43rd session of the Working Group of the UN Human Rights Council

Examination of the Report of the Republic of Serbia for the

Fourth cycle of the Universal Periodic Review

Geneva, 10 May 2023

**OPENING REMARKS BY**

**HEAD OF THE DELEGATION OF THE REPUBLIC OF SERBIA,**

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**MINISTER OF HUMAN AND MINORITY RIGHTS AND SOCIAL DIALOGUE**

**Esteemed President, Esteemed Members of the Council, ladies and gentlemen,**

Please allow me to again express my deepest condolences, on my behalf and on the behalf of all the members of the Delegation of the Republic of Serbia, to the families and friends of the victims of the tragic events that occurred on 3 and 4 May in Belgrade.

Allow me to also ask everyone present to honour the victims who tragically lost their lives in these events with a moment of silence.

**Esteemed President, Esteemed Members of the Council, ladies and gentlemen,**

The Delegation of the Republic of Serbia is before you today at a very difficult time for our country and all its citizens.

The Founding Members of the United Nations, and, subsequently, creators of the Universal Declaration of Human Rights 75 years ago, were thinking back to the most horrific crimes and tragedies that had befallen the human race in World War Two when they established the highest values of humanity, humanness and democracy as the foundations of the United Nations and the Universal Declaration, as safeguards and guarantees that such atrocities would never be repeated. Similarly, the tragic events of the 3rd and 4th of May and the lost lives of innocent children will always spur the Republic of Serbia and its every official, organisation and citizen to make even more determined and committed efforts for the sake of safety, humanness, solidarity, empathy, tolerance and human rights, and against any kind of violence and other negative social phenomena, so such tragedies would never happen again.

The Republic of Serbia, as a Member State of the United Nations, is deeply committed to all the principles and values of the United Nations, and we are striving to clearly communicate that in every way possible.

In this regard, please allow me to point out that the Delegation of the Republic of Serbia that you see here today, in the Fourth Cycle of the Universal Periodic Review, consists of senior officials of the Republic of Serbia, so that the situation of human rights in our country would be presented through dialogue to the United Nations Human Rights Council in the most comprehensive way possible, at a high political and professional level.

**Esteemed President, Esteemed Members of the Council, ladies and gentlemen,**

Please allow me to highlight the fact that neither the Report before you, nor the voluntary Mid-term Report that the Republic of Serbia submitted in 2021, **contain any detailed information on the application of the recommendations from the UPR Third Cycle on our Autonomous Province of Kosovo and Metohija.**

I would like to particularly emphasise the fact that the Republic of Serbia **is unable** to monitor the application of international human rights treaties in this part of **its** territory, in view of the fact that the 1999 Resolution 1244 of the United Nations Security Council has fully entrusted the administration of this Province to the United Nations Interim Administration Mission in Kosovo (UNMIK).

In this regard, I would like to propose that UNMIK submit additional information on the application of international human rights treaties and the application of the recommendations of the Human Rights Council in the territory of the Autonomous Province of Kosovo and Metohija.

It is my deepest belief that it is important that the Human Rights Council gain an insight into the situation in terms of respecting human rights in **our** Autonomous Province of Kosovo and Metohija, where the **Serbian people and other non-Albanian communities** are facing numerous problems and challenges in terms of human and minority rights.

The Government of the Republic of Serbia is ready to submit all available information in its possession and thus contribute to the completion of the Report of the Republic of Serbia and review of the situation of human rights in this part of **our** **territory**, too.

Allow me to inform the Human Rights Council that, since 2008 to this day, the Republic of Serbia has requested from 8 United Nations Treaty Bodies that UNMIK report on the application of standards from the applicable Conventions in the territory of **our** Autonomous Province of Kosovo and Metohija.

By accepting the Ohrid Agreement, the Republic of Serbia considers that the Community of Serbian Municipalities, which should be established on the basis of the Brussels Agreement of 2013, is a good institutional framework that ensures the principle of self-government and protection of the rights of Serbs in areas of economic development, education, healthcare, urban and rural planning in accordance with the European Charter of Local Self-Government.

The Government of the Republic of Serbia adopted a package of measures to protect the rights of Serbs, other non-Albanian population, and vital state and national interests in the territory of the Autonomous Province of Kosovo and Metohija on April 15, 2023, in order to ensure the protection of their human and political rights.

