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Serbia*

The present report is a summary of 16 stakeholders' submissions[1] to the universal periodic review. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. As provided for in Resolution 16/21 of the Human Rights Council, where appropriate, a separate section is provided for contributions by the national human rights institution of the State under review that is accredited in full compliance with the Paris Principles. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the periodicity of the review and developments during that period.

* The present document was not edited before being sent to United Nations translation services.

I. Information provided by the accredited national human rights institutions of the State under review in full compliance with the Paris Principles

1. Protector of Citizens of the Republic of Serbia (Ombudsman) did not make a submission.

II. Information provided by other stakeholders

A. Background and framework

1. Scope of international obligations

2. ECPAT International (ECPAT) recommended ratification of the Optional Protocol to the Convention on the Rights of the Child (CRC) on a communication procedure.[2] Joint Submission 1 (JS1) recommended that the Government of Serbia take measures to prepare law proposal on ratification of the same optional protocol by end of 2013.[3]

3. Autonomous Women's Center (AWC) noted that Serbia signed the Council of Europe (CoE) Convention on preventing and combating violence against women and domestic violence in April 2012, which had yet to be ratified.[4]

2. Constitutional and legislative framework

4. AWC stated that Serbia had established legislative framework related to the prohibition of discrimination, gender equality and protection from gender-based violence. However, insufficient attention was paid to the implementation of this legal framework in practice. The Gender Equality Law, after two years of implementation, had no effect on the actual equality of men and women. There were no publicly available reports on the effects of the implementation of the law.[5]

5. JS1 noted that the legislation in Serbia had not yet been fully harmonized with international standards of the CRC. JS1 also noted that a working group of experts has prepared a pre-draft for a comprehensive child rights law during 2010-2011, which is under continual discussion.[6]

6. ECPAT noted that Serbia had no specific child protection law and that most provisions protecting children against sexual exploitation were included in the Criminal Code. ECPAT also noted several amendments introduced to bring them in conformity with principles and provisions of the CRC, the UN Trafficking Protocol and the CoE Convention against Cybercrime and Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse. However, ECPAT stated that gaps in national legislation existed leaving children partly unprotected. At the same time, ECPAT noted that the national legislation addressing child pornography was not fully consistent with relevant international and regional standards.[7]

7. ECPAT recommended: providing a clear definition of child pornography in national legislation in line with the definition provided in the CoE Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse; and including the offence of soliciting a child online for sexual purposes and of "knowingly obtaining access through information and communication technology to child pornography" in national legislation.[8]

3. Institutional and human rights infrastructure and policy measures

8. Amnesty International (AI) noted that the Commissioner for the Protection of Equality established in May 2010 was empowered to receive and act on complaints of discrimination. AI also noted that the Protector of Citizens (Ombudsperson) was designated in July 2011 as a national preventative mechanism in accordance with Article 19 of the Optional Protocol to CAT (OP-CAT). Further, AI noted that in 2011, the post of Minister of Human and Minority Rights was abolished and the functions of the ministry downgraded to a department within the Ministry of Human and Minority Rights, Public Administration and Local Self-Government.[9]

9. JS1 noted that Deputy Ombudsman for Children in the Protector on Human Rights of Serbia was optional according to the Law on the Protector of Citizens. JS1 also noted that the Child Rights Council, a consultative body of the Government of Serbia, for the protection of the rights of the child had not worked since 2010.[10]

10. Joint Submission 3 (JS3) recommended that the National Human Rights Institution should prioritize the situation and protection of human rights defenders on its agenda as one of its core activities and set up a focal point for human rights defenders.[11]

11. According to JS1, there is no strategic plan for child rights in Serbia while there is the national action plan for children adopted in 2004, which was to be revised in 2010, but no revision has been made. JS1 regarded the failure of such revision as a step backward. JS1 also noted some sectoral strategies, including Poverty Reduction Strategy, National Strategy for Violence Prevention and Children Protection against Violence, Strategy on HIV/AIDS, Strategy on Combating Drugs (2009 – 2013), and Strategy of Sport Development (2009 – 2013).[12]

12. JS1 recommended that Serbia take measures to adopt an overall strategy for child rights; establish independent, legally justified and clearly defined institution for the rights of the child in accordance with General Comments No. 2 of the CRC; and allocate measurable and transparent budget for children.[13]

