

REPUBLIC OF SERBIA

GOVERNMENT

AMENDMENT

**TO THE SECOND AND THIRD PERIODIC REPORT ON THE
IMPLEMENTATION OF THE CONVENTION ON THE ELIMINATION OF ALL
FORMS OF DISCRIMINATION AGAINST WOMEN CONTAINING ANSWERS
TO THE QUESTIONS OF THE UNITED NATIONS COMMITTEE ON THE
ELIMINATION OF DISCRIMINATION AGAINST WOMEN**

Belgrade, July 2012

**ANSWERS
TO THE QUESTIONS RELATING TO
THE SECOND AND THIRD PERIODIC REPORT ON THE IMPLEMENTATION
OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF
DISCRIMINATION AGAINST WOMEN**

Constitutional, legislative and institutional framework

1. Please provide information on any court cases in which the Convention has been invoked by individuals or directly applied or referred to in court proceedings and on cases in which women were claiming their rights in courts by invoking provisions on non-discrimination against women and gender equality in domestic legislation. Please also provide information on complaints lodged by women in cases of alleged discrimination on the grounds of sex and gender with the Deputy Ombudsman for Gender Equality.

At the request of the Division of Case-law in the Supreme Court of Cassation, appellate courts submitted information that the courts competent for the areas of appeals did not register cases in which the Convention on the Elimination of All Forms of Discrimination against Women (hereinafter referred to as: Convention) has been invoked by individuals or directly applied or referred to in court proceedings. Also, there were no cases in which women claimed their rights in courts by invoking provisions on non-discrimination against women and gender equality.

The Deputy Ombudsman for Gender Equality drafted a Special report on cases of domestic violence against women for the period 1 January 2009 – 30 June 2010, which contains detected omissions in actions of the authorities competent for women's rights to protection against domestic violence, which primarily reflect in the absence of timely communication and exchange of information among competent authorities of the centers for social work, police departments, ministries competent for labour and social policy, health and education, therefore, the Deputy Ombudsman for Gender Equality submitted proposals of measures. At the same time, the Deputy Ombudsman for Gender Equality conducted activities, independently and/or in cooperation with civil society organisations, aimed at introducing female citizens with its competencies in the field of protection of women's human rights. The activity resulted in 20 complaints of women-victims of domestic violence, and only in one case the Deputy Ombudsman for Gender Equality initiated proceedings on its own initiative. In 2011, 11 domestic violence complaints were received, and in one case the Deputy Ombudsman for Gender Equality initiated proceedings on its own initiative.

Due to discrimination, i.e. harassment at work, in 2009 there were eight, in 2010 nine, and in 2011 three complaints were lodged by women. In view of characteristics of complainants, it was noticed that they were predominantly: young women who had not obtained and/or kept their job with an employer due to pregnancy, older women who were discriminated with an intention to force them to leave their job, women with disabilities who cannot exercise the right to work, and single mothers and/or mothers taking care of a child with a disability. In 2010, the following were lodged: one complaint for omission in the operation of the committee of medical experts to employ a woman in a professional service, one complaint for media discrimination, and one complaint for writing a title of a graduated female student in the masculine gender.

In most cases complaints were rejected for the lack of jurisdiction of the Deputy Ombudsman for Gender Equality, i.e. they were rejected as unfounded. A summary recommendation was adopted for the elimination of omissions in the operation of the Ministry of Finance - Tax Administration, since female entrepreneurs were, during maternity leave, indebted with social security contributions based on self-employment. In this manner, private female entrepreneurs did not have the same status as employed (hired) women. The Tax Administration was recommended to cancel all adopted decisions as of 2010, i.e. not to adopt such decisions in the future.¹

Until 30 March 2012, 20 complaints were lodged for domestic violence, harassment at work and problems older women faced in finding housing in social care facilities.

Out of the total number of complaints, in 2010 women lodged 47.47% complaints to the Commissioner for Equality, out of which number 5% referred to sexual discrimination, and in 2011 women lodged 45.9% complaints, out of which number 25.96% referred to sexual discrimination, and 3.54% to gender-based discrimination.

2. Please provide information on the progress achieved in the implementation of the provisions of the Law on Gender Equality, which define the mandates, functions and responsibilities of the Ministry for Labour and Social Policy, its Directorate for Gender Equality and local gender equality institutional mechanisms. Please also provide information on financial and human resources available to these institutional mechanisms and on budgetary allocations from the State party for the implementation of the above law as well as for the implementation of the National Strategy for the Improvement of the Status of Women and Promotion of Gender Equality. Please submit to the Committee, if available, the English version of the Law on Gender Equality.

The Ministry of Labour and Social Policy adopted two by-laws: the Rulebook on the content and manner of submission of the Plan of measures for elimination or mitigation of unequal gender representation and the annual report on its implementation² aimed at male/female employers who employ more than 50 persons, and the Rulebook on records and documentation about final court decisions on the protection against gender discrimination³. Monitoring implementation of these documents shall be the responsibility of the Directorate for Gender Equality within the Ministry of Labour and Social Policy.

In the period 2010 – 2012, at the proposal of the Ministry of Labour and Social Policy, which includes the Directorate for Gender Equality, the Government adopted the Action Plan for the Implementation of the National Strategy for the Improvement of the Position of Women and Promotion of Gender Equality for the period 2010 - 2015⁴, National Action Plan for the Implementation of the United Nations Security Council Resolution 1325 – Women, Peace and Security in the Republic of Serbia⁵ (2010 – 2015) and National Strategy for Preventing and Combating Violence against Women in the Family and in Intimate Relationships⁶. The Directorate for Gender Equality participated with its professional representatives in the drafting

¹ Ombudsman's Recommendation No. 17-2599/10 of 6 June 2011

² "Official Gazette of RS", No. 89/10

³ "Official Gazette of RS", No. 98/10

⁴ "Official Gazette of RS", No. 67/10

⁵ "Official Gazette of RS", No.102/10

⁶ "Official Gazette of RS", No. 27/11

of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence in the competent committees of the Council of Europe, and initiated signing of the Convention by the Republic of Serbia. The Directorate for Gender Equality has seven employees whose activities were covered with the budget determined for 2011 in the amount of RSD 5,093,000.00.

Republic of Serbia today has over a hundred local bodies for gender equality (councils, committees, etc.) as well as 20 employees dealing with the issue of gender equality. Some local self-government units have bodies for gender equality as well as a person responsible for gender equality issues. The Directorate for Gender Equality regularly updates and publishes data on local mechanisms on its website *www.gendernet.rs* in the section “Mechanisms – Local Mechanisms“. In addition, in April 2011, the Directorate for Gender Equality organised a Roundtable on the theme *Local bodies for gender equality*, aimed at introducing male and female representatives of local self-government units with their obligations in forming a body for gender equality in their communities (cities and municipalities). In December 2011, the Directorate for Gender Equality organised a national conference *Equality Begins at the Local Level*, and a network of male and female trainers for gender equality was established, who come from local self-government units, i.e. local mechanisms. The Directorate for Gender Equality has been investing funds in their continuous education and, therefore, announced an invitation for the establishment of e-clubs in rural and sub-urban areas of local self-government units in January 2012, as part of the *Programme for the Implementation of Priorities of the National Action Plan for the Improvement of the Position of Women and Promotion of Gender Equality*. One of conditions in tender documents is that a local self-government unit must have a body for gender equality. The project of establishing e-clubs in five cities of the Republic of Serbia has the total value of EUR 70,000.00. In addition to financial resources, local bodies for gender equality also have available human resources from the Directorate for Gender Equality within the Group for the promotion of gender equality.

The English version of the Law on Gender Equality⁷ is provided in the Appendix.

Temporary special measures

3. Please indicate whether the State party is taking any additional steps to adopt temporary special measures aimed at increasing the participation of disadvantaged groups of women, such as Roma women and women with disabilities in the labour market and in decision-making positions.

At the beginning of every year, the National Employment Service (hereinafter referred to as: NES) announces public invitations for the implementation of active employment policy measures in which priority is given to hard-to-employ persons and vulnerable groups in the labour market.

⁷ “Official Gazette of RS”, No. 104/09

Active employment policy measures in 2011 (<i>the total number of persons included in the measure is the sum of all persons included in the programme/measure on the basis of all public invitations and sources of financing or project funds</i>)	No. of persons included in measures in 2011		No. of persons from the category of hard-to-employ persons and vulnerable groups included in measures		No. of persons with disabilities included in measures		No. of persons or Roma nationality included in measures	
	Total	Women	Total	Women	Total	Women	Total	Women
Training for Active Job Search – AJS 1	35,439	20,312	22,177	13,720	1,150	421	340	183
AJS Club	3,530	2,455	2,162	1,539	169	76		
Motivational trainings for unemployed Roma	/	/	/	/	/	/	1,545	663
Training in Self-Efficacy – AJS 2	2,166	1,644	1,460	1,108	129	98	/	/
Employment Fairs	45,687	24,069	30,178	15,830	2,569	926	716	231
Volunteering and Internship Programmes	10,852	5,862	10,740	5,781	12	6	88	36
Professional Practice Programme	6,738	4,584	6,615	4,513	48	12		
Labour Market Training	3,865	1,963	3,506	1,831	263	92		
Training at the request of employers	1,605	1,041	1,292	810	1	0		
Functional basic education of adults	/	/	/	/	/	/	441	244

Educational programmes for development of entrepreneurship	12,006	4,804	9,096	3,638	308	123	247	78
Subsidies for self-employment	4,004	1,580	2,265	951	201	66	40	14
Subsidies to employers for opening and equipping new workplaces	7,218	3,452	5,778	2,839	304	103	7	3
Public works	6,557	2,683	6,557	2,701	1,418	761	287	63
Programmes for encouraging employment of persons with disabilities and support measures	305	...	/	/	305	...	/	/
TOTAL	139.972	74.449	101.826	55.261	6.877	2.684	3.711	1.515

In addition to the data presented in the table, it is important to point out that in 2011 an employability assessment was made and individual plan for employment was developed for the total of 14,722 Roma, 6,486 of whom were women. Also, out of 2,760 Roma, 1,022 women were referred to the employers which expressed a need for employment, thus, 1,935 Roma, 715 of whom were women, were employed.

