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**Committee on the Elimination of  
Discrimination against Women**

**Fourth periodic report submitted by Serbia under  
article 18 of the Convention, due in 2017\***

[Date received: 18 October 2017]

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\* The present document is being issued without formal editing.  
*Note:* The present document is being circulated in English, French and Spanish only.

## Abbreviations

UN	United Nations
UNWOMEN	United Nations Entity for Gender Equality and the Empowerment of Women
UNICEF	United Nations Children's Fund
UNDP	United Nations Development Programme
UNMIK	United Nations Interim Administration Mission in Kosovo
EU	European Union
EC	European Commission
OSCE	Organisation for Security and Co-operation in Europe
RS	Republic of Serbia
AP K&M	Autonomous Province of Kosovo and Metohija
MLEVSA	Ministry of Labour, Employment, Veteran and Social Affairs
MESTD	Ministry of Education, Science and technological Development
MoH	Ministry of Health
MIA	Ministry of Internal Affairs
MoJ	Ministry of Justice
MPALSG	Ministry of Public Administration and Local Self-government
MFA	Ministry of Foreign Affairs
MoD	Ministry of Defence
MCI	Ministry of Culture and Information
MoYS	Ministry of Youth and Sport
MAEP	Ministry of Agriculture and Environment Protection
CBGE	Coordinating Body for Gender Equality
OHMR	Office for Human and Minority Rights
CRRS	Commissariat for Refugees and Migrations
OCCS	Office for Cooperation with Civil Society
SAF	Serbian Armed Forces
SIPRU	Social Inclusion and Poverty Reduction Unit
SORS	Statistical Office of the Republic of Serbia
RISP	Republic Institute for Social Protection
RSPP	Republic Secretariat for Public Policies
CSW	Centre for social work
LSGU	Local self-government units
CSO	Civil society organisation
IDPs	Internally displaced persons
IPA	Instrument for Pre-accession Assistance
LGBTI	Lesbian, gay, bisexual, transgendered and intersexual persons
NAP	National Action Plan on Implementation of the UN Security Council Resolution 1325 – Women, Peace and Security in the Republic of Serbia (2016-2020),

GRB	Gender-responsive budgeting
LSP	Law on Social Protection
LCP	Law on Criminal Procedure
LBEEES	Law on Basic Elements of Education System

## Introduction

1. The Fourth Periodic Report on the Implementation of the Convention on the Elimination of all Forms of Discrimination against Women has been prepared by the Office for Human and Minority Rights, in cooperation with the competent national and provincial authorities, as well as relevant civil society organisations. The R Serbia submits this Report in accordance with Article 18 of the Convention and recommendations contained in the Concluding Observations of the Committee on the Elimination of Discrimination against Women in connection with the Second and Third Periodic Reports on the Implementation of the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW/C/SRB/CO/2-3)<sup>1</sup>.

2. Although the territory of the AP of Kosovo and Metohija is an integral part of the R Serbia, as confirmed *inter alia* by the UNSCR1244, the competent authorities of the R Serbia have not been able to implement the Convention in that part of the country's territory. Under the said Resolution, administration of the Province was delegated to the United Nations Interim Mission in Kosovo (UNMIK) and the Report contains the information available to the Government's Office for Kosovo and Metohija.

*Recommendation par.7*

### National Assembly

3. In the exercise of its legislative and oversight function, the National Assembly undertakes the necessary measures to implement the recommendations of the Committee on the Elimination of Discrimination against Women. After the adoption of the Concluding Observations in July and ratification of the Istanbul Convention in November, on 3 December 2013 the National Assembly held a Public Hearing on the subject of "National Implementation of Recommendations of the UN CEDAW Committee and the Council of Europe CAHVIO Convention. The Chairperson of the Parliamentary Committee on Human and Minority Rights and Gender Equality attends the sessions of the Government's Council for Monitoring the Implementation of Recommendations of the UN Human Rights Mechanisms. The Women's Parliamentary Network functions as an informal group in which all female members of the Serbian parliament participate on a voluntary basis, regardless of their party-political affiliation, and it oversees the implementation of the existing legal arrangements in the field of women's health and education, combating violence against women and economic empowerment of women.

*Recommendation par.9*

### Training for Judges, Prosecutors and Lawyers

4. The Judicial Academy provides training to judges and prosecutors, while the Lawyers' Academy provides training for lawyers. The Judicial Academy provides appropriate information relating to the exercise of human and minority rights and gender equality, as well as specific application of key human rights conventions, both during initial trainings and during continual trainings. The Judicial Academy has trained more than 400 judges and prosecutors on the implementation of the Law on Prevention of Domestic Violence, which took effect on 1 June 2017.

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<sup>1</sup> Information relating to Articles 1 and 9 of the Convention, as well as the provisions prohibiting multiple discrimination, are contained in the Second and Third Periodic Reports on the Implementation of the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW/C/SRB/2-3)

## Article 2

### Legislative Regulations

*Recommendation par.11*

#### Anti-Discriminatory Legal Frameworks

5. The body of anti-discrimination laws was supplemented in March 2015 with the enactment of the *Law on Movement with the Assistance of a Guide Dog*. In October 2015, the Ministry of Health passed the *Bylaw on Detailed Conditions and Manner of Using Public Buildings in the Field of Health Care by Persons who move with the Assistance of a Guide Dog*. In addition, the *Law on the Use of Sign Language* enacted in April 2015. The *Law on Prevention of Discrimination against Persons with Disabilities* was improved in February 2016 through the inclusion of a provision relating to the exercise of equal rights of persons with disabilities. Public authorities have a duty to enable persons with disabilities who have permanent bodily or sensory damage or effects of a disease to sign documents, when necessary, using a stamp which contains personal identity information or using a stamp with engraved signature (Article 34a).

6. The *Law on Public Information and the Media* outlaws hate speech. Under the *Law on Electronic Media*, the Regulatory Authority of Electronic Media ensures that the content broadcast by media service providers does not contain information that openly or covertly promotes discrimination, hate or violence on any grounds. The *Law on Public Media Services* contains an anti-discrimination clause, which specifically applies also to women.

7. The *Draft Law on Gender Equality*, which was intensively drafted in 2016, among other things outlaws multiple discrimination and provides for free legal assistance.

8. The *Draft Law amending the Law on Prohibition of Discrimination*, developed in cooperation with the Equality Commissioner and the European Commission, is fully compliant with EU Directives, including the definition of indirect discrimination. This document has been presented to the EC, which is expected to provide a feedback report.

#### Free Legal Assistance

9. A working party composed of representatives of the Ministry of Justice (MoJ), the Ministry of Public Administration and Local Self-Government (MPALSG), attorneys' chambers, civil society organisations and representatives of local self-governments has been working constantly and the *Draft Law on Free Legal Assistance* has mostly been completed. An Assessment of Financial Effects of Establishment of a Free Legal Assistance System has also been prepared. Enactment of the Law has been delayed due to continuing disagreements between the representatives of the civil society and the attorneys' chambers. A round table discussion held in January provided an opportunity for attorneys and the civil society to discuss their differences with the involvement of international organisations and the EU Delegation to the R Serbia.

10. To improve access to regulations and case, Public Enterprise "Official Gazette" has made available to all Internet users free of charge the unofficial consolidated texts of applicable regulation at the national levels and the PDF versions of the original official journals containing both the initial versions of regulations and their subsequent amendments. A case law database can also be accessed free of charge.

## Article 3

### Measures to Secure Full Development and Progress of Women

*Recommendation par.13*

#### Independent National Human Rights Bodies

11. The budgets of the independent bodies have increased every year in the past period.

<i>Budget of independent bodies in RSD</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>
Protector of Citizens	176,676,000	171,417,000	209,447,000	216,000,000
Equality Commissioner	68,955,000	72,634,000	81,255,000	104,166,000
Commissioner for Information of Public Importance and Personal Data Protection	162,695,000	168,224,000	190,705,000	203,000,000

12. After re-electing the Protector of Citizens in August 2012, in November 2013 the National Assembly also elected the Deputy Protector of Citizens for Child Rights and Gender Equality. In 2015, the National Assembly approved the Internal Organisation and Job Classification Bulaw, which allowed the secretariat of the Protector of Citizens to continue performing its duties in a lawful and timely manner. After the elected Protector of Citizens resigned, since February 2017 this body has been chaired by the Deputy Protector of Citizens as an acting official.

13. On 20 March 2014, the Office of the Equality Commissioner opened its first regional office in Novi Pazar. The National Assembly elected a new Equality Commissioner in May 2015. The head office of this institution was moved to a larger office space in Belgrade in 2016. The Commissioner also has a room where she receives citizens on Tuesdays and Thursdays, at Nemanjina 22-26 in Belgrade. The staff of the Office of the Equality Commissioner has received training on team building and improving the capacities for strategic planning; they held a round table on anonymous reports and had an English language course. The IPA 2012 Twinning Project "Support for the Advancement of Human Rights and Zero Tolerance for Discrimination" has been implemented.

14. In their replies to written submissions, state authorities, among other things, instruct citizens about the possibilities of and procedure for raising their issues with independent bodies, where appropriate for the specific case.

15. Within the framework of the annual competition "Implementation of Anti-Discriminatory Policies in the Republic of Serbia, in 2016 the Office for Human and Minority Rights (OHMR) supported the Amity Association and the Project "For Zero Tolerance of Discrimination against the Elderly". Public debates on the subject "Discriminatory Behaviours against the Elderly and Empowering the Elderly to respond to such Behaviours" have provided 200 elderly persons, 149 of whom are women (from 6 municipalities, including 12 rural areas in Borski and Moravicki District) learned how to recognise discriminatory behaviour against them, how to be proactive and how to seek protective measures through the existing complaints mechanisms.

#### *Recommendation par.15*

#### **National Mechanism to Improve the Status of Women**

16. The Coordination Body for Gender Equality (CBGE), established by the Government's Decision of 2014, which is chaired by the female Deputy Prime Minister, has undertaken a number of key activities to improve the status of women and promote gender equality in the past period. Under the Draft Law on Gender Equality, a CBGE and a Service for gender equality matters would be established. The Draft Law also provides for gender equality mechanisms at provincial and local self-government levels (including city municipalities), while public authorities and employers would be required to appoint gender equality coordinators. There is a clear political will and support for effective functioning of these bodies and the establishment of a functional horizontally and vertically ramified system of authorities and bodies for effective and coordinated application of equal opportunity policies.

17. Since late May 2017, the new job classification at the MLEVSA includes a Department for Anti-Discriminatory Policy and Gender Equality.

18. There are more than a hundred gender equality bodies in Serbia. Some LSGs units have both gender equality bodies and gender equality officers.

### Cooperation with Civil Society Organisations

19. The CBGE has established both formal and informal cooperation with civil society associations and organisations (CSOs). The Association of Business Women and the Belgrade Fund for Political Excellence are members of the expert group within this body. Cooperation with relevant CSOs (the Autonomous Women's Centre, the Women's Platform for the Development of Serbia 2014-2020 etc.) was continued and intensified during the preparation of the Draft Law on Gender Equality through a series of constructive consultative meetings. Cooperation also takes place within the framework of implementation of the National Strategy for Gender Equality 2016-2020 and the supporting Action Plan (2016-2018).

20. The Office for Cooperation with the Civil Society (OCCS), as the institutional mechanism responsible for supporting and promoting dialogue between public authorities and CSOs, has undertaken activities within the framework of the process of developing and establishing clear standards and procedures for civil society involvement across all levels of the decision-making process.

21. The OHMR continually provides support to CSOs under the annual competition "Implementation of Anti-Discriminatory Policies in the R Serbia", which has been held since 2013.

22. Based on the dialogue between the Government's Political Council for Implementation of the National Action Plan on Implementation of UNSCR 1325 on women, peace and security in the Republic of Serbia (2010-2015) - NAP of 28 May 2015, which was organised by the Ministry of Defence (MoD), with the support of the OSCE Mission to Serbia, and involved all stakeholders in the implementation of the Plan, *as well civil society organisations*, it was determined that implementation of the UNSCR 1325 should be continued in the future. From February to June 2016, the MoD, with the support of the OCCS, held electronic consultations of the Working Party on CSO Cooperation about the form and content of the NAP, which was available to the public on the websites of the MoD and the OCCS. The MoD, the Ministry of Youth and Sports (MoYS), the OCCS, the Standing Conference of Towns and Municipalities of Serbia and the OSCE Mission to Serbia held public consultations on the Draft NAP (2017-2020), which involved all local-level stakeholders in the implementation of the Plan, including representatives of local self-government authorities, security system authorities, the academic community, CSOs and the media. The public consultations took place in May and June 2016 in Niš (attended by 21/8 CSOs); Vranje (22/5 CSO representatives); Novi Pazar (27/12 CSOs); Kruševac (45/8 CSOs); Novi Sad (76/14 CSOs) and Belgrade (176/65 CSOs).

#### *Recommendation par.17*

### Strategic Framework: Financing and Measures

23. Under the *Law on Budget System*, in 2015 the R Serbia implemented *gender-responsive budgeting* (GRB) and imposed a duty on all budget spending units to implement GRB by 2020 at the latest. Based on plans and instructions issued by the Minister of Finance or the Provincial Secretary for Finance or the relevant local self-government authority, budget funds are provided for the implementation of gender-responsive measures, with relevant indicators to measure the achievement of the set objectives.<sup>2</sup>

24. Sufficient funds for implementation of the *National Strategy for Gender Equality 2016-2020, with the AP for 2016-2018*, have been provided from the budget of the R Serbia. The objectives of the Strategy are as follows: changed gender patterns and improved gender equality culture; increased equality of women and men through the application of equal opportunity measures; and gender mainstreaming in the passing, implementation and monitoring of public policies.

