

Submission concerning Serbia to

The Committee on Economic, Social and Cultural Rights

For Consideration at the 71st Session

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submitted by:

P R A X I S
   

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Praxis is a national non-governmental organization established in 2004 in Belgrade that protects human rights by providing legal protection and advocating for elimination of systemic obstacles in access to rights.¹ Praxis is a member of the European Network on Statelessness.²

Praxis acts in the area of civil registration and statelessness, socioeconomic rights, antidiscrimination, gender equality, migration, child rights and public administration reform.

In addition to providing free legal aid, Praxis achieves its goals through monitoring of public policies, research, analysis and advocating for systemic solutions and the elimination of obstacles to accessing rights by raising awareness of the problems faced by marginalized and socially excluded communities attempting to integrate, educational outreach, publishing of reports, and providing expert support for reforms, as well as through networking and cooperation.

¹ www.praxis.org.rs/index.php/en/

² <https://www.statelessness.eu/>

Introduction

1. This submission provides information on the implementation of certain provisions of the International Covenant on Economic, Social and Cultural Rights in Serbia. The focus of the submission is on the implementation of the provisions related to the prohibition of discrimination (Art. 2.2), social security (Art. 9), child, early and forced marriages (Art. 10.1.1) and the right to health (Art. 12). The submission specifically refers to the implementation of the aforementioned provisions and the exercise of these rights for the members of the Roma national minority.
2. Please be advised that the following comments should be read in conjunction with the Concluding observations on the second periodic report of Serbia on the implementation of the ICCPR (E/C.12/SRB/CO/2), with the Third periodic report of Serbia on the implementation on the ICCPR (E/C.12/SRB/3), with the List of issues in relation to the third periodic report of Serbia (E/C.12/SRB/Q/3) and with the Replies of Serbia to the list of issues in relation to its third periodic report (E/C.12/SRB/RQ/3).

General information

3. The Law on Free Legal Aid became effective in October 2019. According to this Law, free legal aid providers are attorneys-at-law, services for the provision of free legal aid in local self-governments and citizens' associations (non-governmental organisations). However, the provisions of the Law that determine the procedures in which non-governmental organisations are allowed to provide free legal aid are not sufficiently clear and precise, but contradict the explanation of the Bill provided by the Government to the Assembly, thus introducing legal uncertainty and leaving room for different interpretations and hence for the possibility of assessing the work of non-governmental organisations as illegal. According to the prevailing interpretation of the provisions of the Law, non-governmental organisations are not allowed to provide free legal aid in court proceedings or even to provide assistance in administrative procedures.
4. In recent decades, socially vulnerable categories of the population have relied almost exclusively on free legal aid provided by non-governmental organisations. After the Law on Free Legal Aid narrowed the possibility for non-governmental organisations to provide free legal aid, in many cases the only option for citizens has been to initiate before the municipal authorities a procedure for obtaining free legal aid provided by attorneys-at-law or municipal legal aid services. However, the experience of Praxis' beneficiaries who tried to obtain legal aid in this way in the first two years of application of the Law are extremely negative. In almost all cases, their requests were rejected, and always orally, without a written decision. The practice has shown so far that the officials who decide on the requests often abuse the ignorance of clients and orally reject their requests for legal aid to which they are entitled by law. It was only when Praxis got involved in these cases and provided assistance to citizens in the form of drafting written requests or talking to officials that citizens were granted free legal aid, although in some cases this did not help either. Overall, the practice has shown that clients are usually unable to exercise the right to free legal aid on their own.
5. The Law on Free Legal Aid provides for poor financial situation of citizens as a general condition for obtaining legal aid, while in some special cases it guarantees legal aid regardless of the fulfilment of conditions related to financial situation. Those who do not have to fulfil these conditions include persons who are not registered in birth registry books and should exercise

the right to registration through the procedure of determining the date and place of birth. However, all other persons at risk of statelessness and undocumented persons who need to initiate other procedures (e.g. subsequent registration in birth registry books, acquisition of citizenship or registration of permanent residence) to obtain documents are excluded from these exceptions. In all these cases, individuals must meet the conditions concerning their financial situation. However, persons who do not possess personal documents cannot obtain evidence of their financial situation, due to which the possibility of obtaining free legal aid is called into question. The Law does provide that stateless persons are potential users of free legal aid, but there is no procedure for determining the status of stateless person in Serbia, which means that these persons will not be able to prove their status and therefore will not exercise the right to free legal aid.

