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Report of the Working Group on the Universal Periodic Review*

Serbia

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1 of 18 June 2007, held its fifteenth session from 21 January to 1 February 2013. The review of Serbia was held at the 15th meeting on 30 January 2013. The delegation of Serbia was headed by Gordana Stamenić, State Secretary, Ministry of Justice and Public Administration. At its 17th meeting, held on 1 February 2013, the Working Group adopted the report on Serbia.
2. On 14 January 2013, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Serbia: Chile, Republic of Korea, and Switzerland.
3. In accordance with paragraph 15 of the annex to resolution 5/1 and paragraph 5 of the annex to resolution 16/21, the following documents were issued for the review of Serbia:
 - (a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/15/SRB/1);
 - (b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/15/SRB/2);
 - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/15/SRB/3).
4. A list of questions prepared in advance by Belarus, the Czech Republic, Iceland, Mexico, the Netherlands, Norway, Slovenia, Sweden and the United Kingdom of Great Britain and Northern Ireland was transmitted to Serbia through the troika. These questions are available on the extranet of the universal periodic review (UPR).

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. Since the first UPR cycle, Serbia had done much to implement received recommendations and to promote and protect human rights.
6. Serbia regularly submitted periodic reports to the United Nations treaty bodies. Currently, the preparation of the second periodic report under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), the second and third periodic report under the Convention on the Rights of the Child (CRC) and the initial report under the International Convention for the Protection of All Persons from Enforced Disappearance (CPED) was under way. The initial report under the Convention on the Rights of Persons with Disabilities (CRPD) had been submitted in mid-2012.
7. Serbia supported the activities of the United Nations and was open to cooperation with its special procedures, as evidenced by its standing invitation to all thematic procedures, issued on 11 October 2005.
8. In Serbia, human rights training was carried out by competent State institutions and relevant non-governmental organizations (NGOs).

9. A reform of the judiciary had been initiated in 2009, with a package of judicial laws establishing the High Judicial Council and State Prosecutorial Council as key authorities with competence and powers to appoint, nominate and dismiss judges, prosecutors and presidents of courts and ensure the efficient work of courts and public prosecutors' offices. The drafting of a national judicial reform strategy was under way, aimed at building and strengthening an independent, transparent and efficient judicial system.

10. Amendments to the Criminal Code had allowed the harmonization of national legislation with recommendations of the Council of Europe Group of States against Corruption; defamation had been decriminalized; and the ban on unauthorized public comments on court proceedings had been lifted.

11. Criminal legislation did not include "hate crime" as a separate criminal offence, but it did include a number of other offences that indirectly related to such offence. Amendments to the Criminal Code in 2012 provided that, when a criminal offence was committed on the grounds of the victim's race or religion, national or ethnic affiliation, particular gender, sexual orientation or gender identity, the court was to consider it as an obligatory aggravating circumstance, relevant for determining the sanction, whenever it was not stipulated as a distinctive feature of a criminal offence.

12. The Strategy for Reducing Overcrowding in Institutions for Enforcement of Penal Sanctions (2010-2015) and its related Plan of Action had been adopted. Independent inspection of prison conditions was performed by the Ombudsman, the Parliamentary Commission Monitoring the Enforcement of Penal Sanctions, and NGOs.

13. To address issues relating to persons without documents, Serbia had adopted the Law on Civil Registers (2009) and the Law on Permanent and Temporary Residence (2011) and had made amendments to the Law on Non-Contentious Procedures (2012).

14. An inclusive system of mandatory health insurance was being developed for all citizens, including marginalized categories, funded from the State budget.

15. The Law on Prohibition of Discrimination (2009) banned a wide range of forms of discrimination and established the office of the Commissioner for Protection of Equality, operational since 2010, with 18 employees.

16. The Law on Gender Equality (2009) defined in more detail the ban on gender-based discrimination and rights of both genders in employment, social and health care, family relations, political and public life, education, culture, sports and judicial protection. The National Strategy for the Advancement of Women and the Promotion of Gender Equality and the related Plan of Action had been adopted, covering six key areas relating to the advancement of women and the promotion of gender equality. The implementation of the equal-opportunity policy had resulted in equal pay for equal work for both genders and the increased presence of women in State administration bodies, the judiciary and in the most important and responsible positions of the State. Women had served as the Speaker of the National Assembly (2008-2012); President of the Supreme Court of Cassation (2005-2009, 2009-2010, 2010-2013), known as the Supreme Court until 2010; President of the Constitutional Court (2007-2011), and Public Prosecutor of the Republic of Serbia (since 2008).

17. The National Strategy to Prevent and Combat Violence against Women in the Family and in Intimate Partner Relationships had been adopted. The special protocol of the Ministry of Health for the protection and treatment of women exposed to violence had been in force since 2010. The General Protocol on Conduct and Cooperation of Institutions, Bodies and Organizations in Cases of Violence against Women in the Family and in Intimate Partner Relationships had been adopted (2011), establishing cooperation among relevant bodies.

18. The education system did not allow differences in the education of children with development difficulties and disabilities or of other children. An inclusive education concept had been developed; the Law on the Fundamental Principles of Education and Upbringing gave persons with development difficulties and disabilities, regardless of their material conditions, the opportunity to access all levels of education in institutions. On average, 120 students with disabilities were granted scholarships each year.

19. The Law on Professional Rehabilitation and Employment of Persons with Disabilities (2009) had introduced, for any employer having at least 20 employees, the obligation to employ persons with disabilities. The procedure for the adoption of the Law on Social Entrepreneurship and Employment at Social Enterprises had also been initiated.

20. The Law on Planning and Construction (2009) stipulated that public and business premises must be accessible by persons with disabilities, children and the elderly.

21. The National Councils of National Minorities were an organizational form of minority self-government and constitutional category. The Law on National Councils of National Minorities transferred to those institutions several State competences concerning official use of language and script, education, information and culture. The Law facilitated, for the first time, the direct election of members of national councils for 16 national minorities. Three national minorities elected their national councils through an electoral assembly; the Executive Board of the Federation of the Jewish Communities performed functions of a national council pursuant to the Law; and Albanian, Czech, Ashkali and Slovene national councils had been elected for the first time. Funds for national councils were provided from State, provincial and local self-government budgets; the State budget had allocated €2.2 million for 2012 and €2.3 million for 2013.

22. The Government had established the Council for Advancement of Roma (2008), the Strategy for the Advancement of the Status of Roma (2009) and the related Plan of Action (2010) covering 13 key areas. Under the Law on the Fundamental Principles of Education and Upbringing and the Law on Students' and Pupils' Standard, affirmative action for Roma pupils and students was being implemented in the areas of enrolment, the granting of scholarships, and loan advancement, including free and compulsory pre-primary education and the introduction of pedagogical assistants. The percentage of Roma enrolled in secondary schools had risen from 8.3 per cent in 2004 to almost 20 per cent in 2010. Affirmative action also applied to the enrolment of Roma applicants at universities. The National Employment Strategy (2011-2020) referred to the upgrading of human capital and greater social inclusion of socially excluded individuals and groups, including Roma. The National Employment Plan of Action for 2013 defined them as less employable persons. The National Strategy on Social Housing (2012) envisaged special measures related to informal Roma settlements. The City of Belgrade, together with international donors, had introduced a social housing programme mostly targeting Roma; the programme was under way and funds needed to be secured.

23. The anti-discrimination law and the Labour Law explicitly prohibited discrimination based on sexual orientation. The conference on combating discrimination based on sexual orientation and gender identity (2012) was the first conference organized by the State on lesbian, gay, bisexual and transgender (LGBT) issues.