25. The CBGE, in cooperation with the Serbian European Integration Office and UNWOMEN, prepared also an Action Paper, as part of the broader Action Paper "*European*

<sup>2</sup> CBGE and Ministry of Finance initiative, with the support of UNWOMEN

*Integration Facility*”, which initially allocated a budget of two million euros for gender equality. This document provides for the following activities: support for the establishment of administrative and technical conditions for implementation of the Strategy and the Action Plan on Gender Equality, support for gender mainstreaming in the strategic planning and programming of EU funds and, accordingly, the implementation of EU-funded programmes and projects, their monitoring and reporting, as well as support for the economic empowerment of women.

26. *The National Action Plan on Implementation of UNSCR 1325 on women, peace and security in the R Serbia (2010-2015) - NAP* was adopted on 19 May 2017. The second NAP involves a greater number of stakeholders and focuses on implementation of activities at the local level.

27. As regards the budget for NAP implementation MoD, MIA, MoCI and the Administration for Enforcement of Penal Sanctions have planned and allocated RSD 2,480,000 RSD in total per budget year. CBGE provided a total of 10,000,000 RSD from donor funds for the implementation of the NAP in 2017. The other holders will plan and determine the funds in accordance with their balance possibilities and the limits determined by the Ministry of Finance. Furthermore, local self-government authorities are invited to plan and allocate required funds for the implementation of the envisaged activities in the next period.

28. The NAP will apply in the fields of prevention, participation, protection and rehabilitation, with greater involvement of women in the preservation of peace and security at the local community level, including in particular through security councils and gender equality councils.

29. The new NAP underscores the importance of preventive action, protection and rehabilitation of women as a result of modern security challenges, risks and threats which particularly affect marginalised women and women experiencing multiple discrimination (women with disabilities, Roma women, women older than 50 years, women refugees and internally displaced persons, women from rural areas, single mothers, women belonging to minority groups, women who are victims of violence, women with different sexual orientation or gender identity and women from underdeveloped rural areas).

30. The Government adopted the national *Strategy on Social Inclusion of Roma Men and Roma Women in the R Serbia 2016-2025*, while the accompanying Action Plan was adopted in June 2017. The Government, as well as the authorities of autonomous provinces and local self-governments, will allocate funds in their budgets for the implementation of the *Strategy* and its supporting AP. The second source of funding are the IPA projects financed by the EU, while the third source are funds granted by international donors and financial institutions (the Swedish Government, the World Bank, the German Government, the Swiss Government etc.). There is also a group of activities for the implementation of which the source of funding will be identified during the implementation.

### **Harmonisation of Strategic Documents and Action Plans**

31. The Republic Secretariat for Public Policies (RSPP) was formed in 2014 as a technical service tasked with providing support to the Government in the design and passing of public policies and regulations to guarantee the quality, harmonisation and efficiency of implementation.

32. Representatives of the MPALSG and the RSPP have held a public hearing on the *Draft Law on the Planning System of the R Serbia* and on two pieces of secondary legislation: the Draft regulation on the Public Policy Management Methodology, Analysis of Effects of Public Policies and Regulations and the Content of Specific Public Policy Documents and the Draft Regulation on the Methodology for Preparing Mid-Term Plans. The main underlying principles of these regulations are: proper understanding of the issues, analytical approach, clear and specific objectives, measurable results, alignment with the budget, participatory nature and interrelatedness of plans and regulations. The said Draft Law is currently in the process of obtaining an opinion.

33. During the drafting of the National Strategy for Gender Equality 2016-2020 with the Action Plan 2016-2018, the proposal of the MoD to incorporate in this document a specific measure on “Women and Security” was adopted.

34. Furthermore, during the drafting of the NAP on Implementation of the UNSCR 1325 (2017-2020), all relevant international and national documents were consulted, including in particular: the Strategy for Prevention and Protection against Discrimination and the accompanying Action Plan; the National Strategy for Gender Equality 2016-2020; the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence; and the CEDAW/SRB/CO/2-3.

### Monitoring the Implementation of Strategic Documents

35. *The Council for Monitoring the Execution of the AP implementing the Strategy for Prevention and Protection against Discrimination (Strategy for PPD)* has so far compiled three reports:

<i>Execution of the AP implementing the Strategy for Strategy for PPD</i>				
Indicators	First report	Second report	Third report	
	Fourth quarter of 2014 and first quarter of 2015	Second, third and fourth quarters of 2015	First and second quarters of 2016	
Achieved	47.82%	46.3 %	46.2 %	
Not achieved	28.98%	10.0 %	12.5 %	
Partly achieved	7.44%	21.8 %	16.8 %	
No information on achievement available	14.49%	21.86 %	24.5%	

36. Preparation of the Fourth Report on Execution of the AP implementing the Strategy for PPD is currently underway and will cover the third and fourth quarters of 2016.

37. To build the capacities for more effective monitoring of implementation of the planned activities and achievement of the envisaged indicators, trainings were held for the representatives of state institutions which are responsible for implementing the activities under the AP implementing the Strategy for PPD, as well as for civil society organisations.

38. SeConS Development Initiative Group, in collaboration with UNWOMEN, conducted an evaluation of the National Strategy for Improving the Status of Women and Improving Gender Equality 2010-2015 and the accompanying Action Plan.

39. The CBGE has begun preparing an integrated Report on Implementation of the National Action Plan (2016 – 2018) implementing the National Strategy on Gender Equality (2016 – 2020) in the Republic of Serbia in 2016.

40. In March 2017, the Government also formed the designated *Coordination Body for Monitoring the Implementation of the Strategy on Social Inclusion of Roma Men and Roma Women*, which is in charge of examining all issues in this field. The Coordination Body is chaired and managed by the Deputy Prime Minister and Minister of Construction, Transport and Infrastructure. This body is authorised to coordinate the work of state authorities, authorities of local self-government units, public enterprises and other organisational forms in connection with the improvement of status of the Roma and achievement of their full inclusion in the social, economic, cultural and political life, in particular in the fields of education, housing, health care and employment. In addition to these coordination duties, it is also in charge of improving interdepartmental cooperation in this field; reviewing and issuing recommendations for addressing emergency situations which may have the effect of increasing the vulnerability of Roma men and Roma women; and proposing ways to achieve the statutory measures/activities, as well as additional ones, with a view to contributing to greater social inclusion of the Roma national minority and the European integration process.

41. The reports of the Political Council on the implementation of the previous NAP for 2010-2015 which have been submitted to the Government for adoption are available on the website of the MoD, in the “Documents” tab, under the link “Action Plans”. These reports

contain more detailed information about the work of the institutional bodies and mechanisms formed to implement the NAP and information on the results of cooperation between public authorities and other stakeholders involved in the implementation of this NAP.

42. A novel feature of the *NAP 2017-2020* is that the envisaged indicators are explained in the text of the document. This document also provides for a *mechanism for monitoring, reporting, supervision and evaluation of the implemented activities*.

43. On 25 November 2015, the Provincial Government formed the *Inspectors' Committee* tasked with coordinating, monitoring and evaluating the effects of the measures set out in the *Programme on the Protection of Women against Domestic and Intimate Partner Violence and Other Forms of Gender-based Violence in the Autonomous Province of Vojvodina in 2015-2020*.

## **Article 4**

### **Temporary Special Measures**

*Recommendation par.19*

#### **Temporary Special Measures in the Field of Education**

44. Special support measures in the field of education are implemented by the Ministry of Education, Science and Technological Development (MoESTD) through application of the Law on Basic Elements of the Education System (LBEES) and secondary legislation. These measures apply to particularly vulnerable social groups.

45. *Simplified procedures for enrolment in primary school* and increased inclusion of Roma pupils in primary education: Pursuant to the LBEES, children from vulnerable groups can be enrolled in school without providing evidence of their parents' permanent residence address and without providing the required documentation. Due to the specific conditions in which they live, children from vulnerable groups may enrol in schools even after the statutory enrolment period. If a child older than seven and a half years is not enrolled in first grade because of a disease or due to other reasons, he/she may enrol in the first grade or another appropriate grade on the basis of a prior knowledge check. Children will be tested only after enrolment and may take the test in their mother tongue. Although this measure does not have a statutory gender dimension, it contributes significantly to greater inclusion of girls in the primary education system.

46. According to MISC5 figures, 89% adolescents in the general population attend secondary schools, while secondary school enrolment figures are only 22% adolescents and 15% of girls in Roma settlements.

47. *The affirmative measures for enrolment in secondary education* are provided for by the LBEES, as well as by the Strategy for the Development of Education in Serbia by 2020 and the the Strategy on Social Inclusion of Roma Men and Roma Women in the republic of Serbia 2016-25. Starting from the school year 2016/17, the *Bylaw on the Criteria and Procedure for the Enrolment of Pupils belonging to the Roma National Minority in Secondary Schools under Preferential Conditions to achieve Full Equality*, which has quadrupled the number of Roma pupils, including girls, enrolled in secondary schools compared with the school year 2015/16.

### Number of Roma children enrolled in secondary schools under the Affirmative Measures Programme

School year	2013/14		2014/15		2015/16		2016/17	
	F	M	F	M	F	M	F	M
	187	163	195	127	225	193	792	840
	53%	47%	60%	40%	54%	46%	49%	51%
<b>Total</b>	<b>350</b>		<b>322</b>		<b>418</b>		<b>1632</b>	

48. In the school year 2016/17, under the *Affirmative Measures Programme*, 518 children with developmental disorders were enrolled in secondary schools.

49. *The strategic measure of awarding scholarships*, while lacking a clear gender dimension, has helped Roma girls and young women continue their education by attending secondary school. In total, 176 scholarships were awarded from the budget of the R Serbia for the school year 2015/16 to Roma pupils with excellent grades, of which young Roma women received 111 or 63%, while the remaining 65 (37%) went to young Roma men. In the school year 2016/17, 132 Roma pupils with excellent grades regularly receive scholarships every month. Under the project IPA 2012 – TARI, 1020 scholarships have been awarded in total to Roma pupils in grades one to four at secondary school with a grade point average between 2.5 and 3.5. One of the results of this activity is the fact that all pupils who improved their academic performance remained in the scholarship system.

50. Under the project IPA 2012 – European Support for Roma Inclusion, 201 *teachers/mentors* were hired in the school year 2015/2016 to support the inclusion, learning and progression of pupils of Roma ethnicity. Particular attention is attached to providing additional support to young women at secondary schools to prevent school dropout.

51. *The affirmative measures for enrolment in higher education institutions (HEI)* are set out in Government's Decision on the number of students to be enrolled in the first year of HEI funded from the budget of the R Serbia. It sets enrolment quotas for the following students: Persons with disabilities; Roma; Serbian national who completed secondary school abroad in the previous school year. A quota of 1% of the total number of students enrolled in a university school is assigned to each of these groups. Although this measure is not specifically gender-related in its nature, it has enabled the inclusion of a significant number of young women from these vulnerable social groups. Every school year the MoESTD passes the Technical Instructions on Enrolment in the First Year at HEIs founded by the Republic of Serbia, under which the students who are enrolled under an affirmative measure are not to be ranked together with other students when progressing to a higher year of studies; instead, they will continue to be funded from the budget if they earn 36 ECTS. This measure applies also to students who had enrolled in earlier years and were being funded from the budget at the time of passing of the Instructions and who had enrolled under an affirmative measure. The Instructions include two affirmative enrolment measure programmes: *the Programme for the Enrolment of students with Disabilities* and *the Programme of Affirmative Enrolment Measures for Members of the Roma National Minority*. *Number of male and female Roma enrolled in higher education institutions, MoESTD:*

2013/14		2014/15		2015/16		2016/17	
F	M	F	M	F	M	F	M
46	36			53	43	91	87
82		-		96		178	

52. *Student housing* for students belonging to vulnerable social groups (financially vulnerable families, children without parental care, single parent families, the Roma national minority, persons with disabilities, persons with chronic diseases, persons whose parents disappeared or were abducted in the territory of K&M and in other republic of former Yugoslavia, refugees and internally displaced persons, returnees under readmission agreements, deported pupils and students etc..) is provided through the use of less stringent criteria, in accordance with the *Law on the Standard of Living of Pupils and Students*. Student dormitories are required to allocate up to 10% of their capacity for students belonging to vulnerable social groups (Article 30). Although this measure does not have a specific gender nature, it facilitates access to higher education for female students from socially vulnerable groups.

53. *A pedagogical assistant* provides assistance and additional support to children and pupils according to their needs and helps teachers, educators and teaching assistants to improve their work with the children and pupils who need additional educational support. They work together with the parents or guardians and through school principals also cooperate with the competent institutions, organisations, associations and local self-government. This is a support measure for social inclusion of Roma children in the education system. There are 175 pedagogical assistants in total (58% of them women and 42% men); almost all of them are of Roma ethnicity and speak Romany and they have the status of external associates at schools. A survey by the Institute for Education Quality and Evaluation has shown that pedagogical assistants have contributed to improved achievement of Roma pupils, in particular Roma girls, both in terms of better overall success in ranking periods and in terms of higher academic achievement. Most notably, they have contributed to lower absence and dropout rates among Roma girls.