In 2010, special public invitations were announced for the Roma for the allocation of subsidies for self-employment and granting subsidies to employers for opening new workplaces and for employment of unemployed persons of Roma nationality.

In 2011, apart from special public invitations for the allocation of subsidies for self-employment and granting subsidies to employers for the employment of the Roma, special tenders were announced for persons with disabilities (hereinafter referred to as: PWD) for the allocation of subsidies for self-employment, for granting subsidies to employers for opening new workplaces and for employment of PWDs, for granting wage subsidies for the employment of PWDs with no work experience; for refunding earnings of persons engaged in providing professional support to PWDs at a workplace, for submitting requests for the reimbursement of reasonable costs of adapting a workplace for employing PWDs; for organising execution of public works which engage PWDs. Special public invitations for the Roma and PWDs have also been announced in 2012.

Persons of Roma nationality – In accordance with the National Strategy for Employment for the period 2011 – 2020⁸ and National Action Plans for Employment adopted on an annual basis,

⁸ "Official Gazette of RS", No. 37/11

specific active employment policy measures have been focused on the Roma as hard-to-employ persons. In addition to priorities, which the Roma as hard-to-employ persons have in the inclusion in active employment policy measures, special programmes and measures aimed at increasing employability, but also at encouraging employers to employ persons of Roma nationality, shall be implemented.

In 2010, motivation and activation trainings of unemployed persons of Roma nationality completed 825 persons (365 of whom or 44.24% were women), and in 2011, the training completed 1,545 persons (663 of whom or 42.91% were women). In 2011, functional fundamental education of adults included 441 unemployed persons of Roma nationality, 244 of whom were women.

A PWD data base on unemployed persons of Roma nationality was created and significantly improved. All data on the number of unemployed persons of Roma nationality as well as data on persons included in active policy measures as of 2010, are gender classified.

Persons of Roma nationality in the labour market	2010		2011	
	Total	Women	Total	Women
No. of unemployed persons of Roma nationality registered in the unemployment registry in the NES as of 31 December	15,867	7,637	19,398	9,180

The data on the increasing number of the Roma registered in the unemployment registry in the NES indicate to a positive change in attitudes of the Roma to work and employment. It is apparent that employment promotion and campaigns for raising awareness about the importance and advantages of employment and work over receiving social aid have given positive results.

<u>Persons with disabilities</u> - the Law on Vocational Rehabilitation and Employment of Persons with Disabilities entered into force in May 2010	December 2010		December 2011	
	Total	Women	Total	Women
No. of unemployed PWDs registered in the unemployment registry in the NES	20.402	6.672	18.555	5.995

Application of the Law on Vocational Rehabilitation and Employment of Persons with Disabilities⁹ and special measures for the encouragement of PWDs employment influenced the decrease in the number of PWDs registered in the unemployment registry of the NES. The Tax Administration report on the execution of obligation of employing PWDs for the period June 2010 – January 2012, points to the employment of 10,666 PWDs, involvement in funding PWD salaries for 5,672 PWDs, implementation of agreements on business and technical cooperation with companies for vocational rehabilitation and employment of PWDs for 140 PWDs, whereas payment of penalties by employers that have not met any of the above mentioned obligations, was made for 227 PWDs.

In 2011, 4,370 PWDs got employment from the unemployment registry of the NES, 1,426 of whom were women.

⁹ "Official Gazette of RS", No. 36/09

In 2011, active employment policy measures and vocational rehabilitation activities included 6,877 PWDs, 2,684 of whom were women.

In January 2012, the Directorate for Gender Equality sent an administrative circular to business entities which meet the criterion prescribed by the Law on Gender Equality and warned them of the obligation to submit the Plan of measures for elimination or mitigation of unequal gender representation and the annual report on its implementation in accordance with the provisions of Article 13 of the Law. After this, according to data held by the Directorate for Gender Equality, about 25 % of the total number of 2,684 business entities fulfilled their obligation and submitted the said documents within a legal deadline.

In the period January – December 2011, by controlling implementation of the Law on Gender Equality, inspection authorities of the Ministry of Labour and Social Policy conducted 3,050 inspections and adopted 51 decisions on elimination of deficiencies. With monitoring it was determined that 1,918 male and female employers kept records of the gender structure of employees, in accordance with Article 12 of the Law. In the same period a request was issued for protection of the employment right related to gender equality. After monitoring, another decision on the elimination of deficiencies was adopted. During the period, the Labour Inspectorate of the Ministry of Labour and Social Policy did not submit a request for initiating criminal proceedings under the Law on Gender Equality.

On the occasion of presenting women in elections – the Law on Election of Deputies,¹⁰ after amendments from May 2011, as part of *nomination*, envisages that the list of candidates has to contain among every three male/female candidates in consecutive order on the list (first three places, second three places, etc.) at least one male or female candidate, depending on which gender is less represented on the list. If the list of candidates does not meet the above criteria, an authorised submitter shall be invited to eliminate these deficiencies, and if he/she does not do it – a competent authority, i.e. Electoral Commission of the Republic of Serbia shall refuse to approve the submitted list of candidates. After amendments from July 2011, the Law on Local Elections¹¹ prescribes that the list of candidates must contain at least one candidate – a member of the sex that is less represented on the list (Article 20 paragraph 3), among every three candidates in consecutive order on the list (first three places, second three places, etc.). Such solutions have been for the first time applied in elections carried out in the Republic of Serbia on 6 May 2012 for the National Assembly and assemblies of provincial, city and municipal self-government units.

Stereotypes and harmful practices

4. Please provide information on measures taken to change negative gender stereotypes as recommended by the Committee in its previous concluding observations (CEDAW/C/SCG/CO/1, para. 20). Please also provide information on the enforcement of article 41 of the Law on Gender Equality, mentioned in paragraph 103 of the report.

¹⁰ "Official Gazette of RS", No. 35/00, 62/02, 57/03 - amended by the Decision of CCRS, 72/03 - amended by other law, 75/03 – amendment of other law, 18/04; 85/05 -amended by other law, 101/05 - amended by other law, 104/09, 28/11 and 36/11

¹¹ "Official Gazette of RS", No. 129/07, 34/10 - amended by the Decision of CCRS and 54/11

In 2010 and 2011, the Ministry of Culture, Media and Information Society has, in accordance with competencies in the field of information and media, continued to support projects/programmes of public media and productions aimed at pointing out the position of women in the society and a wide range of problems in this field – violence against women, discrimination in various spheres of social life, stereotypes about the role of a woman in the family and society.

Commitment of the Ministry of Culture, Media and Information Society is to grant funds aimed at promotion of public interest through tenders with clearly defined conditions and criteria. One of key criteria is providing information and ensuring work on the improvement of the position and equality of all members of the society.

Consequently, the Tender for co-financing projects/programmes in the field of public information in 2010 supported the project “Be Active, Be Strong, Be Yourself – Women Can Do It” of the Radio BOOM 93 from Požarevac with the amount of RSD 287,712.00. With broadcasting 24 documentary and debate radio shows, the public was familiarised with the social image of the position of women in our society, and by presenting successful and responsible business women and by pointing to the importance of engaging women in political life, the project contributed to the affirmation of the role of a woman as a creator and active participant in social life. The Tender for co-financing projects/programmes of electronic media with the seat in the territory of the Autonomous Province of Kosovo and Metohija in 2010 supported the project “Speak Out About Rights of Women and Youth“ of the KM Radio from Gračanica with the amount of RSD 429,000.00. 26 shows were broadcasted, addressing the issue of the position of women (and youth) in the territory of the Autonomous Province of Kosovo and Metohija where, due to prevailing traditional views of the position of women, it has been rarely and reluctantly spoken about. The shows are dedicated to the current position of women in society and possibilities of exercising their right to employment and economic entrepreneurship. Reactions to the shows were significant because with an interactive approach, they enabled listeners to actively participate in their creation.

The Tender for co-financing projects/programmes in the field of public information in 2011 supported four projects addressing different aspects of the social position of women and possibilities of its improvement:

- 1) The public company for information “Vrbas” (TV Bačka) from Vrbas was granted RSD 500,000.00 to the project “Women in Politics”. The objective of the project to include women in political life at the local level was achieved by broadcasting 13 TV shows, each of which was dedicated to one of politically active women from different parties. On the basis of many positive responses from viewers and participants in the show, the project was rated as successful, allowing the Ministry to contribute to the opening of an important aspect of affirmation of women and changing her role in society, in particular at the local level;
- 2) The agency for creating radio and TV programmes “Studio 101” from Zaječar was supported with RSD 600,000.00 in the project “Hidden Everyday Life – Violence Against Women”. With broadcasting three half-hour TV shows at the prime time on the channel TV Folk Disc from Zaječar and “TV 5” from Niš, they pointed to the problem of violence against women and methods of systematic solving of this serious social

problem, and in accordance with objectives of the National Strategy for the Improvement of the Position of Women and Promotion of Gender Equality¹²;

- 3) The company for telecommunications, trade and services Asterians – Radio Mah Čoka was supported with RSD 199,140.00 in the project “Raising Public Awareness About Rights of Women and Unacceptance of Gender-Based Violence“. The objective of the project to improve the position of women, raise public awareness about rights of women and unacceptance of gender-based violence, was achieved by broadcasting 15 radio shows in the duration of 45 minutes. The shows addressed the issue of violence against women from different aspects, one of them being a cultural aspect, i.e. influence of patriarchal understanding of woman’s position in the family and society to (non)recognition of violent behaviour both by bullies and victims;
- 4) The company for marketing, trade and services Studio Joker – Radio Joker from Čačak was supported with RSD 254,520.00 in the project “We are Involved, You Do The Same and Overcome The Fear“. The objective of the project to improve provision of information and raise awareness of citizens of the city of Čačak about the position of women who are victims of violence, methods of their protection, and society’s intolerance towards violence, was achieved by broadcasting 16 shows dedicated to women victims of violence and ways of resolving problems.

