



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women
Fifty-fifth session**

Summary record of the 1144th meeting

Held at the Palais des Nations, Geneva, on Thursday, 18 July 2013, at 10 a.m.

Chairperson: Ms. Ameline

later: Ms. Jahan (Vice-Chairperson)

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The meeting was called to order at 10 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Combined second and third periodic reports of Serbia (CEDAW/C/SRB/2-3; CEDAW/C/SRB/Q/2-3 and Add.1)

1. *At the invitation of the Chairperson, the members of the delegation of Serbia took places at the Committee table.*
2. **Ms. Janković** (Serbia), introducing the State party's combined second and third periodic reports (CEDAW/C/SRB/2-3), said that since the Republic of Serbia had submitted its initial report, in a period of rehabilitation after a difficult political and economic transition, it had taken new approaches to gender equality, including harmonizing its gender policies with those of the European Union and fulfilling its commitments under the Convention. It had adopted legislation on gender equality and gender-based discrimination and amended the labour law to improve women's employment rights and prevent sexual and other forms of workplace harassment. Amendments to the Criminal Code and the Criminal Procedure Code regarding violence against women and domestic violence were also under consideration.
3. An action plan on the implementation of United Nations Security Council resolution 1325 (2000) had been developed and included gender equality planning and implementation mechanisms. Serbia had also signed the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) and was working towards its ratification. A bill on the ratification of the amendment to article 20, paragraph 1, of the Convention on the Elimination of Discrimination against Women was currently before the National Assembly and had recently been passed by a parliamentary committee.
4. The Government had recently adopted an anti-discrimination strategy which sought to prevent or reduce specific forms of discrimination against vulnerable groups of people, including women, children, persons with disabilities, older persons, lesbian, gay, bisexual and transgender (LGBT) people, ethnic minorities, refugees and others. Legislation had been introduced in May 2012 to ensure that electoral lists provided for gender balance. A third of the members of the National Assembly were women and a woman headed the National Bank of Serbia. A parliamentary committee for human and minority rights and gender equality monitored legislation relating to the exercise and protection of human rights and freedoms and the implementation of international human rights conventions ratified by Serbia. The Council for Gender Equality looked at ways to improve gender equality policy through intersectoral cooperation. Governments and local authorities were responsible for appointing gender equality staff to promote equal opportunities. The Commissioner for the Protection of Equality, the national Ombudsman and local ombudsmen were authorized to take preventive measures to combat gender-based discrimination and to assist victims of discrimination.
5. Serbia was committed to doing everything possible to eradicate violence against women and domestic violence. A special unit had been created to provide protection against violence and helplines had been set up by civil society organizations to enable victims to report discrimination or violence, or violations of rights. In 2012, nationwide social care centres had provided assistance to 9,500 victims and studies had shown that most violence occurred within the family. Efforts had been made to provide training for the relevant authorities and rehabilitation programmes had been created for offenders.
6. Teacher training programmes addressed both violence against women and gender equality. Women with disabilities were one of the most vulnerable groups and their

situation had changed little. Legislation on inclusive education had therefore been enacted and other measures had been adopted such as wage subsidies for persons with disabilities, vocational rehabilitation and the promotion of employment of persons with disabilities. Many Roma women had never been to school and Serbia was taking steps to rectify that situation. Moreover, her Government hoped to improve cooperation with civil society organizations to assist all victims of multiple discrimination. In addition, improvements had been made to the collection and processing of data disaggregated by gender. Efforts had also been focused on combating trafficking in women.

7. She emphasized that Serbia had been unable to implement or monitor the implementation of the Convention in Kosovo and Metohija, an integral part of the Republic of Serbia over which the administration was currently entrusted to the United Nations Interim Administration Mission in Kosovo (UNMIK). Despite the request made by the Committee in its concluding comments (CEDAW/C/SCG/CO/1), calling on UNMIK to provide additional information on Kosovo and Metohija, none had been provided to date.