54. *An andragogical assistant* helps adults participate in the education system and assists them with eliminating obstacles in their education, in their individual programmes and in additional and supplemental classes; helps teachers and teaching assistants with delivering the curriculum; and cooperates with social partners in local self-government units to ensure the exercise of the right of adults, in particular those belonging to vulnerable social groups, to be included in the education process and to obtain an education.

55. The passing of the *Bylaw on Detailed Criteria for Recognition of Forms of Discrimination by Employees, Children, Pupils or Third Parties at Education Institutions* has improved the anti-discriminatory normative framework. The Bylaw lists gender identity and sexual orientation, among other things, as grounds for discrimination (Article 2). It also defines discrimination in the exercise of the right to pre-school, primary and secondary education (Article 14).

### **Temporary Special Measures in the field of employment**

56. The funds allocated from the budget of the Republic of Serbia for active employment policy measures amounted to RSD 1,180,000,000, RSD 600,000,000/2014, RSD 2,800,000,000/2015 and RSD 2,800,000,000/2016. In 2017, the National Employment Service (NES) allocated RSD 2,800,000,000 from its own funds for active employment policy measures.

57. The *National Action Plan on Employment* is the main instrument of active employment policy. It is passed annually and it operationalises the employment policy objectives set out in the National Employment Strategy 2011–2020. The Plan identifies the categories of persons with difficulties finding employment who will be given priority in terms of coverage with active employment policy measures, as well as the funds required for implementation of active employment policy measures in the respective year.

58. The share of Roma women in the total number of Roma included in active employment policy measures between 1 July and 31 December 2013 was 45.90%; in 2014 it was 48.09%, in 2015 it was 44.31% and in 2016 it was 42.98%.

59. In addition to active job-seeking training, a motivation and activation training programme was provided to Roma in 2013 and was attended by 544 Roma persons (including 246 Roma women). Between 2013 and 2016, a special *public call for the award of self-employment subsidies* was implemented, which enabled 217 Roma persons in total (including

87 Roma women) started their own business. Also in 2013, a special *public call for the award of subsidies to employers* for new jobs to employ unemployed Roma.

60. In addition to inclusion in regular active employment policy measures, special programmes have been implemented during the reporting period to promote the employment of persons with disabilities. The success rate of these measures was above 100% (they included job-seeking clubs, active job-seeking training, self-efficacy training and employment fairs).

61. In 2016, based on an analysis it had conducted, the NES launched an initiative to improve the capacity assessment procedure. Specific proposals have been identified, which will be elaborated in the coming period in cooperation with the Republic Pension and Disability Insurance Fund and the competent Ministry in order to overcome the issues encountered in practice and improve the expert aspect of the assessment.

#### **NES figures on persons covered by active employment policy measures**

	<i>ROMA persons with disabilities</i>					
	<i>Total</i>	<i>Women</i>	<i>Total</i>	<i>Women</i>	<i>Total</i>	<i>Women</i>
July –December 2013	44,268	24,289	1,819	835	2,966	1,213
2014	108,664	58,417	3,552	1,708	6,567	2,652
2015	150,953	79,631	4,241	1,879	7,620	2,997
2016	146,627	77,637	4,307	1,851	8,219	3,490

62. In accordance with the *Bylaw on the Content and Manner of submitting Plans of Measures to Eliminate or Mitigate Gender Imbalance and Annual Reports on their Implementation*, the Ministry of Labour received 428 plans and reports from economic operators in 2016 and 409 such plans by 31 March 2017. In 2015, labour inspectors conducted 3,157 inspections of compliance with the Law on Gender Equality and passed two decisions ordering the rectification of shortcomings. The employers were ordered to adopt a plan of measures for addressing gender imbalance and to establish records of the gender structure of their employees. In 2015, the Labour Inspectorate received one petition relating to a violation of the Law on Gender Equality. In 2016, labour inspectors conducted 1,632 inspections of compliance with the Law on Gender Equality and found no deficiencies. The inspected employers, who had a statutory duty to adopt a plan of measures for addressing gender imbalance and to establish records of the gender structure of their employees, complied with this duty in accordance with the law.

#### **Temporary Special Measures in the Field of Health Care**

63. More than 90% of Roma men and women exercise the entitlement to compulsory health insurance. This can be attributed to measures which enabled branches of the Compulsory Health Insurance Fund to grant this entitlement to persons of Roma ethnicity who do not have identity documents on the basis of a statement signed by two witnesses.

#### **Temporary Special Measures in the Field of Housing**

64. To improve the situation of the Roma national minority in the field of housing, with the support of the OSCE Mission to Serbia, within the framework of the project “We are here together – European Support for Roma Inclusion”, a national Geographic Information System (GIS) has been developed for the first time and a database of 583 substandard Roma settlements (SRS) in Serbia has been created. This database should enable the competent MPALSG to monitor the key SRS development indicators and facilitate searching and analysing the data on the conditions of living in these settlements in order to make the best investment decisions that would improve the living conditions of the Roma community.

65. During the first stage of the project “Building a Home Together”, which was funded by the European Union with EUR 3.6 million, three social housing buildings for 59 families were built, rural households were bought for 41 families, while ten families received support for the reconstruction of their homes. The second stage of the project began in March 2017.

It will last two years and will see the construction of one building which will house 23 families, while 27 families will receive funds to purchase and refurbish rural households. The City of Belgrade will provide the sites and the necessary permits and approvals for infrastructure connections, as well as permits and approvals needed for the procedures conducted by the selected beneficiaries.

## Article 5

### Elimination of Stereotypes

#### *Recommendation par.21*

66. As part of its regular activities, the CBGE participates in and supports projects, campaigns and initiatives aimed at improving gender equality and overcoming gender stereotypes and prejudice in Serbia. Key examples of this include: the campaign “16 Days of Activism against Violence against Women”, the project “SHEmpowerment” – support to economic empowerment of women who suffered violence; participation in regional conferences on women’s entrepreneurship and support to the annual award “Success Flower” presented by the Association of Business Women etc. A new website for the CBGE was also designed with the support of the OSCE Mission to Serbia.

67. The Ministry of Culture and Information (MoCI) supports the development of media content aimed at protecting and promoting human rights and democracy.

68. In accordance with the Law on Culture, projects are co-financed in various areas of artistic creation based on annual competitions. Projects that explicitly address gender equality are allocated approximately RSD 2,000,000 per annum, with even more funds allocated indirectly through support to female authors and artists, although exact figures about the amounts of those funds are difficult to obtain.

69. Under the IPA project *Strengthening Media Freedom*, a Report on the Situation regarding Gender Equality and the Status of Women in the Media has been prepared and will serve as the baseline document for the working party tasked with drafting the future strategy for the development of the public information system.

70. The MoCI announces annual competitions for the co-financing of projects designed to contribute to the exercise and promotion of the right to public and impartial provision of information. One of the advantages of prospective projects that are taken into account when awarding the funds is the contribution they would have to public information and improvement of the status and equality of all segments of the society, which has boosted the number and quality of the media projects addressing the issue of improving the status of women and combating social stereotypes. Furthermore, the MoCI helps eliminate multiple discrimination of women by announcing competitions for the co-financing of projects/programmes in the field of *public information in the languages of national minorities*, as well as in the field of *public information for persons with disabilities*.

71. Examples of good practice supported by MoCI funds:

- The play “They suffered”, staged by the Belgrade Drama Theatre, is based on documentary material – authentic statements by women who are victims of violence. The main source were the transcripts of interviews conducted by the Helsinki Committee on Human Rights in Serbia with women who had killed their abusers;
- The film “Looking at Cobblestones” of the Academic Initiative “Forum 10” of Novi Pazar, which deals with a political moment that happened in 1951 (what was then the People’s R Serbia passed a law banning niqabs and burkas), is based on a need to review, re-evaluate and supplement from a female perspective the history of Sandzak, as an almost entirely male story;
- “ROMA WOMEN’S STORY: Collecting Archive Material for the History of Roma Women in Serbia”, organised by the Belgrade-based Roma Women’s Centre “BIBIJA”, which documents the personal stories of women who entered into early marriages and were often victims of domestic violence;

- The Belgrade Centre for Architecture has implemented a project titled “Women in Architecture”;
- In 2015, the Institute for the Study of Cultural Development made a cross-section of the gender structure of employees in public cultural institutions. Together with education institutions, cultural institutions constitute the so-called women’s domain in the labour market. Women account for 57.2% of all employees in culture. As regards national cultural institutes, the share of women is highest in libraries (65.7%) and lowest in theatres (44.9%).

72. To examine the social engagement of Serbian citizens, in November and December 2015 the Institute for the Study of Cultural Development conducted a survey titled *Cultural Habits, Needs and Attitudes of Serbian Citizens* on a national sample of 1,565. The questionnaire used in the survey included questions on gender equality in various fields. The results of the survey have shown that citizens have mostly positive attitudes on gender equality. The perception of gender equality is the highest in the fields of education and economy and the lowest with regard to political participation and decision-making.<sup>3</sup>

73. The Provincial Secretariat for Social Policy, Demography and Gender Equality promotes women in various fields through its annual publication “Women’s Diary”. From 2013 to 2017, it covered the following topics: women in organic production (2014), 10<sup>th</sup> anniversary of the Provincial Institute for Gender Equality (2015), Female Masons and Women in Architecture in Vojvodina (2016) and Roma Women in Vojvodina (2017).

74. Through its regional conferences, the Chamber of Industry and Commerce of Serbia has contributed to better affirmation, education and networking of female entrepreneurs, as well as elimination of stereotypical roles. In 2015, the Chamber launched a number of initiatives targeted at different Ministries during a regional conference held in Čačak, which was attended by more than 120 female entrepreneurs from the entire Serbia and from Montenegro. Similar conferences were held in 2016 in Valjevo, Kruševac and Loznica, to enable the exchange of experiences between female entrepreneurs at local and regional levels and to promote a positive image and fundamental equality of women.

75. Media campaigns are continually implemented to raise public awareness of the specificities of vulnerable social groups and increase their inclusion, in accordance with the planned measures set out in the AP implementing the Strategy for PPD.

In the past period, members of the police, judges and employees at centres for social work (more than 1,000 employees at CSWs) were trained to professionally interact with LGBTI persons and their families.

76. The Pride Parade and the first meeting of transgendered\* persons were held on 20 September 2015. One of the priorities in 2016 was the status of transgendered\* persons in the society and the walk through the central streets of Belgrade on 25 June 2016 went ahead without incidents and with minimum security. The third Pride Parade was successfully held on 18 September 2016, with representatives of international organisations and state institutions in attendance. This year, the International Day against Homophobia was marked not only in Belgrade, but also in Niš, Novi Sad, Novi Pazar, Subotica, Pančevo and Kragujevac.

77. Within the framework of the project “Fostering Tolerance and Understanding of the LGBT Population in the Serbian Society”, 11 grants were granted to CSOs. Activities aimed at raising awareness of the existing issues and the importance of increasing the visibility of the LGBTI community were conducted in several LSGUs, as well as online and on social networks. A local- and national-level campaign was conducted and advanced trainings were provided to the police, employees at CSWs and judicial office holders.

78. The 2015 Narrative Serbia Global HIV/AIDS Progress Report and the Report on Activities implemented in the Republic of Serbia in Response to the HIV Epidemic in 2015 with a Comparative Analysis for the Period 2011–2015 are available on the website of the Institute for Public Health of Serbia.

<sup>3</sup> See Attachment 1.

79. The DUGA association, in collaboration with the Institute for Public Health of Serbia, conducted a counselling and testing action during the Fashion week titled “Testing is in: test for HIV!”

80. The Action Plan implementing the Strategy for PPD до 2018 provides for the preparation of a Draft Law on Gender Identity.

### **Gender Equality Index and Publishing of Statistical Data**

81. Since February 2016, the R Serbia has been using the *EU Gender Equality Index* in six domains: time, money, work, knowledge, power and health, and in two satellite domains: violence against women and intersecting inequalities. The CBGE, in collaboration with the Social Inclusion and Poverty Reduction Unit (SIPRU) and the Statistical Office of the Republic of Serbia (SORS), with the support of the European Institute for Gender Equality (EIGE), initiated the implementation and calculation of the GEIndex. The SORS and the EIGE initially calculated the GEIndex for Serbia as 40.60%. According to this indicator, the greatest success in terms of gender equality has been achieved in the domain of power at the national level, while the lowest ratios have been found in the domains of work and money.

82. The fifth publication *Women and Men in the R Serbia* is scheduled for publication in November 2017 and it will be available in Serbian and in English on the SORS website. This publication contains statistical data broken down by gender provided by the following institutions: the SORS, the Institute for Health Protection of Serbia, the MoJ, the MoD, the MIA, the NES, the Republic Institute for Social Protection, the Republic Fund for Pension and Disability Insurance, UNICEF etc. The data relate to population, health care, education, social security, the judiciary, employment, wages and pensions, use of time and decision-making.

### **Violence against Women**

#### *Recommendations par.23*

### **Prevention of Violence and Raising Awareness**

83. MoESTD conducted a survey of gender-based violence in primary and secondary schools in Serbia in December 2013. The results have shown that, in total, 69% of primary school pupils and as many as 74% of secondary school pupils experienced at least one form of gender-based violence at least once. The Group on the Protection against Violence and Discrimination has collaborated with the civil society to conduct a *National Study on the Social Problem of Sexual Abuse of Children in the Republic of Serbia*, aimed at assessing the prevalence of sexual violence against children.

