



**Economic and Social
Council**

Distr.
GENERAL

E/C.12/2005/SR.13
9 May 2005

Original: ENGLISH

COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Thirty-fourth session

SUMMARY RECORD OF THE 13th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 3 May 2005, at 10 a.m.

Chairperson: Ms. BONOAN-DANDAN

CONTENTS

CONSIDERATION OF REPORTS:

- (a) REPORTS SUBMITTED BY STATES PARTIES IN ACCORDANCE WITH
ARTICLES 16 AND 17 OF THE COVENANT (continued)

Initial report of Serbia and Montenegro (continued)

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.05-41476 (E) 060505 090505

The meeting was called to order at 10.05 a.m.

CONSIDERATION OF REPORTS:

(a) REPORTS SUBMITTED BY STATES PARTIES IN ACCORDANCE WITH ARTICLES 16 AND 17 OF THE COVENANT (continued)

Initial report of Serbia and Montenegro (continued) (E/1990/5/Add.61; E/C.12/Q/SEMO/1)

1. At the invitation of the Chairperson, Ms. Bogdanović, Ms. Ivančević, Ms. Krivokapić, Ms. Lakičević, Ms. Mohorović, Ms. Nicolić and Mr. Šahović took places at the Committee table.
2. The CHAIRPERSON invited the delegation to reply to all outstanding questions.
3. Mr. ŠAHOVIĆ (Serbia and Montenegro) said that, although the situation of the Roma had always been difficult, with a poverty rate five times that of the rest of the population, the introduction in 2000 of new policies on national minorities had resulted, two years later, in the adoption of the Federal Law on the Protection of Rights and Freedoms of National Minorities, which provided for the cultural autonomy of national minorities and the establishment of national minority councils.
4. The 35-member Roma national minority council established in May 2003 had participated in the drawing up of action plans to implement the World Bank's initiative for a Decade of Roma Inclusion. Such plans dealt with education, housing, health and employment.
5. The aims of the action plan with respect to housing were to frame a national policy, to develop an overall legal framework comprising national and local laws, to improve the standard of living in Roma settlements, to regularize the ownership of property in Roma settlements, to build emergency housing and to resettle Roma living in substandard accommodation. Roma were also being taught skills which should enable them to take part in decision-making affecting their settlements and establish self-governing bodies in the areas where their settlements were located. Roma from the suburbs were being rehoused in town centres.
6. The goals of the action plan on education were to integrate Roma children in the education system and ensure that they did not drop out of school, to provide high-quality education for them, to foster an appreciation of diversity, to promote multicultural values and to protect the cultural identity of the Roma.
7. The action plan on employment set out to analyse the socio-economic status of the Roma, to promote entrepreneurship among the Roma, to enhance their employability, to integrate jobless Roma in public works programme, to increase their motivation to actively seek employment, to reduce the disparity between the participation of the Roma and the rest of the population in the workforce, to integrate the Roma in the labour market and, lastly, to improve their access to information on employment and possibilities of economic empowerment.

8. The objectives of the action plan on health care were to conduct a survey to determine the morbidity and mortality rates of the Roma and collect other health data on them, to improve the implementation of existing laws on health care with a view to enhancing the Roma's enjoyment of rights in that respect, to provide better health services for them in general and to increase environmental protection in the areas where they lived.

9. Action plans pertaining to social protection, the protection of women, media and information, culture, internally displaced persons (IDPs) and returnees and non-discrimination would probably be finalized in 2005.

10. In Montenegro, the action plan for the Decade of Roma Inclusion had been prepared with the participation of the network of Roma non-governmental organizations and international organizations. It was based on the poverty reduction strategy, the national action plan for children and the agenda for economic reform. It was also in line with the strategy for refugees and IDPs.

11. Educational affirmative action on behalf of the Roma had taken the form of the free provision of textbooks for almost 6,000 Roma schoolchildren and the awarding of scholarships for 42 students in higher education. As a result, the number of enrolments of Roma students at universities and colleges was steadily rising. Those measures might seem modest, but they signalled a long-term commitment to improve the lives of the Roma minority.