24. Amendments to the Criminal Code (2009) had introduced stricter penalties for human trafficking, especially when committed against minors. The new Strategy for the Prevention and Suppression of Human Trafficking (2013–2018) and the related Plan of Action (2013–2014) had been prepared. Assistance to victims of trafficking was provided by State institutions and NGOs. In 2012 the Government had established the Centre for the Protection of Victims of Trafficking. As part of the social welfare system, victims of trafficking were afforded a variety of assistance.

25. There were problems concerning human rights in the territory of the southern Serbian Province of Kosovo and Metohija, administered by the United Nations since June 1999 under Security Council resolution 1244 (1999). Serbia had been unable to implement international treaties in the field of human rights protection in that part of its territory.

26. Internally displaced persons (IDPs) forced to leave their homes in Kosovo and Metohija could not sustainably return in line with the criteria recommended in the Framework on Durable Solutions for Internally Displaced Persons. Even 12 years later, IDPs had no access to their property or effective protection of their ownership rights before local courts, which were prerequisites for sustainable return. Returnee communities lacked access to basic services, an education system and employment, which made return, already negligible, unsustainable.

27. Between 2008, when the Law on Asylum entered into force, and 2012, the number of asylum seekers had increased from 77 to 2,732. They were given lodging, clothing, free legal aid, psychosocial support, and interpretation services. Unaccompanied minors seeking asylum were given special care and appointed a guardian by a competent social centre. A new criminal offence had been introduced: “enabling the abuse of the enjoyment of the right of asylum in foreign State” in order to reduce the number of fake asylum seekers.

28. The Strategy for the Reintegration of Returnees under Readmission Agreements (2009) set as priorities: personal identity documents, accommodation issues, job opportunities and access to health care, education, social care and family legal protection.

B. Interactive dialogue and responses by the State under review

29. During the interactive dialogue, 67 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

30. Guatemala noted recent progress including the adoption of the Law on the Ombudsman. It highlighted OHCHR recommendations, including to continue to allocate resources for the effective running of human rights institutions and to ensure the protection of women and children against violence. Guatemala made a recommendation.

31. Poland was concerned about a negative perception and stereotyping of national, ethnic and religious minorities. It noted reports on inadequate functioning of the courts, including unreasonable delays in proceedings, and on a number of offences relating to the sale of children. Poland made recommendations.

32. Indonesia welcomed the progress made by the post-conflict country. It noted the measures developed by the Government to fulfil its commitment to its human rights obligations. It commended Government efforts to adopt laws and strategies to further promote and protect human rights. Indonesia made recommendations.

33. Iraq welcomed the adoption of legislation and policies aimed at prohibiting discrimination, promoting gender equality and integrating all members of Serbian society, as well as the adoption of legislation to consolidate related mechanisms. It asked what activities had been carried out by the police forces to promote the respect of human rights. Iraq made a recommendation.

34. Ireland urged Serbia to ensure full implementation of the Criminal Code and the legal protection of all human rights defenders. It was concerned about reports of attacks on and discrimination against the LGBT community, of attacks on journalists and of political control of the media. Ireland made recommendations.

35. Italy asked which measures Serbia envisaged taking to address the parliament’s power to appoint judges and prosecutors. It requested further information on the Plan of

Action for implementation of the Strategy for the Advancement of the Status of Roma and on any obstacles impeding its adoption. Italy made a recommendation.

36. Japan welcomed the increase in the number of female parliamentarians following the election in May 2012 as well as the composition of the new Cabinet, and commended the steps taken towards judicial reform. Japan expressed hope that the rights of persons belonging to vulnerable groups would be adequately protected and promoted. Japan made recommendations.

37. Kuwait welcomed strategies and plans to improve gender equality and the adoption of laws that guaranteed equal opportunity to all in governmental and authority-level positions, and commended the law on vocational training for persons with disabilities, aimed at facilitating their integration into the labour market, and access for children with disabilities to educational facilities. Kuwait made recommendations.

38. Kyrgyzstan commended Serbia for the practical progress achieved since the previous review, including measures to strengthen the position of women, such as the adoption of the Law on Gender Equality, a national strategy and a plan of action for the implementation of Security Council resolution 1325. Kyrgyzstan made recommendations.

39. The Lao People's Democratic Republic congratulated Serbia on its progress since the previous UPR cycle. It encouraged the Government to continue its cooperation with the United Nations, other international organizations and all stakeholders to overcome any constraints and challenges to the fulfilment of the rights of its citizens.

40. Libya commended efforts to establish an office for human rights and the rights of minorities. It welcomed the adoption of the national strategy to prevent violence against women, the activation of the plan to combat human trafficking, the law against discrimination, and a series of legal texts regarding judicial reform and the Ombudsman, as well as the strengthening of multicultural rights in autonomous areas. Libya made recommendations.

41. Lithuania shared the concern of the Human Rights Council on existing stereotypes of women in society, including women belonging to minority groups. It invited Serbia to focus on non-discrimination of national minorities throughout the country, possibly through direct dialogue on the issue. Lithuania made recommendations.

42. Malaysia noted the challenges faced by Serbia, such as the full integration of its minority groups into society. Malaysia also shared the concern of the Committee on the Rights of the Child on the high number of offences involving children. Malaysia made recommendations.

43. Mexico underscored significant actions taken to promote and protect human rights in Serbia, including a standing invitation for special procedures and the ratification of several international instruments. It urged the Government to reconsider ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICRMW). Mexico made recommendations.

44. Morocco expressed its interest in the establishment of the Office for Human and Minority Rights and welcomed the significant achievements of Serbia in the fight against corruption. It also wanted to know more about the opportunities offered by the educational system to the ethnic minorities. Morocco made recommendations.

45. The Netherlands stated that insufficient progress had been made to protect human rights defenders and journalists, referring to the recommendations made by the Committee against Torture and the European Union Progress Report. It also mentioned that freedom of expression and association for LGBT persons was limited. It made recommendations.

46. Norway stated that some minority groups in Serbia were vulnerable to threats and continued to face challenges regarding the exercise of their rights, especially the Roma population and sexual minorities. It recalled the recommendation of the Special Rapporteur on the situation of human rights defenders (see recommendation 131.19). Norway made recommendations.

47. The State of Palestine welcomed the measures taken to achieve full equality, as well as the country's cooperation with human rights mechanisms. It welcomed efforts in the area of countering trafficking in persons and the provision of protection and assistance to the victims. It also welcomed the draft law on the rights of the child and the prohibition of corporal punishment. It made recommendations.

48. The Philippines applauded Serbia for its commitment to protect migrant workers' rights but was concerned that, despite its signing of ICRMW, Serbia had yet to accede to that Convention. It commended Serbia for aligning its domestic legislative framework with the Palermo Protocol. It made recommendations.

49. Hungary urged the relevant Serbian authorities to investigate cases of violent acts against persons belonging to national minorities. Hungary asked for further information on the running of the minority councils and the reasons for the transfer of minority rights issues to a government office. Hungary made recommendations.

50. Portugal welcomed the fine-tuning of Serbian legislation on sexual exploitation of children. It expressed concern about the high number of girl victims of trafficking. Portugal also asked Serbia about the steps taken to bring its definition of torture into line with that of CAT. Portugal made recommendations.

51. The Republic of Korea welcomed the recent judicial reform process to ensure both the independence of the judiciary and the right to fair trial. It also noted the ongoing efforts made in the areas of gender equality, national minorities and the protection of the Roma population. It made recommendations.