84. The programme “Violence-Free School” has covered 274 schools (253 primary and 24 secondary), 17,000 teachers who underwent training on violence prevention and 229,000 pupils. An interactive website [www.sbn.rs](http://www.sbn.rs) has been developed to provide the necessary information on violence prevention. The capacities of 60 mentors for violence prevention have been developed to enable them to prevent digital violence and gender-based violence, including domestic and sexual violence; the same capacity-building exercise has also covered 88 counsellors who staff the helpline operated by the MoESTD for the reporting of violence in schools<sup>4</sup>. An *instrument for safety assessment of school environments in terms of gender-based and digital violence* has been developed, along with the *Manual on safety assessment of school environments within the framework of assessment of compliance with the quality standards for education institutions and building the capacities of schools and educational counsellors to monitor the safety of school environments*.

85. The professional development programmes for the staff of education institutions cover the issues of empowerment, provision of information and development of knowledge and skills for working with female pupils who suffered some form of intolerant behaviour. The seminars were accredited by the Institute for the Advancement of Education.

<sup>4</sup> 0800200201, toll-free phone line staffed by operators every weekday between 7:30 AM and 3:30 PM.

86. In January 2016, the Crime Police Directorate formed the *Domestic Violence Prevention and Combating Unit*, which monitors, analyses and coordinates domestic violence cases at the level of all 27 police administrations. One of the activities of this Unit was the initiative for police administrations to set up local teams made up of representatives of the police, public prosecutors' offices, CSW, health care institutions and CSOs, which would meet at least once a month to analyse and discuss potential improvements in the processing of cases of domestic violence. The Unit has also trained the police officers who respond to reports of domestic violence, in accordance with the provisions of the Law on Prevention of Domestic Violence.

87. To encourage women to report cases of domestic and sexual violence by raising awareness of the criminal nature of such actions, the MoJ has conducted a national awareness-raising campaign titled "Turn off the Violence". The aim is to raise the awareness of domestic violence among all stakeholders through online channels, social networks and the media, to provide information and education to different target groups, to explain the new legal measures both to those who can be or are victims of domestic violence and to perpetrators or potential perpetrators, as well as to the community at large, to enable them to recognise violence and respond appropriately. Furthermore, one of the main priorities of this campaign is to mobilise all those who could directly or indirectly be affected by any form of domestic violence.

88. Based on the country's commitments under the Istanbul Convention and the measures set out in the AP implementing the Strategy for PPD, the CBGE initiated the passing of the National Strategy for the Prevention and Elimination of Domestic and Intimate Partner Violence 2017-2020. The necessary funds for the analysis of the previous Strategy and the development of the new one, as well as for the implementation of numerous awareness-raising activities, were provided by the SIDA within the framework of the *project "Integrated Response to Violence against Women and Girls II"*<sup>5</sup>. The project is implemented in cooperation with all UN agencies in Serbia and the competent line Ministries. Its implementation will contribute to further development of a social and institutional environment in Serbia with zero tolerance of violence. The aim of the project is to improve the legal and political frameworks in this field, to reinforce the violence prevention systems and the mechanisms of support to victims of violence and to improve access to effective protection against violence through sustainable general and specialist services.

89. Within the framework of this project, the MoYS will cooperate with the UNFPA and the Belgrade-based association "Centre for the Promotion of Healthy Lifestyles – Centre E8" to implement an activity titled "Be a Man". Furthermore, it will conduct the IMAGES survey in Novi Sad, Niš, Kragujevac, Kruševac and Čačak and promote project results.

90. The Republic Institute for Social Protection has accredited a number of training programmes addressing the issues of domestic violence, which are designed for the professionals who work at social protection institutions (CSWs and residential institutions). Within the framework of those programmes, there are regular trainings on the implementation of anti-discriminatory practice, trainings for working with sexual and gender minorities, trainings for working with victims of gender-based violence, trainings for holding case conferences for the protection against domestic violence, trainings for working with violent offenders etc.

91. Since January 2016, the Provincial Secretariat for Health, in partnership with the Kikinda-based organisation "Women's Support Centre", has been implementing a three-year project titled "Stop - Protect - Help". The project is designed for women experiencing violence and potential victims, professionals in all departments at all government levels, women's organisations and the entire population of the Province. The total budget is USD 610,937 (with USD 533,060 donated by the UN Trust Fund to end Violence against Women). In the first year of implementation of the project, Cooperation Agreements were signed between the Provincial Secretariat for Health and 66 medical institutions and three-day trainings were provided to 387 health care professionals; Centres for Victims of Sexual Violence were piloted in Zrenjanin and Novi Sad (out of a total of 7 – one in each District);

<sup>5</sup> The project began in July 2016 and will last until July 2018. The total funding will be USD 940,000.

the Manual for Improving the Coordinated Response by Competent Services to Violence against Women was prepared; three-day trainings were provided to 155 professionals; and numerous media campaigns and websites were designed. As part of project evaluation and monitoring, the association SeConS compiled an initial report, which contained an overview of the prevalence and characteristics of gender-based violence and of domestic violence in the AP of Vojvodina and nationally. It was based on data obtained from the social protection system, the police, the health care system, the judicial system and the civil sector. The data thus obtained were then categorised according to types of violence and relationships between the perpetrator and the victim.

### **Improvement of the Legislative Framework**

92. The Istanbul Convention was ratified in October 2013. In November 2015, the *Rulebook on Detailed Conditions and Standards for the Provision of Helpline Services to Women who experienced Violence* was passed in accordance with Article 24 of the Istanbul Convention. To ensure harmonisation with the Istanbul Convention, the *Law amending the Criminal Code* and the *Law on Prevention of Domestic Violence* were enacted on 23 November 2016.

93. The most important amendments to the Criminal Code concern the criminal offences against sexual freedom and the criminalisation of new offences. Punishments for some criminal offences against sexual freedom have been made more stringent. There is now a minimum prison sentence of five years (without the possibility of early release) for rape and sexual intercourse with a child (as well as for the criminal offence of sexual intercourse through abuse of power if the victim is a child), which put Serbia's criminal legislation among the most stringent ones in Europe. Furthermore, the minimum prison sentence for the criminal offence of sexual intercourse with an incapacitated person has been increased from two to five years, while the maximum sentence has been increased to 12 years (making this penalty equal to that imposed for the criminal offence of rape). New criminal offences have been introduced in the Criminal Code, including: female genital mutilation; stalking; sexual harassment; and forced marriage. Furthermore, the description of the criminal offence criminalised in Article 185 - *Showing, Procuring and Possession of Pornographic Material and Juvenile Pornography* – has been amended to ensure harmonisation with the Council of Europe Convention on Cybercrime, thus improving the criminal law protection of girls and boys online.

94. Furthermore, the provisions according to which formal criminal charges can begin only with an information in cases of rape, sexual intercourse with a helpless person committed against a spouse and prohibited sexual acts have been deleted from the Criminal Code.

95. The *Law on Prevention of Domestic Violence* has been enacted to improve the organisation and acting of state authorities and institutions and to enable effective prevention of domestic violence and urgent, timely and effective protection and support to victims of domestic violence. The Law establishes a procedure for the prevention of domestic violence (including victim protection and support) and implements a system of legal concepts that timely and effectively protect the victim in cases where there are no grounds for detaining the perpetrator of a criminal offence or imposing a domestic violence protective measure under the Family Law. The Law came into force on 1 June 2017, at the same time as the aforementioned amendments to the Criminal Code. The delayed implementation was necessary in order to conduct a comprehensive training needed to establish the new system of protection against domestic violence.

96. The Law provides for a special procedure for the prevention of domestic violence, as one of the most significant novelties which fundamentally implement some of the key solutions contained in the Istanbul Convention. Firstly, *a general duty is imposed on all persons to report to the police or a public prosecutor any occurrence of domestic violence or any immediate threat of domestic violence. The duty to report violence or immediate threat of violence also applies to all state bodies, organisations and institutions. The duty of the competent state authorities and CSWs has been expanded to include recognition of domestic violence and threats of violence as part of their regular tasks.* A police officer must respond to each call to check whether the allegations are true or false. If the allegations are true, the

responding police officer must notify a police officer with specialist training in domestic violence about the domestic violence which occurred and if there is an immediate threat of repeated violence. For the purpose of applying preventative operative measures and collecting evidence, police officers may bring a person reported to have committed violence to a police station and detain him there. The purpose of detention is to enable the prosecution of the alleged perpetrator of violence. The duration of detention is limited to maximum eight hours.

97. The preventative procedure begins with the notice to the competent police officer. A police officer with specialist training in domestic violence must assess the risk of immediate threat of domestic violence immediately after receipt of notification. Assessment of risk of an immediate threat of violence includes in particular an assessment whether violence is likely to be repeated immediately, which takes into account the following facts: whether the alleged perpetrator had committed domestic violence earlier or immediately before the risk assessment and how likely he is to repeat it, whether he has threatened to commit homicide or suicide, whether he owns weapons, whether he suffers from mental disorders or abuses psychoactive substances, whether there is a dispute over child custody or the arrangements for personal relations between the child and the parent who is the alleged perpetrator, whether the alleged perpetrator has been served with an emergency restraining order or a domestic violence restraining order in accordance with the Family Law and whether the victim is in fear and how likely he/she thinks the violence is to occur. If the competent police officer has reason to believe there is an immediate threat of domestic violence, he/she must without delay forward the assessment of risk of an immediate threat of violence containing the produced and/or received information to the basic public prosecutor in charge of the territory where the victim has his/her permanent or temporary place of residence, a CSW and a coordination and cooperation group.

### Investigation and Criminal Prosecution of Cases of Violence

#### Reported persons of age, by criminal offences, gender and type of decision, SORS

Article 194. Domestic violence	Total		Report dismissed	Investigation suspended	Investigation terminated	Criminal charges/information filed
	Women					
2013	3782	361	1687	1	68	2026
2014	3642	347	2296	0	37	1309
2015	5039	478	3147	3	52	1837

#### Persons of age charged with the criminal offence of domestic violence, by gender and type of decision, SORS

Article 194. Domestic violence %	Total		
	Charged persons	Women	Found guilty
2013	2024	137	1532
2014	2015	158	
2015	2104	122	1778

#### Convicted persons of age, by criminal offences, gender and type of decision, SORS

Article 194. Domestic violence	Total		Prison	Fine	Suspended	
	Total	Women			sentence	Other sentences
2013	1532	81	533	8	977	14
2014	1712	98	634	13	1041	24
2015	1778	81	483	8	1193	94

### Convicted persons of age, by criminal offences and harmed persons (victims) – by gender and age, SORS

Article 194. Domestic violence	Total convicted (with information about the victim provided	Crime victims					
		Total	Gender		Age		
			Male	Female	Children under 14 y/o	Juveniles aged 14-18 y/o	Persons aged 18 y/o or older
2013	1272	1535	338	1197	81	71	1383
2014	1396	1697	378	1319	60	53	1584
2015	1473	1790	439	1351	73	62	1655

#### Assistance to Victims of Violence and Safe Houses

98. Since a significant lack of clear and effective coordination between all state authorities (the police, Basic and Higher Public Prosecutors' Offices, Basic and Higher Courts, CSWs) had been observed in the application of the existing regulations on the prevention of domestic violence, the Law on Prevention of Domestic Violence stipulates that Public Prosecutors' Offices, the police and CSWs should cooperate through a joint body – a *Coordination and Cooperation Group*. A Coordination and Cooperation Group is established is established for the territory of each Basic Public Prosecutor's Office and meets at least once every 15 days. Essentially, Public Prosecutors' Offices, the police and CSWs, as the bodies responsible for eliminating violence, jointly examine each case of domestic violence. Such group brings together a police officer responsible for the prevention of violence against women (who made an assessment of the risk of an immediate threat of violence and imposed emergency measures) and a public prosecutor, who proposed the extension of the emergency measures and may already be criminally prosecuting the perpetrator of violence. Thus, the Group meets both the competency requirement and the requirement relating to proper knowledge of the circumstances of the specific case. The outcome of their cooperation should be a proper decision as to whether cases of violence should be prosecuted as criminal offences or litigated in civil courts, i.e. they should determine the repressive action to be taken against the perpetrator of violence, but they should also help protect and empower the victim of violence and enable her to live independently. To that end, an individual plan of victim protection and support is prepared, reflecting all circumstances of the specific case of violence, which is the *raison d'être* of the Coordination and Cooperation Group.

99. In August 2016, the Minister in charge of family protection issued a *special order to all CSWs about the standards of procedure and work of the centres in response to the occurrence of domestic violence and in arranging protection for victims of domestic violence*. The aim of this order is to intensify the activities taken in response to the occurrence of violence and the activities taken to provide assistance and support to victims of domestic violence, as well as to ensure that the directors and experts at guardianship authorities take personal responsibility for consistent compliance with the duties imposed on guardianship authorities by laws and secondary legislation and set out in the general and specific protocols in this field. Furthermore, 32 CSWs have been subjected to control of their professional work and the legality of their activities.

100. In 2015 and 2016, with the support of the OSCE Mission, training was provided for the persons who work at the *Services for the Provision of Information to Harmed persons and Witnesses at Public Prosecutors' Offices, which were set up within Higher Public Prosecutors' Offices*. In 2016, the Republic Public Prosecutor's Office formed a working party tasked with preparing a General Mandatory Guide on the Manner of Acting of the Services for the Provision of Information to Harmed persons and Witnesses at Public Prosecutors' Offices, in order to improve the work of these services in accordance with international standards. In addition, the Republic Public Prosecutor's Office also participated in the development of the *Manual on Communication with Witnesses and Harmed persons in the Work of Public Prosecutors' Offices* within the framework of the same project.