12. Ms. NICOLIĆ (Serbia and Montenegro) said that, in Serbia, there were housing shortages in some places, especially in Belgrade. In the 1990s housing had not been renovated. The absence of a proper housing policy coupled with the huge influx of refugees and IDPs had given rise to a situation where 376,000 homes had been built without a permit. A law legalizing such units constituted the Government's response to the problem. A national housing policy based on a survey of the housing sector should be adopted by the end of 2005. Legislation on social housing should be passed by the end of May 2005, whereafter a series of regulations would lay down the conditions for the establishment and operation of non-profit-making housing associations. Pilot projects to construct 670 housing units for refugees had already been launched with the assistance of the United Nations Human Settlements Programme (UN-HABITAT) and the Council of Europe Development Bank.

13. Research was being conducted on the integration of the Roma in Serbia. Most of the 593 Roma settlements in Serbia were informal and located in rural areas. Nevertheless, the majority of Roma settlements had electricity, some had piped water and a few even had sewerage. In Belgrade, 11.5 million euros had been earmarked for the building of 5,000 housing units for Roma.

14. Ms. IVANČEVIĆ (Serbia and Montenegro) said that in Montenegro at the beginning of the 1990s, the transformation of society had been reflected in the privatization and transfer of ownership of housing units. Although the Law on Property had regularized the situation, those changes had led to bottlenecks in housing construction and financing home building had also been a problem. The Stability Pact for South Eastern Europe had provided some assistance in that respect. In the meanwhile, certain key obstacles to housing provision had been identified.

They included the uneven distribution of housing stock, landscape regulations, administrative barriers, the shortage of money, lack of infrastructure, the poor condition of the existing housing stock, the absence of planning permission and the existence of social groups with special needs.

15. The housing policy for the Roma called for a long-term effect, since it would be necessary to rebuild existing units and construct new ones, bearing in mind the type of facilities needed by that sector of the population. To the best of her knowledge, there had been no forced evictions of Roma in Montenegro. Both Serbia and Montenegro were signatories to the Vienna Declaration on Informal Settlements in South Eastern Europe. Most illegal settlements built on State-owned land had partial access to infrastructure and if they were demolished, a large part of the housing stock would be lost. Her Government had therefore decided to legalize those settlements and improve their infrastructure in an endeavour to avert further blighting of the landscape.

16. While many IDPs were housed in collective accommodation or in family centres, some were still staying with their friends and relatives. A certain number of them lived in specialized residential homes for the elderly.

17. Ms. LAKIČEVIĆ (Serbia and Montenegro) said that both Serbia and Montenegro had set up councils for the rights of the child and had adopted action plans for the protection of children. In the course of reforming the social welfare system, both Governments had identified children without parental care as a special target group and had therefore embarked upon projects for the development and promotion of foster care. Those projects had received financial backing from Norway and the United Nations Children's Fund (UNICEF). Local social welfare centres, children's homes and orphanages, non-governmental organizations and representatives of local government were associated in the formulation of those schemes, which were designed to raise the number of children placed in foster or adoptive families by devising efficient, quick procedures for the selection, training and monitoring of such families. Another aim was to increase financial assistance, ensure prompt payment of allowances and introduce special insurance for foster parents. The next goal was the development of alternative forms of support for children bereft of parental care. A campaign to find new foster parents had resulted in 17,000 families volunteering to receive orphans. Eight hundred families had already been trained and 3,000 children placed. That success had made it possible to halve the number of children in institutional care since the previous reporting period.

18. The poverty reduction strategy papers of both States had defined the elderly as an especially vulnerable group, particularly when both members of a household were old. Councils to work out strategies for the protection of the elderly had been established in both Serbia and Montenegro. Old-age pensioners who stayed in their own homes received allowances to cover various forms of assistance. While they could also be placed in the families of neighbours or close relatives or in old-people's homes, it had been found that it was best for the elderly if they were left in their familiar surroundings and received social and medical care in their own homes. To that end, both Governments were setting up programmes to train women as carers and nurses. Furthermore, local community health centres, social welfare centres and non-governmental organizations were all active in the field of care for the elderly. Financial support for those projects came from local government budgets, Caritas, the local Red Cross, the Spanish Red Cross and the International Committee of the Red Cross. The latter was also training young volunteers to visit the elderly in their homes and to offer their families various kinds of help.