The fact that majority of projects addresses the subject of violence against women indicates that this problem is still present to a large extent, but also that the Ministry of Culture, Media and Information Society encourages media to take an increasingly important role in its addressing, as well as in the change of the traditional position of women in the family and society.

In November and December 2011, the Directorate for Gender Equality announced a tender for citizen’s associations to support achievement of gender equality, integrate gender perspectives in education and/or eliminate gender stereotypes and the hate speech by promoting gender sensitive media activities in accordance with objectives of the National Strategy for the Improvement of the Position of Women and Promotion of Gender Equality and with Article 41 of the Law on Gender Equality. Out of 34 received proposals of projects only four were selected, which are as follows: 1) *Gender Equality in School* by the Citizen’s Association *Most*, Belgrade (RSD 499,045.00); 2) *My Path to Equality* by the Citizen’s Association *Romano Alav*, Kruševac (RSD 499,252.00); 3) *We Play and Live in Gender Equality* by the Association *Educational Networks*, Kragujevac (RSD 498,352.00) and 4) *Media and Gender Equality by Women's Forum*, Prijepolje (RSD 420,000). The projects shall be implemented in the period January – June 2012. The Press Association “Peščanik“, in direct cooperation with the Directorate for Gender Equality, developed a Protocol for gender sensitive reporting which was promoted at three roundtables to the representatives of leading mass media in Serbia. A series of six shows was designed with the Radio Television of Serbia, which addressed six topics resulting from objectives of the National Strategy for the Improvement of the Position of Women and Promotion of Gender Equality.

The Ministry of Human and Minority Rights, Public Administration and Local Self-Government, the Directorate for Human and Minority Rights announced a tender in July 2011 for the allocation of funds to citizen’s associations for projects aimed at promoting and protecting human rights in the Republic of Serbia, i.e. enhancing positive behaviour and actions of wider

¹² “Official Gazette of RS”, No. 15/09

social community towards vulnerable groups of citizens. Out of 111 received proposals for projects, funds (RSD 4,962,747. 00) were allocated to the projects of 11 citizen's associations and one of the projects was the project of the Autonomous Women's Center aimed at empowering and educating young women about gender-based violence and work on SOS hotlines.

This year, the Directorate for Human and Minority Rights initiated a programme “Calendar of Human Rights“ which follows appropriate international holidays in which every month is marked with a series of activities implemented by civil society organisations and aimed at the improvement of a position of a specific group or minority. The calendar envisages that March should be dedicated to women’s rights and, for that purpose, in March, the association “Center for Modern Skills” implemented the project “Caravan of Women’s Rights” with which the following activities and results were executed and achieved: opening of a joint travelling exhibition “Women in Rural Areas” and “Women in Sport” (in Belgrade – it was important for the success of the project and its visibility that the opening of the final exhibition was attended by the female Speaker of the National Assembly); useful Youtube clips, which shall be usable on other occasions in the future; creating infographics on the history of 8 March; a survey “If I were a female Prime Minister of the Republic of Serbia, the first thing I would do...?”; participation in the show “Women” at Prva TV, and Tweetup organisation of informal meetings with male and female representatives of the Internet community (RSD 1,868,333.91).

Violence against women

5. Please provide detailed information on efforts undertaken to adopt a domestic violence law which consolidates provisions that are currently found in the Criminal Code and Family Law, in accordance with the Committee’s previous concluding observations (CEDAW/C/SCG/CO/1, para. 22). Please also provide updated information on the preparation of the National Strategy for the Combat against Gender-Based Violence and on the implementation of the project on combating sex-based and gender-based violence, mentioned in paragraphs 313 and 314 of the report.

The National Strategy for Preventing and Combating Violence against Women in the Family and Intimate Relationships was adopted in April 2011. Strategic objective are as follows: 1) establishing the system for primary, secondary and tertiary prevention; 2) improving legislative framework for the protection of women against violence; 3) multi-departmental cooperation and strengthening capacities of bodies and specialised services; 4) improving the system of measures for protection and support of victims of violence.

In accordance with the Strategy, on 4 April 2012, the Republic of Serbia signed the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence.

In terms of implementation of the project *Combating Sex-Based and Gender-Based Violence*, the following progress was achieved:

- Specialised curricula in the field of gender equality and sex-based and gender-based violence were developed for the Judicial Academy, Crime and Police Academy and Office of Human Resource Management of the Government. More than 300 male and

female police officers were trained (15 seminars in the Crime and Police Academy) and more than 300 male and female judges and prosecutors (15 seminars in the Judicial Academy). Three trainings were organised for male and female civil servants in the Human Resources Management Service of the Government. 32 male and female students carried out three-month internship in the period June 2009 – December 2011, in selected institutions that address issues of sex-based and gender-based violence (the Directorate for Gender Equality, Republic Institute for Social Protection, Ministry of Labour and Social Policy, Provincial Secretariat for Labour, Employment and Gender Equality, Center for Social Work Pančevo, and civil society organisations). In 2012, 30 male and female interns shall be engaged.

- 19 grants were awarded to support players at the level of local self-government units (citizen's associations, women's groups, legal aid providers, etc.) in order to improve coordination and ensure continuity of services for victims of violence, and a comment on the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence from May 2011 was made.
- The study *Mapping of Domestic Violence against Women* was developed on the basis of research conducted with the aim to provide representative data on the prevalence and basic characteristics of domestic violence against women in Central Serbia.
- Study tours were organised to the following locations: 1) the Kingdom of Sweden – for state male and female officials and representatives of institutions of the city of Kragujevac as the city of Kragujevac has a developed *Protocol on Cooperation*, a mobile team and professional capacities for the issue related to domestic violence; 2) Brussels and EU institutions involved in combat against domestic violence; 3) Italian institutions involved in combat against sexual and gender-based violence.
- Three national conferences were held (one in 2010, and two in 2011) with over 300 male and female participants that are representatives of institutions and organisations. Also, trainings (training seminars and workshops) were conducted with the purpose of strengthening capacities of male and female representatives of relevant institutions at the national, provincial and local level (judiciary, police, health care facilities, centers for social work, civil society organisations), with the total of 550 male and female participants from 23 local self-government units: Mladenovac, Arandjelovac, Sopot, Surdulica, Vladičin Han, Smederevo, Velika Plana, Svilajnac, Despotovac, Batočina, Ljig, Lajkovac, Mionica, Vlasotince, Gadžin Han, Novi Pazar, Raška, Sjenica, Niš, Šabac, Zaječar, Pirot and Leskovac.
- A study of the best practices and international experience in developing and implementing programmes for the rehabilitation of male/female perpetrators of sexual and gender-based violence was published. On the basis of this, and according to the opinion of the Department for Family Care and Social Protection of the Ministry of Labour and Social Policy, three centers for social work were selected from Belgrade, Niš and Kragujevac, whose professional male/female workers shall undergo training to work with male/female perpetrators of violence and in which pilot programmes for work with male/female perpetrators of violence in the family and intimate relationships shall be implemented. In September 2011, a conference *Introduction of Programmes for Work with Perpetrators of Domestic Violence* was held (with more than 100 male/female participants and representatives of the academic community were familiar with the basics

of work with male/female perpetrators of domestic violence), as well as a two-day training for employees in urban centers for social work in Belgrade, Niš and Kragujevac, and by the end of 2011, two more trainings for work with male/female perpetrators of domestic violence were organised. Also, the publication *About Perpetrators of Violence in the Family and Intimate Relationships* was published.

- On 25 November 2011, on the International Day for the Elimination of Violence against Women, the Radio and Television of Serbia commenced a media campaign for the elimination of violence against women under the slogan *Report Violence*.

6. Please provide information on the incidence of gender-based violence at the national level, including sexual and domestic violence, the relationship between the victim and the perpetrator, as well as the number of prosecutions and convictions of perpetrators and sanctions imposed on them and remedies, including compensation, provided to victims. Please indicate measures in place to establish a systematic and regular collection and analysis of data and information on all forms of violence against women, including sexual harassment and domestic violence at the national level.

Regarding the system for collection and processing of data and records, the Ministry of Interior has specialised lines of work – Sector for Analytics, Telecommunication and Information Technology: Directorate for Analytics and Directorate for Information Technology. The said directorates shall collect all data and keep records of the information concerning committed criminal offences, all within their competencies. Current databases of the said directorates are regularly updated. It should be noted that data on criminal offences are marked as a business secret, and as such are disclosed and used only on the basis of a reasoned request of an applicant with a legitimate legal interest.¹³

Since sexual harassment is not specifically incriminated in the Criminal Code¹⁴, the Ministry of Interior keeps records of criminal offences related to crimes against sexual freedom such as rape, sexual intercourse with a helpless person, sexual intercourse by abuse of office, illegal sexual acts, pandering and enabling sexual intercourse, mediation in prostitution, display, acquisition and possession of pornographic materials and taking advantage of a minor for pornography, leading a minor to attend sexual practices and taking advantage of a computer network and communication with other technical devices for committing criminal offences against sexual freedom of a minor.

According to the data of the Ministry of Justice about *criminal domestic violence*, 1,405 convictions were issued in 2011, 270 of which were sentences of imprisonment, and 1,990 convictions were issued in 2010, 516 of which were sentences of imprisonment. In terms of the *crime of rape*, out of 115 cases received in 2010, there were 58 convictions, 52 of which were sentences of imprisonment, and 82 convictions were issued in 2011, 81 of which were sentences of imprisonment.

