons on the territory of the Republic of Serbia are equal in the accessibility and quality of health care services. Also, all pregnant women and mothers up to 12 months after the birth of a child have the right to complete health care, including the right to medication and reimbursement of transportation costs, regardless of whether their health insurance documents are certified. Actions of free preventive examinations are regularly carried out for the purpose of early diagnosis and promotion of prevention as the most efficient way of taking care of one's own health. These examinations take place in the last weeks of a month throughout Serbia, and access is also provided to citizens who do not have health insurance, including a large number of members of the Roma national minority. The actions of free examinations in the reporting period covered more than 300,000 citizens of Serbia, with the involvement of more than 200 health institutions throughout the country. The state also invests in the infrastructure of health institutions in order to improve the quality of services to all citizens and the availability of health care. The Ministry of Health is working intensively on renovating health institutions and building new hospitals.  The results of the work of health mediators have led to a great shift in the field of health care for Roma men and women. Their work was assessed by the European Commission as the most successful measure in public policies in the field of inclusion of Roma men and women. Two thirds of hired mediators have completed secondary school or college, while one third of hired mediators have completed primary school. During 2019, 85 trained health mediators were hired within the health care system, which is a significant increase in the number, bearing in mind that in 2017, 60 were hired. Thanks to the engagement of health mediators, Roma women have easier access to health services, and the trend of conducting systematic and gynecological examinations has continued. Medical controls of the health of pregnant women and women who have recently given birth to babies have increased, as well as the number of vaccinated women and children. In the last ten years, the number of deaths of Roma children has decreased by 50 percent. In 2019, health mediators conducted 4,229 first visits and 10,740 second ones.  There are mobile teams for Roma inclusion in local self-government units, consisting of a coordinator for Roma issues, pedagogical assistants, health mediators, representatives of the Center for Social Work and representatives of the National Employment Service, and, if necessary, other representatives of LSGUs. So far, 50 mobile teams have been formed in 50 local self-government units.  Registration of persons in the records of the National Employment Service, i.e. the manner of keeping records and the content of data on the person are defined by the Law on Employment and Unemployment Insurance and the Rulebook on detailed data content and manner of keeping records in the field of employment[[42]](#footnote-42). Nationality or ethnicity is only one of the personal data provided for in Article 5 of the said Rulebook. The data is recorded on the basis of the person`s statement, that means the declaration is not obligatory, having in mind the legal provisions related to prohibition of discrimination when looking for a job and employment.[[43]](#footnote-43)  Observed by age structure, the category of young people (15-29 year old age group) includes 7,950 unemployed Roma men/women (participation of 28.4% in the total registered unemployment of Roma men and women, which is more favourable compared to the share of unemployed young people in total registered unemployment of 21.8%), while the category of the elderly (50-64 year old age group) includes 6,388 unemployed Roma men/women (participation of 22.8% in the total registered unemployment of Roma men and women, which is more favourable compared to the share of unemployed elderly in the total registered unemployment of 34.4%).  Observed by the level of qualification, 24,973 Roma men/women are without qualifications or with low level of qualifications (share of 89.3% in the total registered unemployment of Roma men/women, which is significantly less favourable compared to the share of unemployed without qualifications or low level of qualifications in the total registered unemployment of 33.5%). The intermediate level of qualifications is possessed by 2,833 unemployed Roma men/women (share of 10.1% in the total registered unemployment of Roma men and women), while the participation of Roma men/women with higher level of qualifications is only 0.6% (160 persons), which is significantly less favourable in relation to the share in the total registered unemployment (15.1%). The unfavourable educational structure of registered unemployment of Roma men and women is one of the key factors that hinder the efficient and sustainable integration of this category of the unemployed into the labour market.  Having in mind the predominant share of persons without qualifications and persons with a low level of qualifications, mediation in employment according to the applications of employers is possible only for simple occupations, which can consequently mean lower earnings. Also, the unfavourable educational structure directly affects the "passability" of unemployed Roma men and women towards active employment policy measures, where intermediate or high level of qualifications is required as minimum. The European Commission states in the 2020 Progress Report on Serbia that the low educational level of Roma men and women is still the main obstacle to employment.  Observed by the length of job search, 18,744 unemployed Roma men/women have been looking for jobs for more than 12 months (67% are in the category of long-term unemployed), which is at the level of the share of long-term unemployment in total registered unemployment (65.6%).   |  |  |  |  | | --- | --- | --- | --- | | Number of unemployed Roma men/women included in active employment policy measures | **2018** | **2019** | **2020**  **September** | | Number of unemployed Roma men/women included in active job search measures | 4,188  (1,797 women) | 4,685  (2,137 women) | 1,312  (596 women) | | Number of unemployed Roma men/women included in the programmes of additional education and training | 775  (464 women) | 845  (498 women) | 101  (50 women) | | Number of unemployed Roma men/women included in employment subsidy programmes | 527  (234 women) | 732  (307 women) | 463 (180 women) | | Number of unemployed Roma men/women covered by public works programmes | 649  (266 women) | 340  (111 women) | 330  (105 women) | | **Total number of unemployed Roma men/women included in active employment policy measures** | 6,139  (2,761 women) | 6,602  (3,053 women) | 2,206  (940women) | | Total with support IPA 2013 programme cycle to active employment policy measures | 6,175  (2,781 women) | 6,635  (3,062 women) | / | | Share of Roma men/women in the total number of unemployed persons | 4.01% | 4.63% | 4.7% |   According to the findings from the ex-post analysis of the National Employment Strategy for the period 2011-2020[[44]](#footnote-44), as a result of NES activities on activating and motivating unemployed Roma men and women to register as unemployed, with the growth of the number of registered unemployed Roma men and women and their involvement in active employment policy measures - both in absolute and relative terms. The share of Roma involved in the total number of persons involved in all active employment policy measures increased from 2% in 2011 to 5% in 2019. As a particularly good result, the increased involvement of Roma in the so-called "financial measures" is empasized. This significantly improved the targeting of Roma, compared to the beginning of the period, when Roma accounted for only about 2% of all persons involved in financial measures, while their participation in 2019 was about 8%. Also, the share of employed Roma in the total number of employed persons from the NES records increased during the observed period.   |  |  |  |  | | --- | --- | --- | --- | | **Registered unemployment[[45]](#footnote-45)**  **(status as of 31 December)** | **2018** | **2019** | **status as of**  **30 September 2020** | | Total registered unemployment | 552,513  (294,978 women) | 506,865  (277,678 women) | 498,708  (276,570 women) | | Members of Roma national minority | 25,605  (12,323 women) | 25,918  (12,852 women) | 27,966  (14,027 women) |   Source: National Employment Service, Overview of the registered unemployment of Roma men/women  Data from the new MICS survey[[46]](#footnote-46) show that 27% of Roma girls and 50% of Roma secondary school students attend secondary education, which is an increase compared to 2015 when only 15% of Roma girls attended secondary school. In the school year 2019/20, according to the data of the Ministry in charge of education, the coverage of primary education was 77% (80% of girls, 73% of boys), while dropping out of education was reduced by 7%. With the aim of complete elimination of drop-outs from primary education, an early warning indicator system (EWIS) has been created and is applied in educational institutions. In addition to affirmative enrollment in preschool institutions and enrollment in primary schools without documents, the competent Ministry of Education continues with measures to support the Roma community through scholarships and affirmative measures of enrollment in secondary schools and higher education institutions founded by the Republic of Serbia.  In the period from 2018 to the end of 2020, 4,947 citizens were returned to the Republic of Serbia in the readmission procedure, mostly from European Union states. According to data collected by the Commissariat at Belgrade's Nikola Tesla Airport, 75% of returnees belong to the Roma community. Every year, the Commissariat for Refugees and Migration provides financial resources for the encouragement of local self-government units in order to implement measures and activities aimed at the reintegration of returnees on the basis of the Readmission Agreement. In the reporting period, 120 housing solutions were provided from these resources, and additional 86 solutions were provided from donor funds.  Implementation of support measures for children returned under the Readmission Agreement from Western European states continued. During the 2019/20 school year, a total of 77 pupils, readmission returnees, 32 girls and 45 boys were enrolled in primary schools in the territory of the Republic of Serbia. Since primary schools have an affirmative approach to resolving the issue of returnees upon readmission, these pupils in most cases are not registered separately, but facilitated enrollment and/or return to school procedures are applied, then a team for prior knowledge testing is hired and then pupils are included in regular teaching. In addition, if pupils/students return during the same school year, the school does not treat them as newly enrolled students, but they remain in the same class according to Amendments to the Law on the Education System regarding children and students returned to the country under a readmission agreement, and if they do not speak language in which the educational work or certain programme contents of importance for the continuation of education and upbringing are performed, the institution shall organise the learning of Serbian as a foreign language.  There is a growing interest of young parents - returnees after readmission to enroll their children in preschool institutions from the earliest age, and especially the interest of Roma mothers to include female children in the educational process as early as possible. In primary schools, it is observed that the longer parents stay in EU states, the greater their interest in including children in the education system. Most problems occur with pupils who move to higher classes of primary school, from the fifth class onwards. The most common support is the organisation of additional classes at school and peer learning. All primary schools have developed special support plans for each child who needs support. These individual educational plans contain suggestions for improving literacy, learning Cyrillic, Serbian language and certain teaching materials.  A number of local self-government units have adopted local action plans to address the issues of refugees, internally displaced persons and returnees, and the field of education is an integral part of these plans. Local migration management councils provide support in drafting the document, and cooperate with educational institutions when enrolling in school.  Members of the Roma community, in accordance with the Constitution and laws, fully exercise all their religious freedoms and rights. They also enjoy the right to worship in their mother tongue within the Islamic communities and the diocese of Bačka of the Serbian Orthodox Church.  In the period July 2015 - December 2019, the Ministry of Youth and Sports was a key partner to GIZ for the implementation of the programme "Youth Employment Promotion - YEP", which aimed to improve the conditions for better positioning of young people in the labour market, with the establishment and strengthening local initiatives for employment of 15-35 years old young people, as well as young people from vulnerable groups (especially NEET), which was implemented in Srem, South Banat, Nišava and Jablanica districts. The project activities covered 12,731 persons (of which 1,492 were Roma, while 1,063 participants belonged to the category of young people without qualifications or with a low level of qualifications). As part of measures to improve employability and encourage employment, 1,422 participants were employed, and 835 were in further measure. Of this number, 191 persons were of Roma ethnicity, and 501 from the category of young people without qualifications or with a low level of qualifications.  Within the IPA 2013 programme cycle, funds were provided for the implementation of active employment policy measures (direct allocation of NES funds), which supported the inclusion of 69 unemployed members of the Roma national minority in the active employment policy measures in the period 2018-2019.  Every year, the Office for Human and Minority Rights supports the projects of citizens' associations within public competitions with the funds from the RS budget in order to improve the position and status of Roma in the Republic of Serbia. Since 2018, a total of 90 projects have been supported with funds in the total amount of around RSD 37 million. |

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| **UPR recommendation**  **Number and country** | **CLUSTER XV**  **RIGHTS OF REFUGEES AND INTERNALLY DISPLACED PERSONS (IDPs)** |
| 113.74  (Germany)  114.27  (Palestine)  114.116  (Honduras) | In March 2018, a new Law on Asylum and Temporary Protection[[47]](#footnote-47) was adopted. In accordance with the Law, the Commissariat for Refugees and Migration provides material reception conditions for the asylum seekers, provides temporary accommodation to persons granted the right to asylum in accordance with regulations governing migration management, implements programmes for voluntary return of an alien to the country of origin and integration programmes for persons who have been granted the right to asylum in the Republic of Serbia.  Every alien who is on the state border or within the territory of the Republic of Serbia, regardless of whether he/she is accommodated in an asylum center or some other facility intended for accommodation of asylum seekers or a shelter for aliens or is located at a private address at any time during his/her stay in the territory of the Republic of Serbia, has the right to access the asylum procedure or to express the intention to submit an asylum application to an authorised official of the Ministry of Interior. Decision on the submitted application for asylum shall be made within three months from the date of submitting the application for asylum, but in cases prescribed by law, the deadline may be extended.  Legal framework of the Republic of Serbia prescribes the principle of non-refoulement. In this regard, the Constitution of the Republic of Serbia guarantees that a foreign national may be expelled only under decision of a competent body, in the procedure stipulated by the law and if time to appeal has been provided for him and only when there is no threat of persecution based on his race, sex, religion, national origin, citizenship, association with a social group, political opinions, or when there is no threat of serious violation of rights guaranteed by this Constitution. In addition, regulations in the field of migrations and asylum stipulate the obligation to respect the principle of non-refoulement not only within the asylum procedure (Law on Asylum and Temporary Protection) but also in the procedure of forced removal (Law on Foreigners[[48]](#footnote-48)). The principle of non-refoulement in the procedure of forced removal covers a wider scope of obligations for the state, and stipulates that a foreigner must not be forcibly removed not only to the territory where he is threatened with persecution due to any of his personal characteristics, but also to the territory where he is at risk to be subjected to death penalty, torture, inhuman or degrading treatment or punishment, or where he is threatened with a serious violation of the rights guaranteed by the Constitution of the Republic of Serbia, even if it poses a danger to the public order of the Republic of Serbia.  In a situation when a foreigner cannot be removed due to the respect of the principle of non-refoulement, a decision on postponing the forced removal will be made. A foreigner whose forced removal has been postponed has the right to emergency medical care, and if he is a minor, the right to primary education.  In 2018, the intention to seek asylum in the Republic of Serbia was expressed by 8,410 foreign citizens: Afghanistan - 2,624, Pakistan - 1,831, Iran - 1,613, Iraq - 802, Syria - 455, Other - 1,085. Of this number, there were a total of: 7,485 men, 925 women, 2,460 minors (2,166 boys and 294 girls). Out of the total number of unaccompanied minors, there were 700 (695 boys and 5 girls). 341 asylum applications were submitted in the Republic of Serbia.  During 2019, 12,935 certificates of registration of aliens who expressed their intention to apply for asylum in the Republic of Serbia were issued, as follows: Afghanistan - 3,844, Pakistan - 2,766, Syria - 1,975, Iraq - 1,560, Bangladesh - 849, Iran - 358, Burundi - 224, Other - 1,359. Of this number, there were a total of: men - 12,046, women - 889, minors - 2,930 (2,615 boys and 315 girls). Out of the total number of unaccompanied minors, there were 823 (816 boys and 7 girls). 251 asylum applications were submitted in the Republic of Serbia.  Serbia has continued to make a significant contribution to managing mixed migration flows to the EU, playing an active and constructive role and cooperating effectively with its neighbours and EU member states. It also continued the effective implementation of the integrated border management strategy and the corresponding action plan.  Overview of the numbers of migrants provided with accommodation:  In 2018 – a total of 23,404 migrants passed through 19 asylum and reception centers, mostly from Pakistan (30.7%), Afghanistan (27.7%) and Iran (15.8%). Men made up 86% of the migrant population, and women 14%. There were 77.8% of adults and 22.2% of minors.  In 2019 – a total of 35,477 migrants passed through 17 asylum and reception centers, mostly from Afghanistan (38.3%), Pakistan (21.9%) and Bangladesh (10%). Men made up 92.7% of the migrant population, and women 7.3%. There were 84.6% adults and 15.4% minors.  In 2020 – a total of 60,947 migrants passed through 20 asylum and reception centers, mostly from Afghanistan (38.9%), Syria (22.2%) and Pakistan (12.1%). Men made up 92.1% of the migrant population and women 3.9%. 91.6% were adults and 8.4% minors.  As regards access to education, student registration, the principle of equal treatment, prevention of xenophobia and intolerance, the Republic of Serbia fulfills its obligations in accordance with international agreements in the field of human rights, as well as national regulations. The challenge for our education system is the fact that migrant and refugee children rarely have documentation of previous schooling with them, and in most cases it is impossible to have insight into previously acquired education and achievement.  The expert instruction for the inclusion of refugee students/asylum seekers in the education system (2017) specified the obligations of schools to develop a School Support Plan, as well as a Student Support Plan which contains: a programme for adaptation and coping with stress; intensive language learning programme in order to conduct language learning in accordance with the methodology of accelerated mastering of the Serbian language programme as a foreign language in additional classes, but also through participation in regular classes and extracurricular activities that a school implements; individualisation of teaching activities through adjusting the schedule of classes, didactic material, methods and manners of work; involvement in extracurricular activities with peer support.  In our education system, the complete inclusion of migrant children has been designed, in which the school adapts to the needs of children. Thanks to good organisation of the system, 98% of children from the reception centers of the age for the preparatory preschool programme and primary school age in Serbia are in the education system. Young people over the age of 17 also have the opportunity to attend secondary schools, schools where there are vacant places, and in accordance with their interests. Every child who leaves the system and heads to the country of final destination, carries with him, in addition to knowledge and good impressions, a school report prepared by teachers in Serbian, and an extract in English with a description of achievements based on cross-curricular competencies (not based on subjects), in order to be identifiable in other countries.  The most significant results: assistance in the form of school supplies and equipment was awarded to migrant students in schools where migrant children are educated; a series of training sessions was implemented regarding application of the Expert Instruction for the inclusion of refugee students/asylum seekers in the education system with more than 3,000 teachers and professional associates; standards[[49]](#footnote-49)and curriculum were developed for the new subject Serbian language as a foreign language, and more than 600 teachers received training to apply the new curriculum.  *Published manuals and handbooks:* Manual for schools in the implementation of the Expert Instruction for Inclusion of Refugee Students/Asylum Seekers, which represents support for school employees, in order to strengthen intercultural competencies, reduce children's stress, as well as develop and implement a Support Plan for students from different cultural backgrounds from the Expert Instruction[[50]](#footnote-50); manual From Serbian as a Foreign Language to Serbian as the Language of the Environment and Handbook with examples of good practices of schools that educate migrants. |