B. Cooperation with human rights mechanisms

1. Cooperation with treaty bodies

13. JS1 noted that there was no governmental body in charge for monitoring and evaluation of existing CRC concluding observations.[14]

2. Cooperation with special procedures

14. Joint Submission 7 (JS7) recommended that Serbia invite the Special Rapporteurs on Human Rights Defenders, Freedom of Expression, and Freedom of Peaceful Assembly.[15]

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Equality and non-discrimination

15. AI noted a number of positive measures taken to tackle discrimination, including the adoption of an Anti-Discrimination Law in March 2009 and the establishment of the Office of Commissioner for the Protection of Equality in May 2010. At the same time, AI stated that in practice, vulnerable groups, including minority communities, continued to suffer from discrimination and faced difficulties exercising their rights.[16]

16. JS1 noted that there had been limited implementation of the UPR recommendation of the previous cycle to strengthen measures that ensure registration of Roma in Serbia: Apart from abolishing the administrative fees, no measures had been taken to address discrimination against Roma children. In this connection, JS1 recommended that Serbia take measures to amend existing regulations to allow birth registration regardless of the legal status of parents, and ensure that late birth registration is available and accessible for all children without discrimination.[17] Joint Submission 2 (JS2) also expressed similar concerns on lack of progress for the protection of national minorities.[18]

2 Right to life, liberty and security of the person

17. The CoE Committee for the Prevention of Torture (CoE/CPT) stated that during its visit to Serbia in February 2012, it received several allegations of ill-treatment by law enforcement officials, including in respect of juveniles. The alleged ill-treatment consisted of slaps, punches, kicks and truncheon blows and concerned the time of apprehension or when suspects were being interrogated in police stations.[19]

18. AWC noted that Serbia adopted a host of policies in the field of violence against women, including the 2011 National Strategy for Prevention and Elimination of Violence against Women in the Family and in Intimate Partner Relationship, whose action plan for implementation was still lacking, and the 2011 General Protocol on procedures and cooperation of institutions, agencies and organizations in situations of domestic and partner relationship violence.[20] Helsinki Committee for Human Rights in Serbia (HCHRS) recommended harmonization of legal solutions in order to guarantee rights of victims of domestic violence in accordance with international standards.[21] HCHRS further recommended amendment to the Criminal Procedure Law that would expand the term "family member" in the criminal offence of domestic violence to include former spouse, partner or former partner, persons who were or still are in an emotional or sexual relationship, who have a joint or conceived child.[22]

19. AWC stated that in one third of the domestic violence crime cases, public prosecutors dismissed charges. According to AWC, from the time of filing criminal charges to the first-instance court decision, an intolerably long period of time passes. The number of sentenced adults in 2010 decreased significantly as compared to 2008. Victims of the crime of domestic violence had no systematic psycho-social support in the process and Serbia did not recognize the right to compensation to victims in cases when state authorities failed to protect them.[23]

20. AWC noted the long period that would take for issuing protective orders against domestic violence and the ineffectiveness of criminal sanctions for violations of protective orders.[24]

21. AWC also noted that funds allocated by the State for domestic violence issues were project-based and small. Funding of programmes to combat domestic violence by the State came from donor sources. Funds allocated for the development of programmes for perpetrators and for support with specialized services for victims were insufficient.[25]

22. In addition, ECPAT noted that the National Plan of Action for Prevention and Protection of Children from Violence (2010-2015) did not include all forms of commercial sexual exploitation of children urging the Serbian Government to develop a national plan of action specifically addressing the sexual exploitation of children.[26]

23. ASTRA noted that victim assistance could be provided within the existing social welfare and public health systems. However, such assistance was often insufficient and inappropriate, and not always available to all victims. Victims who do not have proper documents were faced with the greatest obstacles. Free legal aid for trafficked persons funded by the central and local Governments still did not exist in Serbia.[27] ECPAT also

noted the lack of reintegration and rehabilitation programmes and support services exclusively for child victims of sexual exploitation.[28] JS1 also noted similar concerns.[29] JS1 recommended that Serbia take measures to systematically find a solution to provide immediate accommodation of children who are victims of trafficking and introduce new social reintegration programmes for children.[30]