52. The former Yugoslav Republic of Macedonia requested further information on efforts to address the problem of legally invisible persons, particularly the Roma population. It would also be grateful for information on actions taken to give effect to the Optional Protocol to CAT.

53. The Republic of Moldova welcomed the enactment of a large number of laws and regulations. It acknowledged actions introduced to ensure non-discrimination, efforts to prevent gender-based violence and punish its perpetrators, and ongoing efforts to combat child exploitation and ensure the physical and psychological recovery and social reintegration of child victims. It made recommendations.

54. Romania was concerned by obstacles, met by Serbian citizens from Eastern Serbia, hampering free access to religious services, education and mass media in their own mother tongue – Romanian. It underlined that the State should not condition the granting of the registration of a religious community and the recognition of its legal status on the agreement of another religious community. Romania made recommendations.

55. The Russian Federation noted steps taken to: enhance the anti-corruption policy and the independence of the judicial system; combat racist, anti-Semitic and extremist language and acts; stem neo-Nazi activities; uphold decent inter-ethnic relations; and address the rights of smaller ethnic minorities. It made a recommendation.

56. Singapore commended the achievement made by Serbia in its judicial system through reforms to provide protection for its citizens without discrimination. It noted the adoption of legislation and policies to criminalize violence against women, as well as the remedies provided. Singapore made recommendations.

57. Slovakia welcomed the adoption of a series of legal norms, including the Law on the Prohibition of Discrimination. It also credited Serbia for the “A” status of its Ombudsman institution, which was in line with the Paris Principles, and the ratification of CRPD, CPED and a number of optional protocols. Slovakia made recommendations.

58. Slovenia welcomed the information on the national strategy and on protocols for the prevention and elimination of violence against women. Slovenia asked for details regarding the ratification by Serbia of the Council of Europe Convention on preventing and combating violence against women and domestic violence. Slovenia made recommendations.

59. Spain welcomed the delegation and commended the Government for efforts made over recent years towards the promotion and protection of human rights. It applauded particularly the ratification of CRPD and the Optional Protocol thereto and CPED. Spain made recommendations.

60. Sri Lanka welcomed the commitment of Serbia to protecting multi-ethnicity and multiculturalism in its society. It asked Serbia to explain the role of its National Council of National Minorities in improving education. It also asked what preventive actions had been taken to implement the United Nations Global Plan of Action to Combat Trafficking in Persons.

61. Sweden noted a strengthened anti-discrimination legal framework, but remained concerned about the continued discrimination against LGBT persons. It noted efforts to fight corruption, but also noted that more would be needed for a sustainable approach to anti-corruption, including further work to ensure the independence of the prosecution service and the judiciary. Sweden made recommendations.

62. Serbia informed the Working Group that the plan of action for the Roma strategy would be adopted within a few months.

63. A working group comprising members of competent bodies and NGOs had handled the displacement of the informal Roma settlement in Belgrade Block 72. The working group had been monitored by the Ombudsman. The displacement had been carried out in accordance with the basic principles and guidelines on development-based evictions and displacements, created by the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in this context. All families had been provided with alternative accommodation.

64. New legislation on legally invisible persons brought improvements regarding the exercise of the right to birth registration. It also governed the court procedure for determination of the date and place of birth of unregistered persons. Those persons were exempt from all taxes and costs of expertise were paid from the court’s funds.

65. Serbia had been implementing a number of programmes aimed at the improvement of living conditions of IDPs, addressing primarily housing problems and economic empowerment projects. IDPs who decided to return to the Serbian Province of Kosovo were supported with returnee packages. Legal aid projects were also financed, in the form of assistance in obtaining personal identity documents and in representation before Kosovo courts. A number of IDP associations were financed from the State budget.

66. Political will for combating corruption did not mean that the executive and political authorities conducted arrests. Executive authorities created conditions for law enforcement agencies and judiciary so that they could prosecute the perpetrators of criminal offences. Executive authorities had no power to influence the courts with respect to detention and the conduct of the concrete proceedings.

67. The fight against corruption entailed the legal obligation to submit to the Anti-Corruption Agency reports on the property of public officials; those reports had been published on the Agency website. Public administration bodies and judicial authorities prepared integrity plans.

68. In accordance with the latest legislative amendments, endangering the safety of journalists in the performance of their profession was considered as serious an offense as endangering State officials, such as, for example, the President of the Republic, the Prime Minister, judges and public prosecutors.

69. Competent authorities had taken action aimed at identifying the perpetrators of three unsolved murders of journalists. The Government had established a commission tasked with preparing an opinion on effective ways to improve the investigation.

70. Criminal proceedings had been initiated against members of extremist groups, and the Constitutional Court conducted proceedings to prohibit the operation of associations that violated guaranteed human and minority rights and spread hatred, which was also a form of protection of human rights defenders. The deletion of such associations from the register was mandatory. All proceedings in such matters were urgent *ex lege*.

71. National Councils were elected and constituted in accordance with the Law on National Councils of National Minorities (2009), except for the Bosniak National Council. The latter had not been constituted after the elections, but its work had been continued by the members who had been elected in 2003, pursuant to the transitional provision of the Law. The State continued to finance the work of the Bosniak National Council. The plan for the current year was to make amendments to the Law that would eliminate the observed deficiencies.

72. Social care institutions, in cooperation with other stakeholders in the protection of victims of human trafficking, fulfilled their duties under the Council of Europe Convention on Action against Trafficking in Human Beings. Activities were ongoing to put in operation a special facility with the first emergency reception ward for victims of trafficking, as a special unit of the Centre for the Protection of Victims of Trafficking. Over 170 employees at social-work centres had completed training on the protection of victims of human trafficking in 2011-2012.

73. Competent State institutions had programmes for the perpetrators of domestic violence and sexual and gender-based violence who were currently serving sentences. Seminars for prosecutors on treatment of perpetrators of domestic violence and violence in intimate partner relationships were also organized.

74. Centres for social work were required to provide 24-hour emergency intervention services, directly and in cooperation with other services and agencies in the local community, and where it was necessary to protect the life, health and safety of children, adults or the elderly. The operating model used at the social-work centres was case management, and victims of violence were also referred to services provided in the community.

75. In 2013 Serbia planned to take steps envisaged by the law to ratify the Council of Europe Convention on preventing and combating violence against women and domestic violence.

76. The legislative framework for promotion and protection of the rights of the child had been completed and several laws related to the rights of child had been passed, namely, on social protection, education, health care, justice, policing and other relevant services. A law on the rights of the child was being drafted. The National Assembly Committee on the Rights of the Child was tasked with verifying compliance of national legislation with international standards on the rights of the child.