6. There was no appropriate information campaign, due to which most marginalised and socially vulnerable citizens still do not know that they have the right to free legal aid or where to seek assistance.³

Article 2, paragraph 2 - Non-discrimination (personal documentation)

7. The Roma are the most discriminated against ethnic minority and one of the most discriminated against social groups in Serbia⁴. Such position and social marginalization have negative effects on the exercise of their economic, social and cultural rights and the Roma, therefore, face great problems every day when attempting to exercise these rights. They are disproportionately affected by poverty, unemployment, social exclusion and low level of education.
8. Among the members of Roma ethnic minority, persons who do not possess personal documents stand out as being in a particularly difficult position. These are primarily persons who are not registered in birth registry books and stateless persons, but also the persons who cannot register their permanent residence in the place they live or who, for some other reasons, cannot obtain an ID card, health booklet or other personal documents. They are all either deprived of access to most socio-economic rights or the possibility of enjoyment of these rights is significantly narrowed down.
9. In the Concluding observations on the second periodic report of Serbia, the Committee on Economic, Social and Cultural Rights (the Committee) recommended that Serbia “ensure effective access of refugees, returnees and internally displaced persons, in particular Roma without registered residence who live in informal settlements, to procedures for birth and residence registration in order to facilitate access to personal documents, including birth certificates, identity cards and work booklets. In the meantime, those affected should have access to economic, social and cultural rights” (recommendation no. 13).
10. However, the situation in Serbia has not significantly changed since the issuance of the Concluding observations on the second periodic report of Serbia. The greatest progress refers to the fact that the number of persons who do not possess personal documents has somewhat been reduced, primarily owing to the engagement of non-governmental organizations providing free legal aid, but certain systemic obstacles hindering access to documents are still present.

³ For more information on problematic provisions of the Law on Free Legal Aid and problems in the implementation of the Law see: Law on Free Legal Aid – the First Year of Implementation: Have the Goals Been Achieved?, Praxis 2021, available at: <https://www.praxis.org.rs/index.php/en/reports-documents/praxis-reports/item/1597-law-on-free-legal-aid-%E2%80%93-the-first-year-of-implementation-have-the-goals-been-achieved>

⁴ See annual reports of the Commissioner for Protection of Equality: <http://ravnopravnost.gov.rs/en/reports/>

11. The most important is the obstacle that prevents **birth registration of every child immediately after birth**. The provisions of two bylaws⁵ stipulate that parents' data are entered into the birth notification form and birth registry books on the basis of their birth certificates (and marriage certificates if they are married) and identity cards (or passports for foreigners). This means that if a mother does not possess such documents, it will not be possible for her to determine the personal name of her child and the child will remain unregistered in the birth registry. It further means that it will be necessary to conduct one or more procedures for the child: determination of personal name, subsequent birth registration or determination of the date and place of birth, while in some cases also a procedure for acquisition of citizenship. These procedures can last for several months, or up to a year or more in complex cases. During this time the affected children will be left without birth and citizenship certificates and, consequently, in the most vulnerable period of life, without the rights to health care and social welfare, while their families, usually belonging to the poorest group of citizens, will be left without parental and child allowance, thus only contributing to their social exclusion. In its work, Praxis is constantly coming across new cases of Roma children who are not registered in the birth registries, while the reason for it is almost always the lack of documentation of the mothers.
12. The stated by-laws are unacceptable from the human rights perspective. The Article 7 of the Convention on the Rights of the Child and Article 24, paragraph 2 of the International Covenant on Civil and Political Rights guarantee the right to birth registration and to a personal name to every child, *immediately after birth*. UNICEF's interpretation of legal standard immediately after birth states: "According to Article 7, the child should be registered "immediately after birth" which implies a defined period of days rather than months".⁶ Furthermore, Serbian Constitution prescribes that every child shall have the right to a personal name and entry in the registry of births (Article 64, paragraph 2), while the Family Law stipulates that everyone shall have the right to a personal name and that the personal name shall be acquired by birth (Article 13).
13. Various UN treaty bodies also emphasised in their recommendations to Serbia that the children whose parents do not possess documents must be enabled to register in the birth registry immediately after birth, without discrimination and regardless of the legal or documentation status of their parents (Universal Periodic Review of the UN Human Rights Council concerning Serbia from 2018 – recommendation 114.28; Concluding observations on the third periodic report of Serbia of the Human Rights Committee - recommendation 15 (b); Concluding observations on the fourth periodic report of Serbia of the Committee on the Elimination of Discrimination against Women – recommendation 32; Concluding observations on the combined second and third periodic reports of Serbia of the Committee on the Rights of the Child – recommendation 31). European commission in its progress reports for 2019, 2020 and 2021 also stated that all births need to be registered immediately after children are born, regardless of their parents' status and called on Serbia to amend the related implementing legislation.
14. Instead of amending the disputed bylaws' provisions, at the end of 2020, competent ministries adopted the Instruction for dealing with cases of birth of a child whose parents are