101. During 2016, representatives of the Republic Public Prosecutor's Office continued cooperating with the OSCE Mission to Serbia on the project "Support to the Establishment of a National Crime Victim and Witness Support System in the R Serbia".

102. One of the preconditions for effective prevention of violence and protection of victims is effective training. For this reason, the Law on Prevention of Domestic Violence introduced the *mandatory specialist training for the staff of competent authorities* (the police, Public Prosecutors' Offices, courts). The training programme is prepared by the Judicial Academy, which also trains judges, public prosecutors and deputy public prosecutors, while training of the competent police officers is the responsibility of the Crime Police Academy. Between February and May 2017, training was provided to 410 police officers at 27 police administrations and at the head office of the MoI.

103. During the reporting period, the *Association of Public Prosecutors and Deputy Public Prosecutors of the R Serbia* also gave a significant contribution to the provision of training to public prosecutors and prosecutorial assistants on the protection of victims of domestic violence. Numerous training sessions were held, a number of projects were implemented and publications were printed to help clarify any dilemmas faced in practice and improve the protection of victims of domestic violence.

104. *Safe houses* operated by CSW are available in Kragujevac, Leskovac, Priboj, Smederevo, Vranje, Jagodina, Šabac, Niš and Majdanpek.

105. In the AP of Vojvodina there are 5 safe houses operated by Centres for Social Work, with the total capacity of 122 persons: in Novi Sad, Zrenjanin, Sombor, Pančevo and SremskaMitrovica. In the past period, the Provincial Government, in cooperation with the B92 Fund, supported the construction and fitting of the safe houses in Zrenjanin, Pančevo, Sombor and SremskaMitrovica with RSD 22,500,000.

106. The City of Belgrade provides financial support to the civil society organisation Counselling against Domestic Violence in Belgrade, which operates three safe houses for women who are victims of domestic violence. In accordance with the Decision on Social Protection Rights and Services, the City of Belgrade provides funds for different types of financial support, including the entitlement to permanent financial assistance available to victims of domestic violence. This entitlement is available for up to one year and its amount ranges between RSD 12,198 and RSD 31,714 per month, depending on the number of children in the family.

### **Issuing of Emergency Protective Orders**

107. The Law on Prevention of Domestic Violence provides for *two emergency measures*: the *emergency* measure of removing the perpetrator of violence from home and the emergency measure of prohibiting the perpetrator of violence from contacting or coming near the victim. The emergency measures are imposed by a police officer specialised in the prevention of domestic violence and they can be in effect for maximum 48 hours, with the possibility of imposing cumulative measures. Immediately after the service of an order, the police officer in charge presents the order to the basic public prosecutor with jurisdiction over the territory of the victim's permanent or temporary residence, as well as to a CSW and the relevant Coordination and Cooperation Group.

108. If the public prosecutor finds there is an immediate threat of domestic violence, he/she must file a *motion for extension of the emergency measure*. A single trial judge rules on the motion for extension of the emergency measure. Before passing a decision, the judge must give the perpetrator of violence an opportunity to respond to the allegations raised by the basic public prosecutor. The court weighs the risk assessment made by the police officer in charge and the risk assessment made by the basic public prosecutor and weighs the enclosed evidence and allegations contained in the motion submitted by the public prosecutor. *Emergency measures may be extended for a further period of 30 days by a court decision*. The basic court must decide on the motion submitted by the basic public prosecutor within 24 hours of receipt of the motion, even without holding a hearing.

109. The Law contains *penal provisions* which penalise infringements and achieve greater effectiveness of the emergency measures and protective measures against domestic violence.

A person who received or was extended an emergency measure or a protective measure against domestic violence under the Family Law may be sentenced to imprisonment for up to 60 days if the imposed measure is violated. The Law also provides for the imposition of infringement penalties on the responsible persons in state and other authorities, organisations and institutions if they fail to report to the police or a public prosecutor without delay any knowledge of domestic violence or an immediate threat of domestic violence.

### **Records of Cases of Violence**

110. *The Law on Prevention of Domestic Violence* imposes a duty to keep records of cases of domestic violence. *Such records are to be kept by Police Administrations, Basic Courts, Basic Public Prosecutors' Offices and Centres for Social Work. Central records will be maintained at the Republic Public Prosecutor's Office.* Furthermore, the Government is required to form a Council on the Elimination of Domestic Violence, which will monitor the implementation of the Law and improve the coordination and effectiveness of prevention of domestic violence and protection against domestic violence (Article 35).

111. In December 2015, the Republic Public Prosecutor issued a Mandatory Instruction which imposed a duty on Appellate, Higher and Basic Public Prosecutors' Offices to keep special records of criminal offences, including the criminal offence of domestic violence, in cases where urgent action is warranted. Such special records contain information about the perpetrators, the harmed persons, the criminal offences, the actions that were undertaken and the decisions that were passed by public prosecutors and courts, while in the case of hate crimes (Article 54a) they also contain information on the motivation for the commission of the criminal offence.

112. *Public Prosecutors' Offices* have a duty to provide the Republic Public Prosecutor's Office through Appellate Public Prosecutors' Offices with quarterly reports with the information contained in the special records by the 15<sup>th</sup> day of the last month in the quarter in respect of which the report is provided. Appellate Public Prosecutors' Offices are required to submit cumulative quarterly reports to the Republic to the Public Prosecutor's Office by the 18<sup>th</sup> day of the last month in the quarter in respect of which the report is provided.

113. In accordance with the Mandatory Instruction issued by the Republic Public Prosecutor, pursuant to the decision of the public prosecutor at the First Basic Public Prosecutor's Office in Belgrade of 18 February 2016, the *Unit for Combating Domestic Violence* was formed and the *Coordinator at the Unit for Interdepartmental Cooperation* was appointed.

114. Deputy public prosecutors have regular monthly contacts and meetings with representatives of CSWs and the police to ensure their activities and prevention efforts against domestic violence are as efficient as possible; also, contacts have been established with the Victimology Society of Serbia, the Autonomous Women's Centre and other CSOs to ensure better cooperation and joint action.

115. In the AP of Vojvodina, the Collection of Case Conferences on Domestic and Intimate Partner Violence against Women was published and distributed in 2016. It was based on the experiences gained through support to interdepartmental cooperation in 5 selected municipalities.

116. The model single records of cases of domestic violence, prepared in 2010 and tested in 2013, which the Provincial Secretariat had developed in cooperation with the Autonomous Women's Centre, were incorporated in the Law on Prevention of Domestic Violence and the AP implementing the National Strategy for Gender Equality 2016-2020.

117. In the territory of AP K&M, in the communities where Serbs and other non-Albanians live, domestic violence is not reported because of the people's distrust of the institutions of the system. The situation is exacerbated further by the abysmal safety situation, as well as the lack of alternative forms of care for persons exposed to violence or adequate support programmes.

## Article 6

### Women Trafficking

#### *Recommendation par.25*

118. The Strategy to prevent and eliminate Trafficking in Human Beings, in particular Women and Children, and to protect Victims of Human Trafficking in the Republic of Serbia 2017-2022 and the accompanying Action Plan are pending adoption. Currently in force is the Strategy to combat Trafficking in Human Beings in the R Serbia of 2006, which covers an unlimited time span.

119. Pursuant to a Decision passed by the Government, the *Centre for the Protection of Victims of Human Trafficking* was formed in April 2012<sup>6</sup>. The Centre, as a social protection institution, assesses the situation, needs and strengths of victims of human trafficking and the risks they face, identifies victims of human trafficking and provides them with appropriate assistance and support, to ensure their recovery and reintegration. The Centre coordinates the provision of social protection services to victims of human trafficking and cooperates with Centres for Social Work, residential social protection institutions and the MoI, Public Prosecutors' Offices, courts and other authorities to ensure that the best interests and safety of victims of human trafficking are always taken into consideration. Another important duty of the Centre is coordinating and making arrangements for voluntary repatriation of victims to their countries of origin. The Centre currently functions through the Service for the Coordination of Protection of Victims of Human Trafficking, while a Shelter for Emergency Accommodation of Victims of Human Trafficking is currently being formed. Victims of human trafficking have access to all services available in the social protection system in accordance with the Law on Social Protection and the Family Law.

120. The Service is available 24 hours a day at 063 610 590.

121. In January 2016, the Centre signed a Memorandum of Cooperation with the CSO Astra and since April 2017 it has also been cooperating with the Jesuit Refugee Service to make detailed arrangements for their mutual obligations concerning the accommodation of underage migrants who are victims of human trafficking. Numerous state authorities have signed Memorandums of Cooperation with civil society organisations (the Republic Public Prosecutor's Office with the Victimology Society of Serbia and the organisations Astra and Atina; the MoESTD with the Unitas Fund; the MoYS with the CSO "Your Serbia" etc.), which formalise cooperation in the field of prevention and elimination of human trafficking and stipulate in details the partners' roles in the process.

122. Indicators for preliminary identification of victims of human trafficking (education, children, adults and the police) were published in 2015. To ensure their proper implementation, experts in the social protection system, the police and the education system in 25 Serbian cities have received training.

123. During the reporting period, the percentage of identified female victims has been rising constantly every year except 2014, which was marked by a surge in labour exploitation of construction workers. In 2013, the percentage of identified female victims was 62%, in 2015 it was 80%, while in 2016 it was 82% of all identified victims.

#### **Overview of identified female victims of human trafficking, by age, between July 2013 and 31 March 2017**

<i>Form of exploitation</i>	<i>Underage victims</i>	<i>Victims of age</i>	<i>Total</i>
Sexual exploitation	28	51	79
Forced marriage	12	4	16
Labour exploitation	3		3
Forced begging	12	1	13
Forced criminal activity	1		1

<sup>6</sup> <http://www.centarzztlj.rs/eng/index.php>

<i>Form of exploitation</i>	<i>Underage victims</i>	<i>Victims of age</i>	<i>Total</i>
Illegal adoption	4		4
Multiple exploitation	7	6	13
<b>Total</b>	<b>67</b>	<b>62</b>	<b>129</b>

124. The OSCE Mission to Serbia supported the printing of the publication “Legal Framework and Recommendations for Implementation of the Non-Punishment Principle with Regard to Victims of Human Trafficking in the R Serbia”.

125. The territory of AP K&M is both a transit area for human trafficking – and to a lesser extent also a human trafficking destination – and recently also an area of origin of trafficked human beings. The predominantly Serb-populated communities have managed to stay out of the main flows of human trafficking, thanks to education and awareness-raising.

## Article 7

### Participation of Women in Political and Public Life

#### *Recommendation par.27*

126. The R Serbia held general and local elections on 24 April 2016. Women account for 34.54% of the new convocation of the National Assembly and the figures are similar in each of the city and municipal assemblies. Apart from the Speaker of the National Assembly, 85 of the 250 members of parliament are women. The female members of parliament are gathered in the Women’s Parliamentary Network.

127. After the presidential election in May 2017, changes have also been made in the composition of the Government. For the first time in history, on 30 June 2017 the National Assembly of the R Serbia appointed a woman as Prime Minister. Out of the 21 sectors of the Government, four are headed by women, one of whom is also a Deputy Prime Minister and the Chairperson of the CBGE.

128. Five women are heads of administrative districts, while 12 are mayors of cities and chairpersons of municipalities (out of 168 in total). Out of the total number of civil servants, 62.4 % are women; women occupy 53.23% managerial positions and 45% of appointed civil servants are women.

129. In 2015, the share of women in commanding positions in the security system of the R Serbia was 19.68%, which was 5.21% higher than in 2010.

130. The R Serbia has 15 women as heads of its diplomatic and consular missions in the world (11 ambassadors and 4 consuls general). From June 2013 to December 2014, a woman served as Serbia’s diplomatic representative at the Centre for Security Cooperation in Croatia. At present, there are no women in the military diplomatic corps of the Republic of Serbia abroad.

131. The Law on Employees in Autonomous Provinces and Local Self-Government Units provides for the principle of equal availability of posts to all job applicants. Decisions on employment must ensure that the ethnic composition, shares of each gender and the number of persons with disabilities among the employees reflect the structure of the population to the greatest possible extent. In accordance with this Law, the Government passed three regulations setting out the criteria for categorisation, description and staffing of employee and civil servant posts in autonomous provinces and local self-government units.

132. The Provincial Government of the AP of Vojvodina has 11 members in total, one of whom is a woman. The share of female members in the Assembly of the AP of Vojvodina is 35.8%.

133. Out of the 2,050 employees in the Administration of the City of Belgrade, 1,241 are women (60%). The gender structure of middle and higher management is biased towards

women, with 268 women (63.8%) compared with 171 men (36.2%). Out of this number of women in managerial positions, 259 have higher education qualifications.

134. The new NAP provides for the activities of gender mainstreaming and involvement of a higher number of women in the provision of information and dialogue between the governments in Belgrade and in Pristina. These activities are implemented by the Office for Kosovo and Metohija, with the following involved as partners in their execution: state and local self-government authorities, the academic community, CSOs and the media. In cooperation with the Southeast and East European Countries' Clearinghouse for the Control of Small Arms and Light Weapons, the association SeConS held a two-day workshop for representatives of the MoD and the Serbian Armed Forces (SAF), which addressed the issues of human resources management. The aim of the trainings was to improve the attendee's knowledge and skills concerning gender data analysis and to enable them to use those to formulate gender-responsive policies, with the aim of increasing gender equality at the MoD and in the SAF.