**Esteemed President, Esteemed Members of the Council,**

The Republic of Serbia, as a country founded on the rule of law and social justice and as a UN Member State, is committed to the universal values that are the foundations of the UN, and strives to express that in every way possible, including ***cooperation with the UN and the reporting process.***

Since the Universal Periodic Review Third Cycle, which our country underwent on 24 January 2018, we have made considerable progress in the implementation of received recommendations and improvement and protection of human and minority rights. Our country’s commitment to these goals is reflected in the Mid-term Report which was submitted last year, as well as the UPR Fourth Cycle Report, submitted this year.

As a country, **we are ensuring the observance of ratified international treaties** and consistently and timely fulfilling our reporting obligation**,** and we treat the recommendations of all the UN mechanisms as important and valuable roadmaps for maintaining the achieved standards and improving the human rights situation, as work in the field of human rights is never finished, and it is always possible to do more and better.

We are fully cooperating with the UN mechanism, as confirmed by **the Republic of Serbia’s open call for visits to Special Rapporteurs, and their visits themselves.**

In the process of reporting and monitoring the application of recommendations, as a country, **we are developing mechanisms, tools and practices**.

We are cooperating with UN agencies and jointly developing activities which contribute to **popularization of UN values, norms, standards and mechanisms**.

**Esteemed President, Esteemed Members of the Council,**

It is my great pleasure to inform you that that **formal procedures for ratification of the Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure and the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights are underway.**

On 27 April this year, the Government of the Republic of Serbia adopted the Grounds for Ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, as the first step in the ratification procedure.

On 4 May, the Draft Law on Ratification of the Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure, with opinions, was put in the regular procedure of adoption by the Government of the Republic of Serbia.

**Esteemed President, Esteemed Members of the Council,**

Allow me to further inform you about the measures that the Republic of Serbia has been continuously taking with a view to improving the process of monitoring and reporting on the application of recommendations, not only fulfilling the recommendations from the UPR cycle but also going beyond that.

The Republic of Serbia has also considerably **improved the composition and activity of its Council for monitoring the implementation of recommendations of UN human rights mechanisms**, which was established in 2014. From the start, the establishment and activity of the Council has been strongly supported by the UN Human Rights Unit in Serbia and the OSCE Mission to Serbia.

**As regards the composition of the Council, improvements** have been made by including, in addition to the relevant ministries, since March this year, the Chamber of Commerce and Industry of Serbia in the **Council’s membership**, for the purpose of application of the recommendations concerning the development of the National Action Plan on Business and Human Rights, as well as the Standing Conference of Towns and Municipalities, for the purpose of a more efficient, coordinated approximation of UN mechanisms and recommendations to local self-government units, in view of the fact that the majority of recommendations require implementation at the local level.

**Other participants in the activity of the Council** are representatives of the National Assembly, independent bodies and civil society organisations, for the purpose of a wider societal review of the recommendations and their more efficient application, which makes the Council an inclusive body.

Civil society organisations are represented through the Platform of Organisations for Cooperation with UN Human Rights Mechanisms, which was created in 2018, and consists of 21 organisations. Its creation was assisted by the UN Human Rights Unit in Serbia and the OSCE Mission to Serbia and supported by the Council.

A strong partnership was developed with the Platform during the activity of the Council.

**The Platform has two permanent representatives in the new Council**. In the upcoming period, joint activities will be aimed at developing objective criteria for selection of civil society organisations into the full membership of the Council.

**The Council’s activity** is being continuously improved. Thus, the Council and the Platform have jointly developed and adopted the **Plan for Monitoring the Implementation of the Recommendations**, which contains all the recommendations of UN mechanisms, including those from this year and recommendations of Special Procedures, as well as their measurable performance indicators.

Due to the support provided through the UPR Fund and the developed indicators for monitoring of the application of the UN recommendations within the framework of the Plan, the **voluntary Mid-term Report that the Republic of Serbia** was also submitted in 2021, as a part of the UPR Third Cycle, **considerably improving the reporting process**.

The Council has also established **new practices** for its activity: thematic sessions of the Council, at the Platform’s initiative; inclusion of CSOs views on the fulfilment of the recommendations; presentation of alternative reportsto members of the Council and the state delegation, as was the case this year, on 26 April, concerning the UPR mechanism.

**In the upcoming period, the Council will further improve and enhance its activity**, using an **operational electronic base for monitoring the application of UN recommendations**, which OHCHR has kindly made available to us. Thus, the Council will, in accordance with the Government's work plan for the period 2023-2026, compile an annual report on the situation concerning the fulfilment of recommendations of UN mechanisms, which will result in an even more efficient fulfilment of the recommendations and improvement of the reporting process.