⁵ Article 5 of the Rulebook on the procedure for the issuance of birth notification and form of the issuance of birth notification in a health care institution (Official Gazette of RS, nos. 5/2011, 9/2016, 16/2016, 36/2016 and 103/2018) and points 10 and 24 of the Instruction on administering registry books and forms of registry books (Official Gazette of RS, no. 93/2018).

⁶ Implementation Handbook for the Convention on the Rights of the Child, fully revised third edition (2007), p. 100, available at: http://www.unicef.org/publications/files/Implementation_Handbook_for_the_Convention_on_the_Rights_of_the_Child.pdf.

undocumented in order to enable birth registration. However, this Instruction is not a legally binding act, and it does not address the question of how to register a child of undocumented mother immediately after birth at all. It only directs the authorities on how to act to subsequently register the mother in the birth books and/or obtain personal documents for her, while the child remains unregistered until the mother obtains ID card. Moreover, the experiences of Praxis undocumented beneficiaries who gave birth in 2021 showed that this Instruction is not applied in practice, that is, that mothers' obtaining of documents is in no way facilitated.

15. In 2020, a new problem arose regarding the **subsequent birth registration**. Previously, significant progress was made in 2012, when the Law on Non-Contentious Procedure was amended to enable those who could not be registered in the birth registry through administrative procedure, to do so through a non-contentious procedure before the court. Many people were able to obtain personal documents as a result.
16. However, the progress could be significantly jeopardised by a 2020 Supreme Court of Cassation Ruling on the jurisdiction of the non-contentious court in the procedure for registration in birth registry books. The Court took the position that these procedures could only be conducted if the administrative procedure for subsequent registration in birth registry books had previously been unsuccessful. The Ruling also finds that people registered in the Kosovar birth registry books cannot go through the non-contentious court procedure, despite the fact that Serbia has not recognised Kosovo and citizens cannot exercise any rights in Serbia on the basis of Kosovar documents. In practice, if applied by First Instance Courts, this judgement will significantly prolong and complicate registration in the birth registry books. Many citizens who were born and registered in Kosovo will be left without the possibility of registering in Serbia, even though they have not lived in Kosovo for years, have lived in cohabitation and had children in Serbia, and meet the requirements for Serbian citizenship.
17. With regard to **registration of permanent residence**, the Roma residents of informal settlements and non-legalised buildings benefited from the Law on Permanent and Temporary Residence of Citizens (from 2011), as they were provided a possibility to register residence at the address of a social welfare centre. However, obstacles identified by the Committee and mentioned in the recommendation no. 13 of the Concluding observations, are still present.
18. In practice, persons who already have permanent residence registered are denied this option, even though they have not been living in their place of permanent residence for years or decades and have lost connection with that place (this primarily refers to Roma IDPs from Kosovo, who inhabited informal settlements in Serbia after fleeing Kosovo).
19. There are also irregularities in the procedure for registering permanent residence at the address of a social welfare centre. In the procedure for registration of permanent residence, police station sends a form for registration to the social welfare centre, which is due to verify it, to give its consent to registration of permanent residence at their address. However, in some municipalities, social welfare centres stopped giving consent, resulting in rejection of requests for residence registration by the Police. Irregularities have also been observed in a number of police stations in which officers refused to receive the requests and referred the parties to first address the social welfare centre, contrary to the procedure stipulated by the law.