Articles 1 to 6

8. **Ms. Šimonović**, noting that the Convention had never been directly invoked in national courts, asked what was being done to raise awareness among legal professionals about the Convention and its Optional Protocol and the Committee's jurisprudence on cases considered under the Optional Protocol. She requested more information on the Government's cooperation with NGOs in preparing the State party report in general and asked whether it funded civil society organizations involved in the implementation of the Convention. Was the parliament using the Convention as a reference for drafting laws on discrimination, violence against women and gender equality?

9. **Ms. Schulz** asked how the new anti-discrimination strategy dealt with multiple discrimination, particularly against vulnerable groups. How did courts at all levels deal with multiple discrimination? There had been reports of claimants being allowed to give only one ground of discrimination, which might result in failure to deal with cases of multiple discrimination adequately.

10. **Ms. Acar** asked whether Serbia was considering withdrawing its reservations to the Convention, whether a time frame had been set for ratification of the Istanbul Convention and whether State officials and members of the judiciary received training on that Convention.

11. **Ms. Haidar** requested more information on efforts to improve coordination with NGOs on the implementation of new legislation and asked what steps were being taken to ensure that the judiciary, police and other interested parties were familiar with it. She enquired about resources allocated to implementation measures and whether they would be included in future national budgets to ensure sustainability. What steps had been taken to ensure intersectoral cooperation and establish a monitoring system to assess progress and identify possible constraints, including measurable indicators? She asked whether the measures in place to implement United Nations Security Council resolution 1325 (2000) were sufficient.

12. **Mr. Knežević** (Serbia) said that national courts were required by law to submit details of gender equality cases to the relevant ministry and that only two such cases had been considered since 2011. The Convention had not been invoked in either case. Each year, State funding was provided on a competitive basis to civil society organizations involved in gender equality, women's empowerment and other related matters. The Rules of Procedure of the National Assembly had been amended recently to facilitate the passing of legislation proposed by the executive branch and require the parliament to work in cooperation with civil society organizations. The Government enjoyed a good relationship

with those organizations and endeavoured to incorporate their ideas and recommendations when drafting legislation.

13. **Mr. Jovanović** (Serbia) said that judges handling family disputes must have specialized training in family law. They also received training in the relevant international law, including international instruments directly applicable under the Constitution. Judges, prosecutors and other judicial officers took ongoing training courses, complemented by a manual, on combating sexual and domestic violence, supporting victims and dealing with offenders.

14. **Ms. Ivanović** (Serbia) said that much effort had been put in over the past two or three years to improve intersectoral cooperation. A recent example included a conference on cross-cutting institutional responses to violence against women involving the Ministry of Labour, Ministry of the Interior, Ministry of Health and Ministry of Education, Science and Technological Development.

15. **Ms. Mohorović** (Serbia), referring to cooperation with NGOs in preparing the State party report, said that a working group composed of representatives of Government ministries and relevant civil society organizations drafted and finalized reports for submission to the United Nations treaty bodies, a procedure that had been followed in preparing the State party report currently under consideration by the Committee.

16. **Ms. Tripić** (Serbia) said that bills were reviewed by the European Integration Office to ensure that they were in conformity with European Union legislation before they were referred to various parliamentary committees for consideration. Public hearings were also organized with civil society organizations and independent experts to discuss proposed legislation before it reached the legislature. The Committee on Human and Minority Rights had held public hearings and round tables on a number of topics and had set up the Women's Parliamentary Network to meet informally to monitor implementation of legislation on women's rights and issues.

17. **Ms. Paunović** (Serbia) said that a working group had been established on the new anti-discrimination strategy that had identified nine vulnerable groups likely to suffer multiple discrimination, including a number of categories of vulnerable women. It was composed of representatives of the Government and civil society organizations and was developing an action plan to implement the strategy. It was essential to have joint efforts to raise awareness and address multiple discrimination more effectively; the strategy would be the first step in the process.