We are aware that a full implementation of not only the recommendations, but also the values, principles, standards and norms of the United Nations, requires a continuous **enhancement of knowledge and raising of awareness**, and thus, together with the UN Human Rights Unit in Serbia, we are working on developing a **Implementation Handbook for the ratified UN Conventions**, to be used for training of civil servants, judicial authorities, lawyers and civil society organisations, in order to ensure a direct implementation of the Conventions.

I am particularly pleased to inform you that last year, the Republic of Serbia developed the **Tool for the Introduction of the 'Leave No One Behind' Principle into Legislative and Strategic Acts**, as the first UN Member State to have done that.

**Esteemed President, Esteemed Members of the Council,**

For a purpose of a further examination of the achievements of the Republic of Serbia in terms of human and minority rights, allow me to remind you that the Republic of Serbia is a **candidate country for the membership in the European Union, a Member State of the Council of Europe and of the Organisation for Security and Cooperation in Europe**, and that the international cooperation and activities in that context are considerably contributing to the improvement of human and minority rights.

An examination of the human rights situation and of the extent of fulfilment of the recommendations may be considered comprehensive if the regulatory and institutional frameworks and the implementation process are taken into account.

In this reporting period, the Republic of Serbia has implemented a **constitutional reform**; **improved its legislative framework and public policy frameworks** both by adopting new strategic documents and by preserving the continuity of previously established strategic directions for its actions.

For the purpose of further enhancement of human rights public policies, the Government of the Republic of Serbia will, around the end of this year, adopt the **Human Rights Strategy**, with the recommendations of UN mechanisms as the starting point.

In the context of the institutional framework and activity of independent state authorities, it is important to note that a **new Law on the Protector of Citizens** has been adopted, and that the National Assembly also **elected the Protector of Citizens** in April.

The Government of the Republic of Serbia is building and reinforcing the principle of **intersectoral coordinated activity** concerning vulnerable social groups and fields that require multisectoral approach, **by developing** **and establishing advisory and coordinating bodies**. In 2021, a Coordination Body was formed with the task of coordinating and directing the work of state administration bodies and monitoring the implementation of established measures in the field of Roma inclusion in accordance with the Strategy for the Social Inclusion of Roma and Roma Women. In April this year, the institutional human rights framework was further enhanced with the addition of the **Council for Gender Equality**, presided by the Prime Minister, and the **Council for monitoring the implementation of the Strategy for Prevention and Protection against Discrimination,** while the process of establishing the **Council for Cooperation with and Development of the Civil Society** is underway.

The Republic of Serbia is **committed to the enhancement and protection of human rights,** as evidenced by the fact that the new Ministry of Human and Minority Rights and Social Dialogue has existed since 2020**.**

The Government of the Republic of Serbia is principled in its insistence on the  **dialogue and a wide inclusive process** of discussing all relevant social issues, formulating policies and developing legal acts. By creating the Ministry, it has also **established a legal and institutional foundation for an establishment of social dialogue, as a new mechanism** for discussing all important issues and finding common solutions.

Since the establishment of this mechanism in 2021, **social dialogue has been held 43 times** on important social issues, draft laws and strategic documents, **with over 3000 participants**, including representatives of state authorities and independent authorities, civil society organisations, professional associations and international organisations, which further reinforced the process of democratic decision-making and participation. By applying the 'Leave No One Behind' principle, dialogue on homeless persons, persons treated for addictions and persons deprived of liberty has been implemented.

Allow me to also mention the **efforts and accomplishments that the Republic of Serbia has been making in the context of digital revolution**. In addition to programs, measures and activities that have been undertaken in the educational system for many years, not only for the purpose of computer literacy, but also with a view to shaping the personnel in the IT sector, of great importance are also the measures that the Government of the Republic of Serbia has taken for the purpose of more efficient and accessible exercise of the rights of citizens, Owing to the eGovernment, citizens in the Republic of Serbia are able to submit applications for the issuance of various certificates or attestations or personal documents, to enrol their children in a pre-school institution or in school, and obtain other services of the administration and public services, by just a few clicks on their phone or computer.

**Esteemed President, Esteemed Members of the Council,**

**Torture, hate crimes, hate speech, domestic violence and violence in general and human trafficking are attacks on the very essence of the human being, their physical and psychological integrity and the human dignity itself**. Unfortunately, all modern societies are facing these most severe forms of violation, and that includes he Republic of Serbia. Nevertheless, we may not and must not tolerate such occurrences. We have to constantly invest all our efforts into decisively and promptly responding to them, preventing them and, ultimately, eliminating them. **For that reason, all segments of the state and the society must be involved, all available mechanisms and tools put into practice, and, if necessary, new methods must be invented.**

The Republic of Serbia has been investing great efforts for many years in order to reduce these severe damaging phenomena, striving for their elimination. On that path, Serbia is **improving its legal and strategic framework, regulating procedures for action, and constantly taking preventive action** through activities aimed at raising awareness, information and education, in order to create a social environment where root causes of such occurrences may be reduced and eliminated in the long-term.