Since 2010, a Special Protocol of the Ministry of Health for the protection and treatment of women exposed to violence has been in force. In November 2011, a General Protocol for actions and cooperation among institutions, bodies and organisations in situations of violence against

¹³ Art.75-82 of the Law on Police (“Official Gazette of RS”, No. 101/05, 68/06 – amended by the Decision of CCRS and 92/11)

¹⁴ “Official Gazette of RS”, No. 85/05, 88/05, 107/05, 72/09 and 111/09

women in the family and intimate relationships was adopted, which determines cooperation among ministries competent for labour and social policy, justice, home affairs and health.¹⁵

Within the project *Fight against Sexual and Gender-based Violence* of the Directorate for Gender Equality, a study *Mapping of Domestic Violence against Women* was developed which, *inter alia*, determined that:

- the actual rate of prevalence of domestic violence against women in the Republic of Serbia (excluding the territory of the Autonomous Province of Kosovo and Metohija and Autonomous Province of Vojvodina) in 2010 amounted to 37.50%, and that the total rate of prevalence (in a lifetime) is 54.20%;
- out of the total number of victims of domestic violence (7,666), 3,112 were abused children, 3,226 were adult women, which is 5.5 times more than men (592);
- men are most often perpetrators of domestic violence against women and they are responsible for 89.90% of physical violence, 79% of psychological violence and 85.30% of economic violence;
- the most common form of violence is psychological (31.80% during the 12 months of research and 48.70% during a lifetime), which is followed by: physical violence (10.10% and 21.60%), economic violence (11.40% and 15.86%), whereas sexual violence is the least present (1.20% and 3.80%);
- in 74.80% of cases of violence against women, the perpetrator is a current or ex husband or a partner;
- in 75% of cases, physical and sexual violence against women occurred more than once, whereas in 50% of cases, it occurred more than five times.

Trafficking and exploitation of prostitution

7. Please provide information on the results achieved and indicate whether a mechanism to monitor and evaluate the effectiveness of the National Action Plan for Combat against Human Trafficking and the National Strategy for Combat against Human Trafficking was established, as recommended by the Committee in its previous concluding observations. Please also indicate how the State party cooperates with civil society organizations specialized in assisting women victims of trafficking and to what extent it provides financial support to their programmes.

In 2009, police officers submitted 51 criminal charges for the crime of human trafficking against 94 perpetrators, 91 of whom were Serbian, two Macedonian and one Turkish citizen. The criminal charges included 85 victims of human trafficking, 66 of whom were women and 19 men. Out of the total number of victims, 79 persons were Serbian citizens, three were Romanian citizens, two were citizens of the Dominican Republic and one was a citizen of the Czech Republic. The Agency for the Coordination of Protection of Victims of Trafficking for the same period identified 127 victims of human trafficking, 107 of whom were victims of human trafficking, and 20 of them were found to be potential victims.

In 2010, 47 criminal charges were submitted against 99 perpetrators (94 of whom were citizens of the Republic of Serbia) and they included 76 victims of human trafficking, 70 of whom were

¹⁵ These documents are available on the website of the Directorate for Gender Equality www.gendernet.rs.

women and 6 of whom were men. Out of the total number of victims, 73 persons were Serbian, one was Moldavian, one Croatian and one Macedonian citizen. The Agency for the Coordination of Protection of Victims of Trafficking for the same period identified 89 victims of human trafficking, 61 of whom were victims of human trafficking, and 28 of them were found to be potential victims.

In 2011, 32 criminal charges were submitted against 52 perpetrators, 47 of whom were Serbian, four Montenegrin and one Slovakian citizen. Criminal charges included 74 victims of human trafficking, 52 of whom were women and 22 of whom were men. Out of the total number of victims, 72 persons were citizens of the Republic of Serbia, one was Ukrainian and one Montenegrin citizen. The Agency for the Coordination of Protection of Victims of Trafficking for the same period identified 93 victims of human trafficking, 75 of whom were victims of human trafficking, and 18 of them were found to be potential victims.

A system for monitoring and evaluating effectiveness of the Strategy for Combat against Human Trafficking in the Republic of Serbia¹⁶ and National Action Plan for Combat against Human Trafficking for the period 2009 - 2011¹⁷ (hereinafter referred to as: NAP) has not been established, however, in 2011, independent evaluators conducted evaluation of the NAP and Strategy through the United Nations Joint Programme for Fight against Human Trafficking “UN GIFT Serbia” (hereinafter referred to as: Joint Programme). The Joint Programme has been implemented by the agencies UN – UNHCR, IOM and UNODC, in cooperation with the Government, since 1 June 2010. The Joint Programme has been scheduled to be completed on 31 May 2012, however, the donor made an initiative that the Joint Programme shall be extended until the end of October 2012, with no additional funding. Donors of the Joint Programme are the Government of Belgium, UNGIFT and Swiss Government, and the Ministry of Interior provided office space in the Palace “Serbia” in which the Project team shall operate until the completion of the Joint Programme. The total value of the Project is USD 1,410,098.

According to the evaluation made by independent evaluators in 2011, about 40% of activities envisaged by the NAP were executed in the first year of the implementation of the Joint Programme. Considering that the NAP was developed in a transparent process, with participation of relevant state bodies, international organisations and specialised citizen’s associations, and considering that, in the meantime, a new NAP has not been developed, the existing NAP for the period 2009 - 2011 shall continue to be implemented, as it provides good solutions and systematic answers to the problem of human trafficking in Serbia.

More data and evaluation of implementation of activities under the NAP can be found on the website of the Joint Programme in the section “Studies and Research”, which also contains contents in English (http://www.ungiftserbia.org/?page_id=563).

The Joint Programme is being implemented in partnership with the United Nation High Commissioner for Refugees (UNHCR), International Organisation for Migration (IOM) and United Nations Office on Drugs and Organised Crime (UNODC) in the Republic of Serbia, under the auspices of the United Nations Global Initiative to Fight Human Trafficking (UN.GIFT), and represents the first joint initiative of UN agencies in the field of combat against

¹⁶ “Official Gazette of RS”, No. 111/06

¹⁷ “Official Gazette of RS”, No. 35/09

human trafficking in the Republic of Serbia. The initiative was created through extensive consultations with all relevant national and international partners in order to develop a project entirely based on the needs of the National Referral Mechanism (hereinafter referred to as: NRM) and users, with simultaneous provision of support to state authorities in their execution of obligations from “Palermo Convention“ and additional Protocols.¹⁸

The overall objective of the Joint Programme is operationalisation of the NAP through four main objectives: 1) strengthening national capacities for the implementation of the National Action Plan and improving coordination within NMU; 2) creating a sustainable framework for systematic prevention of human trafficking in particularly vulnerable groups; 3) strengthening capacities of judiciary and police to improve investigations, trials and giving judgements in cases of human trafficking; 4) improving mechanism of protection and (re)integration of potential actual victims of human trafficking (children and adults), including those identified in asylum proceedings.

Each of the objectives of the Programme shall have the same structure of activities such as: a) investigations and/or developing appropriate strategies for activities and developing mechanisms; b) trainings or workshops to strengthen capacities and develop various tools/instruments of combat against human trafficking; c) conducting activities which shall be implemented for the first time and/or providing support to existing national programmes (e.g. direct aid); d) supervision and monitoring of activities carried out in the first year and previous activities carried out at the national level.

The most important conducted activities of the Joint Programme are as follows:

- Two comprehensive national studies have been conducted - one with the subject on the prevention and protection, and the other with the subject on the criminal justice response, whereas both were conducted in an extensive consultative process (the study on prevention included interviewing 70 persons involved in human trafficking), underwent public hearings and debates, and were presented to the public;
- Creating the first formal training programme for judges, prosecutors and police officers in cooperation with the Judicial Academy and Ministry of Justice (60 persons employed in judiciary and police have passed the training so far);
- Developing the first formal training programme for social workers who shall, under the new law, bear the responsibility for the process of identification, referral and protection of victims (about 100 social workers have passed the training so far);
- Two reports were developed on the implementation of strategic documents adopted by the Government – Strategy for Combat against Human Trafficking in the Republic of Serbia and National Action Plan for Combat against Human Trafficking for the period 2009 - 2011, which point to certain strengths of previous activities but also to a need for a specific review of the current situation;
- A feasibility study was conducted on the Agency for Coordination of Protection of Victims of Trafficking, which proposes that the Agency should be established as an

¹⁸ UN Convention against Transactional Organised Crime (“Official Gazette of SRY – International Treaties“, No. 6/01)

independent body in the system for social protection, and acts that would regulate operation of the Agency have been initiated;

- Currently, six centers for social work have been strengthened in terms of their material and technical equipment in order to ensure regional reaction across the country to cases of human trafficking, which would decentralised operation of the Agency for Coordination of Protection of Victims of Trafficking;
- Establishment of the first national Shelter for providing urgent care for the victims of human trafficking is one of direct results of the Programme considering that the idea has occurred within the framework of cooperation achieved in the Joint Programme, whereas at the initiative of the Ministry of Justice, in cooperation with the Ministry of Labour and Social Policy, the Seized Property Management Directorate allocated one 400 m² house that was seized from the property obtained through organised financial crime, and which shall become the Shelter for Victims of Human Trafficking and seat of the Agency for Coordination of Protection of Victims of Human Trafficking;
- The Prevention Fund of USD 80,000 was established, and by announcing a public invitation, stakeholders could apply for the funds. The tender was awarded to three projects specifically targeted at the following groups: refugees and displaced persons accommodated in collective centers, the Roma, the young and young in institutions for children without parental care. Two shows were created from the Fund in the form of a forum theatre and one campaign consisting of didactic materials and games intended for children. The first showing of the forum theatre for the Roma attended 500 Roma, whereas effects of the didactic campaign organised by the Red Cross shall be able to see approximately about 2,000 young people. The Roma forum theatre is supported by the music performance of the famous Roma band KAL which points to the problem of children trafficking and exploitation of children in prostitution and begging;
- The Direct Aid and Social Inclusion Fund was established. Though a public invitation it invited all interested and eligible stakeholders and entities to apply for these activities. The Fund in the value of USD 130,000 supported partnerships of the governmental and non-governmental sector in the field of protection of victims by enabling accommodation capacities in Novi Sad, Belgrade and Niš, which have so far taken care of 60 victims of human trafficking;
- Through the Joint Programme and on the basis of UNHCR recommendations, info sessions were organised in reception centers for asylum seekers which were organised for all asylum seekers accommodated in these centers in order to familiarise them with the basic knowledge of human trafficking and how to possibly recognise themselves as victims, or at least to be aware of dangers lurking in the field of illegal migrations;
- Establishment of legal clinics for combat against human trafficking at three Schools of Law at the University in Belgrade, Novi Sad and Niš, which already include over 100 students, assistant professors and professors, which shall in the future guarantee new professional knowledge of human trafficking and better legal response to this problem.