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| **UPR recommendation**  **Number and country** | **CLUSTER XVI**  **FIGHT AGAINST HATE CRIMES AND HATE SPEECH** |
| 113.21  (Lebanon)  114.24  (Venezuela)  114.48  (Argentina)  114.49  (Norway)  114.52  (Belgium) | Under the Constitution of the Republic of Serbia[[51]](#footnote-51) any inciting of racial, ethnic, religious or other inequality, hatred and intolerance shall be prohibited and punishable. Also, hate speech is prohibited by laws (Criminal Code[[52]](#footnote-52), Law on Prohibition of Discrimination[[53]](#footnote-53), Law on Public Information and Media[[54]](#footnote-54) and Law on Electronic Media[[55]](#footnote-55)). In addition to the above, Serbia is committed to the implementation of all other laws in this area. In implementing the recommendations, the Government of the Republic of Serbia pays great attention to strengthening cooperation with local self-government units, civil society organisations, independent state bodies and international organisations. The fact that Serbia has prohibited hate speech with the Constitution and laws, indicates a clear determination of the state to resolve this issue through legal norms that are binding for every citizen of Serbia. The Action Plan for Negotiating Chapter 23: Justice and Fundamental Rights precisely defines the sequence of steps to improve the implementation of adopted laws prohibiting hate speech and hate crimes.  The indicator that the Law on Prohibition of Discrimination is equally and effectively applied to the Government officials is confirmed by the fact that the Commissioner for Protection of Equality makes recommendations to ministers and ministries, as well as that the ministers in charge of social protection, health, education and foreign affairs and other state bodies acted on previous recommendations by the Commissioner regarding discriminatory statements.  The Government of the Republic of Serbia shows its commitment to the fight against hate speech by the fact that at the beginning of 2020, it adopted the Working Definition of Anti-Semitism given by the Committee on Anti-Semitism and Holocaust Denial, International Holocaust Remembrance Alliance (IHRA).  During the pandemic, media reports did not use the qualification provisions of the COVID-19 virus, such as "to come from China", "Chinese virus" and the like. The citizens of Serbia have shown solidarity and tolerance, which is certainly contributed by the messages of the authorities that all citizens are equal, with calls for unity and tolerance.  The conduct of MPs is precisely regulated by the Rules of Procedure of the National Assembly, as well as by the Code of Conduct for MPs regarding the limits of permissibility of commenting on court decisions and procedures.  Also, in order to improve the rules of conduct for MPs and strengthen the citizens` trust in the highest house of representatives, the National Assembly adopted the Code of Conduct for MPs at its session on 23 December 2020. It determines the basic principles, general ethical values and rules of conduct for MPs, publicity of work, confidential advice on the application of the Code, conducting training sessions for MPs, as well as measures in case of violation of the Code.  The Regulatory Authority of Electronic Media (REM) has a significant role in preventing hate speech. In accordance with Art. 51 of the Law on Electronic Media, it is stipulated that this authority ensures that the programme content of the media service provider does not contain information that encourages, in an open or covert manner, discrimination, hatred or violence due to race, skin colour, ancestors, citizenship, ethnicity, language, religious or political beliefs, sex, gender identity, sexual orientation, property status, birth, genetic characteristics, health status, disability, marital and family status, conviction, age, appearance, membership in political, trade union and other organisations and other real or assumed personal characteristics.  By the instruction of the Republic Public Prosecutor A No. 802/15 dated 22 December 2015 a special record was established for hate crimes within the meaning of Article 54a of the Criminal Code (hate crime). The record does not refer to hate speech which is not specifically incriminated by this Code and which is not punishable. Hate speech is most often an act of committing a criminal offence of Instigating national, racial and religious hatred and intolerance under Article 317 of the Criminal Code, as well as criminal offences of Injury to reputation due to racial, religious, ethnic or other affiliation under Article 174 of the Criminal Code and Racial and other discrimination under Article 387 of the Criminal Code. The Republic Public Prosecutor's Office records in the annual report the actions of the public prosecutor's offices for the stated criminal offenses.  In the period 1 January 2018 to 31 December 2019, for the criminal offence under Article 317 of the Criminal Code, criminal charges were filed with public prosecutor`s offices against a total of 60 persons, an indictment was filed against 20 persons, while a conviction was rendered against 15 persons.  According to the data of the Republic Public Prosecutor's Office in the special record of criminal offences committed out of hatred motives (Article 54a of the Criminal Code), in the period from 1 January 2016 to 15 November 2020, 26 cases were registered. The first judgment implementing Art. 54a of the Criminal Code was passed in June 2018. A total of seven final convictions were passed, while in one case the court passed a conviction but found that the criminal offence was not committed out of hatred. An indictment has been filed in four more cases and the court proceedings are ongoing. In five cases, a decision was made to reject the criminal charges, while in the remaining cases, the prosecution performs checks.  Pursuant to the Mandatory Instruction of the Republic Public Prosecutor O No. 4/2018 dated 28 September 2018 in all appellate, higher and basic public prosecutor's offices, the prosecutors-contact persons were appointed for hate crimes, within the meaning of Article 54a of the Criminal Code.  During 2018, Guidelines for the Prosecution of Hate Crimes in the Republic of Serbia were developed, which are intended for public prosecutors. During 2018 and 2019, the Judicial Academy held training sessions for the implementation of the Guidelines for a total of 214 public prosecutors.  Since the beginning of 2018, numerous activities have been implemented aimed at improving the capacity of relevant state institutions, judiciary, judges, prosecutors, police, media, local self-government units and civil society organisations in order to enforce the law and sanction hate speech and criminal offences and more efficient sentencing.  Through the National Council for the Prevention of Negative Phenomena in Sports, the work has been done on improving the measures and activities of state administration bodies and competent national sports federations to prevent violence and inappropriate behaviour in sports.  In July 2019, the Ministry of Culture and Information, in cooperation with the Council of Europe Office in Belgrade, published the Serbian version of the Council of Europe Handbook on Protecting the Right to Freedom of Expression under the European Convention on Human Rights, intended for legal professionals. Special attention in this handbook is paid to the fight against violence, hate speech and racism. The Handbook on Media Literacy for Pre-University Education includes hate speech and stereotyping. It will be translated into minority languages ​​in the coming period.  Coordination meetings of representatives of competent state bodies and civil society organisations are regularly held in order to establish a mechanism for combating hate crimes in the Republic of Serbia. Within the Ministry of Human and Minority Rights and Social Dialogue, there is a national contact person for hate crimes.  Within the Judicial Academy Continuing Training Programmes for 2018, 2019 and 2020, the topic of hate crime was especially singled out. Objectives of the seminar, whose target group - judges of the basic court - criminal division, judges of the higher court - criminal division, judges of the appellate court - criminal division, basic public prosecutors and deputies, senior public prosecutors and deputies, appellate public prosecutors and deputies, prosecutorial assistants, are mastering special knowledge related to getting acquainted with the concept of hate crime within the meaning of Article 54a of the Criminal Code and comparative legislation, as well as getting acquainted with the practice of the European Court of Human Rights and the UN Committee. In the reporting period, eight training courses for public prosecutors were organised (four training courses in 2018 and four training courses in 2019). Also the Continuing Training programme includes the HELP programme of the Council of Europe - Hate Crime and Hate Speech, whose target group is: judges of the basic court - civil division, judges of the higher court - civil division, judges of the appellate court - civil division, basic public prosecutors and deputies, senior public prosecutors and deputies, appellate public prosecutors and deputies, as well as judicial and prosecutorial assistants. |

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| **UPR recommendation**  **Number and country** | **CLUSTER XVII**  **PREVENTION OF DOMESTIC VIOLENCE** |
| 113.42  (Mexico)  113.43  (Moldova)  113.44  (Slovenia)  113.45  (Tunisia)  113.46  (Indonesia)  113.47 (Kyrgyzstan)  113.48  (Czechiа)  113.49  (Аustriа)  113.50  (Gabon)  113.51  (Palestine)  113.52  (Poland)  113.53  (Greece)  114.87  against women (Estonia)  114.88  (Iraq)  114.89 (Kyrgyzstan)  114.90  (Estonia) | In May 2020, the Government of the Republic of Serbia adopted the Strategy for Prevention and Protection of Children from Violence for the period 2020-2023 with the Action Plan for 2020 and 2021.  The General Protocol on Protection of Children from Abuse and Neglect is also being improved. The strategy within the strengthening of the institutional mechanisms for responding to all forms of violence against children, as one of the activities provides for innovation and mutual harmonisation of the General and Special Protocols for the Protection of Children from Violence, harmonisation with EU best practices, introduction of obligations to implement their content and monitoring and control mechanisms.  In July 2020, the Strategy for Exercising the Rights of Victims and Witnesses of Criminal Offences in the Republic of Serbia for the period 2020-2025 was adopted with the accompanying three-year Action Plan. The strategy has three main objectives: establishing a national network of support services, improving the protection of victims and witnesses of criminal offences, and raising awareness of the rights of victims and witnesses of criminal offences. In order to ensure the full implementation of the documents, the Government of Serbia will establish a Coordination Body to support victims and witnesses of criminal offences. Also, the organisational structure of the Ministry of Justice will be changed through introduction of the position of the Coordinator of Victim Support Services with the task of regular monitoring the work of the network of services.  In 2019, development of the National Strategy for the Prevention and Suppression of Violence against Women in Family and in Intimate Partner Relationships (2020-2025) and the accompanying two-year Action Plan began. After the election of the new Government of the Republic of Serbia, at the end of 2020, at the initiative of the Ministry of Justice, the process of establishing the Working Group for drafting this strategic document was renewed so that this document could be adopted next year.  The planned amendments to the Family Law provide for certain changes in the field of protection from domestic violence, especially the introduction of a new measure of civil liability for the perpetrator of violence and new measures that provide more complete and adequate monitoring of the implementation of measures for protection from domestic violence.  The Law on Prevention of Domestic Violence has been in force since June 2017. From the beginning of the law implementation until September 2020, the Coordination and Cooperation Groups considered 161,942 cases of domestic violence, and developed 50,111 individual protection plans. During each year, there is an increase in all categories - both in imposed emergency measures, in extended emergency measures, but the increase is by far the largest in the number of individual protection and support plans. According to the data of the Ministry of Interior, from the beginning of the Law implementation until the end of 2020, 98,323 emergency measures were imposed, of which 30,161 emergency measures - temporary removal of the perpetrator from the flat and 68,162 emergency measures - temporary prohibition of the perpetrator to contact and approach the victim of violence. The total number of extended emergency measures is 60,851, the number of violated emergency measures is 6,449.  As regards four criminal offences provided for in the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, which are integrated into the Criminal Code, the statistics in the period 1 June 2017 to 30 September 2020 is in the tabular presentation.     |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | |  | Number of reported persons | Number of rejections  (by persons) | Number of investigations and evidentiary actions  (by persons) | Number of indictments filed  (by persons) | Number of judgments rendered  (by persons) | | | Convictions | Acquittals | | Female genital mutilation  (Art. 121a of CC) | **/** | **/** | **/** | **/** | **/** | **/** | | Persecution  (Art. 138a of CC) | **1,906** | **340** | **1,573** | **226** | **128** | **5** | | Sexual harassment (Art. 182a of CC) | **656** | **87** | **529** | **126** | **82** | **3** | | Forced marriage (Art. 187a of CC) | **3** | **/** | **2** | **1** | **/** | **/** |   Source: Republic Public Prosecutor`s Office  In the time period from 1 January 2017 to 11 December 2020, a total of 22,745 criminal charges were filed by police officers of the Ministry of the Interior for 23,121 criminal offences of domestic violence under Article 194 of the Criminal Code.  In parallel with adopting the Law on Prevention of Domestic Violence, the Ministry of Justice initiated a campaign and site Exclude violence breaking gender stereotypes and established gender patterns, affects public awareness of the importance of gender equality, identifies that violence is related to sex and gender and is always expression of power.  The Coordination Body for Gender Equality is the main implementing partner in cooperation with the Swedish Government and is implementing the project *Integrated Response to Violence against Women and Girls* funded by the Swedish Government. The project influenced the preparation of institutions for implementation of the Law on Prevention of Domestic Violence, and also ensured that even after its entry into force, support has been provided to institutions in the form of training, consultative support and guidelines to respond to practical challenges and ensure uniform application throughout the country. Over 1,000 professionals directly participated in activities to support the implementation of the Law on Prevention of Domestic Violence. Practical examples and guidelines for the implementation of the Law are available to all professionals, especially to CSW, police, prosecutors and health institutions. The police, health and education sectors have received special training, as they are the first institutions that encounter violence and further actions to protect victims from violence depend on their initial treatment. In November 2020, the third phase of the project was announced, worth USD 1,500,000.00 for the period 2020-2021. In addition to the existing partners, the Commissioner for the Protection of Equality also joined the project.  The Regulation on Safety and Protection of Children in the Use of Information and Communication Technologies regulates measures for safety and protection of children on the internet as activities of public interest and determines the competencies and cooperation of state bodies and institutions in resolving reports in the field of child safety on the internet. Total communications registered in the National Contact Center for Child Safety on the Internet through telephone calls, e-mails, reports via the site and social networks for the requested period are 15,810. A total of 3,051 cases were created, of which 176 were forwarded to the competent institutions: 18 cases to the Ministry of the Interior; 89 cases to the Prosecutor's Office for High-Tech Crime; 47 cases to the Ministry of Education, Science and Technological Development; 8 cases to centers for social work and 9 cases to health centers. For all other cases, advisory services were provided by the competent Ministry of Trade, Tourism and Telecommunications.  As part of the activities performed by the National Contact Center, education of children, teachers and parents on smart and safe use of the internet and modern technologies is also conducted. In 128 primary schools throughout the Republic of Serbia, lectures specially adapted for school-age children and lectures adapted for parents on the topic of child safety on the internet were held, and 394 presentations were held, attended by 14,667 students and 5,074 parents.  Within the project *Prevention and fight against sexual abuse and exploitation of children on the internet in Serbia and Bosnia and Herzegovina* implemented by *Save the Children* and the Judicial Academy in cooperation with the Ministry of Interior during 2019 and 2020, 10 training courses were held on the topic of protection of children from sexual abuse and exploitation on the internet, which were attended by 117 police officers from 27 police directorates.  260 state bodies participated in the preparation of the first national report on the implementation of the Istanbul Convention (GREVIO), which speaks not only about the number of institutions that are familiar with the obligations under the Istanbul Convention, but also the commitment to respond to these obligations. The report shows a need for a more comprehensive response to all violence against women covered by the Convention, not only domestic violence. This should also include rape, persecution, sexual harassment and forced marriage. The final GREVIO report with recommendations to the Republic of Serbia regarding the implementation of the Istanbul Convention was published on 22 January 2020. The Coordination Body for Gender Equality which coordinated the process of preparation of the first state report, sent to all competent bodies and institutions the GREVIO report translated into Serbian, for further action in accordance with the competencies and mandate.  Violence against women with disabilities, Roma women and rural women and the specific barriers they face have also become visible to the public, and professionals in particular have increased their understanding of the problem. Local SOS telephones have managed to survive and even expand their services, in respect of the territorial scope in which they provide the service, the number of users to whom the service may be available, the introduction of new services (psychological or legal), which they provide not only through telephone consultations, but also through direct work with victims. Standards have been developed for working with perpetrators of violence in partnership with women's NGOs, which have long challenged these programmes.  Preventive activities were carried out among all generations – from preschools to secondary schools, including local youth clubs. A survey of men’s attitudes was conducted, which provides significant insights on how to involve men to become allies in achieving gender equality and combating violence. 960 children were involved in socio-emotional learning, while 624 parents participated in workshops on socio-emotional learning and promoting diversity. The coaches trained preschool teachers and professional associates, and all activities with children and parents were undertaken by preschool teachers within the regular work with children and planned activities of cooperation with the families. 231 students from 7 primary and secondary schools participated in awareness-raising activities on the prevention of gender-based violence. 2,437 students participated in local actions organised to promote diversity and gender equality at the local level.  The work of the media and understanding of the preventive role of the media have increased, especially through the work of the group Women Journalists Against Violence, which, from the initial four women, today has over 30 members.  Since 2018, three public calls have been conducted to support social housing projects. The projects supported with the amount of RSD 30 million, aimed at improving the living conditions of beneficiaries and their children in safe houses. In cooperation with donors, during the COVID-19 pandemic, the Government of the Republic of Serbia supported the work of safe houses by providing hygiene packages and TV equipment so that children could follow online classes. Also, solving the problem of licensing was initiated, which is under the responsibility of the Ministry of Labour, Employment, Veteran and Social Affairs.  The Coordination Body for Gender Equality has been continuously conducting a campaign "16 days of activism against violence against women" for years.  At his initiative, every year more than 50 local governments respond to the call for the symbols of cities and municipalities to be illuminated in orange during the campaign, the official color of the campaign symbolizing a bright future. As part of the 2019 campaign, public transport buses in five cities in Serbia were branded with campaign data and colors, as well as important messages, in order to draw the attention of the general public to the harmfulness of violence. Given the epidemic caused by the coronavirus virus in 2020, a digital campaign "*You are not alone, report violence*" was held, within which officials and celebrities addressed women with a message not to suffer violence and to report it to institutions.  The Deputy Prime Minister of Serbia and the President of the Coordination Body for Gender Equality initiated a multisectoral meeting on *Violence against women and girls during the coronavirus epidemic*, bearing in mind the increase in gender-based and partner violence recorded by all countries during the coronavirus pandemic, but also the necessity of a coordinated and integrated response of all relevant institutions - state bodies, international organisations and the non-governmental sector.  The Coordination Body for Gender Equality supported the regional dialogue on women as the ones to respond to the crisis caused by COVID-19. The participants in the dialogue agreed that the priority issues of the region's response to COVID-19 were certainly an integrated and multisectoral response; prevention and suppression of violence against women and girls and gender-based violence; redistribution of the increased burden of the care economy; reducing the gender gap, especially in the area of digital literacy; taking care of the gender perspective when planning and budgeting responses, providing gender statistics, involving young people and better preparation in order to respond more adequately to future crises.  In a situation of estimated increased risk of domestic violence during the state of emergency due to the COVID-19 pandemic, due to the introduction of curfews, potential non-reporting of cases or difficulties in removing perpetrators from their homes, the Protector of Citizens initiated an amendment to the Emergency Measures Regulation in order to enable free movement of victims of domestic violence.  In accordance with the National Youth Strategy for the period 2015-2025, the Ministry of Youth and Sports has been announcing public competitions for citizens' associations. During the reporting period, nine projects aimed at preventing domestic violence were financed through public competitions. We draw special attention to the project dated 2020 *Implementation of the Information System for the Prevention of Peer Violence - Phase 2* by the Women's Support Center, which showed that the implementation and improvement of an integrated information system of web and mobile applications for the prevention of peer violence in Serbia - the application "Tell me ..." should be further developed through a multisectoral approach, especially since the application is developed and can be used to help children/young people in order to keep children/young people safe. |