In view of this, allow me to highlight certain legislative actions.

Amendments to the Criminal Code are being developed, which concern the application of recommendations concerning the definition of torture.

I would particularly like to emphasise that the Government of the Republic of Serbia has, in view of the tragic events in Belgrade on 3 and 4 May, has adopted a set of urgent measures which, among other things, concern amendments to the Criminal Code and to the Law on Weapons and Ammunition, so that such tragedies would never happen again.

I would like to note that amendments to the Family Law are also being developed, which will provide regulatory recognition of other forms of domestic violence and new protective measures, in addition to the existing ones, as well as improve the rights and protection of victims of domestic violence within the legal procedures, and prohibit any corporal punishment of children.

The new Law on the rights of recipients of services of temporary accommodation in social welfare, which has applied since 31 December 2021, provides thorough regulation of the prohibition of abuse, exploitation and neglect in the field of social welfare.

We are all aware that the legal norms are an indispensable basis, but it is their application that gives them life and provides security for the society. In this regard, I would like to highlight the great importance of the Guidelines for Criminal Prosecution of Hate Crimes, adopted by the Prosecutor’s Office of the Republic of Serbia, as well as guidelines concerning the conduct of police officers in cases of torture, and legal acts governing the treatment of victims and witnesses of criminal offences, as well as legal acts governing the conduct and activity of police officers in cases of domestic violence, and protection of children from violence.

As regards the creation of conditions for the empowerment of victims of domestic violence, I would like to direct your attention, as a good example, to the Guidelines for mediation in employment of victims of domestic violence, issued by the Higher Public Prosecutor’s Office in Belgrade, which are a result of an excellent initiative and good practice of the Second Basic Public Prosecutor’s Office in Belgrade.

In 2022, for the purpose of an efficient implementation of the Law on the rights of recipients of services of temporary accommodation in social welfare, with the support of the Council of Europe Office in Belgrade, trainings have been organised for employees of social welfare institutions.

The Republic of Serbia has been developing a regulatory framework for many years and recruiting considerable capacities for the fight against human trafficking, striving to improve and reinforce its actions, both in terms of response and in terms of prevention.

The Centre for Human Trafficking Victims' Protection has signed and implemented Memorandums of Cooperation with approximately 30 cities and towns for the purpose of a practical application of certain Standard Operating Procedures for the treatment of victims of human trafficking.

Within the framework of the measures aimed at raising awareness, information and education concerning human trafficking, indicators for preliminary identification of victims of human trafficking for the education system have been revised, and a new Guidebook has been created for their application, together with trainings for employees of the education system. The Guidebook for practice and communication adjusted to children and conducting interviews for the purpose of obtaining accurate and reliable answers from children has also been developed and distributed to all social welfare centres in Serbia.

The Commissariat for Refugees and Migration is implementing trainings aimed at the training and raising knowledge in terms of identification of potential victims of human trafficking and in terms of providing support and protection to migrants in Serbia.

Over 4,000 refugees and migrants have obtained written materials from the Red Cross, translated to Arabian, Pashto, Urdu, Dari and Persian language. Migrant students, asylum seekers and refugees all have equal access to education in Serbia, with additional support provided by the education system through the work of mentors, overcoming the language barrier by translating educational materials into Arabic, Urdu and Ukrainian, through the training of 4,000 school employees, as well as through additional efforts in learning the Serbian language, which is the language of instruction. It should be noted that over 3,000 individual education plans for migrant students were elaborated, in addiotion to 115 school-level support plans, and over 10,000 supplementary lessons for the Serbian language have been held, while also having migrant students included in all extracurricular activities in schools.

Hate crimes and hate speech are phenomena that every society is facing.

As regards hate crimes, our Report provides a detailed description of the regulatory framework and data on conduct in such cases, where I would like to particularly highlight the activity of the special working group formed by the Ministry of Human and Minority Rights and Social Dialogue, with the support of the OSCE Mission to Serbia. This working group is composed of representatives from the Ministry of Justice, the Ministry of Interior, the Judicial Academy, the Republic Public Prosecutor's Office, the Supreme Court of Cassation, the Commissioner for the Protection of Equality, and non-governmental organizations.This working group is an additional reinforcement of the existing mechanisms and an excellent platform for a fasted exchange of information on cases of hate crimes, in view of the fact that the obstacle to solving the cases of certain vulnerable categories is the failure of the victims to report the crime.