A system for the protection and support of victims of human trafficking was established. Identification of victims of human trafficking is within exclusive competence of the Agency for

Coordination of Protection of Victims of Trafficking, whereas housing and care of victims of human trafficking is carried out through coordination of the Agency with centers for social work, civil society organisations and international organisations.

All activities carried out with an aim to combat against human trafficking have been conducted in coordination and cooperation with representatives of relevant citizen's associations. Together with specialised citizen's associations, authorities of public administration have conducted numerous activities since 2002 until today, for the purpose of preventing human trafficking and aimed at raising awareness of the general public through the media and internet. Many workshops and seminars have been organised to raise awareness of children in primary and secondary schools, as well as media campaigns against children trafficking which consist of brief television and radio spots. Posters and other promotional materials have been printed and distributed throughout the Republic of Serbia. Also, a lot has been done in raising awareness of persons working with groups at risk.

For that purpose, authorities of public administration enabled relevant citizen's associations to use office space and civil servants to participate in many workshops, seminars and similar events. In addition, the Crime and Police Academy welcomes representatives of specialised citizen's associations for combat against human trafficking for a specified number of hours.

The process of education of police officers has been ongoing and conducted in partnership with associations and international organisations, both on the territory of the Republic of Serbia and as part of the regional and international cooperation.

What is also crucial is exchange of information related to the knowledge of potential and actual victims of human trafficking obtained by specialised citizen's associations through their SOS hotlines, i.e. through direct contact with persons who have knowledge of exploitation of a person.

Participation in the political and public life

8. According to paragraph 143 of the report, Serbian women are represented at senior decision-making positions. Please provide data showing the percentage of women, including minority women, in managerial positions in public administration at all levels, and their participation in advisory and other bodies established by the Government.

According to data of the Office for Human Resource Management¹⁹ women are represented 41.28% at positions of an assistant minister, secretary of a ministry, director of an administrative authority within a ministry, deputy director of an administrative authority within a ministry, director of a special organisation, director of an Office of the Government, deputy director of an Office of the Government, assistant director of an Office of the Government and head of the administrative district. Representation of women at the position of the Secretary of the State is 25%. Please note that these data do not include the Ministry of Interior and Security Information Agency and that indicators refer to April this year. There are no records of ethnicity or male or female members of minorities.

¹⁹ Government Office carrying out technical activities related to personnel management in ministries, special organisations, Government Offices and professional services of administrative districts, Regulation on Establishing Office of Human Resource Management ("Official Gazette of RS", No. 106/05 and 109/09)

9. According to information received, article 35 of the Law on Gender Equality obliges political parties, trade unions and branch associations to adopt plans, including special measures aiming at promoting equal representation of women and men in their internal decision-making bodies. Please provide information on the adoption of such plans as well as on the mechanisms used to measure the effectiveness of such action plans.

Based on the data which the Directorate for Gender Equality obtained from the Committee for Gender Equality of the National Assembly, so far plans of measures, specified in Article 35 of the Law on Gender Equality, which refer to the adoption of a four-year action plan with specific measures for encouraging and promoting equal representation of women and men in bodies of parties and when nominating a candidate for the election of MPs and councillors – have been submitted by the following political parties: Democratic Party, Veteran Movement, Democratic Party of Serbia, National Party, Social-Democratic League of Vojvodina, United Regions of Serbia, Party of United Pensioners of Serbia, Serbian Socialist Party, Alliance of Vojvodina Hungarians, Democratic Left Party of Roma, and Serbian Radical Party. After an intervention of the Directorate for Gender Equality, in the first quarter of 2012, parliamentary parties - the Serbian Renewal Movement and Social Democratic Party of Serbia, uploaded their plans of measures at their website. By looking at the website, it was determined that the United Regions of Serbia Party adopted and uploaded this document.

The same article of the Law also obliges trade unions and professional associations to adopt plans of measures and reports on the measures mentioned in the above paragraph and to publish them on their official websites, however, none of these organisations had done so until April 2012. Therefore, the Ministry of Labour and Social Policy, Directorate for Gender Equality, starting from its competence and role in the supervision of implementation of the Law on Gender Equality, organised a meeting, on 10 April 2012, with representatives of the most representative trade unions in the Republic of Serbia: the Association of Independent Trade Unions of Serbia and United Trade Unions “Nezavisnost”, and notified them that they can use for the development of these documents a Model of the plan of measures for elimination or mitigation of unequal gender representation and a Model of the report on implementation of the plan of measures for elimination or mitigation of unequal gender representation developed by the Directorate for Gender Equality of the Ministry of Labour and Social Policy and available at its website – www.genernet.rs.

10. The report indicates, in paragraph 142, the preparations of a National Action Plan for the implementation of resolution 1325 (2000) of the Security Council. Please provide detailed information on the status of this National Action Plan and indicate what are its main objectives and priorities, the time-frame for their achievement, the role of non-governmental organisations in the preparatory process and in the implementation and the mechanism in place to co-ordinate, monitor and evaluate the implementation of the action plan.

In June 2010, at the initiative of the Belgrade Fund for Political Excellence, the Government established a multi-department Working Group for development of the National Action Plan of the Republic of Serbia for the implementation of the UN SC Resolution 1325 “Women, Peace, Security” (hereinafter referred to as: NAP), which consisted of representatives of eleven line ministries. The Ministry of Defence Working Team for carrying out professional, administrative

and technical activities had a coordinating role and provided professional, administrative and technical support to the Working Group.

The Draft NAP was brought for public debate in the period 27 October – 16 November 2010 and presented at two roundtables: one organised by the Belgrade Center for Security Policy and Belgrade Fund for Political Excellence at the National Assembly, and the other one was organised by the Council for Gender Equality of the Government and DCAF²⁰ at the Palace of Serbia. Also, the Draft NAP was publicly available at the official website of the Ministry of Defence where, in addition to access to the document, any interested person could send their comments via e-mail. Beside constant media coverage, a series of other activities were carried out with the purpose to better prepare and consider the Draft NAP.

The NAP was adopted on 30 December 2010. Certain deadlines were set for the implementation of specific activities in order to achieve specific objectives, and they do not exceed 2015.

The NAP precisely defines seven general objectives: 1) designing and functioning of institutional mechanisms for implementation of the NAP; 2) increasing representation of women in the security sector and their impact on the issue related to peace and security; 3) increasing participation and influence of women on decision-making in defence and security; 4) increasing participation of women in resolution of conflicts and post-conflict situations, and their greater involvement in multinational operations; 5) using instruments of legal protection of women; 6) education and training of members of the security sector in the spirit of the United Nations Security Council Resolution 1325; 7) providing media support to NAP objectives.

NAP priorities are as follows: popularisation of NAP objectives for the implementation of United Nations Security Council Resolution 1325 (hereinafter referred to as: Resolution 1325) in the public; execution of activities of the Political Council and multi-departmental coordinating body for monitoring implementation of the NAP for the application of Resolution 1325 in the Republic of Serbia; establishing gender equality mechanisms at the level of ministries in the Republic of Serbia; training personnel involved in institutional and gender equality mechanisms in the Republic of Serbia; leading campaigns for increasing representation of women at all levels of education and training in the security sector; introducing gender perspective in policies, plans and practices in the security sector; increasing representation and training of women to participate in resolving conflict and post-conflict situations; introducing the gender equality policy in plans and practices in the security sector; introducing gender responsible budgeting in practices in the security sector; increasing women's representation in the security sector and their influence on the issues related to peace and security; systematic and effective protection of women and girls from all forms of violence and discrimination; implementing the gender equality policy in the practice of the Republic of Serbia.

Relevant citizen's associations participated in all the stages of the preparatory process, and the Belgrade Fund for Political Excellence participated in the operation of the Working Group for the drafting of the NAP. Remarks made by citizen's associations at public debates on the Draft

²⁰ International Foundation founded in 2000 for democratic control of armed forces, contributes to the management strengthening in the security sector through reforms of the security sector

NAP were considered and included in NAP contents. Citizen's associations were specified as collaborators in the execution of 17 NAP activities.

Together with public institutions and international organisations, civil society organisations participated in organising conferences, panel discussions, seminars, workshops, trainings, meetings and other activities, and representatives of public institutions were invited to attend all the events that civil society organisations organised. Also, public institutions invited representatives of civil society organisations to attend events they organised.

Relevant citizen's associations organised three seminars with the theme "Introducing Gender Equality in the Security Sector Reform" held on 14 – 16 December 2010 in Ečka; 16 – 18 February 2011 in Kovačica, and 16 – 18 March 2011 in Niš.

NAP-related activities involved participation of the following (either by themselves or with state representatives): the Belgrade Fund for Political Excellence and Belgrade Center for Security Policy and, apart from them, Atlantic Council, Helsinki Committee for Human Rights, Center for Advancement of Legal Studies, Women in Black, Women for Peace Leskovac, Women from South, "Astra Antitrafficking Action", Fraktal, Autonomous Women Center, Eperanca, Alternative Circle, Association of Single Mothers Niš, Požega's Women Action, Association "Women's Development Center" Niš and Association "Women's Development Center" Novi Sad, SOS for women and children who are victims of violence, Women's Alternative, Roma Center for Women and Children, Roma Association, and other organisations.

It is important to point out significant support of international organisations - UNDP, Agency "UN Women" and Democratisation Department of the OSCE Mission in Serbia. For the purpose of implementing the NAP, the Memorandum of Cooperation between the Ministry of Defence and the Agency "UN Women" was signed on 16 September 2011. The Political Council and multi-departmental coordinating body, together with representatives of citizen's associations, academic community and media, monitor implementation of the NAP and evaluation of its implementation.

The Working Group for the monitoring of implementation of the NAP for the application of the Resolution 1325 in the Republic of Serbia was formed from representatives of relevant citizens' associations whose task is to monitor and supervise operation of institutions that implement the NAP and, on the basis of this, to create alternative reports on implementation of the NAP which shall be submitted to the United Nations General Assembly. The organisation "Women in Black", which coordinates the Working Group, initiated a project "Engendering Human Security" whose objective is to measure and contribute to the success of implementation of the NAP through development of the Report on implementation of Resolution 1325, which they shall also submit to the United Nations General Assembly.