18. **Ms. Tripić** (Serbia) said that the parliament recognized the problems of people facing multiple discrimination and had stated that the recommendations of the Commissioner for Equality must be respected and particular attention paid to protection measures for those people.

19. **Ms. Janković** (Serbia) said that complaints of discrimination filed with the Deputy Ombudsman for Gender Equality could be founded on several grounds; however in practice just one was normally given. Serbia would endeavour to ratify the Istanbul Convention in the near future and would make every effort to raise awareness of it.

20. **Mr. Randjel Milošević** (Serbia) said that a conference had been held in March 2012 in conjunction with a number of NGOs to raise awareness about the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence among professionals in the field and representatives of the relevant ministries.

21. **Ms. Paunović** (Serbia) said that training on the protection of minorities was provided by several institutions, including judicial and police academies. As a result of the last visit of the United Nations High Commissioner for Human Rights, progress had been made in collecting data on human rights and carrying out anti-discrimination measures.

22. **Ms. Janković** (Serbia) said that most funding for civil society organizations came from donors. While priority had been given to cooperation with such organizations, including in their efforts to tackle discrimination, the economic downturn had given no scope for increasing State funding for such NGO activity.
23. **Ms. Haidar** asked how Serbia planned to monitor the implementation of the action plans to promote gender equality and whether interim reports on the status of their implementation was envisaged.
24. **Ms. Schulz** asked how Serbia would reduce discrimination against lesbians and women with disabilities, and whether there were plans to provide for registered partnerships that would give legal recognition to lesbian couples.
25. **Ms. Neubauer** asked whether there was a time frame for the adoption of the bill on free legal aid. She asked why so many cases lodged by women with the Deputy Ombudsman had been dismissed for lack of grounds. Were women sufficiently aware of their rights under the law? What actions were taken to promote awareness of the Convention and relevant laws? She asked whether adequate resources would be allocated to the Office of the Commissioner for the Protection of Equality to protect its independence and allow it to carry out its work.
26. **Ms. Šimonović** asked for clarification of the gender balance on the six-member commission of the National Assembly to monitor the National Action Plan for the Implementation of United Nations Security Council Resolution 1325 (2000), which had only one male member.
27. **Ms. Pomeranzi** asked how the national mechanism for gender equality interacted with women's NGOs and civil society.
28. **The Chairperson**, speaking in her capacity as an expert, said that further efforts were needed to integrate Roma women fully into society. She asked what was being done to improve their situation.
29. **Ms. Paunović** (Serbia) said that the national anti-discrimination strategy had broken new ground by recognizing lesbian, gay, bisexual and transgender persons as a specific vulnerable group in need of protection. Her Government had stepped up its work with the LGBT community and LGBT organizations to end discrimination in a wide range of areas. NGOs had developed a model law on registered partnerships, which would be taken up with the relevant government ministries and the LGBT community.
30. **Ms. Janković** (Serbia) said that more work was needed in the national social work centres to improve learning and skills to prepare staff to deal with prejudice and stereotypes, as they often interacted with LGBT community members.
31. **Mr. Jovanović** (Serbia) said that the National Assembly had recently adopted a strategy to reform the judiciary, including improving access to justice by making free legal aid more widely available and building institutional capacity. A bill on free legal aid was currently under consideration.
32. **Ms. Paunović** (Serbia) said that indicators were being developed because the quality of reports for treaty bodies and the monitoring of laws required improvement. Her Government had therefore begun to cooperate more closely with the United Nations Office in Belgrade on better data collection. The Government had also actively sought contributions from NGOs and had set up an office for cooperation with civil society for that purpose.
33. **Ms. Janković** (Serbia) said that a number of complaints of discrimination lodged with the Office of the Ombudsman had been dismissed for procedural reasons or for lack of grounds. However, the Ombudsman ensured that assistance was provided to complainants.

More efforts were needed to raise women's awareness of available remedies for the infringement of their rights. Nevertheless, every effort had been made to provide the Office of the Commissioner for the Protection of Equality with adequate funding.