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| **UPR recommendation**  **Number and country** | **CLUSTER XVIII**  **GENDER EQUALITY** |
| 113.15  (Belarus)  113.18  (Iceland)  113.28  (Bosnia and Herzegovina)  113.36  (China)  113.37  (Cuba)  113.38  (Egypt)  113.39  (New Zealand)  113.40  (Poland)  113.41 (Azerbaijan)  114.30  (Latvia)  114.31 (Turkmenistan)  114.83  (Portugal) | The employment policy, as a segment of the comprehensive economic policy of the Republic of Serbia, is in line with the implementation of the policy of equal opportunities in the labour market and the promotion of equal access to economic opportunities for women and men. In addition to the above, the Government of the Republic of Serbia provides active support to the economic empowerment of women and strengthening their position in the labour market.  Salaries of public sector employees are regulated by the Law on the System of Salaries for Public Sector Employees[[56]](#footnote-56), the Law on Salaries of Civil Servants and State Employees[[57]](#footnote-57) and the Law on Salaries in State Authorities and Public Services[[58]](#footnote-58). The mentioned laws regulate salaries, compensations and other benefits of the public sector employees and prescribe that a salary shall consist of a basic salary and the increased salary and contain on a monthly level both taxes and contributions paid from the salary. The basic salary is determined by multiplying the basis for calculation and payment of salary, which is unique for all employees in certain parts of the public sector, by a coefficient, whereby these coefficients are determined in the same way for all employees in the public sector, regardless of gender. In that way, equal conditions were prescribed and created for the exercise of the right to salaries, compensations and other benefits of employees in the public sector, regardless of their gender.  Amendments to the Law on Election of Deputies[[59]](#footnote-59) and the Law on Local Elections[[60]](#footnote-60) Amendments to the Law on Election of Deputies and the Law on Local Elections reduced the electoral threshold from five to three percent. Within the amendments to the law, it is envisaged that there must be 40% of the underrepresented gender on the election list. Among every five candidates in the order on the list (the first five places, the other five places and so on until the end of the list) there must be at least two candidates - members of the sex that is underrepresented on the list. After the elections for deputies held on 21 June and 1 July 2020, there are currently 99 women deputies in the National Assembly (out of a total of 250 deputies). The work of the Women's Parliamentary Network, as an informal group consisting of deputies from various parliamentary groups, will be continued in this convocation of the National Assembly. Also the Government of the Republic of Serbia has a significant number of women: in the position of Prime Minister, as well as at the head of ten ministries (out of a total of 21 ministries).  In the courts of general jurisdiction, 69% are women, in the courts of special jurisdiction there are 76.3%, of the total percentage of public prosecutors 56% are women, among notaries public there are 56.3%, and among public bailiffs there are 41.9%.  The Law on Civil Servants[[61]](#footnote-61) and the Law on Employees in Autonomous Provinces and Local Self-Government Units[[62]](#footnote-62), as one of the basic principles, stipulate that all jobs are available to candidates under equal conditions when employing in a state body, i.e. in the bodies of the Autonomous Province and local self-government units and when employing in state bodies/bodies of AP and LSGU, it should be taken into account that the national composition, gender representation and number of persons with disabilities reflect the structure of the population as much as possible.  In the last convocation of local authorities, there were 12 women at the head of municipalities and cities, and after the elections held on 21 June 2020 and in accordance with the constitution of municipal and city assemblies, 20 women were elected to lead municipalities and cities in the Republic of Serbia, which is an increase in the number of the underrepresented sex, but still insufficient. After the elections and the constitution of the assemblies of cities and municipalities, there are 29 women at the head of the city/municipal assemblies. Out of 145 local self-government units, 73 women have been appointed as heads of city/municipal administrations, which represents 50% of the representation of women in this very important position in the local self-government units (this number does not include municipalities in AP Kosovo and Metohija, which is 29).  In accordance with the provisions of the Law on Employment and Unemployment Insurance[[63]](#footnote-63), the National Employment Service (NES) keeps records of unemployed persons - persons from 15 years of age until they meet the conditions for retirement, or no later than 65 years of age, who are capable and immediately ready to work, who have not established an employment relationship or otherwise exercised the right to work, and who are kept in the unemployment register and are actively seeking employment. Data records are gender disaggregated.  By the age structure in the total registered unemployment of women, unemployed women aged 15-29 make up 21% of women, age categories 30-49 make up 47%, and age categories 50-64 make up 32%.  By qualification structure in the total registered unemployment of women, women without qualifications or with low level of qualifications make up 32.8%, with intermediate level of qualifications 50%, while women with college and university levels of qualifications make up 17.2%. Observing total registered unemployment, women with college and university levels of education make up 65.6%. There are 185,993 women in the status of long-term unemployed persons (share of 67.2% in the total registered unemployment of women).   |  |  |  |  | | --- | --- | --- | --- | | Number of unemployed persons included in active employment policy measures | **2018** | **2019** | **2020**  **September** | | Number of unemployed persons included in active job search measures | 126,654  (69,257 women) | 119,294 (66,384 women) | 32,095 (17,338 women) | | Number of unemployed persons included in the programmes of additional education and training | 10,225 (6,352 women) | 9,177  (6,000 women) | 4,305  (2,728 women) | | Number of unemployed persons included in employment subsidy programmes | 8,442  (2,259 women) | 8,776  (4,490 women) | 5,726  (2,948 women) | | Number of unemployed persons covered by public works programmes | 7,615  (3,355 women) | 5,293  (2,409 women) | 4,306 unemployed persons  (2,001 women) | | **Total number of unemployed persons included in active employment policy measures** | 152,936  **(78,233 women)** | 142,540  **(79,283 women)** | 46,432 **(25,015 women)** | | Additionally from the IPA 2013 programme cycle to active employment policy measures | 1,896  (943 women) | 1,028  (371 women) | / |   Source: Ministry of Labour, Employment, Veteran and Social Affairs  By categories of hard-to-employ women, in the period January-September 2020, active employment policy measures include: 7,997 women from the category of young people, 5,454 women over the age of 50, 2,397 women from the category of redundant employees, 5,664 women without qualifications or low level of qualifications, 9,732 long-term unemployed women, 1,527 women with disabilities, 940 unemployed Roma women, 1,454 unemployed beneficiaries of financial social assistance, 682 single mothers, 28 mothers of children with disabilities.  Source: National Employment Service, Overview of the trends of the registered unemployment  Continuously, within the system of active employment policy, support is provided for starting one's own business, through the allocation of self-employment subsidies. The amount of the subsidy, as well as the priority groups of beneficiaries (including women), are determined, on an annual basis, in the National Employment Action Plan.  Source: National Employment Service, Implementation of self-employment subsidies  Reports on the implementation of the Law on Gender Equality were prepared in 2018 and 2019. During the development, public debate and harmonisation of the draft Law on Gender Equality were conducted in 2019, full harmonisation of the draft law with the acquis, the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence was achieved with the European Commission, with concluding observations of the UN Committee for Elimination of All Forms of Discrimination against Women (CEDAW), recommendations from the Report of the Council of Europe Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) and domestic legislation, which contributes to full harmonisation of regulations in this area.  New laws on gender equality and non-discrimination should be adopted in 2021.  An impact assessment of the National Strategy for Gender Equality, which expired in 2020, will also be made, and the process of drafting a new strategic document will begin.  The Strategy for Agriculture and Rural Development until 2024 identifies vulnerable social groups. The goals of the Strategy can be viewed through the prism of gender equality, because they are related not only to improving the quality of life in rural areas and reducing poverty, but also to a more equal share in income distribution and economic opportunities, as well as a more righteous social status of all social categories. The priority area of action is aimed at improving the social structure and strengthening social capital, i.e. strengthening rural communities for joint organisation and actions. Operational goals related to protection and affirmation of women and youth in rural areas are aimed at achieving greater social cohesion and more advanced, innovative social networks in rural areas.  Rural development measures are an instrument that enables the implementation of strategic objectives of rural development, in which women have equal rights compared to men in access to all types of incentives. The effects of implementation should lead to an increase in women's employment, vitality of the rural population, an improvement in the economic position and the status of small farms. Based on the indicators that monitor the importance of women in respect of agricultural and rural development, from the point of view of their participation, it tends to grow compared to previous years[[64]](#footnote-64).  Also, in 2020, the Ministry of Agriculture, Forestry and Water Management introduced a Platform for reporting on the implemented support to agriculture and rural development at the provincial and local levels. It will enable the monitoring of data related to the participation of women in the implemented programme support to agriculture and rural development.  Since the introduction of responsible budgeting in public finances (2015), the Government of Serbia, with the UN WOMEN support, has been working continuously to strengthen the capacity of budget beneficiaries for the gender-responsive budgeting, gender analysis and the like. In 2020, 48 out of 53 budget beneficiaries at the national level and all 26 at the provincial level introduced gender responsive budgeting.  Until recently, the Republic of Serbia was the only country outside the EU that uses the Gender Equality Index in six areas: distribution of time, money, work, knowledge, power, health, and in two sub-areas: violence against women and cross-sectoral differences. This index in 2016 for Serbia amounted to 52.4 points, and in December 2018 it was 55.8 points (compared to the EU average - 66.2 points). Serbia made progress of 3.4 points between the two reporting periods (a shift of 1.2 points was recorded at the EU level). Our country has made almost threefold progress in less than three years, and it has not recorded any negative changes in any domain. Continuity in the development of the Index has continued. The Coordination Body for Gender Equality, in cooperation with the Statistical Office of the Republic of Serbia, the Team for Social Inclusion and Poverty Reduction and UN WOMEN, has initiated the development of a new, third Gender Equality Index.  The project *Be Equal in the Value Chain* is aimed at supporting the inclusion of women entrepreneurs in the value chain and their economic empowerment in partnership of the Coordination Body for Gender Equality with the Association of Business Women. The goal is to promote the most gender-sensitive companies, and on that occasion, in 2018, an award was established, which is given annually. This year, for the third time, awards were given to the most gender-sensitive companies at the "Flower of Success for a Dragon Woman" ceremony.  The Coordination Body for Gender Equality, the Ministry of European Integration and UN Women in Serbia are implementing a three-year project *Key Steps toward Gender Equality* which aims to support the Government of the Republic of Serbia in effective implementation of EU legislation on gender equality and the National Strategy for Gender Equality 2016- 2020, contributing to specific measures of the National Action Plan for Gender Equality 2016-2018, strengthening the capacity of CBGE and supporting women's civil society organisations. Through the project, 16 projects of civil society organisations have been supported which are intended for economic empowerment of women and improvement of women in the labour market, with a special focus on rural women, in the total amount of RSD 57 million. Also, 20 local self-government units were supported in order to implement measures and activities from their local action plans for gender equality and contribute to the improvement of the economic position of women with funds in the amount of RSD 10 million. Through the three-year implementation of the project, more than 3,600 women have been supported with the aim of economic empowerment and a better position in the labour market. The project is worth RSD 67 million.  The project *Gender Responsive Governance* was developed by the Coordination Body for Gender Equality in cooperation with UN WOMEN. The aim of the project is to improve the planning of policies, programmes and budgets in accordance with the principles of gender equality in areas where additional efforts are needed: changing gender stereotypes and gender roles in the care economy, unpaid housework, redistribution of productive and reproductive work. The first gender analysis *Economic value of the unpaid care work in the Republic of Serbia* was made within the project, which should contribute to the change of existing models of behaviour in the field of care economy, women's obligations and unpaid work in households in Serbia, combining different economic and social measures and employment policies. The main goal of this analysis was to calculate the value of unpaid work as well as the share of unpaid jobs in the gross domestic product of the Republic of Serbia (GDP), as a first step towards social and economic recognition of that value and creating policies and support systems and services in the community which lacks such value.  As regard support to women in rural areas, the Coordination Body, in cooperation with the National Alliance for Local Economic Development (NALED) and the Ethno Network, launched the initiative *Let's employ 1,000 women in rural areas* in 2017. The project has been implemented through support for the purchase of rural women`s traditional handicrafts by socially responsible private companies, public companies, institutions and international organisations. The aim of the project is to contribute to the economic empowerment of women and youth in rural areas and the preservation of cultural heritage by purchasing fine handicrafts. Since the launch of the initiative, 766 women have been employed. Every year, CBGE, in cooperation with partners, celebrates the International Day of Rural Women (15 October).  In the field of gender equality in the transport sector, the Coordination Body, in cooperation with the World Bank, has prepared a pioneering study, rare in the world, which is the basis for new strategic documents in the transport sector. Among other things, the study indicates that only 2.3% of women work in the transport sector, where 20% of the total number of employees are women, that they are poorly represented in management positions (28%), that they use twice as much public transport as men, because only 37% have a driver's license, that they feel less safe and most often they are victims of sexual harassment. This study is an example of good practice of gender mainstreaming.  In 2019, the Coordinating Body developed the first *National Review of Progress in Implementing the Beijing Declaration* and *Platform for Action +25* as part of the twenty-fifth anniversary of the adoption of the Beijing Declaration and Platform for Action and the fifth anniversary of the UN 2030 Sustainable Development Agenda. Serbia submitted a five-year national review/report on the implementation of this platform to the UN Economic Commission for Europe (UNECE). The report was presented in March 2020 as part of the 64th session of the Commission on the Status of Women (ECOSOC) at the United Nations in New York.  In the area of equal opportunities for women and men in employment and social policy, the employment rate of men (15-64 years) is higher by 12.8 percentage points, and their activity rate is 13.6 percentage points higher than that for women. Women's inactivity reflects: i) doing unpaid household chores, including caring for children, the sick and/or the elderly; ii) inadequate support in reconciling work and family responsibilities; iii) discriminatory behaviour of employers towards young women; iv) existing pay gaps; c) lower legal retirement age; and vi) the existence of a legal minimum base for social security contributions, which discourages part-time employment. Although the legislation grants both maternity leave and paternity leave, it is still necessary to work on overcoming the stereotype that gender-based prejudices, caring for children and doing household chores are the responsibility of women. Women have played a predominant role since the outbreak of the COVID-19 disease pandemic, as workers in health care, stores and pharmacies.  In the context of the outbreak of COVID-19, aid instruments have been introduced to prevent lay-offs and negative developments in the labour market, by providing direct grants in the payment of employee salaries and by deferring taxes and social contributions. During the pandemic, the recommendations of the Government of the Republic of Serbia have directed that wherever the conditions allow, the work should be done from home, while ensuring a balance in the distribution of child care, household chores and work.  At the initiative of the Coordination Body for Gender Equality, and in order to best respond to the challenges of the coronavirus pandemic and the crisis it caused and which affects women and men in various ways, a list of recommendations was sent to the Serbian Chamber of Commerce, NALED, the American Chamber of Commerce, the Foreign Investors Council, the Serbian Association of Managers and the Ministry of Economy that employers in the period of crisis respect the economic principles of women's empowerment prescribed by the United Nations.  The Government of the Republic of Serbia has adopted the Programme for Women`s Empowerment in the Field of Information and Communication Technologies for the period 2019-2020. This programme contains a set of measures and activities aimed at creating conditions for equal participation of women in the ICT sector, i.e. reducing the gender gap that exists in the digital sector, as well as social and economic empowerment of women and regional representation of women in this area.  The Ministry of Trade, Tourism and Telecommunications implements support programmes aimed at raising the digital competences and digital literacy of women from rural areas and raising the capacity of micro, small and medium enterprises, entrepreneurs and farms in the field of e-commerce and e-business. E-commerce Development Programme in the Rrepublic of Serbia for the period 2019-2020 determines measures that include support programmes for women's entrepreneurship in the field of e-commerce; the Digital Skills Development Strategy of the Rrepublic of Serbia for the period 2020-2024 envisages measures and activities aimed at improving the digital skills of women entrepreneurs and women from rural areas, in order to improve their socio-economic status and position in the labour market.  As regards programmes or projects in the field of gender equality, the Ministry of Trade, Tourism and Telecommunications financially supports the work of civil society organisations that carry out activities on the topic of gender equality, primarily in the ICT sector. During 2018, eight programmes were financed with the aim of raising the level of digital literacy and digital competences of women from rural areas, and in 2019, 27 programmes were financed on the topic of raising the level of digital literacy and digital competences of women from rural areas and raising the capacity of micro, small and medium enterprises, entrepreneurs and farms in the field of e-commerce and e-business.  Within the project *Gender Mainstreaming, Prevention of Violence and Discrimination in Kindergartens and Schools*[[65]](#footnote-65) training was provided for 30 educational advisors from 16 competent school boards. Within the school component, the following activities were implemented in 2019: Gender mainstreaming, prevention of violence and discrimination in schools. 4 mentoring and 2 partner schools were included (Belgrade, Sombor, Vranje, Zaječar). Also, an online survey "Survey of attitudes of students and school staff on gender-based violence" was conducted in seven primary schools and one secondary school, which included a total of 815 students (51.29% were girls). 20 workshops from the handbook "Prevention of Gender-based Violence" were held in partner primary schools. A total of 1,025 primary and secondary school students were involved in the workshops and actions. In addition, workshops for teachers and parents aimed at prevention of gender-based violence were held in partner schools, as well as training courses for school teams - 24 participants. Webinar horizontal support resources for programme implementation and a handbook on horizontal learning "Schools to Schools" have been created.  In the reporting period, the Ministry of Culture and Information supported 20 projects with funds in the amount of RSD 10 million in order to improve gender equality.  The Ministry of Interior, within the Swedish Police Support Programme for Development of the Ministry of the Interior of the Republic of Serbia and with the financial support of the Swedish International Development Agency, participates in the project *Development of Gender Agenda* *in the Ministry of the Interior of the Republic of Serbia*.  In order to monitor one of the goals of the project, in January 2018 “Guidelines for the implementation of measures for gender equality in the Ministry of the Interior of the Republic of Serbia through the human resources management system” were adopted, which defined measures aimed at creating and implementing policies and procedures which ensure women to keep police jobs and overcome existing formal obstacles to their advancement in the police, as well as obstacles arising from organisational/police culture, in order to achieve, in the long run, adequate gender representation at all levels of the police.  Within one of the measures in the mentioned Guidelines, and monitoring the statistical data, it has been established that despite decrease in the number of employees in the Ministry of the Interior, the number of women is increasing, and the percentage of women employed in the Ministry at the end of 2020 was 26%.  In addition to the above, in 2018, adoption of anti-discrimination documents “Instruction with guidelines for prevention and protection against gender-based discrimination and discrimination based on other personal characteristics in the Ministry of the Interior” and “Manual for prevention and protection against gender-based discrimination and discrimination based on other personal characteristics in the Ministry of the Interior of the Republic of Serbia”.  In the mentioned period, the Network of Women was formed in the Ministry of the Interior of the Republic of Serbia with the purpose of empowering women – police officers in performing their jobs, career advancement and safety of women in society.  Through the mentioned project, a series of seminars and training courses has been held, which aim to increase the awareness and knowledge of employees on the topic of gender equality and discrimination, so a Manual for trainers and participants for training of senior managers has been developed.  Including top managers in the Ministry in programmes and project activities and their continuous education and monitoring, ensures that decision-making and influence on policy making in the Ministry has a gender and anti-discrimination perception. In the reporting period, the *Gender Coaching Programme* was implemented, which was attended by 16 participants in the first two cycles, while the third cycle is underway, which is attended by 6 participants/managers.  Although many activities envisaged by the project plan were postponed due to the situation with COVID-19 virus pandemic, in September 2020 a way was found to implement two cycles of seminars for coaches on "Systemic integration of gender equality into police work through the role of managers”, respecting the Government measures and Crisis Staff recommendations, and 36 participants, representatives of different organisational units in the Ministry attended the seminars in different time periods.  In addition to the above, the Ministry of the Interior also conducted a pilot project in order to attract women for the needs of the National Forensic Center, in cooperation with the Basic Police Training Center. Given the lack of female employees to conduct forensic investigations into cases of rape, domestic violence and other crimes with elements of violence against women and direct communication with victims of these types of crimes, the pilot project enabled the selection of candidates who had the potential to deal with that specific vocation.  When establishing employment relationship, the Ministry of the Interior shall take into account the national composition of the population, the appropriate representation of persons belonging to national minorities and knowledge of the language and script used in the territory of the local self-government unit for which the organisational unit was formed and in which unit a person shall establish employment relationship, all for the purpose of achieving full equality between members of national minorities and citizens belonging to the majority, in accordance with Article 137 of the Law on Police.  The Ministry of the Interior, in cooperation with the Swedish Police Office in Belgrade, prepared and held the Conference "Institutional Integration of Gender Equality in the Police of the countries in the Region", which was held in Belgrade at the end of 2019, and presented successfully implemented activities within the project. Bearing in mind that the conference had an international and regional character, the countries of the region actively participated and exchanged their experiences and examples of good practice in the field of gender equality and the position of women in the security system. |