In addition to existing institutional gender equality mechanisms in the Republic of Serbia, the Government formed the following institutional bodies in October 2011: the Political Council and multi-departmental coordinating body for the monitoring of implementation of the NAP. These bodies conduct evaluation of achieved results and determine priorities for the following period on the basis of reports of competent ministries/administrations/agencies in the security sector. The reports are created by analytical groups for the analysis of implementation of the NAP within the framework of competent ministries/administrations/agencies in the security sector.

Stated analytical groups have a task to monitor, do annual planning and initiate implementation of the NAP.

It was envisaged that the National Assembly also establishes the Supervisory Body for the implementation of the NAP which shall control and supervise operation of all bodies and mechanisms for the NAP, to whom the Political Council and multi-departmental coordinating body shall submit the semi-annual and annual report, and which shall consist of representatives of competent committees of the National Assembly, Ombudsman, Commissioner for Gender Equality, and other bodies.

As part of achieved results in connection to the establishment of envisaged institutional bodies and gender equality mechanisms, the following was achieved:

- *A male/female consultant for gender equality* appointed in the Ministry of Interior and Customs Administration. In the Ministry of Human and Minority Rights, Public Administration and Local Self-Government, Directorate for Human and Minority Rights, activities of a female consultant performs an independent female consultant for the monitoring of implementation of international treaties in the field of gender equality and child rights, in addition to regular duties. In the Ministry of Defence was decided that the female Secretary of the State shall perform activities from the scope of the female consultant for gender equality, until another person is appointed to this post.

- *“Persons of trust“* appointed in the Security Information Agency, whereas in the Ministry of Interior, persons appointed by the project „Peer Support“ also undertook to address specific issues in the field of gender equality and discrimination.

- Analytical groups for monitoring, annual planning and initiation of implementation of the National Action Plan were in practice formed in the Ministry of Defence and Customs Administration, whereas in the Ministry of Interior and Security Information Agency they were not officially formed, however, some officers were appointed to carry out their activities.

- *Continuous record-keeping by gender and gender-classified statistics were created* (the Ministry of Defence, Ministry of Interior, Customs Administration, Security Information Agency and Ministry of Human and Minority Rights, Public Administration and Local Self-Government – Directorate for Human and Minority Rights).

- *Programmes of trainings of employees in specific topics in the field of gender equality* were adopted, and they shall be conducted in 2012 (the Ministry of Defence, Ministry of Interior, Ministry of Labour and Social Policy – Directorate for Gender Equality). Customs Administration plans to carry out these activities in cooperation with OSCE in 2012.

An international meeting, jointly organised by the Ministry of Defence and UNDP, was held in March 2012, in Belgrade, to mark the beginning of implementation of the regional project “Supporting the Integration of Gender Equality Values in the Security Sector Reform in the Western Balkans”, whose center of activities shall be the Republic of Serbia.

Education

11. Please provide updated data, disaggregated, by sex, age, ethnic origin and regions, on the drop-out rates of girls at all levels of education, in particular primary education. Please also provide information about access to education of disadvantaged groups of women and girls, such as rural, refugees, IDPs and Roma women and girls as well as women and girls with disabilities.

Approximately 5% of children are not even included in primary education; there are no differences when gender is in question, but there certainly are differences when disadvantaged groups are in question. In rural areas there is a dropout of students bigger than average even before the enrolment, and what is alarming, it increases every year: the coverage of children in rural areas dropped from 81,15% in 2005 to 77,4% in 2009, while in 2008 the number of children enrolled in primary school was by 1,8% smaller than the number of children in 2005.

Of all vulnerable groups, Roma children are in the least degree enrolled in primary school. We do not have the exact data on the Roma population in the country (this number varies from 108,000, according to Census, to 500,000 according to some Roma organizations and the World Bank assessment); although it has been assessed that the size for the Roma children cohort is approximately 25,000 and that 70% attend primary school (MDG²¹, 2009). The coverage of Roma children increased in the period 2002–2007 from 56% to 73%²². According to MICS²³ 2010, 78% of Roma children from segregated settlements were enrolled in primary school. However, data that the number of Roma children enrolled in special schools dropped from 8% to 6% (MDG, 2009) point out to their better coverage by the regular school system.

There is a high dropout rate during primary school education, although there are no exact and precise data on this. When we look at the national average, the status has improved over the last five years, the dropout rate when moving to fifth grade has decreased from 1,14% to 0,87%. However, there is an increasing dropout trend of children from vulnerable groups, primarily rural and Roma children, and differences begin to appear when girls are in question as well (1,2% lower rate of moving to fifth grade compared to boys). To fifth grade of primary school moved in 2005 approximately 95% of children in urban areas and 92% of children in rural environments (MDG, 2006); in 2008 the dropout rate of rural children was 14,25%, and 50% of Roma children (MDG, 2009).

The primary completion rate is 95,2%²⁴, although this methodology shows how many children left eighth grade of primary school, but not the percentage of children from the enrolled generation who completed the primary school (the cohort is not monitored). The primary completion rate with the children in rural areas is 74,14%, and there is a tendency of the lower primary completion rate among boys and higher completion rate among girls.

The percentage of children who do not move to secondary school, i.e. who do not continue their education is approximately 2% in recent years.

²¹ Millennium Development Goals

²² Living Standard Survey, 2007

²³ Multiple Indicator Cluster Survey

²⁴ Republic Statistical Office data, 2009

The dropout rate when studies are in question in the period 2000-2004 moved from 43% to 24% (with favorable decrease trend). The number of graduates four years after the enrollment shows increase from 28% to 53% in the period 2003–2008.

For greater coverage of Roma population in preschool education, the Ministry of Education and Science in cooperation with the National Council of the Roma National Minority and municipal bodies, implemented during 2007 and 2008 the Project „Expanding Access to Preschool Education to Roma Children” in 30 municipalities. The Project included approximately 2,200 children.

In the 2007/2008 school year, in the Autonomous Province of Vojvodina, child care education programmes for children aged from six months to 3 years, and preschool education programmes for children aged from three years in Romani language was implemented for 1,002 children; and in 2008/2009 school year for 960 children.

With the adoption of the *Law on the Fundamentals of the Education System*²⁵ preconditions were provided for full inclusion of children in education and continuing education without segregation: the mandatory and free Preparatory preschool programme was prolonged from six to nine months; enrollment of children from socially vulnerable groups has been facilitated (e.g., enrollment may be performed in maternal language); access to inclusive education has been regulated; support mechanisms for children and teacher staff for its implementation have been foreseen. According to the Republic Statistical Office data, in the 2008/2009 school year, approximately 3,000 children of Roma nationality were included in the Preparatory preschool programme.

According to data for 2010/2011 school year, out of the total number of children enrolled in first grade of primary school, 2,136 (7,41%) of pupils of Roma nationality were enrolled. Compared to the previous school year the percent increased by approximately 9,87%. The reasons for the increased percentage of Roma in the education system were as follows: the so called „conditional enrollment“, which enables enrollment without complete documentation (i.e., registration without all personal documents or certificate of attendance of mandatory preschool preparatory programme); distribution of free textbooks (in 2009/2010 school year 74,000 free textbooks were distributed to the first grade pupils; in 2010/2011 school year 74,319 free textbook sets were distributed to the pupils of first grade, and 74,305 free textbook sets to the pupils of second grade of primary school).

For the improvement of quality of education and access to education, the Ministry of Education and Science is implementing the Project *Education for All* (IPA 2008, component I), which should provide greater inclusion and quality of education for children from marginalized groups, where Roma belong, at preschool and primary school level, through work with Pedagogical Assistants, who according to the *Law on the Fundamentals of the Education System* help and provide additional support to children and pupils in accordance with their needs; as well as teachers, pre-school teachers and expert associates for the improvement of the work with children and pupils from socially vulnerable groups. The second part of the Project is intended for professional improvement of pre-school teachers and teachers for whom professional training is organized for the inclusive access development. Beside the development of individual

²⁵ „Official Gazette of RS”, Nos. 72/09 and 52/11

curricula, the pre-school teachers and teachers develop models of collaboration with pedagogical assistants in order to develop through the exchange of experience and knowledge the most efficient access and work model. In 48 preschool institutions and 80 primary schools, 180 pedagogic assistants are currently engaged pursuant to the *Rulebook on the Pedagogic Assistant Training*²⁶ and *Regulation on the Amendment to the Regulation on the Coefficients for the Calculation and Payment of Salaries of the Public Service Employees*,²⁷ for whom introductory trainings are organized as well as trainings for more than 500 educational workers employed in schools, kindergartens and school administrations in the Republic of Serbia.

The Project (IPA 2008, component I), *The Second Chance*, also influences the development of the education of the Roma population. It relates to the establishment of the system for functional primary school education of adults who dropped out of school before acquiring first qualification and/or functional literacy. The Project shall provide systemic solutions for the inclusion of adults in the primary education process, offering them a chance to complete their initiated primary education and continue education in secondary school, either through the system of continuous training for the labor market needs or through the secondary school curricula adequate for the needs of adults. Experimental curriculum for the primary education of adults is implemented in 80 primary schools and primary schools for the education of adults in the Republic of Serbia, while experimental standards for 30 professional training programmes will be implemented in 75 secondary vocational schools. Thus, inter alia, social inclusion as wider social need that requires coordination of greater number of social partners is affirmed.

12. Please provide data on professional and academic choices of women and men at all relevant educational levels and describe efforts made by the State party to promote the diversification of educational and vocational choices for women and men.

On the basis of data on the number of students enrolled in 2010/2011 school year, it can be seen that the number of enrolled women is bigger than the number of enrolled men: 80,255 men and 94,522 women; according to the old curriculum 9,314 men and 14,524 women²⁸ were enrolled. More detailed data are found in the publication „Women and Men in the Republic of Serbia“, which is found in Exhibit²⁹ in English translation.