34. **Ms. Nikolić** (Serbia) said that while men predominated in the security forces, progress had been made in recruiting more women in recent years. A multisectoral coordinating body had been set up to implement the National Action Plan for the Implementation of United Nations Security Council Resolution 1325 (2000). Twelve of its 15 members were women. The body worked with the various relevant departments and submitted regular reports on the status of implementation of the National Action Plan to the Government. It also submitted information on its work to the National Assembly and monitored government activity. The coordinating body had also produced a list of indicators to monitor the National Action Plan, including a number of indicators to measure progress towards gender equality and the participation of women in decision-making, conflict resolution, education and the media.

35. **Mr. Knežević** (Serbia) said that the Council for Gender Equality had been established. It suggested measures for improving national strategies and policies and initiatives in the field.

36. **Ms. Paunović** (Serbia) said that Roma women experienced high levels of discrimination, although progress had been made regarding their status and ability to exercise their rights. A mobile support team was operating within Roma communities and the Government maintained cooperation with a network for Roma women.

37. **Ms. Haidar** asked whether the Government was planning to adopt legislation to uphold the Declaration on Human Rights Defenders. She also requested further details of any temporary special measures taken and the extent to which they met the specific needs of women.

38. **Ms. Gabr** asked what was being done to challenge stereotypes about the Roma and involve NGOs and human rights defenders in breaking them down.

39. **Ms. Acar** asked about the Government's position on the movement of Serbian society towards a return to "tradition" and the policies to eliminate stereotyped gender roles in private life.

40. **Ms. Šimonović** requested data on the number of women killed by their partners. Was such data analysed to identify gaps and come up with the necessary prevention and protection measures? She also asked how the judiciary collected statistics and whether the data that it collected included the types of relationships between perpetrators and victims. She requested information about services and shelters for victims of violence against women and for Roma women, and on victims of war violence. Were they afforded special protections and services to help them to cope with psychological problems?

41. *Ms. Jahan took the Chair.*

42. **Ms. Gabr** asked why there were problems in applying the Organized Crime Convention and the Council of Europe Convention on Action against Trafficking in Human Beings and whether awareness-raising measures among magistrates were envisaged. She requested information on centres for victims of trafficking and noted with concern that funding seemed limited. She also asked what was being done to identify the fundamental causes of trafficking.

43. **Ms. Knežević** (Serbia) said that entrenched gender stereotypes were being addressed through a range of measures that pursued the goal of gender equality. Recent initiatives had included the publication of a gender glossary and a guide to gender-sensitive media reporting; the production and broadcast of a semi-documentary television series about the

status of women and gender equality; the development of a media training course on gender-sensitive communication and the image of women; and the launch of an awareness-raising campaign on women entrepreneurs designed to give women the skills and encouragement to start their own businesses.

44. There were also a large number of local and regional level NGO-sponsored projects. For example, in Valjevo the first ever study of the social role of women and their contribution to the history of the city and surrounding area had recently been concluded, while in Kraljevo a project examining the status of women had turned the spotlight on the experiences of those who had suffered discrimination. It was difficult to assess the impact of those activities and it was clear that stereotypes could not be eliminated in the short term. However, the efforts were continuing and a series of new measures would be implemented in the near future.

45. **Ms. Ivanović** (Serbia) said that the National Employment Strategy for 2011–2020 was designed to guarantee equal opportunities for all persons in the labour market and to make the employment of members of vulnerable groups possible. Women were identified as a priority group and had benefited from a number of programmes run by the National Employment Service in 2012. For example, nearly 900 women had received employer-requested training, over 1,000 had received vocational adult education and more than 20,000 had attended job search training. A system of State subsidies for self-employment or job creation had been introduced to help women with disabilities to enter the labour market and, according to the Tax Administration report, over 10,000 persons with disabilities had been employed as a result of measures undertaken in accordance with the 2010 Law on Vocational Rehabilitation and Employment of Persons with Disabilities.