24. While noting that there is lack of a definition and prohibition of child prostitution in Serbian national legislation, ECPAT recommended that Serbia provide a clear definition of child prostitution in its national legislation in line with its international obligations under the OP-CRC-SC and explicitly prohibit and criminalize conducts related to child prostitution.[31]

25. ECPAT also noted the provision of the Serbian Criminal Code stipulating that Serbian citizens can only be prosecuted if the offence is considered a crime in the country in which the act took place (the requirement of double criminality), which results in the fact that prosecution in Serbia of sexual exploitatation offences committed abroad by Serbian nationals does not automatically occur. In this connection, ECPAT recommended removal of the requirement of double criminality of the extra-territorial jurisdiction from national legislation.[32]

26. Global Initiative to End All Corporal Punishment of Children (GIEACPC) noted that in the previous UPR review, Serbia accepted the recommendation to prohibit corporal punishment, including in the family. GIEACPC also noted the adoption of various national policies touching upon this issue, including the 2008 National Strategy for the Prevention and Protection of Children against Violence and its implementation action plan adopted in 2010. GIEACPC further noted that a draft law on the Rights of the Child that includes provisions to prohibit all corporal punishment was being discussed. At the same time, GIEACPC stated that there had been no change in the legality of corporal punishment of children since Serbia's last UPR review. As such, children may lawfully be physically punished in the home and in alternative forms of care.[33]

27. JS1 stated that corporal punishment was common punishment in children's upbringing and it was not forbidden by law. JS1 noted that peer violence had intensified. In this connection, JS1 recommended that Serbia take measures to adopt regulations that shall explicitly forbid corporal punishment as a disciplinary method in the family environment.[34]

28. ASTRA noted that there was the prevalence of internal trafficking, including during 2011. The proportion of children mostly girls, among identified trafficking victims, had been very high year after year.[35] ASTRA also noted that one of the major problems in Serbian anti-trafficking efforts was the absence of sustainable and predictable budgetary financing. As such, direct victim assistance still depended primarily on support from foreign donors whereas state support was sporadic and non-systemic. In this connection, ASTRA noted that the new anti-trafficking strategy and national action plan was in the process of being drafted without ensuring reliable budget allocation for its implementation.[36] Similarly, ECPAT noted the adoption of a protocol by the Ministry of Justice on the treatment of trafficking victims aimed at improving and institutionalizing the Government's treatment of victims and witnesses, including judicial proceedings. ECPAT recommended that Serbia implement this protocol as well as monitor and evaluate its impact.[37]

29. ASTRA further noted that although children had constituted a large proportion of victims identified in Serbia, there still lacked specialized assistance and reintegration programme for children. A shelter specialized for children victims of human trafficking still did not exist, and if a child victim was not returned to the family, the child was accommodated either in the shelter for adults or in one of the institutions for children without parents, which does not have specialized recovery and reintegration programmes.[38]

30. ASTRA expressed concern that only a small number of traffickers were sentenced to imprisonment while in a couple of cases, victims had been convicted of something they have done as trafficking victims.[39] ASTRA also noted that despite numerous trainings, judicial professions still did not understand human trafficking. Both judges and prosecutors were often insensitive to the vulnerability of victims and paid no attention to secondary victimization.[40] Similarly, ECPAT noted that the training of law enforcement officials on commercial sexual exploitation of children issues was minimal recommending that Serbia prioritize the training and capacity building of such officials and other professionals working with children and on commercial sexual exploitation of children issues.[41]

31. JS3 noted the improved mechanisms for protection of human rights defenders, including the 2009 Criminal Code. However, JS3 expressed concern that not a single case had been initiated by the prosecutor's office under this law regarding cases where the security of human rights defenders was threatened.[42]

32. Specifically, JS3 noted that women human rights defenders were seen as particularly vulnerable and subject to attacks. LGBT rights defenders also faced daily threats and in public their security was largely endangered. Further, independent journalists had become a frequent target of harassment and vandalism.[43] JS7 recommended that police, prosecutors, and judges be trained to respond effectively to violence against LGBT activists and hate crimes be vigorously prosecuted to ensure protection of such LGBT activists.[44]