20. Furthermore, in a great number of police stations, those who wish to register permanent residence and obtain ID card for the first time are referred to the police station in their place of birth, even though these persons have not been living there for years or decades. This again especially refers to Roma IDPs from Kosovo.
21. In the Third periodic report on the implementation on the ICCPR, para. 122- 127, Government of Serbia provides some data on the number of persons for whom the procedures for determination of date and place of birth have been conducted or who have registered permanent residence at the address of a social welfare centre, as well as on regulations governing these issues. Information that a significant number of persons have been registered in the birth registry book and that they have had their permanent residence registered should be welcomed, but it is still worrying that not a small number of persons living in Serbia have still not been able to achieve the same⁷. Besides, these data do not alleviate the cause for concern of the Committee expressed in the recommendation no. 13, stating that many internally displaced Roma living in informal settlements without a registered residence did not have their permanent address re-registered.
22. There was no reply of the Government of Serbia to the Committee's recommendation that access to economic, social and cultural rights must be enabled to persons who do not possess documents (recommendation no. 13). Quite the contrary, nothing has changed with regard to this issue and the possession of documentation is almost always an obligatory condition for the exercise of these rights in Serbia.
23. In the Third periodic report of Serbia on the implementation on the ICCPR, para. 126, it is said that "the MIA contributes to resolving the problems of this national minority (Roma) by resolving them as priority and in accelerated procedure, according to their requirements for admission into the citizenship." Unfortunately, the situation in practice does not match this information. On the contrary, one of the biggest problems in the procedures for acquisition of citizenship is the length of the procedures. In the cases in which Praxis is providing free legal aid to the Roma, the legal deadlines for issuance of decisions in the procedures for determination of citizenship and naturalization (which is two months) are always exceeded, often multiple times. Thus, the procedure for determination of citizenship lasts for three to four months at best, while the naturalization procedure is almost never completed in less than a year.
24. In the List of issues in relation to the third periodic report of Serbia the Committee asked Serbia to "provide details on the steps taken and envisaged to enable Roma from Kosovo who live in informal settlements to move into regular and adequate accommodation and to register a legal address where they effectively reside" (paragraph 9), and to "elaborate on the measures taken to provide access to naturalization procedures and to procedures for the registration of births and places of residence of refugees, asylum seekers, migrants, returnees and internally displaced persons" (paragraph 12).
25. In the Replies to the list of issues in relation to its third periodic report, Serbia provided information that in 2018 and 2019 the Ministry of Interior "for 853 persons, among whom the majority of members of the Roma population living in informal settlements, determined their

⁷ According to research conducted in 2020 by UNHCR and Cesid, there were 2,027 Roma, Ashkali and Egyptians who live in Roma settlements without a registered permanent or temporary residence, see: Persons at Risk of Statelessness in Serbia: Overview of Current Situation and the Way Forward, UNHCR and Cesid 2020, available at: <https://www.refworld.org/pdfid/615efd094.pdf>

residence at the address of the competent centres for social work” (paragraph 46). The information that some Roma citizens living in informal settlements managed to register their residence at the addresses of social work centres certainly should be welcomed, but the fact that a significant number of Roma failed to do so and that they still live in places in which they cannot register their residence remains a problem, resulting in the inability to access many socio-economic rights (see paragraphs 18 - 20 of this report).