135. An important novelty included in the Draft Law on Gender Equality is the requirement that the election or appointment of permanent delegations representing the Republic of Serbia in international bodies must ensure that the share of the underrepresented gender is at least 40%. The same rule would also apply to the election and appointment to certain positions, formation of working bodies and composition of official delegations. Furthermore, the managing and steering bodies of political parties, trade unions and professional associations would have to ensure that the share of the underrepresented gender is at least 40%.

## Article 10

### Education of Women

#### *Recommendation par.29*

136. As regards primary education, there are no major differences between the number of boys and girls enrolled in the first grade, with girls accounting for 49% and boys accounting for 51%. However, girls' academic achievement is much higher than boys' both in primary and in secondary education. Three-year vocational secondary schools are completed by twice as many boys as girls. Girls still outnumber boys in the following education fields: textile and leather industries, personal services, chemistry, non-metals, graphic design and health care and social protection. Among the pupils who complete four-year general secondary education ("gymnasiums") there are more girls (58%) than boys (42%). There are also more girls among the pupils who complete four-year secondary vocational schools (52% girls versus 48% boys). Boys outnumber girls in the following fields: electrical engineering, mechanical engineering and metalworking, geodesy and construction, transport, forestry and wood-processing and geology and mining. According to the PISA 2012 results, girls score higher on reading and scientific literacy, while boys score higher on mathematical literacy. Most of those who enrol in and complete advanced secondary schools and university schools are women. They account for 58% of enrolled students and 59% of graduates (according to the 2015 figures). In 2015, women accounted for more than a half of the graduates in the following fields: education (87%), health care and social protection (73%), arts and humanities (71%) and social science, business and law (61%). Men accounted for a majority of graduates in the following fields: technology, manufacturing and construction (65%), natural sciences, mathematics and information technologies (54%), agriculture and veterinary medicine (54%) and services (51%). Men are more computer literate and most Internet users across most age groups.

137. Roma women are the least educated group of women and have the highest illiteracy rate – about 80% of them are formally illiterate or hold no qualifications. Although they perform better academically than boys, they often drop out of school during puberty under pressure from the patriarchal tradition. Girls are expected to marry early and take care of their family and household. A combination of poverty and patriarchal tradition often leaves Roma women in a "vicious circle" of poverty. The low level of education and qualifications reduces their chances of successful inclusion and contributes to their vulnerability and greater

exposure to discrimination, violence and health hazards. Roma women account for 70% of the total number of illiterate women.

138. The *Law on Adult Education* governs the education and lifelong learning of adults as part of the single system of education in the R Serbia. Adult education takes place through formal and non-formal education, as well as through informal learning, which may be provided by a primary or secondary school or another organisation, if it is registered as an education provider and approved by the MoESTD. The Law sets out equal opportunity as one of the principles of this type of education. The principle of equal opportunity is defined in Article 3 as the inclusion in education and the acquiring of an education regardless of age, gender, developmental impairments and disabilities, disability, racial, national, social, cultural, ethnic or religious background, language, sexual orientation, place of residence, financial or health status and other personal traits. The objectives of adult education include the development of democracy, interculturality and tolerance (Article 4). Regarding the use of language, adult education is provided in Serbian according to the Law, while members of national minorities may also attend adult education in their mother tongue or in bilingual classes, if at least 50% of learners or candidates opt for it at the time of enrolment. Members of national minorities have the right, when participating in the process of validation of prior learning, to choose whether the procedure should be conducted in his/her mother tongue or in Serbian. It is stipulated that the education of candidates and learners who use sign language or a special script or other technological solutions is to be provided in accordance with the law, but it is not specified which law. The Law provides for the formation of sector skills councils, as the professional bodies covering sectors of work in accordance with the Uniform Classification of Activities (Article 12). It also provides for a possibility of local self-governments forming Adult Education Councils to enable more efficient monitoring and provision of adult education and passing of Annual Adult Education Plans. Several local self-government units may form a joint Adult Education Council (Article 15).

#### **Simplified Procedures for Enrolment in Pre-School Institutions and Primary Schools**

139. According to the *Law on Pre-School Education*, parents or guardians whose children are not included in educational work provided at pre-school institutions (PSU) must enrol their children between the ages of 5.5 years and 6.5 years in a pre-school institution (PSU) or a preparatory pre-school programme (PPP), while PSUs or primary schools must admit every child to attend the PPP, regardless of the parents' residence address. Attendance of the programme is free of charge.

140. Children who are foreign nationals, stateless children, children belonging to vulnerable groups without evidence of permanent residence or other personal documents and child refugees or internally displaced persons are enrolled in PSUs or schools providing a PPP under the same conditions which apply to Serbian nationals. Furthermore, hospitalised children may attend the pre-school programme in appropriate medical institutions, while children who are unable to attend a pre-school institution due to illness or other justified reasons may participate in the programme at home.

141. The *Strategy on Social Inclusion of Roma Men and Roma Women* and the *Strategy for the Development of Education in Serbia 2020* set out measures to ensure full coverage of all children aged between 5.5 and 6.5 years, in particular children from marginalised groups, who are afforded preferential treatment at enrolment, with emphasis on children with emotional issues or behavioural or learning disorders, children whose problems are due primarily to socioeconomic reasons or the fact that they attend courses in a language other than their mother tongue, in particular Roma children, children from impoverished social groups and from families with low education levels, as well as children from rural areas.

142. According to the *Law on Pre-School Education*, children belonging to vulnerable groups are entitled to preferential treatment in enrolment. The *Rulebook on Detailed Conditions for Establishing Priorities for the Enrolment of Children in Pre-School Institutions* sets out the criteria for priority enrolment and assigns the highest level of priority to children from socially disadvantaged backgrounds.

143. The LBEES governs this systemic support measure, as already described in the section *Temporary Special Measures in the Field of Education*. The application of these provisions

has contributed significantly to an increase in the number of Roma children enrolled in primary schools. School-age children in Roma settlements enrol in primary school on time in 69% of all cases (as opposed to 97% in the general population). In total, 64% of Roma children complete primary education, which is significantly more than in 2005 (28%). The MoESTD is actively involved in the international initiative “Second Decade of Roma Inclusion 2015-25”.

### **Review of Teaching Materials and Textbooks**

144. The MoESTD passed the *Rulebook on Quality Standards for Textbooks with Instructions for their Application*. This Rulebook sets out the textbook quality standards which must be met by textbooks, electronic aids, manuals and teaching materials, additional teaching tools, didactic materials and didactic play materials which are approved for use in pre-school, primary or secondary education in a procedure provided for by the Law. The standards serve as the basis for the passing of professional evaluation of textbook manuscripts, professional opinions on the manuscripts of textbooks and teaching materials, additional teaching tools, didactic materials and didactic play materials and expert opinions. The standards are worded as statements and constitute the conditions which must be met by teaching aids in order to be approved for use. They relate to the content, the applicable pedagogical, psychological, didactical, methodological and linguistic requirements, as well as to the graphic design and technical features of a teaching aid. Indicators are provided for each standard to define it in more detail.

145. The quality of textbooks and teaching aids is the responsibility of the Institute for the Advancement of Education (IAE). The Institute cooperates with the relevant institutions in charge of protecting citizens' equality. According to the Law on Textbooks, if a working group suspects, when issuing a professional opinion, that there are elements of discrimination on any grounds, it sends a letter to the Equality Commissioner, an independent institution in charge of these issues, asking for the Equality Commissioner's opinion concerning the suspicion. The same applies to the quality assessment of trainings for the professional development of employees in the education system, which are listed in a Catalogue that is currently being developed by the IAE. The Catalogue for school years 2015/16 and 2016/17 includes 26 accredited trainings for the professional development of teachers which address the issue of combating discrimination and violence and one training that directly concerns gender equality. One of the objectives of teaching and learning is to enable the exercise of citizens' rights and responsibilities and to accept and develop interculturality as a fundamental value of a democratic society.

### **Education on Sexual and Reproductive Health**

146. The *Rulebook on General Standards of Achievement at the End of General Secondary Education and Vocational Secondary Education* also defines cross-curricular competencies, including care for one's health. This competency means that pupils are capable of understanding the harmfulness of using certain medications and psychoactive substances (nicotine, alcohol, drugs), the importance of hygiene and reproductive health care etc.; in this context, teachers have a duty to teach pupils how to develop these competencies.

147. Secondary schools offer Health Education as an extracurricular activity covering the following topics: hygiene, mental hygiene, reproductive health care, addictions and eating disorders, changes in puberty and adolescence and occupational safety and health, which are included in the annual work plans and programmes of schools. The course is taught by teachers and teaching assistants within specific subjects, in cooperation with local medical institutions or within the framework of projects, including Skills-based Health Education (with UNICEF) in secondary schools and Creative Work with Children to prevent Drug Abuse (with the MoH) and Safe Childhood (with the MIA) in primary schools.

148. The MoESTD has collaborated intensively with the MoH and the Institute for Public Health of Serbia to prepare and implement the Strategy for the Fight against Drugs, to implement the INSADA Twinning Programme etc. The Institute for Public Health of Serbia is implementing programmes with a network of 23 regional institutes for public health through teamwork between health care professionals and assistants employed at medical

institutions and teachers who perform health promotion activities in the community, in pre-school institutions and in schools.

149. In the AP of Vojvodina, the Provincial Secretariat for Youth and Sport has in recent years funded an extracurricular subject titled Health Education on Reproductive Health, which has been implemented in about one hundred schools as a project activity, with the support of qualified trainers.

150. According to the available data, 95% of the population in the territory of the AP of K&M is enrolled in compulsory primary education, with higher enrolment rates among Albanians and Serbs than among other ethnic communities. The results of certain surveys have also shown that men and boys in the territory of K&M have higher education levels than women and girls.

## Article 11

### Work and Employment of Women

#### *Recommendation par.31*

151. Under the Labour Law, employees are guaranteed equal pay for equal work or work of equal *value* and any decision of the employer or agreement with the employee that breach this provision are null and void. Employees are entitled to compensation of damage in case of violation of this right.

152. The Draft Law on Gender Equality outlaws unequal pay for equal work or work of equal value. It also outlaws harassment, sexual harassment and sexual blackmail of women in the workplace.

153. In 2016, the *employment rate* of women of 48.4% was still significantly lower than the employment rate of men, which was 61.9%. The difference in employment rates between men and women aged 15-64 in 2016 was 13.5 percentage points. Between 2014 and 2016, the employment rate of women increased by 4.7 percentage points (from 43.7% to 48.4%). The *unemployment rate* of women in 2016 was 16.7%, while the unemployment rate of men was 15.3%, making a difference of 1.4 percentage points. Between 2014 and 2016, the unemployment rate of women was reduced by 4.3 percentage points (from 21.0% to 16.7%).

#### Key labour market indicators by gender, population aged 15-64

<i>Rates, 15-64 age group</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>
	General rate		
Employment rate %	50.7	52.0	55.2
Unemployment rate %	19.9	18.2	15.9
	Men		
ER %	57.7	59.1	61.9
UnER %	19.1	17.4	15.3
	Women		
ER %	43.7	44.9	48.4
UnER %	21.0	19.3	16.7

*Source: LFS, SORS*

154. According to the NES figures of December 2013, the share of women in the total number of registered unemployed persons was 51.13%; in 2014/51.09%; in 2015/51.37%; in 2016/51.48%. The share of women in *the total number of persons covered by active employment policy measures* between 1 July and 31 December 2013/54.87%; in 2014/53.76%; 2015/52.75%; and in 2016/52.95%.

155. The share of women in the total number of *persons facing difficulties in finding employment* in 2014/56.22%; 2015/54.90%; and in 2016/55.02%.

156. Promotion of female entrepreneurship was a priority activity for the NES.

	July - December 2013	2014	2015	2016
Women who attended entrepreneurship development training	995	5,053	5,515	5,802
Women who started their own business with self-employment subsidies	221	363	1,688	1,563

157. The share of women in the total number of *employed persons on the records of the NES* in 2013 was 53.28%; 2014/52.73%; 2015/51.32%; 2016/51.79%. The data show that the number of women who start their own business with the government's financial support is increasing.

#### **Status of Women in the Labour Market**

158. According to the NES unemployment figures of December 2013, the share of unemployed Roma women in the total number of unemployed Roma persons was 45.92%; 2014/46.13%; 2015/46.53%; 2016/46.01%. In accordance with the strategic documents, Roma were given priority for inclusion in active employment policy measures.

159. The recommendations relating to increasing employment opportunities under the Strategy for Improving the Status of Roma in the R Serbia have produced effects in terms of increased coverage of Roma men and women with training programmes, in particular through their inclusion in programmes for functional primary adult education, as well as active job-seeking programmes designed to enable them to acquire skills and motivate them for active job-seeking.

160. The share of Roma women in the total number of *employed Roma persons on the records of the National Employment Service* in 2013 was 39.67%; 2014/39.76%; 2015/37.61%; 2016/36.92%.

#### **Status of Women with Disabilities in the Labour Market**

161. The Law amending the Labour Law, which came into force on 29 July 2014, imposed a duty on employers to enable employees to work according to their physical ability, in accordance with the law. If an employer has no appropriate posts, he may make such employee redundant subject to the payment of severance pay.