77. The latest amendments to the Criminal Code prescribed severe punishment for illicit sexual acts when committed by a teacher, tutor, guardian, adoptive parent, stepfather, stepmother or other person abusing his/her position to perform any sexual act (other than intercourse or equivalent) on a child entrusted to their care.
78. The Strategy for Combating Discrimination would be adopted in the near future.
79. The Law on Gender Equality had introduced a mechanism for mandatory forwarding to the relevant State body the final court decisions in civil proceedings for protection against gender discrimination.
80. The right of association of the LGBT population was observed. According to the Constitution, associations were to be established freely, without prior approval and entered into the relevant register. Secret and paramilitary associations were prohibited.
81. The LGBT community was granted all health insurance-related rights with no obstacles to their access to the health-care system. Amendments to the Law on Health Insurance (2011) granted the right to a sex change on medical grounds. Serbia was among the few countries in which a sex-change for medical reasons was covered by the mandatory health insurance.
82. Pursuant to 2011 amendments to the relevant law, the Ombudsman had been appointed to perform functions of the National Mechanism for Prevention of Torture. Under the chosen “Ombudsman ++” model, the Ombudsman carried out the activities of the Mechanism in cooperation with Ombudsmen of the autonomous provinces and NGOs. The Mechanism in Serbia had become operational. The State had provided resources for its operation. A continuing cooperative dialogue between the National Mechanism for Prevention of Torture and the State had been established.
83. Serbia had begun drafting five laws to improve the independence and freedom of media; after wide public debate, it would send them to the parliament.
84. All elementary and secondary school students belonging to a national minority had available three modes of education: mother tongue; bilingual; and Serbian with optional mother tongue instruction including elements of national culture. A total of 329 different text books had been published for students from national minorities in 2012/13.
85. The National Councils of National Minorities were entitled to establish educational facilities for respective minority students, and perform other related functions and duties.
86. The legal framework governing the police had been harmonized with relevant international human rights standards. Effective mechanisms of oversight and control of the police had been established. Currently, the police included members of all national minorities and numerous promotional activities had been carried out to increase such representation.
87. In 2011, Serbia had been among the first States in Europe to join the United Nations Blue Heart Campaign against Human Trafficking. Across Serbia the film *Sisters*, on trafficking in women, had been screened more than 40 times and aired by the national broadcaster.
88. The Legislative Framework for the Protection of Persons with Disabilities had been established and the Strategy for Improving the Position of Persons with Disabilities (to 2015) had been adopted. The implementation of the Law on Professional Rehabilitation and Employment of Persons with Disabilities had resulted in the employment of 10,000 persons with disabilities, and 10,000 persons with disabilities had been included in various forms of professional rehabilitation.

89. The jurisdiction and organization of Orthodox churches was determined by canonical law and relationships among the Orthodox churches.

90. Switzerland welcomed efforts to set up a national torture prevention mechanism as well as the enactment of an anti-discrimination law and the establishment of the office of the Commissioner for the Protection of Equality. However, it remained concerned at the problems encountered by various minorities. Switzerland made recommendations.

91. Thailand commended the continued judicial reforms undertaken by Serbia and its cooperation with the International Criminal Tribunal for the Former Yugoslavia (ICTY), reflecting its commitment to peace and stability in the region. Thailand noted with pleasure the adoption of the Law on Professional Rehabilitation and Employment of Persons with Disabilities as well as the fulfilling of the national obligation under the Convention on the Elimination of All Forms of Discrimination against Women. Thailand made recommendations.

92. Tunisia noted with satisfaction the promulgation of many laws, including those banning discrimination and demonstrations of neo-Nazi and fascist organizations. It welcomed the establishment of the office of the Commissioner for the Protection of Equality as well as of a legislative framework for the prohibition of discrimination, gender equality and protection against gender violence. Tunisia made recommendations.

93. Ukraine welcomed the anti-corruption initiatives undertaken by Serbia, but asked for its timeline on adopting the new National Anti-corruption Strategy. Ukraine noted the efforts to fight domestic violence and encouraged Serbia to take further measures to punish perpetrators of violence against women and children. Ukraine made recommendations.

94. The United Kingdom commended Serbia for its legislative and institutional improvements in preventing torture and ill-treatment; women's rights; and media reforms. It was concerned about the high number of cases before the European Court of Human Rights and continued threats against NGOs and the media. It made recommendations.

95. The United States of America welcomed the Serbian Anti-corruption Agency and encouraged greater judicial independence and elimination of bribery and conflict of interest. Despite being a priority for Serbia, many Roma still suffered discrimination in education, housing, employment and birth registration. The United States was disappointed by the lack of progress in the Bytyqi case. It made recommendations.

96. Uruguay highlighted the domestic-legislation amendments carried out to comply with universal human rights standards, including the adoption of national laws against discrimination and the abolition of compulsory military service. It noted that cross-border trafficking of women for sexual exploitation and other purposes continued. Uruguay made recommendations.

97. Viet Nam noted the adoption of numerous laws, national strategies and action plans on gender equality, women's empowerment, child care, migration, social integration for persons with disabilities, housing, education, refugees and displaced persons. It commended Serbia for its efforts in combating racial discrimination and racism. Viet Nam made a recommendation.

98. Algeria noted that Serbia had an exhaustive and diversified institutional framework for protecting human rights. It encouraged Serbia to realize the priorities for the promotion and protection of human rights, including at the international level, set out in its national report. Algeria made a recommendation.

99. Angola noted that Serbia had undertaken a number of reforms through legislation on judges, the judicial system and several institutions. It welcomed efforts to protect children's

rights, in particular the draft law prohibiting corporal punishment, and the strategy to prevent domestic violence against women. Angola made a recommendation.

100. Argentina welcomed the delegation and thanked it for the presentation of the report. It congratulated Serbia on the establishment of the Office for Human and Minority Rights and on the ratification of CPED. Argentina made recommendations.

101. Armenia expressed its appreciation for the progress in human rights education, the adoption of anti-discrimination legislation and the establishment of the position of Commissioner for the Protection of Equality. Serbia had achieved significant results in better protecting minority rights through the adoption of the Law on the National Council of National Minorities. Armenia made a recommendation.

102. Australia welcomed the adoption of the anti-discrimination law and the establishment of a commission for the protection of equality. Australia also welcomed the efforts to protect journalists, but was concerned that restrictive legislation might limit freedom of expression. Australia acknowledged the ongoing cooperation of Serbia with the ICTY. Australia made recommendations.

103. Austria raised the issue of integration of Roma citizens. It asked about plans for improving support for victims of domestic violence and prohibiting corporal punishment of children. Austria was concerned about extremist groups' attempts to intimidate journalists and human rights defenders through hate speech, and asked for information on plans to ensure freedom of expression and association and adequate protection to the LGBT community. Austria made recommendations.

104. Azerbaijan noted measures taken to enforce and improve the activities of its Ombudsman, recently upgraded to "A" status. It noted that Serbia was promoting the position of women in high-level decision-making through specific legislation and that it had addressed the needs and necessities of the many refugees on its territory. Azerbaijan made recommendations.

105. Belgium welcomed legislation adopted by Serbia to ensure gender equality, but was concerned that many victims of trafficking and sexual exploitation were juveniles. It asked what measures would be taken in implementing the country's global media strategy. It was also concerned by the banning of the "Pride Parade" in 2011 and 2012, which adversely affected LGBT rights. Belgium made recommendations.

106. Bhutan commended Serbia for establishing numerous domestic legislative frameworks and institutional mechanisms to protect the rights of children, women and minorities and to fight against human trafficking and domestic violence. It welcomed the ratification by Serbia of international instruments, including CRPD and CPED. Bhutan made a recommendation.

107. Croatia welcomed the establishment of a Council for National Minorities, the adoption of the Law on National Councils for National Minorities and the anti-discrimination law. It asked what measures would be implemented to ensure appropriate representation of national minorities in the judiciary, administration and police and to develop a multi-ethnic, multicultural society. It asked Serbia to elaborate on why the fundamental freedoms of LGBT persons could not be protected, in view of the worrying widespread discrimination against them. It encouraged Serbia to further develop the concept of "hate crime".

108. Brazil noted the cooperation by Serbia with the ICTY and its new legislation on the judiciary and asylum. Brazil also noted measures to fight discrimination and protect equality. It asked whether Serbia intended to adopt new measures against discrimination on the basis of sexual orientation and gender identity. Brazil made recommendations.