46. **Ms. Janković** (Serbia) said that the National Assembly was considering a new law on social entrepreneurship that would help vulnerable groups such as Roma women and women with disabilities to take up employment. A recently adopted law on the budget system heralded the introduction, in early 2014, of a new system of public finance under which it would be possible to measure the exact proportion of each public authority's budget that was allocated to women's programmes. Women were increasingly well represented in political offices and held positions as State secretaries, assistant ministers, Government ministers and deputy speakers in the National Assembly.

47. **Mr. Randjel Milošević** (Serbia) said that in the past three years 29 women had been killed by their husbands, 7 had been killed by former spouses and 14 had been killed by common-law partners. The Istanbul Convention would be a very significant tool in channelling the State's efforts to prevent and eliminate violence of that kind. In 2011, in addition to the National Strategy for Preventing and Combating Violence against Women, specific protocols had been adopted at the level of each individual State authority with a role in prevention, protection and punishment, including the Ministry of Labour and the Ministry of the Interior. The Ministry of the Interior protocol, for example, provided instruction for police officers in how to deal with domestic violence cases.

48. **Mr. Jovanović** (Serbia) said that comprehensive legal and judicial data was provided for under the Ministry of Justice case management system. The number of charges, prosecutions, convictions and acquittals as well as the penalties imposed for specific offences, including domestic violence, could be monitored through that system. Public prosecutors also kept statistics about offences reported, investigations initiated and charges brought. The authorities had plans to merge the two systems into a single database in order to ensure consistency.

49. **Ms. Janković** (Serbia) said that in implementation of the specific protocols adopted by individual ministries, the social care centres responsible for providing support and assistance to victims of violence would be required to conclude local agreements with all

authorities involved in the provision of care, including the police, education and health-care authorities. At a recent conference called to introduce and explain the protocols, the State had sent out a clear message that there would be zero tolerance of domestic violence. Training for social care centre personnel and other local stakeholders, provided by the Autonomous Women's Centre, an NGO in Belgrade, would commence in the near future.

50. Emergency shelters for victims were considered a local service that should in principle be funded by local government but most of those operating at present were donor-financed. Public funds had been earmarked to assist the many poor municipalities in Serbia. Roma women were not treated as a discrete group in terms of protection from domestic violence.

51. **Mr. Randjel Milošević** (Serbia) said that Serbia had ratified the United Nations Convention against Transnational Organized Crime, and its Trafficking Protocol and the Smuggling of Migrants Protocol. To give effect to its obligations under those instruments, in 2001 the Government had appointed an anti-trafficking coordinator and established an anti-trafficking team composed of representatives of public authorities, NGOs and international organizations. Definitions of the offences of trafficking in human beings and smuggling in human beings had been incorporated into the Criminal Code in 2006 and a new national anti-trafficking strategy and action plan was due to be adopted before the end of 2013.

52. **Ms. Ivanović** (Serbia) said that coordinating the provision of support and assistance for victims, including victims of human trafficking, was a primary function of the social care centres. The centres assessed the victim's situation, evaluated the risks and identified the support necessary for their rehabilitation.

53. **Ms. Janković** (Serbia) said that although sufficient State funding was allocated to the centres, they also received considerable international assistance and civil society support.

54. **Mr. Randjel Milošević** (Serbia) said that his Government's efforts to prevent trafficking in human beings included the organization of round tables, expert meetings and events to raise awareness of the risks. *The Sisters*, a Serbian film based on a horrific true story about trafficking, was usually screened at those events. In addition, studies and research projects were carried out to assess the scale of the problem and the adequacy of the nationwide response and legal advice clinics were run by the country's three law faculties in Belgrade, Novi Sad and Niš.

55. **Ms. Janković** (Serbia) noted that the media and other sectors also made contributions to the preventive effort. Turning the focus to the status of women in all areas of Serbian society and the Government's efforts to improve it, she said that outreach activities began at the preschool stage.