162. According to figures of December 2013 as per the records of the NES, the share of women in the total number of unemployed persons *with disabilities* was 32.85%; 2014/34.03%; 2015/ 36.39%; 2016/36.79%.

163. The share of women in the total number of persons with disabilities covered by active employment policy measures was 40.90% in the second half of 2013; 2014/40.38%; 2015/ 39.33%; 2016/42.46%.

164. The share of women in the total number of employed persons with disabilities on the records of the NES in 2013 was 38.20%; 2014/37.35%; 2015/38.31%; 2016/40.38%.

165. The funds allocated for the professional rehabilitation and promotion of employment of persons with disabilities from the Budget Fund for Professional Rehabilitation and Promotion of Employment of Persons with Disabilities amounted to RSD: 700,000,000/2013; 519,000,000/2014; 500,000,000/2015; and 550,000,000/2016.

166. During the reporting period, activities of the NES were focused on counselling for unemployed persons who face difficulties finding employment in order to assess the possibilities of their employment and inclusion in active employment policy measures, as well as visits and provision of information to employers and participation in thematic meetings, round tables and debates, with the aim of promoting the employment of persons who face difficulties finding employment and the particularly vulnerable categories of the

unemployed. Through project activities, the NES has established cooperation with the social partners, taking into account the importance of interdepartmental cooperation in the process of integration of these persons in the labour market.

167. Since 2013, the Chamber of Industry and Commerce of Serbia has held its regular event called “Girls’ Day” every April. It is an opportunity for more than a thousand female pupils of the eight grade of primary school to visit successful companies managed by women, in spheres of work that are not typically associated with women. The aim of this activity is to overcome the stereotypes about male and female professions. Almost all schools in the territory of the Moravički District participated in this event and visited more than 30 companies.

### **Balancing Professional and Private Life**

168. In the territory of the R Serbia, each local self-government operates support services for families and children – CSW and guardianship authorities. In accordance with the powers vested in them under Article 12 of the Family Law, the primary duty of these social protection institutions is to provide assistance and support to families and children, in particular in the fields of marriage, divorce, relationships between parents and children, financial support, dysfunctional family relations etc. Many LSGs also have specialised institutions for intermediation in family relationships – marriage and family counselling services, developmental counselling services etc. These institutions provide their services to citizens free of charge.

169. Particular attention is attached to balancing private and professional life. In collective bargaining at all levels, social partners have a duty to work together to undertake special measures which would encourage employed fathers to use their entitlement to paid absence from work for child care and special child care.

170. *The Labour Law prohibits harassment and sexual harassment.* In case of discrimination, a job-seeker or an employee may sue the employer for damages before the competent court, in accordance with the Law. Provisions of the *Law on Prevention of Workplace Harassment* also apply to cases of sexual harassment. This Law requires employers to provide protection, while employees may also seek protection before courts. Compliance with this Law is supervised by the Labour Inspectorate.

### **Recording and Categorisation of Data in the Field of Employment**

171. Under the Draft Law on Gender Equality, public authorities, employers and standing bodies on gender equality are required to record data relating to the status of women and men in the exercise of gender equality, including gender-segregated data on wages, data on the status of women and men in the labour market and the number and nature of court cases and appeals relating to gender-based discrimination and sexual harassment in the workplace. These data provide the basis for e.g. identifying potential differences in wages for equal work or work of equal value between men and women on the basis of the wage figures and for the proposing and passing of measures to eliminate the gender wage gap. All recorded data must be presented in identical order to enable standardisation of reports, comparability of the collected data, conducting of analyses of the existing levels of gender equality, proposing of appropriate measures and strategic implementation of an equal opportunity policy.

172. K&M have the highest unemployment rate in the region. About 42% of women are unemployed, versus 33% of men. The long-term unemployment rate is particularly unfavourable in case of women. Women’s decision whether to participate in the labour market is influenced by their personal and family duties.<sup>7</sup> There are figures that reveal differences in terms of gender balance in the workplace. Unlike women, men work on higher positions, which also pay better. The higher the qualification level, the lower the difference between men and women, which is an effect of the equality associated with education.<sup>8</sup> There

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<sup>7</sup> Statistical agency of Kosovo, 2014

<sup>8</sup> Kosovo Human Development Report, UNDP 2016

are also differences in terms of income, with men earning three times as much as women in K&M.

## Article 12

### Health Care of Women

#### *Recommendation par.33*

173. *The Law on Health Care* and the *Law on Health Insurance* provide for health care free of charge for all insured persons, as well as for all girls, pregnant women and nursing mothers, regardless of their insurance status.

174. Results achieved in connection with partial improvement of health of male and female Roma and availability of health care and health insurance coincide with introduction of *female health mediators*, who made first 37,502 visits to Roma families from 1 January 2009 to 31 May 2014 during which 140,408 male and female citizens of Roma ethnicity were registered – 46,453 women; 43,201 men and 50,754 children; over two hundred visits were made to families who needed assistance in obtaining personal documents, exercising entitlement to health insurance, inclusion in the health system (gynaecologist examination for women, selection of physicians, vaccination of children and selection of paediatricians), in enrolment of children in schools, in exercise of entitlement to various forms of assistance (one-off financial assistance, Red Cross assistance, child allowance, scholarship etc.) and also 170,278 visits to families or family members for the purpose of health education through planned conversations.

175. Female health mediators personal documents and health insurance cards for 16,330 citizens; they assisted 28,003 female and male Roma to select their physicians; they had influence on the increase of the number of vaccinated children (30,018) and adults (2,719), as well as on the improvement of health control for 4,500 pregnant women and nursing mothers, on 11,177 women to select their gynaecologists and on inclusion of 12,617 women in medical examination. A free-of-charge parent counselling helpline was launched in May 2016.

176. Under the Government's Decision of 30 August 2014, the *Budget Fund for Treatment of Diseases, Conditions or Injuries Which Cannot Be Treated Successfully in the R Serbia* was founded. The Fund has been opened to provide additional funds for treatment of diseases, conditions or injuries, as well as for treatment of patients with certain types of rare diseases which are curable, but cannot be treated successfully in the R Serbia, and for which the Republic Health Insurance Fund cannot provide sufficient amount of funds from compulsory health insurance contributions and other financing sources in accordance with the Law.

177. In 2016, refurbishment of primary, secondary and tertiary health care institutions across Serbia has been initiated. After investment of almost 700 million dinars, many hospitals were redesigned to better suit the needs of both patients and physicians. Serbia introduced 23 innovative drugs in 2016, of which one is used for treatment of ovarian cancer. Four linear accelerators have been purchased and purchasing of additional eight linear accelerators, which will be distributed in Belgrade, Nis, Kragujevac and Kladovo, is planned. After purchase of a gamma knife, which was used to provide necessary medical assistance to 1,014 patients, the MoH also plans to purchase a cyber knife used for treatment of small tumours. EUR 7.5 million was invested in refurbishment of the Clinic for Gynaecology and Obstetrics. 21 ambulances were ensured for 15 hospitals in Serbia from money collected from suspended criminal prosecution (the principle of opportunity) in the amount of RSD 350 million, which was allocated on the basis of a competition of the MoJ.

178. Under the project "Welcome to the World, Baby", which was implemented by MPALSG, the MoH and MIA, a new service has been introduced in April 2016, which provides an opportunity for parents to electronically register their new-born babies with the registry of births and to obtain health insurance cards and registration of residence.

179. As regards health care for women with disabilities, there is still a lack of technical equipment, primarily hydraulic gynaecology chairs. Education of medical staff is continual.

As part of a project supported by the OHMR in 2015, association “Out of Circle” printed a handbook “Right of Women with Disabilities to Parenthood and Family”. The handbook is the result of a survey implemented during the above project titled “Improvement of the Right of Women with Disabilities to Parenthood – from Life to Policy” and shows the main issues still faced by women with disabilities in Serbia.

180. The MoH founded a Working Group which prepared the Draft National Programme for Preservation and Improvement of Sexual and Reproductive Health and Rights in the R Serbia, the adoption of which by the Government is planned by the end of 2017 under the work plans of the MoH and the Government. Inclusion of abortion expenses in the health insurance system requires a multi-sectoral approach, primarily participation of the Republic Health Insurance Fund.

181. The provision guaranteeing non-discriminatory functioning of the health care system in AP K&M does not include *ethnic origin*<sup>9</sup> as a basis for discrimination. In hospitals where exclusively staff speaking the Albanian language is employed, non-Albanian population fears to use health care services, which shows that one of the main issues of minority communities is secondary health care<sup>10</sup>. Displaced persons and returnees in isolated communities in Albanian environment are particularly vulnerable.

182. According to the data of the Office for K&M, inadequate availability of preventative healthcare for women is a problem caused by financial reasons, insufficient family and community support and lack of privacy and confidentiality.

## Article 13

### Improvement of Status of Women in Sports

183. *The Law on Sports* sets out that every person has the right to engage in sport activities and that sport activities humane, free and voluntary, healthy and safe, available to all citizens under equal conditions regardless of their age, physical fitness, the degree of possible disability, gender and other personal characteristics and any discrimination, including hate speech, is prohibited in sport. Public authorities at all levels are responsible, whether directly or by enabling others, for improving availability of sports and sport capacities for all persons regardless of their social origin, financial status and income, age, sex or ethnicity (Article 4).

184. On the basis of the *Regulation on National Recognitions and Awards*, MoYS awards national recognitions for 544 athletes, of which 138 are female athletes and this trend of 25.3% has been maintained during the reporting period.

185. MoYS grants scholarships on the basis of the *Bylaw on Detailed Requirements and Criteria for Granting of Scholarships to Top Athletes and Financial Assistance to Top Athletes*. In 2016, 381 scholarships were granted (240 male and 141 female athletes), while 401 scholarships were granted in 2017 (254 male and 147 female athletes), which means scholarships were granted to 36.6% female athletes and this trend has been maintained during the reporting period.

186. According to the Institute of Sport and Sports Medicine of the R Serbia:

- On the basis of data registered with the National Records of Sports Organisations by representatives of 3,727 sports organisations and registered data on 6,274 on representatives of managing bodies of organisations, women account for 13.4% compared with men. Of 6,274 officials in sports organisations, 837 are women.
- The national records of results achieved by athletes in significant international competitions show the number of women who won medals:

<sup>9</sup> Article 12 of the Law on Health Care of Kosovo, Nos. 2004/31

<sup>10</sup> This is also a conclusion of the ICMPD study of the health care system in Kosovo and Metohija. ICMPD legal team: *the Report on Gap and Needs Analysis of the Legal Framework, Including recommendations for Revisions and Supporting Legislation*, Belgrade, July 2006.

<i>Medallists in significant international competitions</i>					
<i>Year</i>	<i>Women</i>	<i>Men</i>	<i>% of women</i>	<i>% of men</i>	<i>Total</i>
2013	334	514	39.39	60.61	848
2014	281	300	48.36	51.64	581
2015	296	455	39.41	60.59	751
2016	421	485	46.47	53.53	906
Total	1,332	1,754	43.16	56.84	3,086

187. The following two programmes are implemented as part of sports and recreational programmes: “Trim” programme for women and “Fit Mama”, programme for nursing mothers. In the reporting period, 5,985 women participated in these programmes.

188. The director of the Anti-Doping Agency is a woman and one third of members of the Managing Board are also women. Also, the president of the Managing Board is a woman and one of the two vice presidents of the Managing Board is a woman. Of 48 authorised anti-doping controllers, 22, or 46%, are women.

189. The Government passed the *Sport Development Strategy in the R Serbia for the period 2014 – 2018 and the Action Plan for its implementation* and its expected results among other things is inclusion of more women in both sports activities and managing tasks in organisations in the field of sports, including the share of at least one quarter of women in managing authorities and bodies in organisations in the field of sports.

190. In accordance with the Law on Youth, MoYS finances programmes and projects implemented by youth associations, associations for the youth and their federations, as well as LSGU and offices for the youth. In the reporting period, MoYS financed 20 projects on the following topics with a total amount of RSD 17,637,800: the fight against discrimination, violence and extremism of young people; promoting and supporting non-violence, equality, tolerance; reproductive health; psycho-social support; employment of young women etc.

## **Article 14**

### **Women in Rural Areas**

#### *Recommendation par.35*

191. From 2012 to 2014, in accordance with the Danish programme for development of fruits sector in South Serbia, five competitions to support fruit growing were organised for the region of South Serbia. In scoring and ranking, women who are holders of title of farms received 10 extra points. Of 340 financed fruit growers, 53 were women (15.59%).

192. This practice was then integrated in the *Bylaw on Incentives for Improvement of Economic Activities in Rural Areas through Support to Non-agricultural Activities*. From 2014 to 2016, the Ministry of Agriculture and Environment Protection paid subventions in the amount of about RSD 60 million for 144 women to whom preference was given because they submitted bidding dossiers as holders of title of farms.

193. *The Agriculture and Rural Development Strategy of the R Serbia for the period 2014-2024* shows the status of gender equality in rural areas, in particular in the domain of economic participation in rural population. Women have a lower share of active persons, less employed persons and less persons engaged in activities outside agriculture than men. As regards regional differences, it is observed that the AP of Vojvodina has a slightly lower share of employed persons among women than among men, which does not mean that their financial status is better because less women are employed in the non-agricultural sector than men, women are less engaged in agriculture and a significantly higher number of women are inactive. The status of women is much more unfavourable in South and East Serbia, where gender differences are particularly observable in all segments of the labour market.