33. JS3 called on Serbia, among others,: to adopt a national plan or strategy with specific measures for the protection of human rights defenders and their activities; to form a network of independent and specialized lawyers who would be able to provide legal aid to human rights defenders; to investigate promptly, thoroughly, effectively and transparently complaints and allegations of threats and other human rights violations committed against human rights defenders. JS3 also recommended that representatives of state institutions and the media should refrain from stigmatizing human rights defenders. [45]

34. Joint Submission 5 (JS5) noted reports that Roma were targeted in racially-motivated attacks and there had been no proper investigation and punishment of such attacks recommending that Serbia regularly collect, publish and analyse data disaggregated by ethnicity on violence against Roma, including hate crimes and their investigation and prosecution. JS5 recommended that Serbia ensure full assistance, protection and compensation to the victims of violence.[46]

35. Society for Threatened Peoples (STP) noted numerous violent attacks on homosexuals as prejudice against them were widespread among the general population in Serbia.[47]

36. The CoE/CPT observed the overcrowding in all the prisons visited especially at Belgrade District Prison urging the authorities to redouble their efforts to counter this problem.[48]

3. Administration of justice, including impunity, and the rule of law

37. According to AI, Serbia has made progress in its cooperation with the International Criminal Tribunal for the former Yugoslavia (The Tribunal), particularly with the arrest of Ratko Mladic and Goran Hadzic, the two remaining suspects indicted by the Tribunal in May and July 2011 respectively.[49]

38. AI remained concerned about the continued impunity for crimes under international law which took place across the region during the 1990s and Serbia's slow progress in bringing perpetrators to justice in domestic courts.[50] AI stated that impunity for crimes under international law persisted and the number of prosecutions concluded in the Special War Crimes Chamber at Belgrade District Court remained low, despite the appointment of

additional prosecutorial and support staff in 2010.[51] Moreover, AI noted that the Office of the War Crimes Prosecutor continued to face considerable challenges in its investigations, particularly into allegations against former police officials. It has also received threats and had little government support. AI also noted concerns about the capacity of the witness protection unit to provide adequate protection.[52]

39. The CoE Commissioner for Human Rights (CoE/Commissioner) noted that important steps had been taken to overcome the legacy of the violent past. However, sustained efforts were necessary to achieve post-war justice and reconciliation, eradicate discrimination and enhance freedom of the media.[53]

40. Despite a series of reform measures undertaken in the field of juvenile justice, JS1 noted the problem of lack of implementation of diversionary orders, lack of adequate conditions and precisely-defined standards for juveniles in detention, lack of conditions for implementation of alternative to detention, and lack of institutions that may execute criminal sanctions, in particular those for execution of safety measures of treatment in a psychiatric institution.[54]

4. Right to privacy, marriage and family life

41. JS1 noted that Serbia had taken significant steps in terms of de-institutionalization and family-care of children without parental care. However, JS1 noted that there were no sufficient services of support for children and families and the lack of support for juveniles without parental care while they were in the process of obtaining their independence. JS1 recommended that Serbia take measures to provide licenses and integrate into the system the existing efficient services providers outside the state sector.[55]

42. Joint Submission 4 (JS4) noted that in Southern Serbia, oftentimes, individuals who had undergone sex reassignment surgery must go to court to have their personal documentation changed. In such cases, some individuals must undergo a medical examination to prove the surgery, which imposes an infringement on privacy rights. JS4 noted that the Constitutional Court of Serbia delivered a decision in favour of a transsexual person who sued the Municipality for rejecting to change date on his birth certificate after sex reassignment procedure.[56]

43. According to JS4, same-sex couples are deprived of any form of legal recognition thus deprived of any rights as a family even if they co-habit and constitute the *de facto* family. JS4 noted that same-sex couples were not allowed to jointly adopt children as Serbian law did not recognize any parental or custodial rights and obligations for a partner in a same-sex couple regarding the child of the other partner and prohibited second-parent adoption of the child.[57]

5. Freedom of movement

44. JS5 recommended that Serbia investigate and stop any official or informal measures that directly or indirectly discriminate against Roma crossing the border to travel outside the country and eliminate any punitive laws, policies and practices that limit the right to free movement. JS5 also recommended that Serbia provide new, unmarked travel documentation to the individuals affected by border controls.[58]

6. Freedom of religion or belief, expression, association and peaceful assembly, and right to participate in public and political life