56. **Ms. Nikolić** (Serbia) said that women accounted for 28 per cent of national police force officers and 29 per cent of employees of the Ministry of the Interior and that most of those women had completed secondary education. Of the women employed within the police force, around 40 per cent were involved exclusively in police work while 60 per cent performed support and administrative tasks. Clearly, there were continuing obstacles to women's recruitment, in part because certain legal provisions still required reform. For example, under existing laws women who became pregnant had often suffered discrimination in employment. Nonetheless, women occupied high-profile positions within the Ministry of the Interior, including that of Vice-President of the working group for the European Union accession process.

57. **Mr. Jovanović** (Serbia) said that women were also increasingly well represented at all levels of the judiciary, from the courts of first instance to the courts of appeal.

58. **Ms. Neubauer** said that while the new laws, measures and other initiatives described by the delegation were commendable, there had been little information about their impact, despite the creation of the Directorate for Gender Equality to monitor and assess progress. For example, in its replies to the list of issues (CEDAW/C/SRB/Q/2-3/Add.1), the State party named a number of political parties that had adopted a four-year action plan for women's advancement but gave no indication as to what percentage of the total number of political parties registered in Serbia those parties represented. The replies also gave no information about professional organizations. She emphasized that the new provisions could not be effective without the means of enforcing them.

59. The increase in women's representation in the National Assembly was encouraging but at the local level the situation was not good, with women occupying significantly fewer decision-making positions than men and accounting for only seven of the country's municipal mayors and only 16 per cent of local council members. She would like to know how the State party planned to increase women's representation in local-level decision-making. She also sought information about the impact of the 30 per cent quota for women's representation established in the 2009 law on National Minority Councils. Lastly, she asked the delegation to explain why women's organizations had not been consulted in the negotiations with Kosovo monitored by the European Union, why only 10 per cent of all ambassadors were women and what was being done to increase women's involvement in diplomacy, especially at the high level.

60. **Ms. Haidar** expressed concern about the lack of publicly available information on the outcomes of policies in general and asked whether campaigns to raise awareness of the special measures adopted and make them known to the target groups were envisaged.

61. **Ms. Al-Jehani** asked what new targets had been set when the National Action Plan for Roma Women had been extended until 2014; which body monitored the Plan's implementation; what was the size of the budget allocated for carrying it out; and whether a midterm assessment would be performed and, if so, by which institution. Noting that the status of women with disabilities did not appear to have changed a great deal despite improvements to the legal framework and institutional mechanisms, she asked whether the State party had conducted a comprehensive assessment to identify and address any gaps in the provision of services.

62. **Ms. Šimonović** asked whether both immediate and long-term protection orders were available and which body was responsible for issuing them.

63. **Ms. Neubauer** would appreciate an explanation regarding a provision of the draft civil code, which was an apparent departure from existing family law, that would link the voluntary acceptance of treatment for drug, alcohol and other substance abuse by domestic violence offenders with the suspension of all other protection measures. She also sought clarification of the eligibility criteria for the provision of advisory, therapeutic, educational and social welfare services, expressing concern that the minimum academic qualifications requirements could prevent certain women's NGOs, including organizations of Roma women in particular, from obtaining licences.

64. **Ms. Acar** sought details about concrete measures in place to combat stereotypes in family settings.

65. **Ms. Paunović** (Serbia) said that amendments to a law concerning women's representation on the National Minority Councils were at the drafting stage and should be finalized before the elections scheduled for 2014.

66. **Ms. Knežević** (Serbia) said that all political parties were required to develop a four-year plan for women's advancement and to post the plan on their website. However, the existence and availability of the plans needed to be more closely monitored.

67. **Ms. Tripić** said that women parliamentarians were actively working to share their knowledge and experience and bring more women into local assemblies and that they organized regular round tables on women's participation in decision-making to that end.

The meeting rose at 1 p.m.