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| **UPR recommendation**  **Number and country** | **CLUSTER XIX**  **CHILD RIGHTS** |
| 113.54  (New Zealand)  114.97  (Montenegro)  114.28  (Brazil)  114.91  (Montenegro)  114.92  (Portugal)  114.93  (Austria)  114.94  (Chile)  114.95  (Uruguay)  114.96  (Slovenia) | The Republic of Serbia has one of the lowest rates of institutionalisation of children in Europe, i.e. 88% of children are placed in foster families, and 12% in social protection institutions. Data from 2019 show that 5,997 children were placed within the social protection system (647 boarding school and 5,350 family accommodation), which is the lowest number of initiated reform processes. There are six centers for family accommodation and adoption in our country. The Plan for transformation of the children and youth accommodation institutions has been developed. As a support to this process, since 2016, the mechanism of earmarked transfers to local self-government units, which are at a lower level of development than the national average, has been functioning. Annual allocations are RSD 700 million.  The Action Plan for Negotiating Chapter 23 provides for the adoption of a Deinstitutionalisation Strategy. Establishment of a working group for development of the draft Deinstitutionalisation Strategy for the period 2022-2027 with the accompanying Action Plan is underway.  The Law on Financial Support to Families with Children[[66]](#footnote-66) has been applied since 1 July 2018.  In the Republic of Serbia, all conditions are provided for the smooth exercise of the right to registration in the birth registry books, as well as that every child can be registered in the birth registry books immediately after birth, respecting the legality of procedures and legal security of registration in the birth registry books, which has been identified as model of good practice not only by countries in the region, but also beyond.  The Law on Registry Books dated 2009 provides all normative preconditions for registration in the birth registry book, regardless of whether it is a child whose parents are known, a child whose parents are unknown, a child without parental care or an adopted child and regardless of the fact whether this information is reported to the competent registrar within the legal deadline or after the expiration of the legal deadline for registration in the birth registry book (registration is based on the decision of the competent guardianship authority, which contains the child's personal name, gender, day, month, year and hour of birth, place and municipality of birth and citizenship of the child). In case the entry in the registry books cannot be done in the administrative procedure, in the manner provided by the regulations on the registry books, the amendments to the Law on Non-Contentious Procedure enable the time and place of birth to be proved in the non-contentious procedure of determining time and place of birth. In that case, birth in the registry books shall be registered on the basis of a final court decision, and the procedure in addition to the person whose birth is to be proven, can be initiated by any person who has a legal interest, as well as the guardianship authority. The procedure itself is urgent, and the proponent is exempt from paying fees and other costs of the procedure.  By its conclusion (No. IUo -190/2018 of 23 September 2019), the Constitutional Court rejected the initiative of the non-governmental organisation PRAXIS from Belgrade, launched to assess the constitutionality, legality and compliance with ratified international agreements of the Rulebook on the procedure of issuing birth certificate and application form for the birth of a child in a health institution (Article 5) and the Instructions on keeping registry books and forms of registry books (point 10, paragraphs 2 and 24, paragraphs 1 and 2).  Despite the fact that in the Republic of Serbia persons who are not registered in the birth registry books can exercise this right through the existing legal framework, in this way the actions of all relevant participants in the process (authorised persons of health institutions, registrars, police officers and centers for social work) have been directed for the purpose of efficiency of actions in cases when a child is born whose mother does not have personal documents, all with the aim of enabling the entry of the fact of the child's birth in the birth registry book.  It can be concluded that the legal framework allows every child to be registered in the birth registry book, and the reasons for legal security and elimination of possible risks from child trafficking require the identification of the parents. In this way, we ensure not only the registration of children in the birth registry books, but also that their parents who do not have personal identification documents, exercise the right to ge them, which enables them to exercise other rights and thus to get integrated in society.  In the period from 20 December 2017 to 11 December 2020, according to the Rulebook on the application form of residence at the address of the institution, i.e. centers for social work, the Ministry of Interior determined the residence of 1,142 persons at the address of the competent centers for social work, after which they were issued personal identification documents. Most of these persons live in informal settlements and their personal identification documents are issued as a matter of priority and by urgent procedure.  Also, the Ministry of the Interior, applying the Law on Citizenship of the Republic of Serbia, decides on the requests for admission to citizenship by accelerated procedure, in order to enable persons, based on their citizenship certificates, to exercise the right to personal identification documents and other constitutionally guaranteed rights, as well as the right to register their children in the records of citizens of the Republic of Serbia.  In these ways, with the introduction of parents in the official records, it is possible to register their children in the same. On 3 October 2019, Memorandum of Understanding was signed between the Ministry of Public Administration and Local Self-Government, the Protector of Citizens and the United Nations High Commissioner for Refugees - Office in Serbia, in order to continue cooperation in reviewing the problems of members of the Roma minority to exercise their right to register in the birth registry books, as well as other rights regarding personal status, with special reference to newborn children, in order to prevent the risk of statelessness. In accordance with the Memorandum, an operational group was established, with the task of proposing measures and activities necessary to resolve these issues, reviewing the achieved results and monitoring the implementation and coordination of activities undertaken, in whose work representatives of the Ministry of Interior also participate.  Within the programme *Baby, Welcome to the World*, an electronic service is available to parents, which allows them to easily, quickly, without the cost of going to the counters, i.e. from the maternity hospital to register the birth of a child in the birth registry book, to register residence, health insurance, and the parents get documents for the child at their home address. This is one of the first e-Government projects in Serbia, and this service ranks Serbia among the few European countries that provide electronic services at such a high level. Since the beginning of 2019, this service has been extended to the electronic submission of applications for parental allowance and local cash benefits. More than 160,000 babies were registered through the information system, and parents in more than 90% of cases decided to avail themselves of using the service on the one-stop-shop principle.  In May 2020, the Government of the Republic of Serbia adopted the Strategy for Prevention and Protection of Children from Violence for the period 2020-2023 with the Action Plan for 2020 and 2021. The Strategy provides for an explicit prohibition of corporal punishment of children in all settings and clearly states that corporal punishment in order to correct the child's behaviour or control is child abuse. The Action Plan envisages amendments to the Family Law so that it contains an explicit prohibition of corporal punishment of children and clearly formulated measures within corrective supervision over the exercise of parental rights.  The draft Law on Amendments to the Family Law envisages the introduction of an explicit prohibition of corporal punishment of children. Also, this prohibition is provided by the draft Law on the Rights of the Child and the Protector of the Rights of the Child.  The Government of the Republic of Serbia, in cooperation with the Rights Center, with the support of UNICEF, has developed a Matrix of indicators for the recommendations of the Committee on the Rights of the Child. All recommendations are linked to the UN Agenda 2030 Sustainable Development Goals. Thanks to this matrix, a Mid-term Report on the Situation of Children's Rights in the Republic of Serbia for the period 2017-2019 was prepared, within the project "Monitoring the implementation of the recommendations of the United Nations Committee on the Rights of the Child with special focus on improving children's participation" which is implemented by the Child Rights Center with the support of the UNICEF Office in Serbia and in cooperation with the Office for Human and Minority Rights of the Republic of Serbia.  Programmes and projects aimed at improving the position of children are supported at all levels of government. Among other things, in the field of cultural activities of children, and for children and youth in the reporting period, the Ministry of Culture and Information supported 230 projects with funds in the amount of RSD 60 million.  **Information on the education of children with disabilities is presented in the Cluster The Rights of Persons with Disabilities.** |