26. Regarding the question from the List of issues to elaborate on the measures taken to provide access to naturalization procedures and to procedures for the registration of births and places of residence of refugees, asylum seekers, migrants, returnees and internally displaced persons, Serbia only replied that “There have been no relevant changes to the Law on Citizenship in the past period” (Replies of Serbia to the list of issues, paragraph 56). From this answer, it can be concluded that Serbia does not take nor intends to take measures that would eliminate the problems related to the timely birth registration and residence registration, which are pointed out in this report (paragraphs 11 - 20).

Article 9 - social security

27. Instead of improvements, the situation related to access to social protection for Roma in Serbia is becoming more difficult. Such trend mainly comes from inadequate regulations that limit access to social protection services for the Roma. Primarily, the regulations in question refer to the Law on Financial Support for Families with Children, Decree on the measures of social inclusion of beneficiaries of financial social assistance and the Law on Social Protection.
28. The Law on Financial Support for Families with Children prescribes in Article 25, paragraph 1 that the right to parental allowance cannot be exercised if the new-born child of the mother applying for the parental allowance or her previously born children have not been vaccinated in accordance with regulations in the field of health protection, or if the children do not regularly attend pre-school or primary school. In practice, this means that the parents, whose at least one child has not received all the required vaccines, as stipulate by the regulations, will be deprived of the right to parental allowance.
29. The survey conducted by the Statistical Office of the Republic of Serbia and UNICEF shows that the percentage of children in Roma settlements aged 24-35 months who received all vaccinations recommended in the national immunization schedule by their first birthday (and by their second birthday for measles) is 35, while it is 69% of children among general population in Serbia. This problem has also been recognized in the Roma Social Inclusion Strategy for the period 2016-2025. It is clear that these provisions of the Law are discriminatory and that they will disproportionately affect Roma children in comparison to general population.
30. Regarding the attendance of pre-school programme and primary schools, the percentage of children who leave school early or do not attend pre-school programme is also drastically higher among Roma population in comparison to general population: 77 % of children in Roma settlements attend or have attended a preparatory preschool programme (93% in general population); 92% attend primary school (99% in general population) and only 64% finish primary school (nearly 100 % in general population). The reasons for the above-mentioned are manifold, related to specific difficulties faced by members of Roma minority and should, in no way, be resolved by additionally punishing particularly vulnerable children, but by prescribing measures that would lead to resolution of identified problems.

31. Law on Financial Support for Families with Children also prescribes that the father may also access the right to parental allowance if the mother of the child is a foreign citizen (Article 22, paragraph 8 of the Law), but excludes this possibility if the mother of the child is without citizenship. This provision is discriminatory as it puts in unequal position the children whose mothers are stateless or at risk of statelessness. This has also been confirmed by the Constitutional Court in a decision in which it assessed the legality of the provisions of the law regulating this right, upon the initiative by the Serbian Commissioner for the Protection of Equality. However, the Law completely neglected the category of stateless mothers thus leaving their children without this much needed type of assistance.
32. The Decree on the measures of social inclusion of the beneficiaries of financial social assistance, adopted in 2014, is still in force. The Decree conditions exercise of the right to financial social assistance, as a form of social welfare benefits, by putting an obligation on beneficiaries to participate in some forms of unpaid work, trainings, etc. If they fail to do so, they will lose the right to financial social assistance as one of the social protection rights guaranteed by the Constitution. Even though Praxis and other civil society organizations submitted the initiative to the Constitutional Court for assessment of constitutionality and legality of the Regulation back in 2014, seven years later the Constitutional Court decision is still pending. A particular concern is that the Draft Law on Amendments to the Law on Social Protection contains almost identical provision, which shows that the Government of Serbia has no intention to stop conditioning the exercise of social welfare benefits which is contrary to the basic principles of the ICCPR.
33. Furthermore, the Law on Social Protection (LSP) imposes another requirement for obtaining this kind of assistance, thus posing an insurmountable obstacle to the exercise of the rights by many beneficiaries. Article 84 of the LSP provides that an individual, a family member who is unable to work, must include, along with a request for determining eligibility to receive financial social assistance, a final court decision, court settlement or proof of having initiated a procedure before the competent court for determining the obligation of a relative who does not live in the same household but who is obliged and able to participate in his/her support in accordance with the law governing family relations.
34. The introduction of mandatory lawsuits against the nearest relatives further complicates the already complex administrative procedure. Such a requirement leads to the situation that many members of the Roma community will not be able to exercise the right to financial social assistance. This approach stultifies the very essence of social protection whose purpose is precisely to help the most vulnerable groups of population to cope with poverty and penury, and not to deny them that right by placing conditions that they cannot meet, thus directly violating the basic principles of social protection – the principle of efficiency, the principle of availability of social protection and the principle of the best interests of beneficiaries.
35. Taking all this into account, the data revealed by the survey conducted by the Statistical Office of the Republic of Serbia and UNICEF are not surprising. The survey showed the worrying fact that even among the households in Roma settlements which are classified within the poorest wealth index quintile, 41% have not applied for financial social assistance because they were told that they do not meet the eligibility criteria and 14% because they found the administrative procedure too complicated. Similar to that, among children living in households from the poorest wealth index quintile, for more than two-thirds, parents did not apply for child