45. The CoE Commission against Racism and Intolerance (CoE/ECRI) noted that the Law on Churches and Religious Communities continued to discriminate between "traditional" and "non-traditional" churches and religious communities. Moreover,

previously recognized minority religious communities had to re-register in what had been described as an invasive and burdensome procedure.[59]

46. European Association of Jehovah's Christian Witnesses (EAJCW) stated that after four years of difficulty in receiving registration, on 8 February 2010, Jehovah's Witnesses were registered under the Law on Churches and Religious Communities. EAJCW also noted that the Ministry of Religion and Diaspora had sent the Serbian Parliament a proposal of an authentic interpretation of the above-referred Law to resolve the issue of recognition of the continuity of smaller religious communities. EAJCW further stated that there had been a few incidents of religious intolerance.[60]

47. JS2 recommended that Serbia undertake all adequate measures to guarantee the protection and promotion of all religious freedoms and adopt laws related to recognition of all churches and religious communities.[61]

48. JS7 noted the amendments to the Law on Public Information placing restrictions on independent media activities and stipulating prohibitive penalties for libel with the result that the Constitutional Court of Serbia declared in July 2010 most of the provisions of the law unconstitutional. JS7 also noted the adoption of the Electronic Communication Law, whose provisions gravely infringe on media independence and restrict personal freedom. JS7 recommended that Serbia make further amendments of the Law on Public Information to ensure the removal of exorbitant fines in libel cases and repeal the Electronic Communication Law to protect personal privacy and journalists' sources of information.[62]

49. While noting that those responsible for attacks on journalists were more frequently brought to justice, AI expressed concern about political control of the media, including through the introduction of restrictive legislation and alleged interference of the media, and the ownership of print and some electronic media by individuals with close links to political parties.[63] JS7 expressed a similar concern.[64]

50. The CoE/Commissioner stressed that defamation should be decriminalized and unreasonable high fines in civil cases relation to media should be avoided.[65]

51. AI stated that the Government had failed to guarantee the rights of lesbian, gay, bisexual and transgender people to freedom of expression and assembly, for example by cancelling the 2011 Belgrade Pride event at short notice, and failing to effectively investigate threats to Pride organizers and participants and to bring the perpetrators to justice.[66] JS4, JS7 and STP expressed a similar concern.[67] JS3 recommended that Serbia ensure that the right to hold peaceful public demonstration is available to all individuals without undue restrictions.[68]

52. JS2 recommended that national minorities should be represented in the National Assembly of Serbia and that national minorities should be enabled to register as a political party of a national minority.[69]

7. Right to work and to just and favourable conditions of work

53. STP stated that mainly due to widespread societal prejudices and the low level of education, the unemployment of the Roma population was very high. They mostly worked as unskilled labourers in factories, as waste collectors, street cleaners or do similar low-level work.[70]

54. HCHRS recommended that Serbia promote participation of older persons in the labour market.[71]

55. JS4 stated that the most common violation of the right of equality and protection against discrimination of LGBT people stemmed from termination of employment or refusal of employment due to the actual or perceived sexual orientation or sexual identity.[72]

8. Right to social security and to an adequate standard of living

56. AI has monitored 17 forced evictions of more than 2,500 mainly Romani people from information settlements in the city of Belgrade. AI highlighted: the importance of the need to establish a legal framework to prohibit forced evictions and to set out safeguards that must be complied with in all cases of eviction; and the need to amend existing legislation to facilitate this change and to provide effective remedies for victims of forced evictions and other violations of the right to adequate housing.[73] AI expressed concern that the lack of safeguards against forced evictions under national laws in Serbia had a disproportionate impact on Romani communities. Many Roma, including internally displaced Roma from Kosovo who often have no other housing options, live in informal settlements or in other situations where they lack security of tenure.[74]

57. AI also expressed concern that Roma had suffered violations of other rights, including their rights to work, social insurance, education, healthcare, water and sanitation, and freedom of movement and residence.[75] STP expressed similar concerns.[76]

58. Specifically, AI noted that following the eviction of Blok 72 in Belgrade, internally displaced Roma and Ashkali from Kosovo were not provided with alternative housing, but told by the authorities, including the Commissariat for Refugees, to return to Kosovo. Several of these families remain homeless in Serbia.[77]