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| **UPR recommendation**  **Number and country** | **CLUSTER XX**  **THE RIGHT TO EDUCATION** |
| 113.30  (Cyprus)  113.31  (Iraq)  113.32  (East Timor)  113.33  (USA)  113.34  (Georgia)  114.86  (Belarus) | On the territory of the Republic of Serbia, classes continued in the 2019/20 school year in 1,184 primary schools and 446 secondary schools, then in 61 primary schools and in the secondary music school and secondary ballet school, 48 schools for adult education, 44 primary special schools, in 23 secondary special schools.  The Ministry in charge of education is taking a number of measures with the aim of developing mechanisms to prevent the occurrence of segregation in the education system. In addition to the Law on Prohibition of Discrimination, the normative framework for eliminating the segregation of Roma children consists of the Law on Primary Education [[67]](#footnote-67) and the Law on the Foundations of the Education and Upbringing[[68]](#footnote-68).In addition to the Law on Prohibition of Discrimination, the normative framework for eliminating the segregation of Roma children consists of the Law on Primary Education and the Law on the Foundations of the Education and Upbringing. The Law on Primary Education pays special attention to inclusive education through the provisions on enrollment of children from vulnerable social groups. It stipulates that children from vulnerable social groups can enroll in school without proof of parental residence and the necessary documentation. In addition, if it is not possible to examine the child for enrollment in the mother tongue, the school shall hire an interpreter on the proposal of the national council of the national minority. In accordance with Art. 56 of the same law, a child or student shall be enrolled in a school for the education of students with developmental disabilities based on the opinion of the interdepartmental committee for assessing the need to provide additional educational, health or social support, with the consent of parents or other legal representatives.  The Republic of Serbia is fully committed to the development of inclusive education, which is a strategic orientation defined by all relevant strategic documents, and the Action Plan for Inclusive Education has been adopted. The data indicate a decreasing trend in the number of children in special schools and classes. Since 2013, this number has decreased by about 20% and this trend continues. The results indicate the effectiveness of the two key mechanisms established by the Individualised Education Programme (IEP) and the Interdepartmental Committee (IDC), which consists of representatives of three systems: health, social protection and education. IDSs have been established, so that they are functioning by a social model: the child's functionality is assessed in a natural environment, and the committee assesses the child's strong strengths and capacities and the need for additional support, on the basis of which it issues an opinion and defines an individual support plan (ISP).  Two bylaws are applied[[69]](#footnote-69) which regulate the identification and reaction of the institution to discriminatory behaviour. Both documents define segregation as a more severe form of discrimination with prescribing measures to prevent it, as well as measures for desegregation in cases where the school has a higher percentage of Roma students than prescribed. In the measures and activities that are implemented in the process of desegregation, educational institutions shall include other relevant actors, such as the local self-government unit, the center for social work and others.  Civic education, or education for democracy and civil society, was introduced into the school education system of the Republic of Serbia 20 years ago as an optional subject, and since 2005/2006 it hah been included in all classes of primary and secondary school, as a compulsory optional subject. It encourages the development of children and young people in the spirit of respect for human rights and fundamental freedoms, peace, tolerance, gender equality, understanding and friendship among nations, ethnic, national and religious groups. In addition to Civic Education, new optional programmes have been introduced for secondary schools: Individual, Group and Society; Language, Media and Culture; Health and Sports; Education for Sustainable Development; Art and Design; Applied Sciences; Fundamentals of Geopolitics; Economics and Business; Religions and Civilizations.  The Ministry of Education, Science and Technological Development is making additional efforts to provide as many textbooks as possible under the reformed teaching and learning programmes, as textbooks in national minority languages contribute to greater quality and accessibility of education in the mother tongue. The Catalogue and Supplement to the Catalogue of Textbooks in the Languages of National Minorities for Preschool, Primary and Secondary School for the 2020/21 school year have been published.[[70]](#footnote-70) Students who attend all classes in one of the eight minority languages (Albanian, Bosnian, Bulgarian, Hungarian, Rusyn, Romanian, Slovak and Croatian), as well as students belonging to national minorities who attend classes in Serbian and attend an optional subject/programme *Mother tongue/speech with elements of national culture*, a total of 1,120 textbook units are available, of which 305 have been published under reformed curricula. Having in mind the importance of access to education for all, for the 2020/21 school year the Ministry in charge of education has provided free textbooks in the languages of national minorities in the programme of free textbooks. This programme additionally provides support to students from socially/materially disadvantaged families.   |  |  |  | | --- | --- | --- | | **Language of the national minority** | **Total number of textbooks** | **Number of reformed textbooks** | | Albanian | 59 | 32 | | Bosnian | 131 | 53 | | Bulgarian | 91 | 33 | | Hungarian | 197 | 67 | | Rusyn | 155 | 36 | | Slovak | 193 | 28 | | Croatian | 106 | 30 | | Romanian | 131 | 16 | | Serbian as a non-mother tongue | 29 | 5 | | Slovak with elements of national culture | 1 | 1 | | Bunjevac with elements of national culture | 11 | 2 | | Macedonian with elements of national culture | 2 | 1 | | Czech with elements of national culture | 2 | 1 | | Romani language with elements of national culture | 4 | 0 | | Vlach speech with elements of national culture | 1 | 0 | | Ukrainian with elements of national culture | 7 | 0 | | **TОTAL:** | **1,120** | **305** |   Source: Ministry of Education, Science and Technological Development  Education of national minorities and education in the languages of national minorities are monitored through the Dositej information system. In 189 schools, classes are held in one of the eight languages of the national minorities - Albanian, Bosnian, Hungarian, Romanian, Rusyn, Slovak, Bulgarian and Croatian.   |  |  |  |  |  |  |  |  |  | | --- | --- | --- | --- | --- | --- | --- | --- | --- | |  | No. of students 2016/17 | % | No. of students 2017/18 | % | No. of students 2018/19 | % | No. of students 2019/20 | % | | Total number of students in primary schools (PS) and secondary schools (SS) in Serbian | 816,911 | 94.84 | 803,086 | 94.73 | 771,503 | 94.55 | 781,150 | 94.6 | | **Total number of students in PS and SS in languages of national minorities** | **44,481** | **5.16** | **44,633** | **5.27** | **44,425** | **5.44** | **44,070** | **5.4** | | Total number of students in PS and SS in the Republic of Serbia | 861,392 | 100 | 847,719 | 100 | 815, 928 | 100 | 825,220 | 100 |   Source: Ministry of Education, Science and Technological Development   |  |  |  |  | | --- | --- | --- | --- | |  | Primary school –  number of students in the language of the national minority in the school year 2019/20 | Secondary school –  number of students in the language of the national minority in the school year 2019/20 | TOTAL NUMBER  of students in the language of the national minority in the school year 2019/20 | | Albanian | 4,199 | 2,545 | 6,744 | | Bosnian | 11,940 | 3,085 | 15,025 | | Bulgarian  Bulgarian-Serbian | 72  74 | 151 | 223  74 | | Hungarian | 12,730 | 4,972 | 17,702 | | Romanian | 789 | 111 | 900 | | Rusyn | 84 | 292 | 376 | | Slovak | 2,329 | 378 | 2,707 | | Croatian | 240 | 198 | 438 | | **TOTAL** | **32,457** | **11,732** | **44,070** |   Source: Ministry of Education, Science and Technological Development   |  |  |  |  |  | | --- | --- | --- | --- | --- | | Mother tongue/speech with elements of national culture | Girls | Boys | Total | Number of schools | | Albanian | 35 | 35 | 70 | 1 | | Bosnian | 1,271 | 1,332 | 2,549 | 20 | | Bulgarian | 376 | 383 | 759 | 15 | | Bunjevac speech | 188 | 155 | 343 | 10 | | Vlach speech | 197 | 194 | 391 | 17 | | Hungarian | 1,770 | 1,653 | 3,423 | 90 | | Macedonian | 181 | 113 | 294 | 14 | | German | 224 | 198 | 422 | 10 | | Romani | 1,218 | 1,335 | 2,553 | 68 | | Romanian | 486 | 452 | 938 | 35 | | Rusyn | 186 | 172 | 358 | 29 | | Slovak | 490 | 460 | 950 | 36 | | Slovenian | 4 | 9 | 13 | 2 | | Ukrainian | 30 | 35 | 65 | 4 | | Croatian | 270 | 220 | 490 | 18 | | Czech | 105 | 103 | 208 | 5 | | Total | 6,977 | 6,849 | 13,826 | 374 |   Source: Ministry of Education, Science and Technological Development-optional subject/programme Mother tongue/speech with elements of national culture, school year 2019/2020.  By applying affirmative action measures since 2003, 12,427 Roma students (girls make up 56%) have been enrolled in secondary schools, 1,743 Roma students (girls make up 51%) have been enrolled in colleges and universities. A system for monitoring regular attendance and student achievement has been established. In order to continue their education, scholarships and a mentoring system are provided for students enrolled through affirmative action measures. In the 2019/2020 school year, 2,553 students in 68 schools attended the Romani language with elements of national culture.  Amendments to the Rulebook on Pupil and Student Loans and Scholarships as of 2017 enabled Roma students, in addition to persons with disabilities and students without both parents, to exercise the right to loans and scholarships without success criteria. In the last five school years, 5,500 scholarships from the budget and donor funds for Roma students (65% of girls) have been awarded in secondary schools. 201 teachers-mentors were hired in the schools to provide support to students of the Roma national minority. In the school year 2019/20, a total of 261 pedagogical assistants were hired, 230 in primary schools and 31 pedagogical assistants in preschool institutions. They contribute to the inclusion and achievement of better results of Roma students in education. On the recommendation of the National Council of the Roma National Minority, amendments to the regulations related to standardising the work of a pedagogical assistant were prepared, i.e. giving the school the opportunity to hire a pedagogical assistant when there are at least 20 students who need additional support in education.  The Ministry of Trade, Tourism and Telecommunications is implementing the *Connected Schools* project. In the previous period, 10,000 digital classrooms were equipped with accompanying digital teaching contents, and in the following period, the continuation of this project is planned, which includes equipping classrooms with digital equipment and materials, and training teachers to use equipment and materials in teaching. The improvement of the communication infrastructure is underway, which will be completed by the end of 2021 in all home school facilities in the Republic of Serbia, which will provide secure and reliable wireless internet access in all teaching and administrative premises of schools.  As specific goals within the National Youth Strategy for the period 2015-2025, the goal – Social inclusion of young people, stands out – creating systemic preconditions for young people at risk of social exclusion to be adequately identified and supported in inclusion in economic, social and cultural trends; increased availability and scope of activities to prevent social exclusion of young people at risk; increased coverage of young people at risk of social exclusion who are beneficiaries of local services and support programmes. |