19. The Government of Serbia had already drafted a bill prohibiting discrimination against persons with disabilities and intended to adopt it by the end of 2005. With regard to the percentage of children suffering from abuse, he said that there seemed to have been a misunderstanding. The delegation would clarify the issue and inform the Committee of the outcome.

20. Ms. KRIVOKAPIĆ (Serbia and Montenegro) said that the countries of the Western Balkans had adopted a new, community-based approach for dealing with mental health problems. New infrastructure was being established in local communities with a view to improving access to mental health services and social services for persons suffering from post-traumatic syndrome. Women with refugee status also had access to those services. Strategies for and laws on the protection of human rights of mental health patients had been drafted in both Serbia and Montenegro.

21. Mr. ŠAHOVIĆ (Serbia and Montenegro) said that the new Family Law did not contain provisions on same sex marriages.

22. Ms. NICOLIĆ (Serbia and Montenegro) said that owing to the measures taken to combat tuberculosis, the number of tuberculosis cases had been dropping steadily. However, the events which had taken place in the 1990s had led to an increase in the number of cases as a result of interruptions in medical treatment and the lack of essential medicine, medical staff and equipment. In 1990, there had been 41 cases per 100,000 people. Currently, there were 37 cases per 100,000, most of whom were persons over 70 years of age. Tuberculosis of the respiratory system accounted for 94 per cent of all the cases.

23. With regard to drinking water, poor water quality posed a serious problem in Serbia, where 77 per cent of water samples did not meet bacteriological or chemical standards. However, the Government intended to improve water quality by 2015. According to the United Nations European Economic Commission, in 2002, 67 per cent of Serbian households had been connected to the sewage system. Serbia's four industrial wastewater treatment plants managed to treat only 7 per cent of industrial wastewater. None of the plants conducted tertiary treatment, or the removal of particularly dangerous chemical elements.

24. Ms. IVANČEVIĆ (Serbia and Montenegro) said that 12 per cent of refugee households had no plumbing. On average, the distance to the closest water source was 260 metres. The maximum distance was 700 metres. Normally, around 30 people used the same water source, though one water source was being used by 150 people.

25. The concept of an "ecological State" implied that Montenegro was committed to sustainable development and sought to strike a balance between economic, social and ecological considerations. It also implied establishing appropriate institutions and encouraging citizens to participate in achieving sustainable development. To that end, a special council had been set up to prepare a national strategy for sustainable development. Montenegro's Sustainable Ecological State Strategy would become the basis for future activities in that field.

26. Mr. RIEDEL, referring to paragraph 278 of the report, asked what steps the Government was taking to ensure that the right of citizens to choose a doctor was being implemented. He wished to know whether people living in rural areas, refugees, and the unemployed had access to primary health care. Finally, what measures was the Government taking to reduce the percentage of the population not covered by compulsory health insurance?

27. He asked the delegation to explain why the rate of cardiovascular diseases in Vojvodina was so high and whether the Government had a plan for reducing the rate. The delegation should set a benchmark for the next reporting period. In future, benchmarks and the results of various programmes should be included in the Government's written replies to the list of issues. In particular, it would be useful to know how the situation developed over a particular period of time.

28. He enquired what the Government's targets were with regard to the quality of drinking water in rural areas of central Serbia. Finally, he asked what the results of the project on development and recovery of emergency medical services were.

29. Mr. KERDOUN, referring to the fact that more than 98 per cent of all children of primary school age had been enrolled in compulsory primary education in the period 1999-2001, asked why the remaining 2 per cent had not been in school. He enquired whether the Government had taken steps to achieve 100 per cent primary school enrolment. He would appreciate clarification of the degree of coverage provided by pre-school institutions in Serbia and wondered why the proportion of pre-schoolers enrolled in Montenegro, which stood at only 20 per cent, was so low.