allowance because they either knew the child or children did not meet the criteria or they were told so.

Article 10, paragraph 1, item 1 – child, early and forced marriages

36. The problem of child, early and forced marriages (CEFM) in Serbia mostly affects the Roma population and is largely associated with patriarchal attitudes towards the woman's role in society and family, and Roma culture and tradition. The CEFM hinders child development and regular education, economic growth and development, gender equality, stability, and overall human rights goals.
37. According to UNICEF's 2019 MICS, the rate of child marriages amongst the Roma is many times higher than the average among the Serbian population. This is particularly evident amongst girls who entered into marriage before their 15th birthday – 16% of Roma girls in comparison with 1% of non-Roma girls, or before their 18th birthday - 56% of Roma girls in comparison to 6% non-Roma girls. However, CEFM within the Roma community are predominantly common-law marriages and may therefore not be registered by institutions. In addition, the statistics show that 3% of Roma women have given birth before the age of 15, and even 38% of Roma women aged 20-24 have given birth before the age of 18.
38. Adequate addressing of child marriages by relevant government institutions is still missing, mainly because they still see child marriages just as a part of Roma culture and tradition, and not as a serious violation of the rights of children, particularly girls. Specifically, instead of acting in accordance with the binding national and international legislation, they give a higher priority to the common law. In addition, discriminatory behaviour is still present among the representatives of the relevant institutions (schools, SWCs, police, health institutions, prosecution, courts) and needs serious and continuous intervention in terms of sensitization trainings.
39. The lack of effective measures aimed at prevention of child marriages has particularly harmful effects on Roma girls. Tolerating practice of child marriages leads to multiple discrimination against Roma girls and has detrimental effects on their access to other basic human rights, such as the rights to education, health and work and exposes them to a higher risk of becoming victims of trafficking, sexual and gender based violence and exploitation. Particular attention should be paid to girls and women who are not registered in birth registry and are at risk of statelessness and who are consequently exposed to higher risk of violence and exploitation due to the impossibility of regulating their legal status.
40. Besides the lack of coordinated action of all competent stakeholders, as well as the lack of data collection on CEFM, there are gaps in the legal framework that also contribute to occurrence of CEFM. The generally accepted legal definition of the term child is still missing in the Serbian legal framework, while the Family Law still provides for exceptions in which persons younger than 18 may conclude marriage.

Article 12 – right to health

41. The right to healthcare in Serbia is still not completely and equally accessible for those who are particularly vulnerable: those who do not have required documents and who are, at the same

time, members of the Roma minority, and who live below the poverty line in adverse housing conditions that cause frequent illness.

