

Council of Europe contribution for the 43rd UPR session (April-May 2023) regarding Serbia

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Prevention of torture (CPT)

The CPT's report on the 2021 periodic visit to Serbia



CPT_inf_2022_03_Serbia.pdf

The visit focused on the treatment and safeguards afforded to persons detained by law enforcement agencies. It also looked into the treatment and conditions of detention of persons held in three prison establishments, both on remand and sentenced. A further focus of the visit was the treatment and living conditions afforded to psychiatric patients under civil and forensic measures and of residents placed in social care homes.

Executive summary



CPT_inf_2022_03_part_Serbia.pdf

Government response



CPT_inf_2022_04_Gov_Response_Serbia.pdf

Council of Europe Commissioner for Human Rights

Life Imprisonment

In May 2019, the Commissioner wrote a [letter](#) to the Serbian Minister of Justice, regarding draft legislation on introducing the sentence of life imprisonment without eligibility for conditional release for persons convicted of some of the gravest crimes. In her letter, the Commissioner urged the Serbian authorities to reconsider the draft law, expressing concerns about the possibility of reducing such sentences, and the lack of transparency of the procedure of its introduction, due to lack of public debate.



CommHR_Letter_Minister_Justice_May2019_4

Police Violence

Following anti-government protests in Belgrade in July 2020, the Commissioner issued a [statement](#), calling for effective investigations into cases of police violence. The Commissioner called on the Serbian authorities to carry out effective investigations to establish responsibility and punish the officers responsible, in line with the relevant case-law and to ensure that persons claiming to be victims of police misconduct can file a complaint to obtain redress.

The rights of LGBTI people

In September 2022, the Commissioner issued a [statement](#), calling on the Serbian authorities to withdraw the announced ban on the Europride march.

Fight against racism and intolerance (ECRI)

Conclusions on the implementation of the priority recommendations made to Serbia in 2017 (adopted on 7 April 2020 / published on 2 June 2020)



ECRI_2020_27_Serbia.
pdf

Protection of minorities

Framework Convention for the Protection of National Minorities

The Advisory Committee on the Framework Convention adopted its 4th Opinion on Serbia on 26 June 2019.



ACFC_OP19_2019_001
_Serbia.pdf

The CM/ResCMN(2021)11 on the implementation of the Framework Convention for the Protection on National Minorities by Serbia was adopted by the Committee of Ministers on 15 April 2021 at the 1401st meeting of the Ministers' Deputies.



FCNM_CM_Res_CMN
_2021_11_Serbia.pdf

European Charter for Regional or Minority Languages

The Committee of Experts adopted its fourth evaluation report on Serbia on 23 March 2018.



ECRM_CM_2018_144
_Serbia.pdf

The Committee of Ministers adopted Recommendation CM/RecChL(2019)2 on the application of the European Charter for Regional or Minority Languages by Serbia on 4 April 2019 at the 1343rd meeting of the Ministers' Deputies.



ECRM_CMRecChL_2
019_2_Serbia.pdf

Action against trafficking in human beings (GRETA)

[GRETA evaluation report \(2nd evaluation round\)](#) (the 3rd evaluation report is under preparation and will be published in June 2023)



GRETA_2017_37_Serbi
a.pdf

[Press release](#)

Preventing and combating violence against women and domestic violence (GREVIO)

Serbia ratified the Convention in 2013. GREVIO published its first baseline evaluation report on Serbia in 2020 (Executive summary can be found on pp. 6-8). The Committee of the Parties to the Convention issued its Recommendations in respect of Serbia, based on GREVIO's findings, in 2020.



GREVIO_baseline_evalu
ation_report_Serbia.p



GREVIO_Committee_of
_parties_Serbia.pdf

Protection of children against sexual abuse (Lanzarote Convention)

Serbia ratified the Lanzarote Convention on 29 July 2010 and it entered into force in its respect on 1 November 2010.

1st monitoring round on the “Protection of children against sexual abuse in the circle of trust”

This was carried out between 2013 and 2018 and focused on the protection of children against sexual abuse in the circle of trust. It led to the adoption of two implementation reports, one related to the [legal framework](#) and the other to the [strategies](#) to tackle the phenomenon. The information submitted by Serbia in the context of the 1st monitoring round is available [here](#).