Hate speech is a field where certain developments have been made, particularly by adopting the Code of Conduct for Members of the Parliament, but this remains a field where we must have coordinated social action at all levels and in all segments of society, so we could, as a society, send a decisive message that such occurrences will not be tolerated. An example of good practice in the field of combating hate speech that I would like to highlight is the 2011 regional campaign for the Western Balkans and Türkiye “Block the hatred. Share the love”, aimed at combating various forms of hate speech against certain communities and individuals in Serbia.

With a view to expanding public consciousness and developing a spirit of solidarity and tolerance, important world international days and religious holidays are marked in collaboration with CSOs, other relevant sectors and international organisations. Government ministries are allocating considerable financial resources for financing projects which contribute to enhancing public awareness on human and minority rights, respecting diversity and development of dialogue, better learning and understanding among persons belonging to minorities and the majority population.

**Prosecution of war crimes** is a particularly sensitive issue, not only in Serbia but also the region as a whole, in view of the history of the 1990s wars. Their prosecution is not just a matter of justice, but also contributes to the to the reconciliation process and to the resolution of the historical baggage burdening the relations in the region. In this regard, the priority goals are combating impunity, accelerating investigations and criminal prosecutions in war crimes proceedings.

With that in mind, the efforts of the Government of the Republic of Serbia, the relevant Ministry of Justice and the Prosecutor’s Office are oriented towards regulatory activities, implementation of the existing regulatory and strategic framework and concrete activities.

In December 2022, **the revised Prosecutor’s Strategy for investigation and prosecution of war crimes** (2022-2026) with its Action Plan was adopted, with the objectives to increase the number of resolved cases which are undergoing investigation or preliminary investigation procedure, improving regional cooperation and cooperation with the International Residual Mechanism for Criminal Tribunals, as well as improving the mechanism for resolving the matter of missing persons. In addition, the mechanisms for decision-making on property rights claims of the damaged parties in criminal proceedings are also to be improved.

With a view to achieving the aforementioned priority objectives, **activities from the National Strategy for the Prosecution of War Crimes** (2021-2026) are being efficiently implemented, and, since October 2022, three reports thereon have been compiled and published on the website of the Ministry of Justice, in Serbian and English.

In 2022, the Prosecutor’s Office **established the Working Group** for selection of cases by priority, and the **Working Group** focused on the collection and establishment of facts of importance for handling of cases of missing persons relating to the armed conflicts in the territory of the former Socialist Federal Republic of Yugoslavia and in the territory of the Autonomous Province of Kosovo and Metohija.

**The task of the first Working Group** is to direct resources towards the most important cases of war crimes, with particular focus on complicated cases with a large number of victims, severe consequences and/or elements of sexual violence, cases taken over from regional prosecutor's offices and the International Residual Mechanism for Criminal Tribunals, and cases where the accused parties are high ranking individuals.

**The task of the second Working Group** is to thoroughly review the documents and cases which contain information and data on events relating to missing persons.

The Republic of Serbia places particular importance on the resolution of the fates of **missing persons** in conflicts that took place during the 1990s in the territory of the former Socialist Federal Republic of Yugoslavia and in the territory of the Autonomous Province of Kosovo and Metohija. This is above all a humanitarian matter, but also a political one, which affects the relations in the region, the return of refugees and displaced persons, and the strengthening of trust between ethnic and religious communities, and which is particularly connected to the prosecution of persons responsible for war crimes and severe violations of international humanitarian law.

It is estimated that the adoption of the Declaration on Missing Persons, in Brussels on 2 May 2023, with the EU mediation, will considerably contribute to the lifting the blockade and acceleration of the process of resolving the issue of missing persons in the Autonomous Province of Kosovo and Metohija.

**Esteemed President, Esteemed Members of the Council,**

The Constitution establishes the rule of law as the foundation of the state and provides that the Republic of Serbia is a state based on the rule of law. Dedicated to this highest constitutional principle and aware that the judicial system is its strongest protector, we have approached and successfully implemented a constitutional reform, which was followed by the adoption of a set of judicial laws, the goal of which was to further strengthen the independence of the judiciary. The purpose of amendments to the Constitution was to ensure greater independence, efficiency, and responsibility of the judiciary, greater independence and responsibility of the public prosecutor’s office, better protection of citizens' rights and strengthening of the rule of law. The Constitution foresees additional guarantees of the independence of the judiciary and judges. The permanency of the judicial function is guaranteed. Judges are elected by the High Judicial Council. Organizational changes ensure the independence and responsibility of the Public Prosecutor's Office. Public prosecutors are elected by the High Council of Prosecutors.