59. AI noted that Roma living in informal settlements faced considerable difficulties getting access to basic documentation such as birth certificates and registering as residents. The 2011 legislation that would have enabled those living in informal settlements to register their residency had not been implemented. Consequently, they were frequently denied access to services such as education, health, social insurance and employment.[78] STP also noted a similar concern.[79]

60. HCHRS recommended that Serbia: guarantee Roma the right to housing, which ensures them use of sanitary facilities, access to public services and employment and safety from forced evictions in the future; adopt legislation outlawing and stopping forced evictions of Roma and providing them with adequate housing; accelerate amendment of the Law on Non-Contentious Procedures to make it possible for all invisible persons to acquire the necessary documents; change individuals' and society's attitude to racism and make it known that racism will not be tolerated in any form.[80]

61. JS1 noted that development of children in Roma families was in danger due to lack of elementary housing, sanitation, and other infrastructure and nutrition.[81]

62. HCHRS recommended that Serbia pay attention to older persons' needs regarding housing, transport and cultural activities, as well as improve the system of services and support for older persons at the local level in order to improve their quality of life.[82]

9. Right to health

63. STP stated that Roma were denied access to healthcare without an officially registered address until 2010 when the Procedures Act allowed Roma without official accommodation to obtain a health book thus providing better access to the health system.[83] In particular, JS1 noted the high percentage of mortality among Roma children.[84]

64. JS1 recommended that Serbia introduce specialized services for children with behavioural disorders and their families in policies and action plans in the area of social and healthcare.[85] Specifically, JS1 expressed concern on the use of human insulin therapy for children under the age of 5 with diabetes.[86]

65. JS4 noted that on 20 July 2011, the Serbian Parliament adopted new amendments to the Law on Healthcare, one of which refers to transsexual people that would enable sex

reassignment procedures to be covered by health insurance. However, JS4 noted that the amendment was very vague and the Government failed to provide relevant institutions with clear instructions on implementing the Law.[87]

10. Right to education

66. JS1 noted that in 11 municipalities of Serbia, more than 400 children walked to school without adequate transportation to their elementary schools. JS1 recommended that Serbia prescribe specific procedures for unified budgeting and control of transportation costs in all local self-government units for the fiscal year 2014.[88]

67. STP noted that over 80 per cent of Roma were illiterate and that 66 per of the Roma children were registered at primary schools, but only 13 per cent of them graduated.[89] JS5 also noted that the educational situation of Roma children was characterized by low enrolment rates, high dropout rates and the misplacement of students in special schools and classes offering sub-standard education.[90]

68. JS1 recommended that Serbia introduce systematic education/curriculum for the members of *inter-departmental commissions* in the field of protection and education, and for professional associates in schools aimed at an adequate evaluation of needs and devising individual support and individual educational plan for children.[91]

69. JS5 recommended that Serbia make segregation on the basis of ethnicity illegal and explicitly mandate school desegregation of Roma children as part of a wider process of implementing a fully inclusive education system for all. JS5 further recommended that Serbia adopt a concrete plan and timeline commencing in 2012 with clear annual targets to eliminate school segregation and secure the full integration of all Roma children and children with an actual or perceived disability into an inclusive education setting within five years.[92]

11. Cultural rights

70. The CoE Committee of Ministers called on Serbia to ensure that all minority languages of Serbia are taught at least at primary and secondary levels. Further, the Serbian authorities were encouraged to promote awareness and tolerance in Serbian society at large *vis-à-vis* the minority languages and the cultures they represent.[93]

12. Persons with disabilities

71. While commending the adoption of legislation protecting and promoting the rights of persons with disabilities, the CoE/Commissioner remained concerned that a number of elderly and adults with mental disabilities were placed in institutional care without their consent.[94]

72. Joint Submission 6 (JS6) recommended that Serbia ensure and facilitate the removal of architectural barriers with additional measures in line with the standards stipulated by existing laws and by-laws.[95]

73. HCHRS recommended that Serbia: change the definition of disability in labour legislation; promote and implement the Law on Prevention of Discrimination, prevent abuse and mistreatment of persons with disabilities at work; establish a coherent system of stimulating measures for employers who engage persons with disabilities to avoid contradicting measures; reform occupational courses for persons with disabilities in accordance with the labour market; form a registry of occupations adequate for persons with disabilities; and develop new educational programmes and additional education in line with the labour market.[96] JS6 made similar recommendations.[97]