42. The Law on Health Insurance, which provides for the possibility of exercising the right to health insurance for Roma individuals without permanent or temporary residence was applied consistently only in the period from July 2010 to March 2012. However, after the adoption of the Law on Permanent and Temporary Residence of Citizens, the Republic Fund for Health Insurance (RFHI) sent to its branch offices an instruction stating that Roma without registered permanent or temporary residence must support their application for health insurance with the evidence of their registered permanent residence at the address of an institution or social welfare centre. However, a significant number of people still cannot register permanent residence at the address of a social welfare centre (see para. 18 – 20 of this report).
43. IDPs who have their permanent residence registered in Kosovo, even though they have not been living in their place of permanent residence for years or decades, also encounter difficulties in exercising the right to healthcare. These persons are entitled to health insurance in the place of actual residence if they have temporary residence registration in Serbia and an IDP card. However, upon their arrival from Kosovo, a large number of internally displaced Roma settled in informal settlements, where it is not possible to register temporary residence. These persons can exercise the right to health insurance only at the place of permanent residence.
44. Persons who are not registered in the civil registry books and do not have personal documents can only access emergency medical assistance. Not even children or pregnant women, who are defined as particularly vulnerable groups of population under the Law on Health Care, cannot apply for health insurance unless they are registered in birth registry books and obtain other required documents (depending on the basis of insurance).
45. Pregnant women who do not possess health cards are in a particularly vulnerable position. A health institution may not refuse to assist women without a health card in child delivery, since birth is considered an emergency, but those women and their children will lack health care in the pre and post-natal period. Praxis still occasionally encounters cases where child-bearing women and members of their families were threatened that they would not be allowed to take the new-born from the maternity ward until all hospital bills were paid, although according to the Law on Health Care the medical assistance in such cases is paid from the budget of the Republic of Serbia.

Recommendations:

- Establish an efficient and effective system of free legal aid, which will enable all socially vulnerable citizens to access justice through easily accessible and professional free legal aid.
- The Law on Free Legal Aid needs to be amended so as to eliminate the existing contradictions and numerous shortcomings; non-governmental organisations and graduate lawyers employed in these organisations should be allowed to provide free legal aid in accordance with the laws governing the rules of procedure in certain areas of law.
- It is necessary to conduct an information campaign to inform citizens about the possibility and way of obtaining free legal aid.

- It is necessary to conduct training for officials who decide on requests for free legal aid, focusing on respecting the principles of good governance and anti-discrimination.
- It is necessary to ensure that every child is registered immediately after birth. It is necessary to change the regulations that prevent registration immediately after birth in case of children whose parents do not have personal documents.
- All citizens must be able to obtain an ID card and register permanent residence in the places where they live. To that end, the consistent application of the regulations governing the procedures for registering permanent residence and issuing an identity card must be ensured.
- It is necessary to ensure equal and adequate implementation of regulations governing the procedures for subsequent birth registration before all bodies and in all individual cases.
- It is necessary to provide all citizens with access to social benefits, without discrimination and without setting conditions that disproportionately affect individual citizens or social groups. In this regard, it is necessary to amend relevant regulations in order to:
 - Remove the conditioning of parental allowance with regular schooling or vaccination of children, and allow fathers of children whose mothers are stateless or at risk of statelessness to receive parental allowance;
 - Remove the conditioning of financial social assistance with unpaid work, training and other similar activities, and with filing lawsuits for maintenance against close relatives.
- It is necessary that Serbia provides a statutory definition of the term “child” and amends the Family Law so as to remove all exceptions that allow marriage under the age of 18 years in line with the Article 1 of the Convention on the Rights of the Child, as per the recommendations of the Committee on the Rights of the Child.
- It is necessary that Serbia takes all measures in order to put the problem of child marriages high on the agenda so as to prevent this harmful practice. Specifically, to increase awareness within the Roma community and all relevant authorities of the negative effects of child marriages on women’s health and education, by organizing awareness-raising workshops for Roma and educational trainings for the employees in the competent institutions (social welfare centre, police, prosecution, school, health institutions) in order to sensitize them so that they would timely identify and respond adequately and in a coordinated manner.
- Ensure consistent application of the Law on Health Insurance and provide Roma who do not have permanent or temporary residence with health insurance. Provide internally displaced persons with access to health care in the places where they live, regardless of whether they have managed to register their temporary residence.
- Undocumented persons, especially pregnant women, as the most vulnerable parts of the population, need to be provided with access to health services, regardless of the possession of personal documents.