109. Bulgaria noted measures to improve the legislative and institutional framework in human rights and encouraged Serbia to extend its reform agenda. However, it noted that the identity and socioeconomic situation of the Bulgarian national minority were eroding and asked what steps Serbia would take in that regard. Bulgaria made a recommendation.

110. Cambodia noted measures to tackle discrimination through legislation on the protection of national minorities. It welcomed the adoption of new laws under the National Judicial Reform Strategy. Cambodia made a recommendation.

111. Canada welcomed the adoption of the 2009 anti-discrimination law. It asked for information on implementation of the adopted legislation and progress achieved so far. It applauded Serbia for the arrest and transfer of the fugitives Mladić and Hadžić, but was concerned about threats and violence from extremist elements, including based on sexual orientation. Canada made recommendations.

112. China commended Serbia for ratifying CRPD and other international human rights instruments. Serbia had introduced judicial reform to ensure independence and transparency and had taken measures to protect the rights of minority groups and children, enhance the role of women in high-level decision-making, and punish perpetrators of racial discrimination. China made a recommendation.

113. Colombia highlighted the State's commitment to implementing previous recommendations and its transparent and cooperative approach to human rights mechanisms. Colombia commended Serbia on its adoption of the Framework Convention for the Protection of National Minorities and on legislation regarding the prohibition of discrimination. Colombia made recommendations.

114. Costa Rica noted legislative amendments to prohibit discrimination. It expressed concern about ongoing violence towards women and especially towards children, and about cross-border trafficking of women and children for the purpose of sexual exploitation. Further efforts were needed for the eradication of such phenomena. Costa Rica made recommendations.

115. Bosnia and Herzegovina commended Serbia for electing a Commissioner for the Protection of Equality and appointing the Ombudsman dedicated to the National Mechanism for the Prevention of Torture. It asked what measures Serbia had taken to strengthen the role of women in high-level decision-making and to fight human trafficking, including through regional cooperation.

116. Cuba commended Serbia for strengthening its legal and institutional framework to protect human rights, for enhancing women's role in high-level decision-making processes and for laying the foundations for more effective integration of persons with disabilities into the labour market. Cuba made a recommendation.

117. Cyprus noted efforts to promote the socioeconomic position of persons with disabilities, a dedicated rehabilitation centre and the introduction of an employment quota system for persons with disabilities. However, a gap between policies and practice persisted; Cyprus asked what concrete measures were planned to ensure more systematic enforcement of the relevant legislation.

118. The Czech Republic welcomed Serbian legislation protecting independent journalists and encouraged its implementation. It remained concerned about violence and threats to journalists and the effectiveness in combating domestic violence. It encouraged Serbia to ensure full respect of the rights of the LGBT community. It made recommendations.

119. Denmark commended Serbia for its progress, particularly in civil and political rights, but expressed its belief that there was a lack of adequate response to recent threats

from the far right against public figures. It welcomed the establishment of the National Mechanism for the Prevention of Torture, in light of the unsatisfactory conditions of prisons. It was concerned that multiple forms of discrimination persisted within Serbia. Denmark made recommendations.

120. Egypt commended Serbia for its multi-level system to protect human rights and for its sound solutions to enhance female political representation and participation. It expressed its belief that Serbian regulations and legal measures on freedom of speech and political parties included many positive aspects. Egypt made recommendations.

121. Estonia acknowledged the progress in judicial reform made through the implementation of the National Judicial Reform Strategy and the adoption of the appropriate legislation. It encouraged Serbia to actively implement the new Anti-Corruption Strategy. It noted that Serbia had taken legal and strategic initiatives and implemented awareness training to fight all forms of discrimination. Estonia made recommendations.

122. France welcomed Serbian cooperation with the ICTY and the adoption of anti-discrimination legislation. However, it considered that there remained room for progress in guaranteeing media pluralism and freedom in Serbia. France made recommendations.

123. Germany expressed its appreciation for the “A” status of the national human rights institution, the Ombudsman. It also welcomed initial progress in improving Roma enrolment in education, but was concerned about Roma illiteracy and pre-graduation drop-out rates. Germany asked what measures had been taken to address that situation and to ensure respect for the rights of IDPs. Germany made recommendations.

124. Greece requested more information on laws, strategies and action plans in respect of women’s rights and political participation. It also asked about the situation of refugees and IDPs and related government measures. Greece sought further information on how Serbia was cooperating with civil society and how that cooperation was secured. It made a recommendation.

125. Serbia noted that a system of defining specific rules and procedures in relevant sectors tasked with issues of abuse and neglect of children had been completed. Training was provided for professionals in all relevant systems (education, health, social security, judiciary and the police).

126. The Strategy on Developing the Public Information System until 2016, adopted in 2011, was aimed at, inter alia, reducing State ownership in the media.

127. Serbia was a party to the Police Cooperation Convention for Southeast Europe, which resulted in qualitative cooperation with the regional police forces.

128. Ongoing cooperation between the State and NGOs had resulted in the adoption of numerous laws proposed by civil society and in the active role of NGOs in the area of monitoring human rights.

129. Reforms in the organization of the judiciary and amendments of procedural laws (Criminal, Civil and Administrative Procedural Codes) were under way to address problems concerning unreasonable duration of court proceedings; there was ongoing training of judges; the functions of the Judicial Academy were being strengthened.

130. Measures had been taken to prevent any political interference in the appointment of judges; the set of judiciary laws had been amended, upon public discussion and taking into account the opinion of the Venice Commission, to ensure the competence of judges as a priority criterion. The Constitutional Court made decisions acknowledging breaches of procedure in poorly managed appointments of judges. The High Judicial Council and State Prosecutorial Council acted pursuant to decisions of the Constitutional Court and re-appointed judges.

II. Conclusions and/or recommendations**

131. The recommendations formulated during the interactive dialogue and listed below have been examined by Serbia and enjoy its support:

131.1. Consider finalizing the ratification process of the International Convention on the Rights of Migrant Workers and Members of Their Families (ICRMW) (Egypt)/Consider ratifying ICRMW not only to ensure access to just conditions of work and basic social service for migrants, especially those in vulnerable situations, but also to prevent discrimination (Philippines);

131.2. Accede to the ILO Convention 189 (Philippines);

131.3. Develop further measures with regard to the implementation of the Optional Protocol to the Convention against Torture (CAT) (State of Palestine);

131.4. Consider establishing a national organ to monitor implementation of the recommendations of UN human rights mechanisms (Ukraine);

131.5. Implement mechanisms to follow up UPR recommendations in order to verify the implementation and impact of policies and measures adopted to promote equality of rights and non-discrimination for all citizens, in particular the measures aimed at vulnerable groups such as women, children, ethnic minorities, the LGBTI community and persons in the situation of disability (Colombia);

131.6. Consider enacting the draft law on the Rights of the Child at the earliest convenience (Indonesia);

131.7. Continue to strengthen the role of national human rights protection mechanisms (Bhutan);

131.8. Adopt the Law on the Ombudsman for the Rights of the Child and incorporate an explicit definition of the crime of sale of children into the Penal Code (Poland);

131.9. Ensure the complementarity of the institutions for monitoring the protection of human rights (Republic of Moldova);

131.10. Step up efforts to ensure complementarity and adequate resources for its human rights monitoring and protection of infrastructure (Philippines);

131.11. Consider formulating a national human rights plan of action that unifies all efforts and stakeholders as well as streamline and mainstream all human rights programmes (Indonesia);