Lanzarote
Committee_1st imple



Lanzarote
Committee_2nd imple



Lanzarote
Convention_T-ES_2014

The recommendations requiring Serbia to take steps to implement the Lanzarote Convention effectively in the context of this monitoring round are as follows:



Lanzarote
Committee_recommen

Urgent monitoring round on “Protecting children affected by the refugee crisis from sexual exploitation and sexual abuse”

To respond to the urgent migrant and refugee situation in Europe, the Lanzarote Committee decided in 2016 to address the protection of children affected by the refugee crisis from sexual exploitation and sexual abuse through an urgent monitoring round. This resulted in a [special report](#) published in March 2017. The information submitted by Serbia in the context of this round is accessible [here](#). To follow-up on the Special report and its monitoring findings, the Committee carried out a compliance procedure to assess the conformity of Parties with the recommendations urging them to act (the “urge” recommendations), as well as those considering that they should act (the “consider” recommendations).



Lanzarote
Committee_special_re



Lanzarote
Convention_T-Es_2016

Following the compliance procedure, the recommendations still requiring Serbia to take steps to implement the Lanzarote Convention effectively in the context of this monitoring round are as follows:



Lanzarote
Committee_recommen

2nd thematic monitoring round: Protecting children against sexual exploitation and sexual abuse facilitated by information and communication technologies (ICTs): Addressing the challenges raised by child self-generated sexual images and/or videos.

This was carried out between October 2017 and March 2022 and was dedicated to “Protecting children against sexual exploitation and sexual abuse facilitated by information and communication technologies (ICTs)”, with a focus on “Addressing the challenges raised by child self-generated sexual images and/or videos”. It led to the adoption of an [implementation report](#) in March 2022. The information submitted by Serbia in the context of the 2nd monitoring round is available [here](#).



**Lanzarote
Committee_T-ES_2022**



**Lanzarote
Convention_T-ES_2017**

The recommendations requiring Serbia to take steps to implement the Lanzarote Convention effectively in the context of this monitoring round are as follows (editing of the recommendations to be verified with the final version of the implementation report):



**Lanzarote
Committee_recommendations**

Fight against corruption (GRECO)

Serbia was evaluated in 2021 under the Fifth Evaluation Round on “Preventing corruption and promoting integrity in central governments (top executive functions) and law enforcement agencies”. The corresponding 5th Round Evaluation Report was adopted by GRECO Plenary and made public in 2022. Additional information from the authorities is due by 30 September 2023.



GRECO_evaluation_report_2021_1_Serbia.pdf

Concerning the Fourth Evaluation Round on “Prevention of corruption in respect of members of parliament, judges and prosecutors” the 4th Round Second Interim Compliance Report was published in 2022 and additional information from the authorities is due by 31 March 2023.



GRECORCA_2022_6_Serbia.pdf

Execution of judgments and decisions of the European Court of Human Rights



CoE_UPR43rd_Executi
on of judgments_Serb

Social and Economic Rights (ECSR)



ESC_Serbia_factsheet
s.pdf

Venice Commission

Since 2018, concerning Serbia and electoral issues, the Commission adopted its Urgent opinion on the draft law on the **referendum** and the people's initiative ([CDL-AD\(2021\)033](#)) and a follow up Urgent opinion on the **revised** draft law on the **referendum** and the people's initiative ([CDL-AD\(2021\)052](#)).



CDL-AD_2021_033E_S
erbia.pdf



CDL-AD_2021_052E_S
erbia.pdf

Concerning **judiciary in Serbia**, the Commission adopted three opinions:

- Opinion on the draft amendments to the constitutional provisions on the judiciary ([CDL-AD\(2018\)011](#));



CDL-AD_2018_011E_S
erbia.pdf

- Opinion on the draft constitutional amendments on the judiciary and draft constitutional law for the implementation of the constitutional amendments ([CDL-AD\(2021\)032](#)) and a follow up opinion ([CDL-AD\(2021\)048](#)).



CDL-AD_2021_032E_S
erbia.pdf



CDL-AD_2021_48E_Se
rbia.pdf