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| **UPR recommendation**  **Number and country** | **CLUSTER XXI**  **FREEDOM OF EXPRESSION** |
| 114.55  (Ireland)  114.56  (Italy)  114.58 (Netherlands)  114.59  (Norway)  114.61  (Korea)  114.62  (Germany)  114.63  (Belgium)  114.64  (Sweden)  114.66  (Brazil)  114.67  (Slovakia)  114.68  (Аustralia)  114.69  (Germany)  114.73  (Czechia)  114.74  (Estonia)  114.75  (Canada)  114.76  (France)  114.77 (Switzerland)  114.78  (USA)  114.79  (Austria)  114.82  (France) | On 30 January 2020 the Government of the Republic of Serbia adopted the Strategy for Development of the Public Information System in the Republic of Serbia for the period 2020-2025[[71]](#footnote-71). Also in December 2020, the Action Plan for implementation of the Strategy for the period 2021-2022 was adopted. The strategy was developed in a transparent and inclusive manner. Media associations and civil servants were included in the working group for developing the Strategy. These documents identify the main challenges related to media freedom in Serbia and identify measures to address them.  Also, in this period, the Working Group was established for monitoring the implementation of the Action Plan for implementation of the Strategy for Development of the Public Information System in the Republic of Serbia. Members of the Working Group are representatives of ministries and other state bodies, as well as journalist and media associations that have drafted a strategic document and a draft Action Plan for its implementation, accompanied by representatives of the Ministry of European Integration and the Konrad Adenauer Foundation in Serbia. The task of the Working Group is to monitor the implementation of the Action Plan, as well as to propose to the Ministry of Culture and Information ways to overcome any problems that have arisen in the process of implementing the Action Plan. The Ministry of Culture and Information is obliged to submit to the Working Group a Report on the implemented activities envisaged by the Action Plan, at least once every three months, starting from the day of the adoption of the Action Plan. The working group held its first constitutive meeting on 17 December 2020.  On 10 December 2020 the Government of the Republic of Serbia passed the Decision on the establishment of the Working Group for Security and Protection of Journalists, with the task of raising the efficiency of response in cases of attacks on journalists and monitoring actions taken to protect their security. The working group consists of representatives of: the Ministry of Culture and Information, the Prime Minister`s Cabinet, the Ministry of Foreign Affairs, the Ministry of Interior, the Ministry of Justice, the Ministry of European Integration, the Protector of Citizens, the Republic Public Prosecutor's Office, Judges and Prosecutors Association, Konrad Adenauer Foundation in the Republic of Serbia, Association of Intependent Electronic Media - ANEM, Independent Journalists` Association of Vojvodina - NDNV, association of all Serbian radio stations - RAB, Online Media Association, Independent Journalists` Association of Serbia, Media Association, Journalists` Trade Union of Serbia - SINOS, Business Association “Local Press” and Journalists` Association of Serbia. The working group is obliged to submit a report on its work to the Prime Minister and Deputy Prime Minister and the Minister of Culture and Information at least once a month.  Reports on media privatisation are available on the website of the Ministry of Economy.[[72]](#footnote-72) The Ministry regularly submits data on funds approved to the media and Media Register which is kept by the Business Registers Agency.  The Strategy for Development of the Public Information System in the Republic of Serbia envisages a special measure that refers to the conditions for full functionality and up-to-dateness of the Media Register and/or media registers, as well as activities that should lead to improvement in this area.  The Republic Public Prosecutor's Office, the Ministry of Interior, the Journalists` Association of Serbia, the Independent Journalists` Association of Serbia, the Journalists` Association of Vojvodina, the Association of Independent Electronic Media, the Association of Media and the Association of Online Media signed on 26 December 2016 the *Agreement on cooperation and measures for raising the level of journalists` security*. In accordance with the Agreement, a network of contact points for coordination and cooperation in cases to the detriment of journalists has been established, in such a way that each contracting party has designated contact persons. The Public Prosecutor's Office has designated a total of 12 contact points - Deputy Appellate Public Prosecutors, three for each appellate jurisdiction. The Permanent Working Group, as a body established on the basis of the Agreement, holds regular meetings to discuss the actions of the police and the public prosecutor's office in individual cases, and to consider measures for improving cooperation and security levels of journalists.  By the Instruction of the Republic Public Prosecutor's Office[[73]](#footnote-73) it is determined to keep special records of criminal offences to the detriment of persons who perform tasks of public importance in the field of public information, in connection with the tasks they perform. This instruction prescribes urgent action in the above cases. According to special records, in the period from 1 January 2016 to 30 September 2020, criminal charges/reports on 241 acts (241 cases were formed) committed to the detriment of journalists were submitted to public prosecutor's offices. The final decision was made in 131 cases. In 93 cases, a decision was made to reject the criminal charges or a decision that there was no place to initiate criminal proceedings.  In cases where there is a reasonable suspicion that a criminal offense has been committed for which prosecution is undertaken ex officio, out of 148 cases: in 33 cases (22.30%) a criminal sanction was imposed or the prosecution was transferred to a foreign state; in 75 cases (50.68%) cases, evidentiary actions, investigation, international legal assistance are underway or the main trial before the competent court is in progress; in 5 cases (3.38%) the court rejected the indictment or acquitted the accused; in 35 cases (23.65%) the potential perpetrator is unknown.  The Law on Public Information and Media[[74]](#footnote-74) stipulates that public information is free and not subject to censorship. The freedom and independence of media publishers and journalists working in their newsrooms are guaranteed by legal provisions prohibiting direct and indirect discrimination against media editors, journalists and other persons in the field of public information, especially based on their political affiliation and belief or other personal characteristics. Physical attacks on editors, journalists and other persons involved in the collection and publication of information through the media are punishable by law. It also stipulates that freedom of public information may not be violated by abuse of official position and public authority, property and other rights, as well as the influence and control over the means of printing and distribution of newspapers or electronic communications networks used for distribution of media content. Article 37 of the said Law stipulates that the Media Register shall be kept by the Business Registers Agency. The new strategic document envisages measures aimed at creating conditions for the full functionality and up-to-dateness of the Media Register and/or media registers.  The Regulatory Authority of Electronic Media has been established and defined by the Law on Electronic Media[[75]](#footnote-75) as an autonomous and independent regulatory organisation in capacity of a legal entity, exercising public authority, which is functionally and financially independent from state bodies and organisations, media service providers and operators. Almost all important functions of the regulator are reduced to "entrusted tasks", which are: adoption of general bylaws (including criteria for issuing permits or approvals and rules of conduct for media service providers), issuing licenses for provision of television and radio media services and approvals for on-demand services, as well as imposing measures on media service providers. Also, the regulator shall adopt regulations and instructions (which essentially correspond to bylaws adopted by the ministries or state authorities), and it is obliged to obtain an opinion on constitutionality and legality of the regulations it adopts and to publish them in the *Official Gazette of the Republic of Serbia*. The regulator shall also determine the proposal of the Strategy for Development of Audiovisual Media Services (the final act is adopted by the Government of the Republic of Serbia).  It should be emphasized that there is no two-tier administrative procedure conducted by the Regulator, so control of the legality of individual acts of the Regulator (decisions, rulings, etc.) is performed by the administrative court in an administrative dispute (Article 42 of the Law on Electronic Media). Also, the Regulator has no authority regarding inspection since the Law on State Administration excludes the entrustment of inspection to holders of public authority.  Imposing measures, i.e. control-supervisory function of the Regulator is the essence of regulation in the field of electronic media. The provision of Article 28 of the Law on Electronic Media stipulates that the Regulator may impose on the media service provider a remonstrance, warning, temporary ban on publishing the programme content, i.e. it may revoke its license, due to violation of obligations related to programme content, as well as due to violation of the conditions contained in the license or approval for the provision of media services in accordance with the provisions of this law. It is also prescribed that the Regulator shall impose the mentioned measures independently of the use of other legal remedies available to the injured or other party, in accordance with the provisions of special laws.  Since its establishment until today[[76]](#footnote-76), the Regulator has issued 35 measures of remonstrance, 32 warning measures and 4 measures prohibiting the provision of media services.  Also, we note that the Regulator, according to the currently valid regulations, has no authority of inspection, nor of (direct) imposing the financial sanctions.  Assessment of independence of the Regulator`s work by the INDIREG method was made within the project *Reinforcing Judicial Expertise on Freedom of Expression and the Media in Southeast Europe* (JUFREX). This study refers to the situation until July 2017, with special emphasis on the three-year period from August 2014 to July 2017. According to the conclusions of this study, the Regulator operates within a challenging media context[[77]](#footnote-77).  The Regulator has established communication with the public through its website, on which it regularly publishes minutes of regular and extraordinary sessions of the Regulator Council; reports on compliance with legal and programme obligations of media service providers, relating to public media service providers and national commercial media service providers licensed through a public competition; notifications on submitted requests for initiating misdemeanor, criminal and economic crime proceedings against media service providers. Also, through the electronic form, natural and legal persons, including media service providers, have the right to submit complaints to the Regulator regarding the programme content of media service providers, if they consider that such content offends or endangers their personal interests or general interest.  Monitoring of media service providers is already defined by the Rulebook on the manner of fulfilling the obligations of public media services during the pre-election campaign adopted on 7 July 2020 and Recommendation to commercial media service providers on ensuring representation without discrimination during the pre-election campaign of registered political parties, coalitions and candidates issued on 2 March 2 2020. During the previous campaign, the Regulator made eight cross-sections and then a final report. The Monitoring and Analysis Service submits the Pre-Election Campaign Monitoring Plan to the Council for approval before the elections. |
|  | In the period from 1 January 2018 to 30 November 2020, within the area of Freedom of Expression and Media, the Judicial Academy conducted 10 two-day workshops in which the scope of freedom of expression – international and national sources, restriction of freedom of expression – implementation of a three-part test, as well as restriction of freedom of expression to protect against defamation, honour, insult and hate speech. |

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| **UPR recommendation**  **Number and country** | **CLUSTER XXII**  **HUMAN RIGHTS DEFENDERS** |
| 114.47  (Ivory Coast)  114.70  (United Kingdom)  114.71  (Greece)  114.80  (New Zealand)  114.81  (Korea) | As the coordinator for Negotiating Chapter 23: Justice and Fundamental Rights, the Ministry of Justice cooperates with the National Convention on the European Union, made up of 200 CSOs.  Law on Planning System[[78]](#footnote-78) prescribes the obligation of the proponent to conduct a public debate on a public policy document before submitting it for consideration and adoption, and to prepare a report on the conducted public debate. In this way, the legal solutions also determine the ways of participation of all stakeholders in the public policies of the Republic of Serbia. One of the priorities of the Ministry of Human and Minority Rights and Social Dialogue is the adoption of the Strategy for Improving the Incentive Environment for NGOs Action.  Attacks on LGBTI people, Roma and other vulnerable social groups are publicly condemned by public authorities. All forms of violence, discriminatory behaviour and graffiti with hate messages, in addition to prosecution by the prosecutor`s offices, provoke a public reaction in the print and electronic media.  Human rights defenders are provided with criminal protection of rights prescribed by the Constitution and the applicable legislative framework.  Public prosecutor's offices do not keep special records of criminal offences committed to the detriment of human rights defenders, but these data are shown within the aggregate data for the criminal offence of racial and other discrimination under Article 387 of the CC, which stipulates that anyone who persecutes organisations or individuals for their commitment to equality of people shall be punished with imprisonment from six months to five years. Also, to the detriment of human rights defenders, it is possible to commit other criminal offences, such as endangering security referred to in Article 138 of the Criminal Code, etc.  **See responses in Cluster Freedom of Expression.** |

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| **UPR recommendation**  **Number and country** | **CLUSTER XXIII**  **WAR CRIMES AND PREVENTION OF IMPUNITY** |
| 114.39 (Netherlands)  114.40  (Croatia)  114.41  (Sweden)  114.42 (Switzerland)  114.44  (USA)  114.45  (Belgium)  114.46  (Costa Rica) | Implementation of the National Strategy for War Crimes Prosecution for the period 2016-2020 is regularly monitored. So far, ten reports on its implementation have been prepared and published, which indicate that most of the activities have been implemented in the planned dynamics. In addition, the Republic of Serbia is committed to full cooperation with the Mechanism for International Criminal Tribunals.  In July 2020, the National Strategy for Exercising the Rights of Victims and Witnesses of Criminal Offences for the period 2020-2025 was adopted, with an accompanying three-year action plan. One of the goals is to improve the efficiency of deciding on a property claim in the criminal proceedings. Keeping this in mind, measures will be taken in the process of implementing the Strategy in order to improve some of the important aspects of raising the efficiency of deciding on property claims in criminal proceedings.  In order to improve the efficiency of war crimes investigations, the Prosecutorial Strategy for Investigation and Prosecution of War Crimes in the Republic of Serbia 2018-2023 was adopted. The Strategy defines, among other things, criteria for selecting war crimes cases and for creating a list of priority and important war crimes cases to be prosecuted.  All war crimes cases were taken over from the prosecutor's offices of general jurisdiction and distributed for further proceedings.  During 2018, six new deputies took over the function of deputy prosecutor for war crimes, and capacities of the War Crimes Prosecutor's Office (WCPO) were strengthened by hiring three civil servants. In accordance with the National Strategy for Exercising the Rights of Victims and Witnesses of Criminal Offences, until the Rulebook on Internal Organisation and Systematisation of Jobs in the War Crimes Prosecutor's Office (WCPO) is amended, the engagement of prosecutorial assistants in the Information and Support Service shall be performed redeploying the existing employees. In September 2019, an additional number of employees was redeployed to the Service, including four prosecutorial assistants.  Cooperation with prosecutor`s offices in the region is ongoing through the exchange of requests for assistance and joint participation in regional meetings. In the period from 1 January 2018 to 25 November 2020 the Prosecutor's Office of B&H[[79]](#footnote-79) sent 134 requests for assistance to the WCPO, of which 103 requests were answered, 19 requests were in progress, while 12 requests were not answered. In the same period, the WCPO sent 192 requests for assistance to the Prosecutor's Office of B&H, of which 109 requests were answered and 83 requests were not answered. In the same period, the State`s Attorney Office of the Republic of Croatia sent 92 requests for assistance to the WCPO, of which 48 requests were answered, while 34 requests were in progress, and 10 requests were not answered. On the other hand, the WCPO sent to the State`s Attorney Office of the Republic of Croatia 119 requests for assistance, of which 54 requests were answered, while 65 were not answered.  In the period from 1 January 2018 to 25 November 2020, 18 indictments for criminal offences were filed and 12 orders were issued to conduct an investigation in relation to 14 persons. In the reporting period, on indictments by the WCPO, 12 first instance judgements were passed, which included 13 persons. Of these, 11 persons were sentenced to prison terms ranging 2-15 years, and in relation to two persons, acquittals were handed down. Second-instance judgements were passed in relation to 16 persons, of which two persons were acquitted and 14 persons were convicted.  From 1 January 2018 to 25 November 2020 the WCPO submitted to the International Residual Mechanism for Criminal Tribunals (IRMCT) a total of 38 requests for assistance, of which 30 requests were answered, while 8 requests have not been answered yet.  WCPO in the domain of its competence fully and continuously cooperates with IRMCT. The cooperation took place through the exchange of requests for assistance through the WCPO liaison officer at the IRMCT Prosecutor's Office, who searched the ICTY/IRMCT archives, their evidence fund, issued evidence and other documentation relevant to the WCPO proceedings. The IRMCT database was also searched and case processed through the Electronic Disclosure System. (EDS). Cooperation also took place through regular meetings between the representatives of the WCPO and the IRMCT, which were held as part of the preparations for the regular six-month report submitted by the Chief Prosecutor of the Mechanism to the UN Security Council, and the topic included joint cooperation regarding specific cases.  The proceedings in connection with the case of the Bytyqi brothers are at a stage of investigation which is being conducted against unknown perpetrators due to the criminal offence committed. Evidence is collected and actions are taken with the aim of finding and establishing the identity of the perpetrator.  On 12 June 2018, the War Crimes Prosecutor and the President of the Commission on Missing Persons of the Government of the Republic of Serbia signed a Memorandum of Cooperation between the War Crimes Prosecutor's Office and the Commission on Missing Persons in Belgrade.  The search of archives, extraction of evidence and other relevant documentation, their verification for use in proceedings conducted by the War Crimes Prosecutor's Office and timely delivery, are performed by the liaison officer of the War Crimes Prosecutor's Office. The Prosecutor's Office has prepared a report on its overall activities since 2003 to present whether all war crimes charges have been adequately prosecuted. The report was published on the website of the War Crimes Prosecutor's Office, which made it available to the public.  The Supreme Court of Cassation publishes all its decisions in war crimes cases within its website presentation.  The Witness Protection Unit received the status of a special unit by the Regulation on Special Police Units dated 31 July 2018, thus completing reorganisation of the Unit. Within the Ministry of the Interior - Police Directorate, the new office premises have been adapted and fully adapted to the needs of the Witness Protection Unit. With the adoption of the Regulation on Special Police Units, jobs in the Protection Unit were systematised, cataloging was performed, general and special conditions for filling these job vacancies were determined, and a job description was made for each job. |