In the context of the protection of rights, I would like to mention the effects of the implementation of the 2018 Law on Free Legal Aid. Based on this law, a legal aid service was established in over 90% of local self-government units, which enabled citizens, particularly vulnerable groups, to exercise their rights.

As regards the fight against corruption, a phenomenon that undermines the foundations of every society and threatens the functioning of the entire system, and consequently the exercise of human rights, the Republic of Serbia has, over the years, shown its commitment to suppressing and eliminating this negative social phenomenon. In this regard, allow me to add that additional efforts were made by the adoption of the new Law on Prevention of Corruption, which has strengthened the Anti-Corruption Agency as an independent state body. A new Strategy for combating corruption is being drafted.

**Esteemed President, Esteemed Members of the Council,**

The Republic of Serbia is a multicultural and multinational state with social justice as one of the constitutional principles. Aware that a society is only as strong as its most vulnerable member, we make continuous efforts to improve the position, empower, and complete social inclusion of vulnerable social categories.

**The general anti-discrimination** regulatory and strategic framework of action has been significantly improved by amendments to the Law on Prohibition of Discrimination, which, among other things, introduces new prohibited grounds of discrimination, improves the position of the Commissioner for the Protection of Equality, as well as the protection procedure before this independent body.

Strategy for Prevention and Protection against Discrimination has been adopted with the accompanying Action Plan, and a Council has been established to monitor the implementation of the Strategy.

The adoption of the Law on Social Entrepreneurship has created conditions for the economic empowerment of vulnerable social groups.

In addition to the improvement of the regulatory and strategic framework, special programs, measures, and activities were developed in this area with the aim of preventive response to negative social phenomena such as violence, but also with the aim of raising awareness, information, and education, in order to achieve full tolerance, as the strongest mechanism for the elimination of discrimination.

In this regard, I want to highlight the measures in the field of education, such as accredited programs for teachers, which refer to, among other things, interculturality, gender equality, anti-discrimination, learning about the Holocaust, as well as teaching programs that are designed in such a way that students adopt the values of tolerance, humanity, empathy, respect in a democratic society, as well as to understand and adopt the concept and standards of human rights through education on human rights.

As regards the **protection of persons with disabilities**, amendments to the Family Law will provide for the abolition of the complete deprivation of legal capacity and will regulate supported decision-making.

The Strategy for Improving the Position of Persons with Disabilities in the Republic of Serbia was adopted with the accompanying Action Plan, Employment Strategy, Strategy of Deinstitutionalization and Development of Social Services in the Community.

Concerning the position of **LGBTI** persons, I would like to highlight several key facts.

In terms of the position and rights of transgender persons, the amendments to the Law on Registry Books of 1 January 2019 made it possible to register data on gender change in the birth book registry, and 73 entries on the gender change have been registered since the Law came into force.

A draft law on same-sex unions was drawn up during 2021 in a broad consultative process, which was harmonised with the opinion of the Council of Europe. Given that a new government was formed in October 2022, and that these are issues that are a kind of social novelty in relation to which different social subjects have conflicting opinions, it is necessary to conduct extensive consultations in the coming period in order to reconcile conflicting views.

In previous years pride parades and all accompanying events were held without any major incidents. Also, each year the International Day Against Homophobia is celebrated not only in Belgrade, but also in other cities.

EURO Pride was held in Belgrade in September 2022, and included over 130 different events, from conferences and panels on human rights, in which the Prime Minister of the Republic of Serbia, ministers and other officials took part, to cultural and artistic events, theatre performances, concerts, exhibitions, and the like.

As regards the exercise of the **rights of national minorities**, the regulatory and institutional framework is complete, and we do recognise the space for improvement of mechanisms at the local level in terms of councils for inter-ethnic relations.

As we have already informed you, elections for the National Councils of National Minorities were held last year, and elections for the National Council of the Albanian National Minority were held last weekend.

As regards the recommendations related to the registration of nationality in birth registers, this right can be exercised and is voluntary, so that the entry, deletion or change of these data is determined by the free will of the parents or adult guardians.

The issue of legal invisibility is specific in relation to the Roma national minority, and it is a consequence of the difficult social and economic position of this minority group. Legal invisibility is manifested either by the fact that a person is not registered at all in the register of births or by the fact that they do not have personal documents. However, I want to add that we have identified the issue of personal documents as important for persons in a situation of homelessness who are not of Roma nationality and for internally displaced persons, and we recognise that there is room for additional improvement.

