



## Convention on the Rights of Persons with Disabilities

Distr.: General  
2 October 2015

Original: English  
English and Spanish only

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### Committee on the Rights of Persons with Disabilities

#### List of issues in relation to the initial report of Serbia\*

##### A. Purpose and general obligations (arts. 1-4)

1. Please provide information about the plan and the timetable for the revision of existing laws and policies and their legal harmonization with the principles and provisions of the Convention.
2. Please provide information regarding the structures in place to ensure full and inclusive participation of and consultation with organizations representing persons with disabilities, including boys and girls with disabilities, in formulating and implementing national policies regarding persons with disabilities.

##### B. Specific rights

###### Equality and non-discrimination (art. 5)

3. Please inform the Committee on how discrimination on the basis of disability is defined and the procedures and sanctions available. Please provide information on reasonable accommodation and affirmative actions, especially in the light of the Law on Employment and Unemployment Insurance and the Law on Fundamentals of the Education System.

###### Women with disabilities (art. 6)

4. Please provide information on the legal measures, including criminal law, to protect women and girls with disabilities from sexual abuse and violence and to guarantee them employment opportunities on an equal basis with others.
5. Please provide information on the level of inclusion of women and girls with disabilities in mainstream gender equality policies and institutions and disability-related policies and legislation; please also provide information on the measures adopted to combat multiple and intersectional discrimination.

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\* Adopted by the pre-sessional working group at its fourth session (7-11 September 2015).



**Children with disabilities (art. 7)**

6. Please inform the Committee about the concrete social and psychological support services available to families with boys and girls with disabilities, from birth to school age, both within and outside the home at the local level. Please specify how these services are developed, the involvement of boys and girls with disabilities and their families, and the safeguards available regarding the quality and access to these services.

7. Please provide information about the “Comprehensive Plan of Transformation of Residential Social Protection Institutions for Children from 2009 to 2013” and its results, with special regard to future plans.

**Awareness-raising (art. 8)**

8. Please provide information on the national campaigns and awareness-raising programmes for personnel of the Serbian mass media and public mainstream schools. Please specify how they aim at changing deep-rooted negative attitudes and prejudice and society-wide discriminative practices against persons with disabilities, especially against women and girls with disabilities.

**Accessibility (art. 9)**

9. Please inform the Committee about the steps taken to monitor and improve the implementation of legal provisions in the field of accessibility, with special regard to information- and communication-related accessibility. Please provide information on any plan, roadmap or suitable indicators and sanctions to be applied in making a barrier-free environment in general and in providing facilities and opportunities to improve the inclusion and active participation of persons with disabilities.

10. Please provide information on the forms of live assistance and intermediaries, including guides, readers and professional sign language interpreters, to facilitate accessibility to buildings, services and other facilities open to the public.

**Right to life (art. 10)**

11. Please inform the Committee on the steps taken by the State party to eliminate the occurrence of violent deaths of persons with disabilities in institutions. Please specify if new safeguards have been adopted to protect the lives of persons with disabilities, particularly in institutionalized settings.

**Situations of risk and humanitarian emergencies (art. 11)**

12. Please provide information about the accessibility of information relating to situations of risk, humanitarian emergencies, natural disasters and evacuation plans, in accordance with the National Strategy of Protection and Rescue in Emergency Situations and the Plan of Protection and Rescue in Emergency Situations, and the involvement of persons with disabilities and their representative organizations. Please include specific information on the use of sign language(s) or other accessible communication measures or formats. Please inform the Committee whether shelters in the State party will be made accessible when the Law on Emergencies is implemented.

**Equal recognition before the law (art. 12)**

13. Please provide information on the number of persons under guardianship since the ratification of the Convention. Please include information on the steps that have been taken to decrease the number of people under guardianship and to move to a supported decision-making system, with special regards to the right to marry and to vote.

**Access to justice (art. 13)**

14. Please provide information about the quality of procedural accommodation during judicial procedures, in both the civil and the criminal systems, and in police investigation and public prosecution procedures. Please specify the procedural safeguards put in place to ensure that all persons with disabilities can gain access to justice, especially persons who are deaf and hard-of-hearing.

**Liberty and security of person (art. 14)**

15. Please inform the Committee about the exact definition, protocols and legally regulated cases of involuntary detention at psychiatric facilities and existing legal procedures and practices. Please inform the Committee on the steps being taken to repeal provisions permitting disability-based detention and forced treatment and to ensure the individual right to free and informed consent regardless of legal capacity status. Please include specific information about the safeguards for making personal statements, the involvement of independent experts and the right to an independent appeals' mechanism during continuation of confinement.

**Freedom from violence, exploitation and abuse (art. 16)**

16. Please explain the legal and effective measures put in place to prevent and eliminate violence, exploitation and abuse against persons with disabilities, in particular women, girls and boys, and those who have been placed in institutions.

**Protecting the integrity of the person (art. 17)**

17. Please provide information on the circumstances where guardians may authorize medical intervention, including sterilization, without the consent of the person concerned.

**Living independently and being included in the community (art. 19)**

18. Please explain the reasons for slow progress of the deinstitutionalization process. Please provide concrete figures with special regard to the number and percentage of persons with disabilities, disaggregated by sex, age and impairment, within each institution. Please specify whether the State party is considering adopting a comprehensive national deinstitutionalization strategy with standardized care and services, and the development of personal assistance, with the involvement of persons with disabilities and their representative organizations as well as local authorities.

**Personal mobility (art. 20)**

19. Please inform the Committee about possibilities for persons with disabilities to be able to obtain assistive devices for mobility and about the legislation and practice of delivering driving licences to persons with disabilities on an equal basis with others, including deaf persons and their use of sign language.

**Education (art. 24)**

20. Please inform the Committee on the measures introduced to promote the practice of inclusive education at primary, secondary and higher education, with special regard to professional involvement of pedagogical assistants in classes by deploying a diversity of appropriate instructional methods and technologies in inclusive settings.

**Work and employment (art. 27)**

21. Please inform the Committee about how effective are affirmative action measures taken to promote the employment of persons with disabilities in the open labour market and public sector since 2009, in the light of the new amendments to the Labour Law adopted in 2014.

22. Please provide information on the classification and procedure applied to evaluate the possibility of a person with disability to be included in the labour market. Please include information on the breakdown of these categories among persons with disabilities.

**Adequate standard of living and social protection (art. 28)**

23. Please provide information on how support is provided to persons with disabilities to cover disability-related costs, and on the procedures to secure the right to social protection, with special regard to the additional administrative burden imposed on persons with disabilities.

**Participation in political and public life (art. 29)**

24. Please inform the Committee about the legislation in place and the relevant practice in providing alternative voting material, in particular Braille and easy-to-read formats. Please also inform the Committee about information distributed in mass media during elections, particularly for deaf and hard-of-hearing persons. Please further inform the Committee on the steps taken to restore the right to vote for all persons with disabilities under guardianship.

**Statistics and data collection (art. 31)**

25. Please provide information about the systematic data collection in the field of disability, the methodologies in place and the consultations with organizations of persons with disabilities in order to collect additional data disaggregated by sex, age and type of impairment in different areas, such as inclusive education, legal capacity, domestic violence, institutionalization and employment.

**National implementation and monitoring (art. 33)**

26. Please inform the Committee about the focal point, coordination process and mechanism, and the independent monitoring mechanism of the State party, in particular the mandate, independence and transparency of the latter. Please provide information on budgetary support for the independent involvement of organizations of persons with disabilities in the monitoring mechanism.

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