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| **UPR recommendation**  **Number and country** | **CLUSTER XXIV**  **MISSING PERSONS** |
| 114.13  (Argentina)  114.50  (Croatia)  114.51  (Slovakia) | The Missing Persons Department at the Commissariat for Refugees and Migration keeps a single record of missing persons in armed conflicts and in connection with armed conflicts on the territory of the SFRY[[80]](#footnote-80) from 1991 to 1995 and the Autonomous Province of Kosovo and Metohija in the period from 1998 to 2000. Records are kept of exhumed, identified and unidentified mortal remains from individual and mass graves. The Department collects and processes data on missing persons and mortal remains on the sites of mass and individual graves, organises and cooperates and coordinates in the process of exhumation of mortal remains on the territory of the Republic of Serbia. It also prepares and organises talks on missing persons with the competent bodies of other countries and within the Belgrade-Priština dialogue through the work of the Working Group for Missing Persons in the Autonomous Province of Kosovo and Metohija and cooperates with them in the process of searching for missing persons, exhumations and identifications as well as in handing over the mortal remains of missing persons in connection with the armed conflicts of persons buried on the territory of other states and in the territory of the Autonomous Province of Kosovo and Metohija. The Department collects and processes data on exhumed and taken over mortal remains in the territory of other countries and in the territory of the Autonomous Province of Kosovo and Metohija, and accordingly organises, coordinates and cooperates in the identification process. It prepares data and documentation from its scope of work for the needs of other ministries and competent authorities. In this regard, the Commission on Missing Persons actively cooperates and exchanges available information and documentation with the competent bodies of other countries and within the dialogue Belgrade - Priština on the basis of signed agreements and protocols on cooperation. One of the indicators is the recent bilateral meeting in Belgrade held on 23 October 2020 between the Commission on Missing Persons and the Croatian Commission on Missing Persons in the Homeland War. On that occasion, the Commission on Missing Persons submitted to the Croatian Commission nine information on the places of burial of persons who are listed as missing in the territory of the Republic of Croatia. Also, this way of exchanging information and documentation of importance for resolving cases of missing persons was recognised by the Berlin Missing Persons Group, which formed the NN Operational Group. The results of the work of this group were assessed positively by the Foreign Office of the United Kingdom and the International Commission on Missing Persons.  In the past period, Serbia submitted all available documentation of importance for establishing the facts about enforced disappearances. In order to resolve the remaining cases, a special expert group was formed with the aim of strengthening cooperation between the bodies responsible for investigating war crimes. The expert group consists of representatives of the Commission on Missing Persons, the War Crimes Prosecutor, the Ministry of Justice, The Ministry of Defense, the War Crimes Investigation Service, and the Military and Civilian Security Services. The expert group has a mandate to collect, process, exchange and analyse data related to the locations, events and specifics of cases of missing persons.  In accordance with its mandate, the Commission on Missing Persons cooperates with the competent authorities of the Republic of Serbia, but also with other stakeholders in order to collect relevant information related to finding, identifying and determining the fate of missing persons. In this regard, it is also necessary to make additional efforts of all stakeholders in the process through specific mechanisms of future cooperation in order to address them. Archives of competent authorities of the Republic of Serbia have been reviewed in detail and largely exhausted from relevant information and documentation. In order to improve the process, it is necessary to search the archives of international organisations whose missions have been in areas affected by armed conflicts. Accordingly, in the coming period the Commission will send a request for access and/or delivery of information and documentation from the archives (UNPROFOR; KFOR; EULEX; NATO; OSCE; The Hague Tribunal, etc.). It is supported by recently found mass grave in the Kiževak mine near Rudnica, Republic of Serbia, which has been the subject of research and trial excavations by the competent authorities of the Republic of Serbia for the past five years on the basis of an order by the War Crimes Prosecutor's Office, which resulted from the information provided by the Priština delegation of the Working Group for Missing Persons on AP K&M and the recently submitted satellite image which was forwarded by the US Department of Defense through the International Committee of the Red Cross.  Also, the War Crimes Investigation Service of the Criminal Police Directorate in cooperation with the War Crimes Prosecutor's Office and the Commission on Missing Persons undertook inspections, i.e. conducted on-site inspections in order to find potential graves at the following sites: Medevce village, Medvedja municipality (2018), Kozarevo, Municipality of Novi Pazar (2020), Štavalj, Municipality of Sjenica (2020), Kiževak, Municipality of Raška known since 2015, where the exhumation of found remains began in 2020 by order of the judge for the preliminary procedure of the Belgrade Higher Court, the War Crimes Department.  The Ministry of Defense in accordance with Art. 23 of the Law on Defense, among other things, keeps electronic records of killed, missing, wounded, captured and killed members of the armed forces of the former Socialist Federal Republic of Yugoslavia (SFRY) for the period from January 1991 to May 1992.  The Action Plan for Implementation of the National Strategy for the Exercise of the Rights of Victims and Witnesses of Criminal Offenses for the period 2020-2025 envisages development of the Law on Amendments to the Criminal Procedure Code, which harmonises the relevant provisions of this Code with the definition of a victim referred to in EU Dirctive (2012) 029 according to which the term victim also includes “family members of a person whose death was directly caused by a criminal offence and who suffered damage as a consequence of the death of that person, i.e. the immediate victim. Family members are the wife, i.e. the spouse, a person living with the immediate victim in a permanent living community, in a joint household and on a stable and permanent basis, relatives in the direct line, brothers and sisters, and persons who are dependent on the immediate victim.“  With the amendments to the Criminal Code as of 2016, the act of committing crimes against humanity (Article 371 of the Criminal Code) was explicitly extended to enforced disappearances, in order to comply with Article 2 of the Convention. As part of the continuous harmonisation of the Criminal Code with international standards during the EU accession process, work will continue on the harmonisation of criminal legislation with international norms. |

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| **UPR recommendation**  **Number and country** | **CLUSTER XXV**  **FIGHT AGAINST HUMAN TRAFFICKING** |
| 114.105 (Turkmenistan)  114.106  (United Kingdom)  114.107  (Tunisia)  114.108 (Venezuela)  114.109  (Honduras)  114.110  (Sierra Leone)  114.111  (Palestine)    114.112  (East Timor)    114.113  (Ukraine)  114.114 (Indonesia) | For the purpose of implementing the Strategy for Prevention and Suppression of Trafficking in Human Beings, Especially Women and Children[[81]](#footnote-81), a second Action Plan for the period 2019-2020 was adopted. In order to monitor and implement the Action Plan 2019-2020, in the reporting period, the Special Working Group held a total of eight working meetings. In accordance with this Strategy, the system of proactive detection of cases of trafficking in human beings and identification of victims has been improved through the adoption and application of Standard Operating Procedures (adopted in 2019). They are currently being revised after the first phase of implementation.  The National Strategy for Exercise of the Rights of Victims and Witnesses of Criminal Offences for the period 2020-2025 and the accompanying Action Plan are in line with the Strategy for Prevention and Suppression of Trafficking in Human Beings, Especially Women and Children and Protection of Victims 2017-2022.  At the second session of the Council for Combating Trafficking in Human Beings[[82]](#footnote-82), among other things, recommendations were adopted for improving the proactive system of detecting cases of trafficking in human beings, efficient prosecution of natural and legal persons and legal protection of victims of trafficking; *Standard Operating Procedures for the Treatment of Victims of Trafficking* have been adopted, which aim to improve the identification, assistance and protection of victims of trafficking, through partnerships of all relevant actors at the local, national, regional and international levels.  The National Coordinator for Combating Trafficking in Human Beings[[83]](#footnote-83) is also the head of the Office for Coordination of Activities in Combating Trafficking in Human Beings in the Ministry of Interior. Within the Ministry of Interior, the Office for Coordination of Activities in Combating Trafficking in Human Beings was established, which in the subject area, among other things: monitors, coordinates, supervises and directs the implementation of measures and actions; participates, implements and monitors activities planned by strategic documents; performs activities for the needs of the Council for Combating Trafficking in Human Beings; initiates changes and participates in the drafting of international agreements, laws and other regulations; coordinates the work and exchange of data with other partners.  In the previous period, the Center for the Protection of Victims of Trafficking in Human Beings regularly performed the tasks of identification and coordination of the protection of victims, about which it published gender-sensitive reports on a monthly basis, which can be found on the Center's website[[84]](#footnote-84). During 2018 and 2019, 45 professional gatherings and training sessions were organised to improve the capacity of persons engaged in the fight against trafficking in human beings and in providing assistance to victims, of which in 21 sessions the Center for the Protection of Victims of Trafficking in Human Beings was a participant, and in 24 it was an implementer. Special emphasis is placed on the risks and needs of migrants and other particularly vulnerable groups, especially women and children. These activities continued in 2020.  In February 2019, the Shelter of the Center for the Protection of Victims of Trafficking in Human Beings was opened, which provides accommodation services to presumed and identified female victims over 16 years of age and their children. The shelter is designed so that it can provide emergency accommodation for victims who are at a high level of security and other risks.  New, appropriate premises have been provided for the work of the Service for Coordination of the Protection of Victims of Trafficking in Human Beings, as envisaged by the Action Plan for the Implementation of the Strategy for Prevention and Suppression of Trafficking in Human Beings, Especially Women and Children and Protection of Victims.  During 2019, the organisational and technical capacities of the Criminal Police Directorate for Combating Trafficking in Human Beings were significantly improved, and this process continued in 2020 by strengthening the capacity for proactive approach to human trafficking investigations, especially through the activities of the IPA 2014 twinning project *Support to strengthening the fight against trafficking in human beings*.  Also within the Public Prosecutor's Office, prosecutors were specialised in the criminal prosecution of trafficking in human beings by appointing a contact point for trafficking cases in all Higher Public Prosecutor's Offices in Serbia (25). These specialised prosecutors attended a series of training courses on topics relevant to human trafficking.  For the purpose of more successful fight against human trafficking and protection of the rights of victims of human trafficking, on 28 June 2018 the Protocol on Cooperation between the Ministry of the Interior, the Ministry of Labour, Employment, Veteran and Social Affairs and the Republic Public Prosecutor's Office was concluded. The Protocol defines the mutual rights and obligations of the signatory parties in the areas of identification of victims of trafficking, assistance and protection of victims' safety, prevention of trafficking in human beings and statistical reporting in order to investigate the phenomenon of trafficking in human beings.  A significant decline in the number of formally identified victims was observed in 2019, although an official set of indicators for victim identification is still missing. Twelve persons were convicted in the first instance procedure for trafficking in human beings (with one of them being convicted of a crime in the context of organised crime).  A training programme on the prevention of trafficking in human beings for the purpose of labour exploitation has been developed. Six training courses were conducted for a total of 134 representatives from the Labour Inspectorate, the Market Inspection Sector, the Ministry of Interior, the Prosecutor's Offices, the Center for Protection of Victims of Trafficking in Human Beings, trade unions and civil society organisations. The training courses were implemented with the support of the Council of Europe. A pocket guide was developed for labour inspectors to identify human trafficking for the purpose of labour exploitation.  Representatives of the Commissariat for Refugees and Migration attended more than ten training courses on human trafficking, smuggling and updates of Standard Operating Procedures during the reporting period. In 2018, the Commissariat, in cooperation with the NGO Athens, distributed 4,000 leaflets containing preventive information on the risk of the migrant population from human trafficking. Also, in 4 asylum and reception centers (Krnjača, Bogovadja, Bujanovac and Preševo), 174 thematic workshops were held, at which themes of importance for the prevention of human trafficking were discussed. The workshops were attended by a total of 1,177 women from the migrant population accommodated in the mentioned centers. During 2019, 50 educational workshops were held at the Asylum Center in Bogovadja and Krnjača, intended to inform the migrant population on issues of how to recognise and protect themselves from human trafficking and other risks. A total of 358 women participated in the workshops. In the period January-March 2020 (before the declaration of the state of emergency due to the coronavirus pandemic), 38 educational workshops were held, attended by a total of 267 women and girls from the migrant population in 3 asylum centers in Krnjača, Banja Koviljača and Bogovađa and in the reception center in Vranje. |

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| **UPR recommendation**  **Number and country** | **CLUSTER XXVI**  **RIGHTS OF MIGRANTS AND ASYLUM SEEKERS** |
| 114.115  (Iraq) | In March 2018, the new Law on Asylum and Temporary Protection[[85]](#footnote-85) was adopted. In accordance with the Law, the Commissariat for Refugees and Migration provides material conditions for the reception of asylum seekers, provides temporary accommodation to persons granted the right to asylum in accordance with regulations governing migration management, implements programmes for voluntary return of aliens to the country of origin and integration programmes for the persons who have been granted the right to asylum in the Republic of Serbia.  Every alien who is on the state border or within the territory of the Republic of Serbia, regardless of whether he/she is accommodated in an asylum center or some other facility intended for accommodation of asylum seekers or a shelter for aliens or is located at a private address at any time during his/her stay in the territory of the Republic of Serbia, has the right to access the asylum procedure or to express the intention to submit an asylum application to an authorised official of the Ministry of Interior. Decision on the submitted application for asylum shall be made within three months from the date of submitting the application for asylum, but in cases prescribed by law, the deadline may be extended.  Legal framework of the Republic of Serbia prescribes the principle of non-refoulement. In this regard, the Constitution of the Republic of Serbia guarantees that guarantees that a foreign national may be expelled only under decision of a competent body, in the procedure stipulated by the law and if time to appeal has been provided for him and only when there is no threat of persecution based on his race, sex, religion, national origin, citizenship, association with a social group, political opinions, or when there is no threat of serious violation of rights guaranteed by this Constitution. In addition, regulations in the field of migrations and asylum stipulate the obligation to respect the principle of non-refoulement not only within the asylum procedure (Law on Asylum and Temporary Protection) but also in the procedure of forced removal (Law on Foreigners[[86]](#footnote-86)). The principle of non-refoulement in the procedure of forced removal covers a wider scope of obligations for the state, and stipulates that a foreigner must not be forcibly removed not only to the territory where he is threatened with persecution due to any of his personal characteristics, but also to the territory where he is at risk to be subjected to death penalty, torture, inhuman or degrading treatment or punishment, or where he is threatened with a serious violation of the rights guaranteed by the Constitution of the Republic of Serbia, even if it poses a danger to the public order of the Republic of Serbia.  In a situation when a foreigner cannot be removed due to the respect of the principle of non-refoulement, a decision on postponing the forced removal will be made. A foreigner whose forced removal has been postponed has the right to emergency medical care, and if he is a minor, the right to primary education.  In 2018, the intention to seek asylum in the Republic of Serbia was expressed by 8,410 foreign citizens: Afghanistan - 2,624, Pakistan - 1,831, Iran - 1,613, Iraq - 802, Syria - 455, Other - 1,085. Of this number, there were a total of: 7,485 men, 925 women, 2,460 minors (2,166 boys and 294 girls). Out of the total number of unaccompanied minors, there were 700 (695 boys and 5 girls). 341 asylum applications were submitted in the Republic of Serbia.  During 2019, 12,935 certificates of registration of aliens who expressed their intention to apply for asylum in the Republic of Serbia were issued, as follows: Afghanistan - 3,844, Pakistan - 2,766, Syria - 1,975, Iraq - 1,560, Bangladesh - 849, Iran - 358, Burundi - 224, Other - 1,359. Of this number, there were a total of: men - 12,046, women - 889, minors - 2,930 (2,615 boys and 315 girls). Out of the total number of unaccompanied minors, there were 823 (816 boys and 7 girls). 251 asylum applications were submitted in the Republic of Serbia.  Serbia has continued to make a significant contribution to managing mixed migration flows to the EU, playing an active and constructive role and cooperating effectively with its neighbours and EU member states. It has also continued the effective implementation of the integrated border management strategy and the corresponding action plan.  Overview of the numbers of migrants provided with accommodation:  In 2018 – a total of 23,404 migrants passed through 19 asylum and reception centers, mostly from Pakistan (30.7%), Afghanistan (27.7%) and Iran (15.8%). Men made up 86% of the migrant population, and women 14%. There were 77.8% of adults and 22.2% of minors.  In 2019 – a total of 35,477 migrants passed through 17 asylum and reception centers, mostly from Afghanistan (38.3%), Pakistan (21.9%) and Bangladesh (10%). Men made up 92.7% of the migrant population, and women 7.3%. There were 84.6% adults and 15.4% minors.  In 2020 – a total of 60,947 migrants passed through 20 asylum and reception centers, mostly from Afghanistan (38.9%), Syria (22.2%) and Pakistan (12.1%). Men made up 92.1% of the migrant population and women 3.9%. 91.6% were adults and 8.4% minors.  In accordance with the Law on Asylum and Temporary Protection, the Minister of Labour, Employment, Veteran and Social Affairs adopted the Rulebook on social assistance for asylum seekers or persons who have been granted asylum, which regulates in more detail the issues of social assistance for asylum seekers or persons who have been granted the right to asylum[[87]](#footnote-87). |

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| **UPR recommendation**  **Number and country** | **CLUSTER XXVII**  **SUSTAINABLE DEVELOPMENT** |
| 113.16  (China)  113.17  (Bulgaria)  113.19  (Azerbaijan) | The report of the Statistical Office of the Republic of Serbia with a graphical presentation of indicators for achieving the Sustainable Development Goals from the UN 2030 Agenda is available at the link: http://devinfo.sta.gov.rs/diFiles/diProfil/SDG\_SDG\_Srbijacir.pdf  The inter-ministerial working group for the implementation of the United Nations 2030 Agenda for Sustainable Development has been functioning since 2015. The first voluntary national report on the implementation of the 2030 Agenda was prepared by the department in charge of demography and population policy in 2019. The central part of that report consists of the young people`s attitudes and the assessment of the Standing Conference of Towns and Municipalities as a kind of unique voice of local self-government units. |