131.12. Address the phenomenon of discrimination and negative attitude based on nationality, ethnicity or religion by criminalizing the so-called hate speech (Poland);

131.13. Expand its intervention with the aim of better addressing racial prejudices, xenophobia, hate speeches and other forms of discrimination, in particular against Roma, women, persons with disabilities and the LGBT population (Italy);

** Conclusions and recommendations have not been edited.

- 131.14. Ensure adequate protection for all citizens, including members of the LGBT community, by, inter alia, allowing them to assemble to publicly promote their human rights and identifying and prosecuting those who commit violence against those who participate in peaceful assemblies (United States of America);
- 131.15. Take concrete steps to protect its LGBTI citizens and their freedom of assembly and expression (Australia);
- 131.16. Enhance efforts to enable the lesbian, gay, bisexual and transgender (LGBT) community to exercise their fundamental freedoms of expression, association and peaceful assembly (Norway);
- 131.17. Respond effectively to discrimination and violence against LGBT persons and ensure their safety during public events such as the Belgrade Pride Parade (Austria);
- 131.18. Establish a more effective mechanism of dialogue with human rights defenders in the area of sexual minorities (Spain);
- 131.19. Denounce more forcefully all verbal and physical attacks on human rights defenders (Norway);
- 131.20. Effectively implement the relevant policies in the field of combating domestic violence in order to prevent domestic violence and to ensure impartial and prompt investigation and prosecution of perpetrators (Czech Republic);
- 131.21. Undertake steps to shorten the period needed for issuing protective orders against domestic violence and to improve the effectiveness of criminal sanctions for violations of protective orders (Slovenia);
- 131.22. Strengthen the judicial mechanisms designed to prosecute and punish perpetrators of trafficking in persons, especially in women and children, reinforcing reparation measures and reintegration services for victims (Uruguay);
- 131.23. Develop a clear definition regarding the sale of children in the Penal Code and ensure its full enforcement with serious punishment for perpetrators (Thailand);
- 131.24. Consider enhancing national efforts in the area of trafficking in person through adopting a definition for the sale of children and child pornography in the criminal code (Egypt);
- 131.25. Reinforce measures to prevent child sex tourism and to combat child pornography on the Internet (Republic of Moldova);
- 131.26. Adopt swiftly the comprehensive draft child rights law (Portugal);
- 131.27. That the draft child rights law forbid corporal punishment of children in all settings (Portugal);
- 131.28. Expedite necessary legislative measures to expressly prohibit corporal punishment in all settings, including the family and alternative care settings (Uruguay);
- 131.29. Prohibit by law the corporal punishment of children, including in the family (Austria);
- 131.30. Ensure the rights of victims to truth, justice, reparation and non-repetition (Switzerland);

132. The following recommendations enjoy the support of Serbia, which considers that they are already implemented or in the process of implementation:

- 132.1. Ratify the Optional Protocol to CRC on the sale of children, child prostitution and child pornography (Portugal);
- 132.2. Allocate adequate financial means and put proper legal foundations in place in order to ensure that the concerns expressed by the National Mechanism for the Prevention of Torture are addressed (Denmark);
- 132.3. Continue its measures with regard to the better regulation and mainstreaming of the operation of the Ombudsman (Azerbaijan);
- 132.4. Work constantly toward strengthening the coordination among the national human rights mechanisms and regularly provide them with the resources necessary for their proper functioning (Algeria);
- 132.5. Continue to address and implement its plans of action in relevant areas of human rights in particular on the promotion and protection of minorities and other vulnerable groups (Cambodia);
- 132.6. Continue to enable women and the disabled and provide them a greater role in society (Kuwait);
- 132.7. Continue its efforts in the fight against corruption to strengthen its national policy in this area (Morocco);
- 132.8. Carry out necessary measures, including legislative amendments, to ensure that all persons born in Serbia have access to birth registration regardless of the status of their parents (Mexico);
- 132.9. Continue its efforts in a systematic manner to increase the availability of human rights education and training programmes for the law enforcement and judicial authorities (Republic of Korea);
- 132.10. Continue its efforts in the field of human rights education and training with a particular emphasis on the training of police and law enforcement officials (Morocco);
- 132.11. Ensure strict observance of code of conduct by law enforcement officials (Poland);
- 132.12. Continue active and close cooperation with UN treaty bodies (Estonia);
- 132.13. Take all necessary measures for the exhaustive and efficient implementation of the anti-discrimination law (Switzerland);
- 132.14. Strictly apply the new Law on Discrimination and adopt a comprehensive legislation on hate crimes (Brazil);
- 132.15. Carry out efforts in the area of combating discrimination, and provide the Commissioner for the Protection of Equality with all necessary means to carry out its mandate (France);
- 132.16. Continue to implement measures to promote full and effective equality in the social, economic and political spheres (Cuba);
- 132.17. Continue its efforts in fighting discrimination based on ethnicity, gender and sexual orientation (Estonia);

- 132.18. Continue to implement existing legislation related to gender equality ensuring that men and women are treated equally and stereotypes regarding women are eradicated (Lithuania);
- 132.19. Continue efforts to achieve gender equality (Greece);
- 132.20. Continue further realization of the Action Plan for implementation of the National Strategy for Improving the Position of Women and Promoting Gender Equality (Armenia);
- 132.21. Take necessary measures to ensure equal treatment as well as consider ways of helping to eradicate stereotypes for women in rural areas (Republic of Korea);
- 132.22. Formulate a systematic approach toward eradication of stereotypes regarding women in society creating a climate of zero tolerance for violence against women (Slovenia);
- 132.23. Take further measures to eliminate discriminatory gender stereotypes (Republic of Moldova);
- 132.24. Further its endeavours with a view of positively affecting the participation of women in the field of economy, education and health (Azerbaijan);
- 132.25. Eliminate racial segregation in schools so that all children, regardless of their ethnic origin, have access to education (Costa Rica);
- 132.26. Take positive measures to protect and enhance the rights of LGBT persons and facilitate their integration into society (Belgium);
- 132.27. Put in place a policy of fighting discrimination based on sexual orientation and gender identity that would guarantee the rights of LGBT persons to freedoms of expression, association and peaceful assembly (France);
- 132.28. Ensure that LGBT persons in Serbia can exercise their human rights freely and in security, including fundamental freedoms such as the freedom of expression and the freedom of assembly and association (Germany);
- 132.29. Adopt all necessary measures to reduce prejudice and discrimination against the LGBT community, including through the training of the police, prosecutors and judges to respond effectively to violence against LGBT activists and to ensure the adequate protection of LGBT persons in the work place (Ireland);
- 132.30. Take further steps to protect the LGBT population from intolerance, hate speech, and physical attacks as well as to ensure the better inclusion of the LBGT population and to promote tolerance in this regard (Czech Republic);
- 132.31. Amend and where necessary repeal all legislation which restricts the ability of journalists to carry out their work freely and which impacts upon the independence of the media (Ireland);
- 132.32. Strengthen the protection of journalists, media personnel, and human rights defenders against the attacks and prosecute those responsible for such kind of attempts (Estonia);
- 132.33. Enhance its efforts to eradicate violence against women and to improve the status of women in society (Japan);