With amendments and application of the Law on Non-Contentious Proceedings, the issue of registration in birth registers has been significantly resolved. We have active Operational Group that is working to solve individual cases of persons who are not registered in the birth register.

Serbia is still successfully dealing with the **refugee and migrant crisis**. Permanent solutions for refugees from the region are provided within the Regional Housing Program funded by donor funds and the National Program.

The Commissariat for Refugees and Migration provides integration support to persons who have been granted asylum. Individual integration plans are prepared for each person, and the material conditions for the admission of asylum seekers are provided with constant monitoring of accommodation conditions. The basic admission conditions are also provided to migrants in vulnerable situation.

Respecting the UN Guiding Principles on Internal Displacement, the Republic of Serbia takes care of 196,140 internally displaced persons from the AP of Kosovo and Metohija. To date, they have not been provided with the basic prerequisites for a sustainable return, primarily in terms of equal physical and legal protection and free access and disposal of their property in their places of origin. One of the important measures is the provision of free legal aid, support and information needed.

The annual program adopted by the Government at the proposal by the Commissariat provides funds for the improvement of the living conditions of IDPs while they are displaced, primarily through the improvement of housing and through economic empowerment. Out of the 196,140 registered IDPs, 15,667 families, or about 66,000 people, are in need of housing support.

When it comes to **gender equality**, the regulatory framework has been improved with the adoption of the Law on Gender Equality, while the continuity of the strategic framework has been achieved through the adoption of the National Strategy for Gender Equality.

On the institutional level, a new coordinating body for gender equality has been established - the Council for Gender Equality, presided by the Prime Minister, while local governments have the obligation to form local mechanisms for gender equality.

Regarding **the rights and position of children**, I would like to mention several important points.

I would like to stress once again that the formal procedure of ratification of the Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure is underway.

Amendments to the Family Law will significantly improve and strengthen the position of children, bearing in mind that the concept of a child will be defined by establishing the age limit of 18 years, a ban on child marriage will be introduced, the protection of children's rights will be further improved, and the age limit (currently 10 years of age) will be abolished in terms of the right of the child to express their views. In addition, child protection measures will be provided in cases of domestic violence.

As regards the right of the child to birth registration and legal identification, in addition to the already mentioned progress in terms of registration in birth registers, and for the purpose of greater efficiency in handling the cases of the birth of a child whose mother is undocumented, an Instruction was issued in December 2020 for handling cases of the birth of a child whose parents are undocumented, which regulates the actions taken by officials according to the principle of urgency and the best interest of the child.

In February 2022, a Memorandum of Understanding was concluded between the Ministry of Interior of the Republic of Serbia and the “Amber Alert Europe” Foundation in the field of child protection, aimed at achieving greater efficiency of competent institutions in **finding missing persons under the age of eighteen.** The team for the introduction of the Amber Alert system in the Republic of Serbia includes representatives of institutions and non-governmental organizations. The work of the Team is aimed at finding children in the shortest possible time.

**Esteemed President, Esteemed Members of the Council,**

In the field of education, the support measures for children and students from vulnerable social groups continuously implemented, with a special focus on the Roma community.

Compared to 2015, the inclusion of Roma children in the education system has increased: 20% more children attend the preparatory preschool program, 15% more children enrol in elementary school, and drop-out rate has decreased by 7%.

Pedagogical assistants for supporting Roma students are a permanent measure of support, and the introduction of a new institute - pedagogical assistants for supporting children and students with developmental disabilities and disabilities has been defined.

As regards students with developmental disabilities, we see a trend of a lower number of students in schools for students with developmental disabilities and an increase in the number of students who attend classes according to individual educational plans in regular primary and secondary schools.

With the new Rulebook on the Resource Centre (2021), ten schools (2022) acquired the status of a resource centre, and assistive technology was delivered to the centres in Novi Sad, Niš and Kragujevac. The Ministry of Education continuously works to improve accessibility, through the removal of obstacles in terms of building designs, as well as removal of communication obstacles.

Regarding education in mother tongue, I would like to mention that the Catalogue of textbooks for the school year 2023/24 covers between 75% and 90% of the need for textbooks for teaching in the languages of national minorities. This is a continuous process, realised in active cooperation with national councils of national minorities.

In practice, Serbia is applying the principle of inclusivity to the education of migrant and refugee students. During the first semester of the 2022/23 school year, the education system of the Republic of Serbia covered 75% of students with the refugee/migrant status, of which 30% are students from Ukraine. In addition, translation of the educational content into the native languages of the migrants (Arabic, Farsi and Ukrainian) has also been provided.