74. JS6 further recommended that Serbia adopt or amend adequate legal regulations, which would ensure for the development of the existing services and the introduction of new social services for persons with disabilities in local communities, and include as many stakeholders in the sphere of provision of services.[98]

75. JS1 recommended that Serbia increase the accessibility of education for children with developmental disabilities by providing financial means for their transportation to the educational institutions and removal of all physical barriers that obstruct accessibility of education for all children.[99]

13. Minorities

76. HCHRS noted that although 19 different National Minorities Councils had been formed and performing their competencies in accordance with law, there were numerous problems in their functioning, election, financing, functioning of the Council Boards, as well as the transfer of founding rights to institutions of special importance for a national minority.[100]

77. The CoE/Commissioner welcomed the strengthening of the Serbian legal and institutional framework against discrimination calling for an enhanced protection of national minorities.[101]

78. STP stated that discrimination against Roma was noticeable in the areas of education, employment, housing, and healthcare. [102] Similarly, CoE/ECRI noted that Roma continued to face high unemployment levels, discrimination in education and sub-standard living conditions.[103]

79. STP noted that ethnic minorities in Serbia were still under-represented in administration, judiciary, and police.[104] Specifically, STP noted that Bosniaks in Sandzak were faced with disadvantages.[105] STP noted that regarding ethnic Albanians living in the border region of Southern Serbia to Kosovo, there was little progress that Albanians attained more positions in the municipal councils.[106]

80. JS2 alleged that Serbia prosecuted representatives and defenders of national minorities, particularly the Vlachs, through its police bodies and the Prosecutors' Office.[107]

14. Internally displaced persons

81. STP stated that the situation of internally displaced persons (IDPs) from Kosovo gave cause for serious concern. Many of them had either no possibility to or fear of return. Although Roma from Kosovo were recognized as IDPs, they lived in poverty and the support that they receive from the Government was inadequate.[108]

Notes

[1] The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org.

Civil society

AI	Amnesty International, London (United Kingdom of Great Britain and Northern Island-UK-);
ASTRA	Anti Trafficking Action, Belgrade (Serbia);
AWC	Autonomous Women's Center, Belgrade (Serbia);
EAJCW	European Association of Jehovah's Christian Witnesses, Kraainem (Belgium);
ECPAT	ECPAT International (End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes), Bangkok (Thailand);
GIEACPC	Global Initiative to End All Corporal Punishment of Children (UK);
HCHRS	Helsinki Committee for Human Rights in Serbia, Belgrade (Serbia);

STP	Society for Threatened Peoples (Germany);
JS1	Joint Submission 1 submitted by Child Rights Centre with the DX-Children's Cultural Informative Service, Belgrade (Serbia), Uzice Child Rights Centre, Uzice (Serbia), Association Parent, Belgrade (Serbia), Atina, (Serbia), Open Club Nis, Nis (Serbia), Amity – the Force of Friendship Association, Belgrade 8Serbia), BigSmall, Pancevo (Serbia), Club YTA – Youth Takes Action, Belgrade (Serbia), Target, Novi Sad (Serbia), Group 484, Belgrade (Serbia), Belgrade Centre for Human Rights, Belgrade (Serbia), Human Rights Committee Valjevo, Valjevo (Serbia), FAMILIA, Belgrade (Serbia), FORCA, Pozega (Serbia), Pestalozzi Children's Foundation, Belgrade (Serbia), Centre for Interactive Pedagogy, Belgrade (Serbia), Astra, Belgrade (Serbia), Centre for Youth Integration, Belgrade (Serbia), and Praxic, Belgrade (Serbia);
JS2	Joint Submission 2 submitted Committee for Human Rights Negotin, Negotin (Serbia), Civic Forum Novi Pazar, Novi Pazar (Serbia), and Network Committee for Human Rights in Serbia (CHRIS), Nis (Serbia);
JS3	Joint Submission 3 submitted by Lawyers' Committee for Human Rights (YUCOM), Belgrade (Serbia), Women in Black, Belgrade (Serbia) and Frontline – The International Foundation for the Protection of Human Rights Defenders, Dublin (Ireland);
JS4	Joint Submission 4 submitted by Labris (Serbia) and Gayten-LGBT (Serbia);
JS5	Joint Submission 5 submitted by European Roma Rights Centre (ERRC), Budapest (Hungary) and Minority Rights Centre;
JS6	Joint Submission 6 submitted by Centre for Independent Living of Persons with Disabilities (Belgrade, Serbia) and Committee for Human Rights Nis (Nis, Serbia);
JS7	Joint Submission 7 submitted by CIVICUS (World Alliance for Citizen Participation), Johannesburg (South Africa).