- 132.34. Continue its efforts to combat violence against women and promote gender equality (Singapore);
- 132.35. Redouble efforts to combat all forms of violence against women and adopt policies on education and awareness-raising in this area (Spain);
- 132.36. Develop a work plan to implement the National Strategy of 2011 to prevent violence against women (Libya);
- 132.37. Give further attention to the assistance available to victims of violence against women, especially in the field of psycho-social support (Slovenia);
- 132.38. Harmonize legal measures and policies in order to guarantee rights of victims of domestic violence in accordance with international standards, for instance, by amending the Criminal Procedure Law that would expand the term 'family member' in the criminal offence of domestic violence to include a former spouse or partner (Kyrgyzstan);
- 132.39. Carry out efforts in harmonizing legal provisions to guarantee the rights of victims of domestic violence (Angola);
- 132.40. Take additional measures in order to improve the implementation of legislation protecting against domestic violence, including through awareness raising campaigns and training on domestic violence for officials (Lithuania);
- 132.41. Come up with a comprehensive national strategy to prevent and combat domestic violence, and conduct awareness campaigns at the national level (Republic of Korea);
- 132.42. Implement the national strategy to prevent domestic violence and provide training for relevant officials on domestic violence (Republic of Moldova);
- 132.43. Fully implement the national strategy to prevent domestic violence, and conduct awareness raising campaigns and training on domestic violence for officials (Norway);
- 132.44. Effectively combat domestic violence and establish shelters and support centres with medical, psychological and legal support (Austria);
- 132.45. Increase its efforts in ensuring the protection of children from violence in line with its 2008 National Strategy for Prevention and Protection of Children from Violence and 2010 Action Plan (Malaysia);
- 132.46. Continue efforts in connection with the prevention of violence against children and the fight against child trafficking, child prostitution and pornography (State of Palestine);
- 132.47. Give full and effective implementation to the national campaign to reduce violence against children and women in order to further reduce the occurrence of rape and domestic violence, sexual harassment, child abuse including in educational institutions and child marriage (Australia);
- 132.48. Continue its intensified efforts against human trafficking (Philippines);
- 132.49. Implement the Protocol on fight against trafficking in human beings of the Ministry of Justice as well as adopt the new national strategy to prevent and combat trafficking in human being and to protect victims (Portugal);

- 132.50. Take measures to prevent child trafficking and sexual exploitation through education programmes and development of support services of assistance, rehabilitation and protection (Belgium);
- 132.51. Establish specialized shelters for children victims of human trafficking (Portugal);
- 132.52. Adopt comprehensive measures to ensure access to justice, provision of compensation and assistance to facilitate reintegration into local communities for victims of trafficking, particularly women and children (Thailand);
- 132.53. Develop specialized programmes and services aimed particularly at the rehabilitation and reintegration of children victims of human trafficking (Libya);
- 132.54. Bring the legislation against sexual exploitation of children fully in conformity with the principles and provisions of CRC, the Palermo Protocol and the Council of Europe Convention against Cybercrime and Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Portugal);
- 132.55. Incorporate an explicit definition of the crime of sale of children into its Penal Code and draft Child Act (Malaysia);
- 132.56. Provide a clear definition of child prostitution in its national legislation in line with its international obligations (Kyrgyzstan);
- 132.57. Develop programmes and activities concerning training and capacity building of employees and others of vocational workers who work with children in the field of child sexual exploitation for commercial purposes (Libya);
- 132.58. Improve the effectiveness of the administration of justice (Poland);
- 132.59. Continue to enhance its judicial system and ensure respect for the rule of law (Singapore);
- 132.60. Reinforce judicial reforms initiated in 2009 with a view to ensuring the judiciary's independence, transparency, efficiency and accessibility (Slovakia);
- 132.61. Continue the policy aimed at improving the judicial system, reforming law enforcement bodies and lowering the level of crime and corruption (Russian Federation);
- 132.62. Ensure that Serbian jurisdictions are able to rigorously apply criminal provisions related to racial and discriminatory offences (France);
- 132.63. Make the fight against corruption sustainable by ensuring that due legal process is being followed from the opening of an investigation through to the end. Political outbursts should be avoided to leave room for genuine and independent work by police and prosecution. Furthermore, practices should be developed and implemented to prevent future cases of high-level corruption, mainly by ensuring increased and effective transparency in processes such as privatization and public tenders (Sweden);
- 132.64. Continue efforts in the fight against impunity for gross violations of human rights committed during the armed conflict (Argentina);

- 132.65. Take all necessary measures to put an end to impunity by prosecuting alleged perpetrators in accordance with law and international standards (Switzerland);
- 132.66. Take necessary measures to ensure that all persons alleged to have committed war crimes are prosecuted in national courts, and that victims are properly compensated (Spain);
- 132.67. Ensure that persons accused of being the authors of or accomplices in crimes against humanity are properly prosecuted (Mexico);
- 132.68. Ensure that all persons suspected of having committed or being accomplices of crimes against international law are brought to national courts and judged in accordance with international norms (France);
- 132.69. Continue to strengthen its efforts to combat impunity for serious crimes under international law by continuing its cooperation with the ICTY and by ensuring that other perpetrators are prosecuted in domestic courts in accordance with international standards (Australia);
- 132.70. Ensure that a serious inquiry is undertaken into persons responsible for detaining and executing the Bytyqi brothers in 1999 (United States of America);
- 132.71. Further strengthen the rule of law and institutions to enforce social cohesion, tolerance and equality in order to exhaustively guarantee human rights for its people, in particular those of vulnerable groups such as women , children, displaced and disabled persons (Viet Nam);
- 132.72. Continue to make efforts to improve the treatment of detainees in prisons (Japan);
- 132.73. Continue to carry out necessary reforms to end prison overcrowding, including the launching of a new plan for the renovation and new construction of prisons with conditions comparable to those of the European Union average providing them with the material and human resources appropriate for its proper functioning (Spain);
- 132.74. Take measures to protect the right to privacy by developing an effective system for monitoring the legality of data collection on citizens by Serbian security services and ensuring that the confidentiality of any collected information is respected (Canada);
- 132.75. Continue its efforts to strengthen the institutional and normative human rights framework, particularly with regard to freedom of expression (Australia);
- 132.76. Take steps to protect the right to freedom of assembly and freedom of opinion and expression by ensuring the effective investigation and prosecution of alleged threats and violence by various non-state actors and extremist groups toward individuals and groups, including civil society organizations and individuals based on their sexual orientation (Canada);
- 132.77. Develop and implement regulations and practices to ensure transparency in the ownership of media in order to prevent undue influence over editorial material by politicians, businessmen and other centres of power (Sweden);