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| **UPR recommendation**  **Number and country** | **NOTED RECOMMENDATIONS**  **CLUSTER H. I**  **COOPERATION WITH THE UN AND REPORTING PROCESSES** |
| 114.1  (Uruguay)  114-.2  (Venezuela)  114.33  (Albania)  114.4  (Chile)  114.5  (Afghanistan)  114.6  (Honduras)  114.7  (Sierra Leone)  114.8  (Costa Rica)  114.9  (Slovakia) | National legislation provides an appropriate framework for the protection of migrant workers, as it guarantees them the same rights as domestic workers have.  At the eighth session of the Council for Monitoring the Implementation of Recommendations of the UN Human Rights Mechanism, the initiative of civil society to ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights was presented. The Council sent an explanation of the initiative to the competent ministry, with a proposal to consider it and hold a meeting with the CSOs that submitted the initiative.  The Republic of Serbia co-sponsored the UN resolution adopting the Optional Protocol to the Convention on the Rights of the Child, which allows the submission of individual petitions, and was among the first signatories to this Protocol, thus demonstrating its commitment to protection of the rights of the child. The protocol has not been ratified because it is necessary to make certain changes in the internal legislation beforehand. |

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| **UPR recommendation**  **Number and country** | **NOTED RECOMMENDATIONS**  **CLUSTER H. XXIII**  **WAR CRIMES AND PREVENTION OF IMPUNITY** |
| 114.43  (Albaniа) | The Republic of Serbia is committed to prosecuting crimes against the international law of the Republic of Serbia, which has been manifested through cooperation with the ICTY and trials before domestic courts. The procedures for determining responsibility are clear and there is no need to initiate additional checks, and this recommendation in that part does not enjoy the support of Serbia. |

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| **UPR recommendation**  **Number and country** | **NOTED RECOMMENDATIONS**  **CLUSTER H.VIII**  **JUSTICE/RULE OF LAW** |
| 114.53  (Canada) | The Republic of Serbia continuously implements activities in order to strengthen the rule of law, which includes the actions of the competent authorities, without exception, in accordance with the laws. Having in mind the above, the Republic of Serbia sees no reason to single out individual cases, as in the example of "Savamala", in which the competent authorities undertake all activities provided by law. |

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| **UPR recommendation**  **Number and country** | **NOTED RECOMMENDATIONS**  **CLUSTER H. XXI**  **FREEDOM OF EXPRESSION** |
| 114.57  (Lebanon)  114.60  ( Poland)  114.65  (Lebanon)  114.72  (Latvia) | The Constitution of the Republic of Serbia guarantees the freedom of the media. No amendments to the law are planned in the coming period, bearing in mind that the Republic of Serbia passed media laws in 2014, which regulate media freedom and which are fully harmonised with European Union regulations and international standards. Editorial independence is regulated by the Law on Public Information and Media. The Ministry of Culture and Information and the Regulatory Authority of Electronic Media determine the existence of threats to media pluralism and take measures to protect media pluralism. |

1. http://vladinsavetun.ljudskaprava.gov.rs [↑](#footnote-ref-1)
2. http://vladinsavetun.ljudskaprava.gov.rs [↑](#footnote-ref-2)
3. Decision of the Government of the Republic of Serbia as of 14 December 2014 (*Official Gazette of the RS*, No. 140/2014) [↑](#footnote-ref-3)
4. *Official Gazette of the RS*, Nos. 85/2005, 88/2005 - corr., 107/2005 - corr., 72/2009, 111/2009, 121/2012, 104/2013, 108/2014, 94/2016 and 35/2019 [↑](#footnote-ref-4)
5. *Official Gazette of the RS*, Nos. 9/2014, 42/2014 – corr. and 54/2018 [↑](#footnote-ref-5)
6. *Official Gazette of the RS*, No. 94/2017 [↑](#footnote-ref-6)
7. *Official Gazette of the RS*, No. 95/2018 [↑](#footnote-ref-7)
8. *Official Gazette of the RS*, Nos. 113/17 and 95/18 [↑](#footnote-ref-8)
9. *Official Gazette of the RS*, No. 102/18 [↑](#footnote-ref-9)
10. *Official Gazette of the RS*, No. 81/17 [↑](#footnote-ref-10)
11. *Official Gazette of the RS*, No. 65/2018 [↑](#footnote-ref-11)
12. Part of the Government of the Republic of Serbia project *Integrated Response to Violence against Women and Girls in Serbia II*. [↑](#footnote-ref-12)
13. *Official Gazette of the RS*, Nos. 85/2005, 88/2005 - corr., 107/2005 - corr., 72/2009, 111/2009, 121/2012, 104/2013, 108/2014, 94/2016 and 35/2019 [↑](#footnote-ref-13)
14. *Official Gazette of the RS*, Nos. 35/2019 and 88/2019 [↑](#footnote-ref-14)
15. *Official Gazette of the RS*, No. 87/2018 [↑](#footnote-ref-15)
16. www.mos.gov.rs [↑](#footnote-ref-16)
17. https://www.mladisuzakon.gov.rs/ [↑](#footnote-ref-17)
18. *Official Gazette of the RS*, No. 47/18 [↑](#footnote-ref-18)
19. *Official Gazette of the RS*, Nos. 88/2017, 27/2018 – other law, 10/2019, 27/2018 – other law and 6/2020 [↑](#footnote-ref-19)
20. The Republic of Serbia, the Republic of Montenegro, the Republic of Northern Macedonia, the Federation of Bosnia and Herzegovina and the Republic of Albania. [↑](#footnote-ref-20)
21. http://www.mpn.gov.rs/izvestaj-o-ukljucenosti-ucenika-iz-osetljivih-grupa-u-obrazovno-vaspitni-rad-tokom-nastave-na-daljinu [↑](#footnote-ref-21)
22. http://www.mpn.gov.rs/wp-content/uploads/2020/02/NACIONALNI-IZVE%C5%A0TAJ-O-INKLUZIVNOM-OBRAZOVANJU.pdf [↑](#footnote-ref-22)
23. Persons with disabilities [↑](#footnote-ref-23)
24. In accordance with the provisions of the Law on Professional Rehabilitation and Employment of Persons with Disabilities [↑](#footnote-ref-24)
25. *Official Gazette of the RS*, Nos. 104/2016 and 9/2020 – other law. [↑](#footnote-ref-25)
26. *Official Gazette of the FRY",* No. 11/2002, *Official Gazette of Serbia and Montenegro*, No.1/2003 - Constitutional Charter and *Official Gazette of the RS,* No. 72/2009 - other law, 97/2013 - CC Decision and 47/2018 [↑](#footnote-ref-26)
27. *Official Gazette of the RS*, No. 72/2009, 20/2014 - CC Decision , 55/2014 and 47/2018 [↑](#footnote-ref-27)
28. *Official Gazette of the RS*, Nos. 45/91, 53/93, 67/93, 48/94, 101/2005 – other law, 30/2010, 47/2018 and 48/2018 - corr. [↑](#footnote-ref-28)
29. *Official Gazette of the RS*, No. 47/18 [↑](#footnote-ref-29)
30. *Official Gazette of the RS*, Nos. 129/2007, 83/2014 – other law, 101/2016 – other law and 47/2018 [↑](#footnote-ref-30)
31. *Official Gazette of the RS*, Nos. 35/2000, 57/2003 - CC Decision, 72/2003 - other law, 75/2003 - corr. other law, 18/2004, 101/2005 - other law, 85/2005 - other law, 28/2011 - CC Decision, 36/2011, 104/2009 other law, 12/2020 and 68/2020 [↑](#footnote-ref-31)
32. *Official Gazette of the RS*, Nos. 129/2007, 34/2010 – CC Decision, 54/2011, 12/2020, 16/2020 – authentic interpretation and 68/2020 [↑](#footnote-ref-32)
33. *Official Gazette of the RS*, Nos. 21/16, 113/17, 113/17 – other law and 95/18 [↑](#footnote-ref-33)
34. *Official Gazette of the RS*, No. 47/18 [↑](#footnote-ref-34)
35. *Official Gazette of the RS*, No. 95/18 [↑](#footnote-ref-35)
36. *Official Gazette of the RS*, No. 2/19 [↑](#footnote-ref-36)
37. *Official Gazette of the RS*, No. 13/2016 [↑](#footnote-ref-37)
38. *Official Gazette of the RS*, No. 15/2020 [↑](#footnote-ref-38)
39. http://www.inkluzijaroma.stat.gov.rs/sr [↑](#footnote-ref-39)
40. *Official Gazette of the RS*, No. 25/2019 [↑](#footnote-ref-40)
41. *Official Gazette of the RS*, No. 25/2019 [↑](#footnote-ref-41)
42. *Official Gazette of the RS*, No. 15/10 [↑](#footnote-ref-42)
43. Accordingly, all unemployed persons in the NES records, regardless of nationality, have the opportunity to use NES services in the field of employment mediation (based on data on the volume and structure of supply and demand in the labour market), but also programmes and measures from the active employment policy system (improvement of employability through the acquisition of additional knowledge, skills and competencies, support for employment and self-employment), based on current public calls and competitions, where priority or exclusivity when included in certain programmes and measures of active employment policy is given to certain categories of hard-to-employ persons (including members of the Roma national minority). [↑](#footnote-ref-43)
44. Externally prepared by FAE (Foundation for the Advancement of Economics), as part of the process of preparation of the new strategic framework of employment policy for the period 2021-2026, in the period 2011-2019 [↑](#footnote-ref-44)
45. Data in NES records, including the coverage of unemployed persons with active employment policy measures, are gender classified [↑](#footnote-ref-45)
46. MICS 6, 2019 - Multiple Indicator Cluster Surveys [↑](#footnote-ref-46)
47. *Official Gazette of the RS*, No. 24/2018 [↑](#footnote-ref-47)
48. *Official Gazette of the RS*, Nos. 24/2018 and 31/2019 [↑](#footnote-ref-48)
49. The Ministry in charge of education in cooperation with the Institute for Educational Advancement within the MADAD 2 project [↑](#footnote-ref-49)
50. http://www.mpn.gov.rs/o-ministarstvu/grupa-za-obrazovanje-manjina-socijalnu-inkluziju-i-zastitu-od-nasilja-i-diskriminacije/grupa-za-obrazovanje-manjina-i-ljudska-i-manjinska-prava-u-obrazovanju/ [↑](#footnote-ref-50)
51. *Official Gazette of the RS*, No. 98/2006 [↑](#footnote-ref-51)
52. *Official Gazette of the RS*, Nos. 85/2005, 88/2005 - corr., 107/2005 - corr., 72/2009, 111/2009, 121/2012, 104/2013, 108/2014, 94/2016 and 35/2019 [↑](#footnote-ref-52)
53. *Official Gazette of the RS*, No. 22/2009 [↑](#footnote-ref-53)
54. *Official Gazette of the RS*, Nos. 83/2014, 58/2015 and 12/2016 – authentic interpretation [↑](#footnote-ref-54)
55. *Official Gazette of the RS*, No. 83/2014 and 6/2016 – other law [↑](#footnote-ref-55)
56. *Official Gazette of the RS*, Nos. 18/2016, 108/2016, 113/2017, 95/2018, 86/2019 and 157/2020 [↑](#footnote-ref-56)
57. *Official Gazette of the RS*, Nos. 62/2006, 63/2006 - corr., 115/2006 - corr., 101/2007, 99/2010, 108/2013, 99/2014 and 95/2018 [↑](#footnote-ref-57)
58. *Official Gazette of the RS*, Nos. 34/01, 62/06 – other law, 116/08 – other law, 116/08 – other law, 92/11, 99/11 other law, 10/13, 55/13, 99/14, 21/16 – other law, 113/17 – other law, 113/17 – other law [↑](#footnote-ref-58)
59. *Official Gazette of the RS*, Nos. 35/2000, 57/2003 – CC Decision, 72/2003 – other law, 75/2003 - corr. of other law, 18/2004, 101/2005 - other law, 85/2005 - other law, 28/2011 - CC Decision, 36/2011, 104/2009 - other law, 12/2020 and 68/2020 [↑](#footnote-ref-59)
60. *Official Gazette of the RS*, Nos. 129/2007, 34/2010 - CC Decision, 54/2011, 12/2020, 16/2020 – authentic interpretation and 68/2020 [↑](#footnote-ref-60)
61. *Official Gazette of the RS*, No. 95/2018 [↑](#footnote-ref-61)
62. *Official Gazette of the RS*, No. 21/2016, 113/2017, 95/2018 and 113/2017 - other law [↑](#footnote-ref-62)
63. *Official Gazette of the RS*, No. 36/09, 88/10, 38/15, 113/17-other law and 113/17 [↑](#footnote-ref-63)
64. Data for 2019. [↑](#footnote-ref-64)
65. Part of the Government of the Republic of Serbia project *Integrated Response to Violence against Women and Girls in Serbia II.*  [↑](#footnote-ref-65)
66. *Official Gazette of the RS*, Nos. 113/2017 and 50/2018 [↑](#footnote-ref-66)
67. *Official Gazette of the RS*, Nos. 55/2013, 101/2017, 10/2019 and 27/2018 – other law [↑](#footnote-ref-67)
68. *Official Gazette of the RS*, Nos. 88/2017, 27/2018 - other law, 10/2019, 27/2018 - other law and 6/2020 [↑](#footnote-ref-68)
69. Rulebook on detailed criteria for identifying forms of discrimination by an employee, child, student or third party in an educational institution (*Official Gazette of the RS*, No. 22/2016) and Rulebook on the institution's actions in case of suspicion or identified discriminatory behaviour and insulting reputation, honour or dignity of the person (*Official Gazette of the RS*, No. 65/2018). [↑](#footnote-ref-69)
70. <http://www.mpn.gov.rs/udzbenici/> [↑](#footnote-ref-70)
71. *Official Gazette of the RS*, No. 149/20 [↑](#footnote-ref-71)
72. www.priv.rs [↑](#footnote-ref-72)
73. А number 802/15 dated 22 December 2015 [↑](#footnote-ref-73)
74. *Official Gazette of the RS*, Nos. 83/2014, 58/2015 and 12/2016 – authentic interpretation [↑](#footnote-ref-74)
75. *Official Gazette of the RS*, Nos. 83/2014 and 6/2016 – other law [↑](#footnote-ref-75)
76. Since 2014, excluding the legal predecessor, the Republic Broadcasting Agency [↑](#footnote-ref-76)
77. The Report is available at: <http://www.rem.rs/uploads/files/Baners/Nezavisnost%20i%20rad%20REM-a%20u%20Srbiji.pdf> [↑](#footnote-ref-77)
78. *Official Gazette of the RS*, No. 30/2018 [↑](#footnote-ref-78)
79. Bosnia and Herzegovina [↑](#footnote-ref-79)
80. Socialist Federal Republic of Yugoslavia [↑](#footnote-ref-80)
81. *Official Gazette of the RS*, No. 77/17 [↑](#footnote-ref-81)
82. Held on 25 January 2019 [↑](#footnote-ref-82)
83. Since 2017. [↑](#footnote-ref-83)
84. <http://www.centarzztlj.rs/index.php/o-nama-2/statistika> [↑](#footnote-ref-84)
85. *Official Gazette of the RS*, No. 24/2018 [↑](#footnote-ref-85)
86. *Official Gazette of the RS*, Nos. 24/2018 and 31/2019 [↑](#footnote-ref-86)
87. *Official Gazette of the RS*, No. 12/20 [↑](#footnote-ref-87)