194. In the *Draft National Rural Development Programme of the R Serbia for the period 2015–2020*, within planned measures in the selection criteria, preference is given to female entrepreneurs or women who are holders of title of farms. *The Bylaw on Incentives for Improvement of Economic Activities in Rural Areas through Support to Non-agricultural Activities* specifies in detail the types of incentives for improvement of economic activities in rural areas through support to non-agricultural activities, the requirements, the manner and the application form for exercise of entitlement to incentives, as well as the maximum amounts of incentives by user and by types of measures.

195. The ministry competent for labour and employment announced in November 2016 the Competition to Support Project for Financial Empowering of Women, within which 12 projects were selected, including projects for production of organic food. The total value of these products is three million dinars and they were implemented in the first half of 2017.

196. Improved availability of female entrepreneurship has been increased for the first time in 2017 through credit support measures, with a more favourable interest rate of 1 % for women who are owners of farms. In addition, women who members of farms will this year for the first time have paid maternity leave. Cadastre reform has been continued to ensure monitoring of registration of property of owners of both sexes with the cadastre and to undertake further incentives in terms of improved access of women to loans and credits and their financial empowering.

197. An additional measure for economic empowering of women is implemented through a possibility for spouses to register their titles to real estate under the lowest fee when they jointly buy properties. The objective of the measure is to increase the number of women registered with the cadastre, to protect women's property rights over joint property and thus to contribute to their gender equality and financial empowering.

198. Several programmes were implemented in the AP of Vojvodina aimed at improvement of the status of women in rural areas:

- “Organic Food – An Opportunity for Everyone” programme on organic agriculture and starting of bio-gardens was intended for women in rural areas who formed start-up agribusiness companies.
- A competition for funds to promote local events as tourism offer in rural areas supported 19 projects in 2013, 20 projects in 2014 and 40 projects in 2015.
- A competition to support programmes and activities of women's associations in rural areas in the Autonomous Provinces of Vojvodina aimed at financial empowering of women in rural areas supported 32 projects in 2013, 31 projects in 2014 and 39 projects in 2015.
- A competition for financing of project for affirmation of rural areas as a tourism potential – “Postcard Village” supported 13 projects in 2013 and 21 projects in 2014.

199. The Chamber of Commerce and Industry of Serbia implemented in 2013 a project to support young women in rural areas and their active inclusion in entrepreneurship. Experienced female entrepreneurs, as mentors, provided assistance to young women and an actual result achieved by twenty mentoring couples is reflected in mobilisation and inclusion of women in rural tourism, production of healthy traditional food and opening of a travel agency.

200. Amity association, with support from the International Women's Club, implemented in the second half of 2014 a project titled “Provision of Support to the Elderly in Rural Areas in Access to Rights” worth EUR 10,000. 10 workshops on the topic “Recognition of Human Rights of the Elderly and How Can They Access Them without Being Discriminated” were implemented in 10 underdeveloped municipalities in Serbia. 277 older persons participated in these workshops, of which 182 women have been empowered to recognise discrimination and respond to it using available complaint mechanisms.

## Article 15

### Equality before Law

*Recommendation par.37*

#### Protection Mechanisms for Refugees, Migrants and IDPs

201. According to the *Law on Refugees*, the *Law on Migration Management* and the *Law on Asylum*, the Commissariat for Refugees and Migration (CRRS) keeps *databases on refugees and internally displaced persons and records of asylum seekers/migrants staying in permanent and temporary asylum reception centres*. All databases are updated on a daily basis. Records available to CRRS contain personal data (name, surname, gender, date of birth) and the socioeconomic status of persons (except for asylum seekers/migrants). The socioeconomic status includes the economic status, the employment status, income, the health status etc. Women belonging to vulnerable categories can be specifically identified on the basis of data on the employment status, the source and amount of income, the marital status and the position in family.

202. In addition, in previous years CRRS implemented surveys of refugees and IDPs on the basis of which analyses of the situation and needs of refugees and IDPs in the Republic of Serbia were made. A new analysis of the needs of IDPs is currently underway.

203. *The National Strategy for Resolving Problems of Refugees and Internally Displaced Persons*, which was revised in 2015, as well as *local action plans for resolving problems of refugees, internally displaced persons and returnees according to the Readmission Agreement*, which were adopted in 145 municipalities/cities in Serbia, through housing arrangement and financial empowering projects, based on bylaws of municipal commissions, put an emphasis on particularly vulnerable categories (women who are holders of family households, single-parent families, victims of domestic violence).

204. In the previous six years, CRRS has been developing the *Migration Profile of the Republic of Serbia* which is used to monitor migration flows and trends in the country and to introduce and develop migration data collecting mechanisms. It is updated every year and where possible, all data are classified by sex and age and also by other categories.

205. The *Law on Asylum* sets out that discrimination on any basis, in particular race, colour, sex, ethnicity, social origin or a similar status, birth, religion, political or other beliefs, financial status, culture, language, age or intellectual, sensory or physical disability, is prohibited in the asylum approval procedure in the R Serbia (Article 7). Asylum seekers are interrogated by persons of same sex and translators or interpreters of same sex are ensured, except in cases when this is impossible or involves disproportional efforts for an authority conducting the asylum-seeking procedure (Article 14). The authorities take into account specific circumstances of persons with special needs, such as underage persons, persons declared fully or partially legally incompetent, children separated from parents or guardians, persons with disabilities, the elderly, pregnant women, single parents with underage children and persons who were exposed to torture, rape or other serious forms of psychological, physical or sexual violence (Article 15).

206. As part of harmonisation of national regulations with legal instruments of the European Union regulating the field of asylum, the Draft *Law on Asylum and Temporary Protection* was prepared. *The Asylum Office* was formed on 14 January 2015 within the Border Police Administration and it conducts the first-instance asylum procedure. *The Asylum Commission*, as an independent authority, passes second-instance decisions and it consists of the president eight members appointed by the Government for a four-year term. Asylum seekers can lodge complaints with the Administrative Court against decisions of the Commission and initiate an administrative dispute.

207. To ensure urgent and coordinated actions during increased inflow of migrants, the Government formed on 6 June 2015 the *Working Group for Resolving Problems of Mixed Migration Flows*. The Working Group was formed to monitor, analyse and review issues of mixed migration flows in the R Serbia with a special focus on problems in this field, makes

analyses of the situation and proposes measures to address the observed issues and to bring into compliance positions of competent public authorities and other organisations and institutions dealing with issues of mixed migration flows. In Serbia, 143 municipalities adopted local action plans (LAP), which are a good migration management mechanism, in accordance with specific needs of the migrant population in each local community.

208. All *asylum centres and reception and transition centres* have separate rooms for single women and men. All centres provide access to a gynaecologist in a medical centre in their territories and access to international organisations responsible for reproductive health of migrants, which ensured constant access to information and services. Persons are placed in accommodation with due respect of the principles of non-discrimination, family unity, gender equality and special care for asylum seekers with special needs. In addition, the CBGE, with support from the UNPF, supports and coordinates work on passing of the Standard Operative Procedures for prevention of and protection of refugees and migrants from gender-based violence.

209. MLEVSA and UNHCR provided 5 trainings for employees in the social protection system on the topic “Promoting Tolerance, Combating Discrimination and Respecting the Rights of Internally Displaced Persons in Serbia in Search of Permanent Solutions”. Two trainings were held in May and June 2017 (CSW in Vranje and Pozarevac), while the remaining three trainings will be held by the end of the year (in CSW in the territories of which live internally displaced persons of Roma ethnicity).

210. Access to asylum centre was provided to civil society organisation and international organisations dealing with the issues of protection of refugees and women (UN High Commissioner for Refugees, UNHCR, UN WOMEN). In addition, psychological and social assistance is provided to all persons in asylum centres and information and access to institutions and organisations directly involved in activities to combat violence are also available to them. In previous two years, international and civil society organisations have implemented a number of trainings which also in a certain segment included the topic of international protection standards in treatment of women who are victims of domestic violence in the migrant population. Also, certain CSO have also provided accommodation and psychological and social assistance to identified potential victims of gender-based violence.

## **Article 16**

### **Marital and Family Relations**

*Recommendation par.39*

#### **Early Marriages**

211. Amendments to the Criminal Code of 23 November 2016 introduced the crime of *forced marriage*.

212. The Strategy for Social Inclusion of the Roma in the R Serbia for the period 2016-2025 and the National Gender Equality Strategy include measures relating to prevention of and reduction of the number of underage and forced marriages and underage pregnancies in the Roma community.

213. CSOs, schools and social protection institutions, coordinators for Roma issues and female health mediators provide a significant contribution to prevention of underage marriages.

214. The OHMR supports civil society organisations which implement programmes encouraging awareness raising and education, primarily of young Roma and children, but also of the general population and representatives of educational and others, on prevention of child, early forced marriages.

215. The Draft Law on Gender Equality sets out a duty to organise and implement problems to address the issues of early pregnancy and entering into a domestic partnership where at

least one person is younger than 16 years of age and a duty to organise and implement preventative examinations for early detection of diseases of higher social and medical importance.

### **Support to Families**

216. The Law on Social protection provides for development of services for intensive support to families, which are provided in communities where families with children live. LSG is responsible for introduction and financial sustainability of these services. MLEVSA supports development of the following community services for children and families: evaluation and planning services; daily community services; support services for independent living; advisory and therapy and social and educative services; accommodation services. Depending on the needs of users, social protection services can be provided together and combined with other services provided by educational, health care and other institutions (inter-sectoral institutions). According to the data of RISP, 17 counselling centres providing specialised family support services are registered with the database of social protection services, mainly within CSWs. If CSWs do not have specialised family counselling centres, they must provide family counselling services.

217. Financial support to families with children is provided through co-financing of services intended for children or through additional benefits. The Law on Financial Support to Families with Children defines the rights to salary during maternity leave or absence from work to care for children, parental allowance, child allowance, compensation of costs of staying in preschool institutions for children without parental care and for children with developmental disabilities, refunding of costs of staying in preschool institutions for children from financially vulnerable families. Specific measures adopted for children in families, single-parent families and children in the most vulnerable groups include relief for the exercise of entitlement to child allowance and an increased amount of child allowance which local self-government has to right to introduce in accordance with the needs and possibilities.

218. According to the data of the competent ministry, in the first quarter of this year compensation in the amount of RSD 10.7 billion was paid for 40,000 nursing mothers, RSD 2.3 billion was paid to 61,160 parent and RSD 4.4 billion to 350,000 child allowance beneficiaries.

219. According to the data available to the Office for K&M, there are still cases of early marriages in the territory of Kosovo and Metohija, particularly in certain communities and/or ethnic groups, primarily among the Roma, Egyptians, Ashkali and Gorani people.

## **Article 20**

### *Recommendation par.40*

220. The Republic of Serbia ratified the amendment to Article 20, paragraph 1 of the Convention and submitted the ratified document on 18 June 2014.

### *Recommendation par.41*

### **Implementation of the Beijing Declaration and the Platform for Action**

221. In accordance with the measures contained in the Beijing Declaration and the Platform for Action, the Government has undertaken to form institutions for progress of women and implementation of a policy of gender equality and equal opportunities. After 2000, gender equality mechanisms were introduced at the national, provincial and local levels; however, they have not been established within the security system. After adoption of the NAP on 2010-2015, four institutional bodies were formed: a policy council, a multi-sectoral coordinating body, a supervisory body and analytical groups or research teams, as well as seven gender equality mechanisms: "persons of trust", gender equality male/female advisor of ministers/directors, gender equality male/female advisor in all civil and military missions, independent monitoring, gender-responsive planning and gender-responsive keeping of human resources records. Novelities in the new NAP (2016-2020) are that the Multi-sectoral

Coordinating Body changed its name into the Operative Body and introduction of contact persons responsible for implementation of this Plan is planned at the local level. The tasks of the Operative Body will be performed by the CBGE.

*Recommendation par.42*

### **Publishing and Implementation of the Concluding Observations**

222. The OHMR has provided translation of the Concluding Observations of the CEDAW Committee into the Serbian language and published it on its official website<sup>11</sup>. In addition, acting in accordance to its competencies as well as for the purposes of information, the OHMR has submitted recommendations to all relevant public authorities at national and provincial government levels, as well as to independent bodies for protection of human rights. The importance of their wide distribution was particularly emphasized.

223. Recommendations in the Concluding Observations were fully integrated in the National Gender Equality Strategy for the period 2016-2020 and in the Draft Law on Gender Equality.

224. The Council for Monitoring the Implementation of the Recommendations of the United Human Rights Treaty Bodies adopted the *Plan for Implementation of Recommendations*, which contains data on implementing agencies, the status and schedule of implementation of each recommendation. This will ensure improvement of both monitoring and implementation of all recommendations of the UN human rights mechanisms provided to the R Serbia.

225. OHMR, which provides expert and technical assistance to the Council, organised in October 2015, with support from the OSCE Mission to Serbia, a three-day workshop titled “The Council for Monitoring the Implementation of the Recommendations of the United Human Rights Treaty Bodies – Perspectives and Challenges”. In addition, three-day trainings for contact persons and deputy contact persons in sectors responsible for monitoring implementation of recommendations were held in May 2017.

*Recommendation par.43*

### **Ratification of Other Treaties**

226. The Republic of Serbia has not ratified the *International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families* because its implementation would impose too high financial obligations for the state, which the state would not be able to implement adequately with the current gross domestic product and national per capita income.

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<sup>11</sup> [www.ljudskaprava.gov.rs](http://www.ljudskaprava.gov.rs)