30. He wished to know when reform of the education system had begun and what results, in terms of statistics, had been achieved. It would be useful to have a full account of the reasons for the disproportionate number of students in technical and vocational secondary schools as compared to those enrolled in high schools. The delegation should comment on the number of years of study required for higher education in Serbia and Montenegro, which appeared to be excessive. Regarding a teachers' strike in the 2001/02 school year, he enquired whether the arrangement to increase salaries by 18 per cent was temporary or permanent and whether the Government expected to be able to meet the teachers' request for a 30 per cent increase.

31. The delegation should indicate whether one of the main problems faced by the Government concerned the exclusion from the education system of the Roma, refugees and internally displaced persons. It was difficult to understand why the number of Roma students tended to decrease in the higher grades, especially since they were not placed in special classes, but were included in the classes of regular schools. He asked whether the Government believed that such measures as free textbooks and scholarships, which it was providing to pupils and students of Roma nationality, were sufficient to prevent a high rate of school dropouts.

32. Mr. RZEPLINSKI asked whether, in view of the limited autonomy of universities in Serbia, the Government had contemplated adhering to the Bologna Declaration. He would be interested to know whether the Government had taken any steps, such as offering visiting professorships at universities, to convince trained professionals who had left the country during the war to return.

33. Mr. SADI said that the plight of the Roma people stood out as one of the most regrettable problems in Serbia and Montenegro. In spite of the Government's assessment of the root cause of the problem as being a lack of education, he saw it more as attributable to people's attitudes towards that minority group. Serbia and Montenegro could set an example for the region by actively working to change attitudes and by treating the Roma as a disadvantaged people.

34. Mr. MARCHÁN ROMERO asked what measures had been taken by the Government, especially in the area of education, to dispel the climate of intolerance that had prevailed during the war. He enquired whether efforts to promote tolerance had been incorporated into school curricula or other teaching materials.

35. He wished to know whether the privatization process had extended to the field of culture or whether responsibility for policy-making in that area had remained in the hands of the Government. Specifically, he wondered how Serbia and Montenegro was meeting its obligations under article 15 of the Covenant to ensure the participation of all citizens in cultural life. The delegation should indicate whether the Government or the private sector provided the financial resources for cultural activities.

36. Mr. ABDEL-MONEIM said that it was difficult to understand why there were no facilities for training teachers to teach in Albanian. He would appreciate additional information on the outcome of the multi-ethnic camps that had been organized as a form of alternative training on tolerance.

37. Ms. KRIVOKAPIĆ (Serbia and Montenegro) said that ensuring accessibility to health care was one of the main principles of the health-care system in Serbia and Montenegro. Differences in accessibility noted between rural and urban areas were being addressed through the reform of primary health care, which included the extension of a network of community health-care centres and the right to choose a family doctor. Both Serbia and Montenegro allocated funds from their central budgets to provide health care to refugees and internally displaced persons.

38. Cardiovascular diseases, which were the leading cause of death in both Serbia and Montenegro, were due to a number of factors, including smoking, diet and genetic inheritance. The Ministry of Health had launched a campaign to increase public awareness of the causes and prevention of those diseases. The problem of improving the quality of drinking water in central Serbia would be addressed in due course. The Serbian Ministry of Health would send the Committee information on international assistance to the health-care system at a later date. The segment of the Hellenic Plan that called for the allocation of resources to Montenegro had not yet been completed.

39. Mr. ŠAHOVIĆ (Serbia and Montenegro) said that the Government aimed to achieve 100 per cent enrolment in primary schools, but that a more comprehensive approach and more intensive efforts were needed if a high dropout rate was to be avoided. The disproportionate percentage of students in vocational schools was partly attributable to the educational structure inherited from the past. The current trend towards technical professions, especially in the field of information technology, had no doubt also contributed.

40. On the question of the autonomy of universities, the Government had signed the Bologna Declaration and was in the process of reforming the higher education system to bring it into line with that framework. Legislation adopted in 2003 provided that university rectors and faculty deans were elected by their peers. The Ministry of Education played no part in those elections.

41. Attitudes towards and within the Roma population were central to the problem of the exclusion of Roma children from the education system. The Government would take steps to ensure a more consistent and long-term approach was taken to change attitudes and ensure the Roma enjoyed their right to education.