Employment

13. The report notes in paragraphs 183 and 205 that pregnant women and mothers are discriminated against in the employment sector. Please provide information on measures taken to encourage women to seek redress for violations of their rights under Article 11 of the Convention. Please also provide information on the measures implemented to allow parents and care-givers to balance family obligations with work and promote equal sharing of family responsibilities between parents.

²⁶ „Educational Gazette of the Republic of Serbia“, No. 11/2010

²⁷ „Official Gazette of RS“, No. 20/2011,

²⁸ Republic Statistical Office

²⁹ Republic Statistical Office, 2011; pp. 38-40

Within item 2.1.6 of the Action Plan for the implementation of the National Action Plan for the Improvement of the Status of Women and Gender Equality for the period 2010-2015³⁰, which envisages the *promotion of the employment policy and work, which contributes to harmonizing working conditions and family life (European model of „balance between the career and family”)* the following is planned:

- *providing accessible services of day care and extended stay for children under seven years of age* – activities in the competence of the following: local self-government units and the Ministry of Labor and Social Policy³¹,
- *improving different forms of organizing day care for children under 12 years of age, and encouraging big companies and the private sector to organize such services for the children of their employees* – activities in the competence of the following: local self-government units in cooperation with the private sector and the Ministry of Labor and Social Policy³²,
- *improving organization of care for the elderly and chronic patients*) activities in the competence of the following: local self-government units, Ministry of Labor and Social Policy and National Employment Service (NES)³³.

As far as the *implementation of the public campaigns for encouraging men to meet family obligations, take care of children, elderly and ill family members as much as women*,³⁴ the Directorate for Gender Equality shall submit the following data:

For the first time in the Republic of Serbia in 2011, on the occasion of marking the International Women’s Day, a media campaign under the slogan *You Have the Right – Equal Opportunities for Men and Women* on the national television (RTS) and Radio Belgrade, was implemented, and the campaign material broadcasted also by some regional and local media houses. The purpose of these activities was the promotion of the equal opportunities policy in wider public and raising awareness on the need for women’s economic empowerment. Thus, seven videos were made (Change, Specialization, Hand in Hand, Personal Choice, Unemployed, Manager, Alone), where issues concerning women’s status and distribution of household duties between men and women at the family level were highlighted. The campaign was followed by three billboards with the same topic placed in all towns of the Republic of Serbia. The result of the overall activity was, inter alia, installing a new website of the Directorate for Gender Equality within the Ministry of Labor and Social Policy (www.gendernet.rs) with various information both regarding its work and wider gender equality sphere in the Republic of Serbia. In March 2012, within the *Programme for the implementation of priorities of the National Action Plan for the Improvement of the Status of Women and Gender Equality*, implemented by the Directorate for Gender Equality in cooperation with the Kingdom of Sweden, an open competition for a new campaign was announced relating to the promotion of equal distribution of parent and family obligations.

In February 2011 the 4th Regional Conference *Exiting from Economic Crisis* was held, with the participation of representatives of national institutional mechanisms from the Former Yugoslav Republic of Macedonia, Republic of Croatia, Bosnia and Herzegovina, Romania, Republic of

³⁰ “Official Gazette of RS”, No. 67/10,

³¹ Subitem 2.1.6.2

³² Subitem 2.1.6.3

³³ Subitem 2.1.6.4

³⁴ Subitem 2.1.6.5

Bulgaria, Republic of Montenegro, Republic of Albania; as well as representatives of the embassies of the Kingdom of Sweden, Kingdom of Norway and Switzerland in Belgrade. Experiences were exchanged relating to the following matters: the use of maternity leave by fathers, traditional distribution of household duties, women's economic rights, economic crisis and human safety, and the like.

14. According to the report, the number of women working in the lowest paid jobs is increasing, the work done by women is not recognized or assessed and women are considerably less represented at high management and decision-making positions in the private sector (paras. 204, 209-210). Please provide information on the measures taken to ensure equal access for women and men to management positions and to address horizontal and vertical labor-market segregation. Please also indicate whether there are any planned initiatives aimed at implementing the principle of equal pay for work of equal value.

The National Strategy for the Improvement of the status of Women and Gender Equality and the Action Plan to this Strategy define strategic guidelines for development of the Republic of Serbia in this field, among which is the improvement of the economic status of women as well. This Strategy places in the foreground as follows: the policy of equal opportunities, solidarity, social inclusion and social justice as precondition of economic and any other development, which cannot be achieved without the adequate use of women human resources. In June 2011 a meeting was held with the representatives of public and private companies in order to acquaint them more closely with the practice, plans and legal acts of domestic and foreign corporate entities for the improvement of gender equality in their environments. Furthermore, in the same month, the National Conference „Employment and Gender Equality”, was held in Belgrade, with the participation of more than hundred experts in the gender equality field, representatives of the relevant ministries, coordinators of working groups, representatives of local self-governments, representatives of the organizations of civil society, international organizations as well as guests from the region. The conclusions of this Conference and detailed information on the initiatives in this field can be seen at the Internet presentation of the Directorate for Gender Equality – www.gendernet.rs

Health

15. The report indicates, in paragraphs 233 and 235, that the long-term results of the National Programme of Health Care for Women, Children and Youth are directed towards narrowing the gap in access and use of health care services in rural areas and towns, administrative counties, women and men and disadvantaged groups of the population. Please provide detailed information on the programmes and initiatives in place aiming at achieving these results. Please also indicate how the effectiveness of such programmes and initiatives is monitored and evaluated.

For several years already a campaign is implemented for raising awareness of the users of health care services regarding numerous advantages of registration and selecting a physician of one's own choice. The 1st of June of this year is the deadline for the registration of users and choice of

physician. The distribution of health institutions in the network of health institutions of the Republic of Serbia is such that health care services are available at all three levels to all users.

It is particularly necessary to emphasize the adoption of a special protocol of the Ministry of Health for health care workers for the treatment of women exposed to violence.

Health care mediators were introduced as a link between the health care workers in primary health care and members of Roma population.

Data regarding health of the population are monitored by institutions in the network of public health institutes and institutions of the Republic of Serbia and the Institute of Public Health of Serbia.

16. According to paragraph 227 of the report, a very low percentage of women in reproductive age use preventive gynecological examinations and family planning services. Please provide detailed information on the cause for the low usage of such services as well as awareness-raising initiatives in place to increase usage and address sexual and reproductive health and rights, including family planning. Please also indicate if the school curricula at all levels includes education on sexual and reproductive health and rights.

Preventive gynecological examination is a service included in the package of compulsory health insurance. The adopted National Programme for the Cervical Cancer Prevention (hereinafter referred to as: NPCCP) beside organized invitations, examinations, staff education, procurement of equipment and statistical data processing also means a media campaign intended for raising awareness on the significance of preventive examinations in early detection of cervical cancer and possibilities of successful curing in case of timely illness identification. The Ministry of Health in cooperation with the Council of Europe Office in Belgrade has initiated a pilot programme envisaged during assignment of EU funds. IPA shall be implemented with planned pace till January 2013, when the beginning of implementation of NPCCP is planned at national level.

The Ministry of Health successfully cooperates with the Association for Reproductive Health, supporting actions that are primarily oriented toward preservation of reproductive health (www.21dan.com).

In primary school these topics are included within the compulsory subject of *Biology* in seventh grade. In primary education *Health Care Programme* was also adopted. It includes different topics and reproductive health is one of them. The programme is implemented within the classroom community activities, in cooperation with the health care sector and within special projects initiated by schools with the local self-government units or international organizations, such as UNICEF.

Pupils are acquainted with human rights within the optional subject *Civic Education*, and in secondary school within the same subject as well as the subject *Sociology and Constitution and Citizen Rights*.

Rural Women

17. The report acknowledges in paragraphs 255 and 257 that inequalities exist between rural and urban population with respect to standard of living and employment. Please

indicate how these inequalities impact rural women, including older women and how they have been addressed to ensure their equal access to health, education, employment and micro-credit. The report also acknowledges, in paragraph 264, the persistence of de facto discrimination against rural women with respect to owning property. Please provide information on the measures taken to change traditional and social patterns by which male spouses predominate as titleholders and indicate what efforts have been employed to inform and empower rural women to claim their rights, such as those to property.

The Ministry of Agriculture, Forestry and Water Management, within its competences, announced in 2009 competition for stimulus funds for the support of rural development through investments in expansion and improvement of economic activities of the rural population in 2009. The objective of this competition was to encourage the following activities: improvement of rural tourism, increased employment of women, manifestations cherished by women's associations in rural areas, handicrafts, traditional crafts, and the like. The effect was supposed to be reflected in reducing unemployment of the rural population, mostly women, which would result in the increase of income of agricultural holdings.

In 2010, Regulation on the use of funds for the support of development of non-agricultural activities in rural areas in 2010³⁵ stipulates conditions and methods for the use of funds to support the development of non-agricultural activities in rural areas in 2010. The mentioned Regulation stipulates that the associations are entitled to stimulus funds for projects which are at the same time oriented toward the procurement of reproduction material and employment of women in rural areas in the handicrafts field, as follows: knitting, weaving, crochet and netting, embroidery of various textile products, thread and wool binding and braiding, making souvenirs, folk costumes, objects with national embroidery, products of domestic wooden gallantry, for which, in accordance with the special regulation, positive opinion (certificate) of the ministry competent for the economy is necessary – namely, that these are products of traditional artistic handicrafts, i.e. handicraft products, with the goal of market manufacturing of traditional artifacts, if the following conditions are met: the association is registered in compliance with the law; the association is established for the preservation of old, traditional crafts and skills; the association engages minimum five women members of the association for the period of minimum six months for the fulfillment of objectives it has been established for.

The Regulation stipulates that the associations' projects shall be supported with stimulus funds in the amount of 100% of the value of certain projects (as opposed to other stimulus funds that have been determined in the amount of 40-50% of the value of investment depending on whether areas with somewhat difficult agricultural working conditions are in question or not), noting that the maximum amount of stimulus funds is limited to RSD800,000.00.