**Esteemed President, Esteemed Members of the Council,**

Regarding the freedom of expression and media freedom, we reiterate that these are guaranteed by the Constitution of the Republic of Serbia, which stipulates that everyone has the right to freedom of expression, i.e., to freedom of opinion and the right to seek, receive and impart information and ideas, which is in accordance with the Universal Declaration of Human Rights. The fundamental freedoms guaranteed by the Constitution are incorporated into the laws regulating the field of media.

Work on amendments to the Law on Public Information and Media has started, and the working group includes representatives of relevant ministries and state bodies, as well as representatives of nine media and journalist associations, while representatives of the EU Delegation to the Republic of Serbia and the OSCE Mission to Serbia, participate as observers. The public hearing is expected to begin in May.

**Esteemed President, Esteemed Members of the Council,**

The Republic of Serbia is one of the few countries in Europe and the world with established **special criminal protection for journalists.** Specifically, article 138, paragraph 3 of the Criminal Code stipulates, among other things, that whoever endangers the safety by threat of attack against the life or body of person of importance to public information, and in connection with work of such a person, will be punished by imprisonment up to 5 years. It is important to point out that only journalists and some of the highest officials, such as the president of the republic, prime minister, deputies, judges, prosecutors, etc., have this kind of protection.

Other articles of the Criminal Code also provide special protection for the safety of journalists, i.e., prescribe a criminal offense committed to the detriment of a journalist as an aggravating circumstance, such as aggravated murder from Article 114, paragraph 1, item 8 of the Criminal Code and serious bodily injury from Article 121, paragraph 6 of the Criminal Code. of the Criminal Code.

As of 1 January 2016, based on the Instructions of the Republic Public Prosecutor's Office from December 2015, a record of criminal offenses against journalists was established at the public prosecutor's offices, based on which the Republic Public Prosecutor's Office prepares monthly reports on actions by the public prosecutor's offices.

I would like to point out that the cooperation between state authorities and representatives of journalists’ associations and media associations was established by the conclusion of the Agreement on cooperation and measures to increase the level of safety of journalists in 2016, based on which a permanent working group was established as a permanent body that deals with issues of increasing the safety of journalists.

Furthermore, a mechanism for early warning and emergency action in cases of security threats has been established. Namely, in accordance with the Mandatory Instruction of the Republic Public Prosecutor's Office of December 2020, there are 115 public prosecutors and deputy public prosecutors appointed to act in these cases and serve as contact persons for coordination and cooperation with the police, journalist, and media associations. This instruction stipulates the deadline for the formation of a prosecution case, from the moment of first information about a criminal event, as well as the deadline for taking the first procedural action, with mandatory interviews with the injured party.

In the context of the position of human rights defenders, allow me to inform you that the Republic of Serbia has adopted a Strategy for creating a stimulating environment for the development of civil society in the Republic of Serbia, based on which a Council for Civil Society will be formed in the coming months, made up mostly of representatives of CSOs, which will to deal, among other things, with issues of the position of human rights defenders.

**Esteemed President, Esteemed Members of the Council,**

In relation to the 2030 Agenda, the Republic of Serbia has made significant progress in reducing the risk of poverty and the risk of poverty or social exclusion in all age groups except the elderly. The lowest rate since the measuring in Serbia was reached in 2021 (21.2%).

The Republic of Serbia is the first country in the region to start implementing the Pilot Project on the implementation of cultural indicators related to the Sustainable Development Goals - Culture 2030 Indicators. The implementation of this project implies the most modern UNESCO research methods for sustainable development in culture.

Environmental protection and combating climate change are recognised as one of the key priorities of the Government of the Republic of Serbia, which was confirmed by the signing of the Declaration on the Green Agenda for the Western Balkans in 2020. In order to implement the Green Agenda, the development of the Environmental Protection Strategy with the Action Plan is underway. Participation of the civil sector in the drafting of public policy documents and regulations is carried out through participation in the work of working groups, that is, participation in public consultations and public discussions in accordance with the Law on Planning System.

In the context of the **sustainable development goals**, we emphasise that the Republic of Serbia is the first member of the UN to implement the 'Leave No One Behind' principle, which means that in the next period this key principle of the 2030 Agenda will be applied when adopting all legal, strategic, and planning documents.

Finally, I want to emphasise that the Republic of Serbia is aware of the existing challenges, but remains committed to furthering the democratisation process, to fulfilling international obligations, and achieving the highest standards, especially in the field of human rights. We remain committed to the further strengthening of full cooperation with international organizations. In this regard, we see the today's dialogue under the Universal Periodic Review process as part of that.

**Thank You.**