- 132.78. **Implement Recommendation 2010/5 of the Committee of Ministers of the Council of Europe, in particular the issues regarding freedoms of expression and peaceful assembly (Switzerland);**
- 132.79. **Continue its efforts to fight against hate crimes, hate speech and incitement to hatred, including in political discourse, to prosecute members of racist or xenophobic extremist groups, and to combat racial prejudice and racial discrimination in the media (Tunisia);**
- 132.80. **Continue with the efforts carried out to combat criminal acts motivated by racial or religious hatred as well as their incitement (Argentina);**
- 132.81. **Take all appropriate measures to protect the right to assembly and to ensure investigation and prosecution of persons violating civil and political rights as guaranteed by the Serbian Constitution (Denmark);**
- 132.82. **Increase the representation of women within the State and local administration (Lithuania);**
- 132.83. **Ensure that men and women are treated equally, including equal pay for equal work (Ukraine);**
- 132.84. **Continue its efforts to meet the needs of the elderly and improve the quality of their life regarding housing and transport (Kuwait);**
- 132.85. **Continue its effort to ensure the access of all citizens to safe drinking water and sanitation (Egypt);**
- 132.86. **Consolidate the constitutional and legislative framework to prevent discrimination against persons with disabilities (Iraq);**
- 132.87. **Remove the barriers that hinder the effective accessibility of boys and girls with disabilities to education (Mexico);**
- 132.88. **Intensify dialogue with the Councils of various national minorities in Serbia and with their organizations (Spain);**
- 132.89. **Continue with the efforts carried out to combat the discrimination suffered by minorities (Argentina);**
- 132.90. **Ensure effective practical implementation of the standards guaranteed by the Serbian Constitution in the field of minority rights, including by further harmonizing its legislation, providing adequate financial and administrative support to relevant institutions, preventing any forms of discrimination and prejudice in society and the media, and undertaking measures to achieve a more balanced socio-economic development among the regions in the country (Bulgaria);**
- 132.91. **Further the implementation of the Framework Convention for the Protection of National Minorities and of the laws on the prohibition of discrimination, especially those related to hate crimes (Colombia);**
- 132.92. **Take steps to more effectively integrate Roma into Serbian society (Canada);**
- 132.93. **Take appropriate measure to ensure that the basic civil and political rights of Roma are being assured and that birth registration is available and accessible for all children without discrimination (Brazil);**

- 132.94. Increase measures to guarantee non-discrimination, to improve the conditions of Roma regarding the realization of good education, adequate housing, and to make available all basic services to them (Libya);
- 132.95. Enforce legal safeguards to ensure fair and equal access to housing, education, employment and government services for Romani individuals and protection against arbitrary, forcible evictions and displacement from their homes or temporary residences (United States of America);
- 132.96. Enhance measures regarding the integration of Roma citizens through the social and educational systems of the State, inter alia, by facilitating registration in the birth registry allowing them to register using a provisional address (Austria);
- 132.97. Undertake effective legal and administrative measures to ensure greater security of tenure for Roma, especially for those living in informal setting (Germany);
- 132.98. Resolve alleged discrimination in the restitution of property with regard to certain minority religious groups (Slovakia);
- 132.99. Guarantee teaching of minority languages at all elementary levels and enhance knowledge and tolerance in the Serbian society concerning languages and cultures of others (Libya);
- 132.100. Protect the rights of immigrants and take active measures to protect the rights of foreign workers, and promote harmony among all ethnic groups (China);
- 132.101. Continue its efforts for addressing the challenges of refugees and IDPs in the country (Azerbaijan);
- 132.102. Continue pursuing appropriate, sensitized policies such as the National Strategy on Resolving the Issue of Refugees and Internally Displaced Persons for the period 2011-2014 to address the situation of such persons in a durable, sustainable manner (Slovakia).
133. The following recommendations will be examined by Serbia, which will provide responses in due time, but no later than the twenty-third session of the Human Rights Council in June 2013:
- 133.1 Ratify ICRMW (Guatemala);
- 133.2. Ratify Additional Protocol III of the Geneva Conventions of 12 August 1949 (Estonia);
- 133.3. Bring its definition of torture into line with that of CAT and accelerate judicial reforms so that acts of torture are not subject to negative prescriptions (Tunisia);
- 133.4. Adjust its definition of torture to the definition of CAT and carry out legislative reforms to adjust the penalties to the seriousness of the crime of torture and in order not to apply the statute of limitations to torture (Costa Rica);
- 133.5. Establish an independent and external oversight mechanism for alleged unlawful acts by police and that the Ombudsman monitor and investigate these cases independently and impartially (Hungary);
- 133.6. Ensure that LGBT people can express themselves freely for example, in the Belgrade Pride in 2013 (Netherlands);

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- 133.7. **Establish the International Commission for Investigation of Murders of Journalists and make sure the Commission will have a mandate appropriate to investigate the alleged case of murder of journalists (Netherlands);**
- 133.8. **Publish and implement a plan for human rights defenders addressing how the government will allow them to operate freely, independently without any harassment or interference and with details of how investigations will be pursued (United Kingdom of Great Britain and Northern Ireland);**
- 133.9. **Adopt a more supportive policy with regard to human rights defenders and as part of it, form a network of independent and specialized lawyers to provide legal aid for them (Hungary);**
- 133.10. **Enforce the principle of separation between State and Church in accordance with its own Constitution and not to condition the fulfilment of the rights of some of its citizens by the agreement of a religious body (Romania);**
- 133.11. **Take necessary measures to allow access to religious services, as well as to education and the media in Romanian language to all persons requesting this all over its territory (Romania);**
- 133.12. **Publish and implement a plan to protect rights to freedom of assembly and expression ensuring the police have adequate powers to ensure the safety of those present and that any crimes committed in connection will be thoroughly and transparently investigated (United Kingdom of Great Britain and Northern Ireland).**
134. **All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.**

Annex

[English only]

Composition of the delegation

The delegation of Serbia was headed by Mrs. Gordana STAMENIĆ, State Secretary, Ministry of Justice of the Republic of Serbia, and composed of the following members:

- Mr. Dušan IGNJATOVIĆ, Director, Office for Human and Minority Rights of the Republic of Serbia, Deputy Head of delegation;
- Dr Uglješa ZVEKIĆ, Ambassador, Permanent Representative of the Republic of Serbia to the United Nations Office and other International Organizations in Geneva, member of delegation;
- Mrs. Gordana PREDIĆ, State Secretary, Ministry of Culture and Media of the Republic of Serbia, member of delegation;
- Mrs. Zorica PAVLOVIĆ, Assistant Minister, Ministry of Health of the Republic of Serbia, member of delegation;
- Mr. Vladimir PEŠIĆ, Assistant Minister, Ministry of Labor and Social Welfare of the Republic of Serbia, member of delegation;
- Mrs. Vesna POPOVIĆ, Judge, Supreme Court of Cassation of the Republic of Serbia, member of delegation;
- Mrs. Vida PETROVIĆ ŠKERO, Judge, Supreme Court of Cassation of the Republic of Serbia, member of delegation;
- Mrs. Svetlana VELIMIROVIĆ, Deputy Commissioner for Refugees, Commissariat for Refugees and Migration of the Republic of Serbia, member of delegation;
- Mrs. Suzana PAUNOVIĆ, Deputy Director, Office for Human and Minority Rights of the Republic of Serbia, member of delegation;
- Mr. Golub GAČEVIĆ, Head of Department, Ministry of Interior of the Republic of Serbia, member of delegation;
- Mr. Miroslav MILOŠEVIĆ, Minister Counsellor, Mission of Serbia to the United Nations Office and other International Organizations in Geneva, member of delegation;
- Mrs. Jasmina IVANOVIĆ, Senior Counselor, Ministry of Labor and Social Welfare of the Republic of Serbia, member of delegation;
- Mrs. Gordana MOHOROVIĆ, Senior Counselor, Office for Human and Minority Rights of the Republic of Serbia, member of delegation;
- Mr. Tomislav BRANKOVIĆ, Senior Counselor, Office for Churches and Religious Communities of the Republic of Serbia, member of delegation;
- Mrs. Ljerka EĆIMOVIĆ, Counselor, Ministry of Justice of the Republic of Serbia, member of delegation;
- Mrs. Branislava MITROVIĆ, Counselor, Office for Kosovo and Metohija of the Republic of Serbia, member of delegation;

- Mrs. Vesna ACKOVIĆ, Counselor, Ministry of Education, Science and Technology, member of delegation;
 - Ms. Dragana MLADENOVIĆ, Second Secretary, Mission of Serbia to the United Nations Office and other International Organizations in Geneva, member of delegation.
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