42. Civic education had been included in the pre-school and primary school curricula in 2003. Several elements of those curricula addressed the issues of tolerance and reconciliation.

43. The brain drain was a problem that affected society at many levels. The majority of young people who had emigrated during the 1990s did not wish to return to the country, since they had encountered better educational and employment opportunities abroad. Accelerated integration into the European system would alleviate that problem. While students from Serbia and Montenegro still encountered obstacles when applying to study abroad, some European Union countries had provided easier access to their educational facilities to Serbian and Montenegrin students, thus enabling those students to integrate better into the European system.

44. The Serbian authorities were cooperating with the United Nations Development Programme and the Organization for Security and Cooperation in Europe on programmes to reintegrate the ethnic Albanian population in southern Serbia. Measures had been taken to improve the representation of the Albanian minority in all aspects of political and cultural life. Training in the Albanian language was available to students undergoing teacher training.

45. Ms. MOHOROVIĆ (Serbia and Montenegro) said that the right of national minorities to receive education in their mother tongue was guaranteed in the Constitutional Charter and in the legislation of each republic. While a minimum of 15 students was required by law to constitute a class that would be taught in a minority language, in practice, such classes were organized for groups of fewer people.

46. Under the Federal Law on the Rights and Liberties of National Minorities, 12 councils for national minorities had been established in Serbia to govern and promote the official use of minority languages. Representatives of those councils had participated in discussions on the inclusion of minority languages in the school curriculum. They had recommended that Hungarian textbooks should be introduced at the secondary level and that religious books in Slovak should be made available to pupils.

47. The action plan to promote Roma education included the development of a course in Romology, measures to support the development of children's cultural identity in schools, and the introduction of an optional school subject on the Roma language. The curriculum for that subject was currently under development, and teachers were being trained to deliver it.

48. A network of partners working with refugees ensured that all refugee children had the right to primary education. In practice, however, it was sometimes difficult to implement that right if children did not have identity or residence registration papers. The Law on Primary Education provided that all children with special educational needs had the right to education that was tailored to meet their needs. Sign language teaching was provided for deaf children. Measures to improve the accessibility of education to rural children, such as better use of the school network and harmonization of the academic calendar, were under consideration.

49. Ms. KRIVOKAPIĆ (Serbia and Montenegro) said that the Government had offered teachers an 8 per cent salary increase. It had been impossible to meet their demand for an increase of 30 per cent as the International Monetary Fund had set strict limits on public spending and the budget deficit.

50. The dropout rate of Roma children from primary education was expected to decrease when the awareness-raising campaigns that formed part of the Decade of Roma Inclusion project were launched.

51. Mr. ŠAHOVIĆ (Serbia and Montenegro) said that his delegation had been encouraged by the Committee's favourable reaction to the suggestion that the United Nations Interim Administration Mission in Kosovo (UNMIK) should provide a report on the implementation of the Covenant in Kosovo.

52. Serbia and Montenegro was in the process of building new political, economic and social structures and was attempting to develop attitudes and behaviour different from those that had prevailed in the past. Despite the Government's scarce resources, it was firmly committed to ensuring a high level of enjoyment of all human rights, including economic, social and cultural rights. The current focus was on reforming legislation, developing strategies to implement those laws, and harmonizing the legal system with systems in other European Union member States. Particular attention was being paid to the most vulnerable groups in society.

53. Implementing the Covenant required active and evolving policies, and Serbia and Montenegro's measures to that end were all action-oriented. Given the changing nature of the measures required, it would be useful to have a discussion with the Committee in due course, based on the Committee's concluding observations, to evaluate the progress made. Such a forum could be shared with other States parties from the same region, and other States that had gone through the transition to a market economy, given that similar questions would arise for all such countries. Serbia and Montenegro would be willing to host such a discussion.

54. The CHAIRPERSON noted the delegation's suggestion regarding a follow-up meeting and thanked the Government for its offer to host such an event. The Committee's concluding observations would contribute to the partnership for cooperation and assistance that had been established between the Committee and Serbia and Montenegro.

The meeting rose at 12.20 p.m.