Regional intergovernmental organization

CoE	The Council of Europe, Strasbourg, France.

[2] ECPAT, p. 3.
[3] JS1, p. 3.
[4] AWC, p. 2.
[5] AWC, p. 2.
[6] JS1, p. 3.
[7] ECPAT, p. 3.
[8] ECPAT, p. 4.
[9] AI, p. 2.
[10] JS1, p. 3.
[11] JS3, para. 39.
[12] JS1, p. 3.
[13] JS1, p. 4.
[14] JS1, p. 4.
[15] JS7, p. 4.
[16] AI, p. 1.
[17] JS1, p. 5.
[18] JS2, p. 7.
[19] CoE, p. 1.
[20] AWC, p. 2.
[21] HCHRS, p. 1.
[22] HCHRS, p. 1.
[23] AWC, p. 3.
[24] AWC, pp. 3 – 4.
[25] AWC, p. 4.
[26] ECPAT, p. 6.
[27] ASTRA, para. 14.
[28] ECPAT, p. 7.
[29] JS1, p. 8.

[30] JS1, p. 9.
[31] ECPAT, p. 5.
[32] ECPAT, p. 6.
[33] GIEACPC, paras. 1.1. – 1.4.
[34] JS1, p. 7.
[35] ASTRA, para. 1.
[36] ASTRA, para. 4.
[37] ECPAT, p. 5.
[38] ASTRA, para. 18.
[39] ASTRA, para. 9.
[40] ASTRA, para. 11.
[41] ECPAT, p. 8.
[42] JS3, para. 35.
[43] JS3, paras. 14- 15 and 18.
[44] JS7, p. 4.
[45] JS3, para. 39.
[46] JS5, pp. 3 and 6.
[47] STP, para. 11.
[48] CoE, p. 1.
[49] AI, p.1.
[50] AI, p.1.
[51] AI, p. 1.
[52] AI, p. 2.
[53] CoE, p. 6.
[54] JS1, p. 7.
[55] JS1, p. 9.
[56] JS4, pp. 3 and 5.
[57] JS4, pp. 2 – 3.
[58] JS5, p. 6.
[59] CoE, p. 3.
[60] EAJCW, p. 1.
[61] JS2, p. 6.
[62] JS7, pp. 2 – 4.
[63] AI, p. 1.
[64] JS7, p. 3.
[65] CoE, p. 7.
[66] AI, p. 1.
[67] JS4, p. 3, JS7, p. 3, and STP, para. 11.
[68] JS3, para. 39.
[69] JS2, p. 5.
[70] STP, para. 4.
[71] HCHRS, p. 3.
[72] JS4, p. 2.
[73] AI, p. 2.
[74] AI, p. 3
[75] AI, p. 3.
[76] STP, paras. 6 – 7.
[77] AI, p. 4.
[78] AI, p. 4.
[79] STP, para. 4.
[80] HCHRS, p. 3.
[81] S1, p. 5.
[82] HCHRS, p. 3.
[83] STP, para. 5.
[84] JS1, p. 5.
[85] JS1, p. 10.

[86] JS1, p. 10.
[87] JS4, p. 4.
[88] JS1, p. 11.
[89] STP, para. 3.
[90] JS5, pp. 1 and 6.
[91] JS1, p. 6.
[92] JS5, pp. 1 and 6.
[93] CoE, p. 5.
[94] CoE, p. 7.
[95] JS6, p. 9.
[96] HCHRS, p. 2.
[97] JS6, p. 6.
[98] JS6, p. 7.
[99] JS1, p. 6.
[100] HCHRS, p. 4.
[101] CoE, p. 7.
[102] STP, para. 3.
[103] CoE, p. 3.
[104] STP, para. 2.
[105] STP, para. 9.
[106] STP, para. 8.
[107] JS2, p. 6.
[108] STP, para. 10.