The Ministry of Agriculture, Forestry and Water Management announced in 2010 a competition and after the implemented procedure, 12 association were qualified for stimulus funding.

³⁵ "Official Gazette of RS", No. 17/10

Number of submitted RAH applications³⁶ for non-agricultural activities in rural areas	Number of approved RAH applications for non-agricultural activities in rural areas	Number of submitted RAH applications for non-agricultural activities in rural areas where holders are women	Number of approved RAH applications for non-agricultural activities in rural areas where holders are women + women's association	Number of RAH payments for non-agricultural activities in rural areas where holders are women + women's association
223	70	80	16 +12	7 +12

The mentioned tables taxatively present data on the results of the mentioned Regulation, and the women gained 10 points more than men.

The Ministry enabled in 2010 that within the Regulation on the conditions and manner of use of stimulus funds for support of rural development through investments in agricultural holdings for the production of vegetables, industrial plants as well as investment for procurement of livestock unit in livestock farming 2010,³⁷ if the holder of an agricultural holding is a woman, 10 points more are awarded. Thus:

Number of submitted RAH applications for tractors	Number of approved RAH applications for tractors – up to the limit prescribed with the Regulation	Number of submitted RAH applications where holders are women	Number of approved RAH applications where holders are women
1219	517	216	117

According to the Regulation on the conditions and manner of use of stimulus funds for support of rural development through investments in agricultural holdings for the production of milk and meat in 2010³⁸, women were awarded additional five points.

Number of submitted RAH applications for the milk and meat production	Number of approved RAH applications for milk and meat production	Number of submitted RAH applications where holders are women	Number of approved RAH applications where holders are women	Number of RAH payments where holders are women
74	36	14	4	3

We would like to note that in the Republic of Serbia there are 455,363 agricultural holdings, and that women are holders of 129,602 agricultural holdings. Basically, gender equality in registration is not relevant, since any agricultural holding could, according to its sole discretion, choose who will be the holder of an agricultural holding, a woman or man.

In accordance with the National Employment Strategy 2011–2020 training programmes intended for persons with lower education level should become a priority in NES programmes, as well as subventions for self-employment and establishing agricultural holdings and cooperatives. Furthermore, providing services to unemployed persons, particularly young, in rural areas

³⁶ Registered agricultural holdings

³⁷ "Official Gazette of RS", No. 15/10

³⁸ "Official Gazette of RS", No.15/2010, 33/2010 and 59/2010

through establishing mobile employment units away from the NES affiliates are being planned, as well as integrated services (caravan employment).

In accordance with the Law on Employment and Insurance in Case of Unemployment, a local self-government unit, which within the local employment action plan provides more than half of the funds necessary for financing a certain programme or active employment policy measures, may apply for financing this programme or measures. Priority in co-financing programmes or measures of the local employment action plans have undeveloped local self-government units, and particularly devastated areas.

In order to unify regional development, priority in assigning subventions has the employer whose seat is in the territory of a devastated region or the most undeveloped municipality or undeveloped municipality as well as the employer who employs persons who belong to the category of hard-to-employ individuals or vulnerable categories. The amount of subvention assigned to an employer for opening new vacant places depends on the development of the local self-government unit in which these persons are employed and number of persons.

Public work projects have been performed since 2006; projects implemented in undeveloped regions have a priority. In 2011 public work projects were implemented in rural environments as well.

The Ministry of Economy and Regional Development also performs the following activities: encouraging social services and services for employment of women in such services; development of local and old crafts which enable employment of women in rural areas (in 2010 NES trained 165 persons for jobs considered to be artistic and handicraft jobs); encouraging women's cooperatives in order to strengthen economic potential of women for entrepreneurship and self-employment; development of rural tourism; loans for women entrepreneurs – Development Fund of the Republic of Serbia envisages in its Work Programme 2012 special funds for loans for women entrepreneurs.

The Directorate for Gender Equality assigned in the past year, at competitions announced for women engaged in tourism in rural areas, EUR15,000 of grant funds in each particular case. In five local self-government units E-Clubs were opened, with computer equipment and training in the use of information and communications technologies and modern businesses. Furthermore, through a grant assigned to NGO „DamaD” the Directorate for Gender Equality assigned 10 greenhouses to single mothers in rural areas.

Disadvantaged groups of women

18. The report indicates in paragraph 73 that women refugees and IDPs women encounter problems to have their rights protected due to a lack of systematic state monitoring of their status in various fields of social life, and to the scarcity of existing data about these groups of women. Please provide information on the status of the draft revised National Strategy on Resolution of Issues of Refugees and Internally Displaced Persons developed in November 2009, mentioned in paragraph 76 of the report. Please also provide information on the efforts undertaken to collect data on refugees and IDPs.

The National Strategy for Resolving the Problems of Refugees and Internally Displaced Persons in the period 2011–2014³⁹, which was adopted in 2011, emphasizes particularly vulnerable categories that include women as well.

Namely, bearing in mind the goals and measures of the Strategy implementation, priority has been given to women through housing and economic empowerment projects of women as household holders, single mother families, victims of family violence and victims of trafficking.

The Commissariat for Refugees does not have an exclusively women's database. Women are recorded through projects implemented in cooperation with the local self-government units and donors as all other beneficiaries, although the projects enable their participation as the most vulnerable category having priority in resolving women's issues.

The Commissariat for Refugees shall strive in the future, through national and regional housing projects and projects for economic empowerment of refugees, internally displaced persons and returnees on the basis of the Agreement between the European Community and the Republic of Serbia on the readmission of persons residing without authorization⁴⁰, to promote resolving of the mentioned problems of the most vulnerable categories of the mentioned population, that is women, in order to contribute to the improvement of their status and role in the society.

Marriage and family relations

19. The report indicates in paragraph 71 that early marriage is still persistent in the Stateparty, especially among Roma population. Following the Committee's previous concluding observations (CEDAW/C/SCG/CO/1, para. 36), please provide information as to how the legal minimum age of marriage, which is set at 18, enforced. Please also provide detailed information on the measures undertaken to raise awareness throughout the country on the negative effects of early marriage on women's enjoyment of their human rights, especially their right to health and education.

According to Article 23 of the Family Act⁴¹ marriage may not be concluded by a person who has not reached 18 years of age, although the Court may, for justified reasons, allow for the concluding of marriage to a minor who has reached 16 years of age, and who has reached physical and mental maturity necessary for performing rights and duties in marriage. Besides, in accordance with Article 37 of the mentioned law, marriage shall be voidable if concluded by a minor without Court permission. Center for Social Work shall submit to the Court expert opinion on the physical and mental maturity of a minor.

In the Criminal Code, Chapter relating to Marriage and Family, it is stipulated that whoever in entering marriage conceals from the other party a fact that voids the marriage or deceives the other party in respect of such fact or maintains the deception relevant to such fact, shall be punished with imprisonment from three months to three years (Article 188). An official vested with powers to conclude a marriage who in discharge of official duty knowingly allows concluding of marriage that is forbidden or void by law, shall be punished with imprisonment

³⁹ "Official Gazette of RS", No. 17/11

⁴⁰ "Official Gazette of RS", No. 103/07

⁴¹ "Official Gazette of RS", Nos.18/05 and 72/2011

from three months to three years (Article 189). An adult cohabiting with a minor, shall be punished with imprisonment up to three years. The penalty specified in paragraph 1 of this Article shall be imposed also on a parent, adoptive parent or guardian who enables or induces a minor to cohabit with another person. If the offence specified in paragraph 2 of this Article is committed for gain, the offender shall be punished with imprisonment from six months to five years. If a marriage is concluded, prosecution shall not be undertaken, and if undertaken it shall be discontinued (Article 190).

The improvement of Roma education is included in the Work Programme of the Ministry of Education and Science, which has undertaken independently or in cooperation with others, certain measures for the improvement and protection of the Roma National Minority and other vulnerable groups in the education system as follows:

- Revision and implementation of the *Single Action Plan for Improvement of the Education of Roma in Serbia (SAP)*⁴², in compliance with educational needs of Roma population and the objectives of the Ministry of Education and Science in the *Decade of Roma Inclusion (2005 – 2015)*;

- Continuous activities for introducing pedagogical assistants in primary schools and preschool institutions to work with Roma pupils;

- Engaging experts from the Ministry of Education and Science in working groups for reception of returnees and providing donor funds for interventions;

- Establishing cooperation with Committees for establishing National Councils of National Minorities and linking programme activities of the Ministry of Education and Science and local self-government units through mediation of the local Roma representatives;

- Introducing the compulsory free preparatory preschool programme for all children, which lasts nine months instead of six months, and adoption of new curricula for the first cycle of primary education; development of the *Rulebook on detailed instructions for determining the right to individual educational plan, its application and evaluation*⁴³;

- Projects concerning the reform of professional education: 1) CARDS⁴⁴, in cooperation with the European Agency for Reconstruction; 2) Serbian VET⁴⁵ Project in cooperation with the German Organization for Technical Cooperation (GTZ); 3) ECO-NET, in cooperation with “Kultur Kontakt”;

- In cooperation with OSCE and the Georg Eckert Institute, *Ethno Guide* was developed which describes customs, religions, tradition and holidays of various national minorities (expert assistants engaged in the Guide development were representatives of the National Councils of the National Minorities).

The Ministry of Health seeks through activities of health mediators to raise awareness on the negative effects of early marriage and minors pregnancy.

⁴²www.mpn.gov.rs

⁴³ “Official Gazette of RS”, No.76/10

⁴⁴ Community Assistance for Reconstruction, Development and Stabilization

⁴⁵ Includes Vocational Education and Training Reform Programme

Amendment to Article 20, paragraph 1, of the Convention

20. Please indicate any progress made towards acceptance of the Amendment to Article 20, paragraph 1, of the Convention.

The Ministry of Foreign Affairs submitted in April 2012 for review Draft Law on the confirmation of Amendments to the Convention on the Elimination of All Forms of Discrimination against Women, and it is expected that at the time of presenting of the 2nd and 3rd Periodic Reports on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women, adoption of the Amendment to Article 20, paragraph 1 of the Convention, will be in final stage.