



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

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**Committee on the Elimination of Discrimination
against Women
Seventy-second session**

Summary record of the 1676th meeting

Held at the Palais des Nations, Geneva, on Thursday, 28 February 2019, at 3 p.m.

Chair: Ms. Gbedemah

Contents

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

Fourth periodic report of Serbia (continued)

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The meeting was called to order at 3 p.m.

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

Fourth periodic report of Serbia (continued) (CEDAW/C/SRB/4; CEDAW/C/SRB/Q/4 and Add.1)

1. *At the invitation of the Chair, the delegation of Serbia took places at the Committee table.*

Articles 1 to 6 and 7 to 9 (continued)

2. **Ms. Miladinović** (Serbia) said that, following amendments to laws on the election of national deputies and local officials, over 33 per cent of national deputies were now women. All decisions taken by the Women's Parliamentary Network, were based on consensus. All members of the Network were representatives of political parties and were therefore required to promote the views of those parties. The representatives of only one political party had not agreed to join the Network. Although the work of the Women's Parliamentary Network had been temporarily suspended owing to disagreements between members of opposition parties, it was expected to resume soon.

3. **Mr. Vulević** (Serbia) said that funding for shelters for victims of trafficking in persons had been included in the State budget. Protection was provided to trafficking victims who were foreign nationals. Following the measures taken to register undocumented persons, the number of such persons had fallen from 20,000 to around 400. In order to register the births of children who were without parents, centres for social work appointed a guardian whose name was included on the birth certificate. In accordance with the Law on Non-Contentious Procedures, when a child had undocumented parents, efforts were made to identify those parents in order to register the child's birth and ensure his or her access to State services. Proposed amendments to the Family Law would provide for the elimination of child marriage by raising the minimum marriage age to 18 years.

4. **Ms. Pantelić** (Serbia) said that the Law on Citizenship stipulated that decisions on applications for citizenship were based on certain criteria, including the applicant's origins and place of birth. Although the same criteria applied to Roma applicants, their applications were sometimes complicated by the fact that they did not have documents. In such cases, a statement was taken from the applicant and the Ministry of the Interior then took steps to gather evidence and documents supporting that person's application. That Ministry also provided special support for illiterate Roma persons who wished to apply for citizenship. Roma originating from Kosovo were subject to the same procedure, although their documentation was usually harder to obtain.

5. **Mr. Zlatanović** (Serbia) said that women constituted just under half of the staff of the Ministry of Foreign Affairs and just over a quarter of the heads of consulates, embassies and consular missions. The majority of missions to multilateral organizations were headed by women.

6. **Ms. Kiurski** (Serbia) said that persons who mediated or advertised prostitution were liable to punishment under the Criminal Code. Prostitution was defined as a misdemeanour under the Law on Public Order and Peace. Under that Law, sanctions were imposed on persons purchasing sex or providing premises for prostitution but not on women sex workers, who were never criminally prosecuted. Following the ratification by Serbia of the Council of Europe Convention on Action against Trafficking in Human Beings, recommendations had been issued to the effect that trafficking victims who had been compelled to commit an offence should not be prosecuted. Judges and prosecutors were being trained in the application of those recommendations. The number of prosecutions for domestic violence had fallen since June 2017, which suggested that the Law on the Prevention of Domestic Violence had had the desired impact. In 2018, 18 persons had been prosecuted and 5 convicted in domestic violence cases.

Articles 10 to 14

7. **Ms. Rana** said that several studies, including one conducted in 2015 by the Incest Trauma Centre, indicated that sexual and gender-based violence was prevalent in schools, with one study revealing that 69 per cent of primary school students and 74 per cent of secondary school students had experienced such violence. In order to address the problem, the Ministry of Education, Science and Technological Development had launched a tool that addressed different types of sexual violence against minors and provided guidance for teachers on how to approach issues of sexuality. However, alternative sources had reported that the Ministry had withdrawn approval for the tool in response to complaints that it promoted homosexuality and encouraged children to go against religious values. Reports also indicated that many teachers held stereotypical views on gender-related issues and attempted to instil those views in their pupils. The Committee would like to know whether the State party would review its education policies in line with the Committee's general recommendation No. 36 (2017) on the right of girls and women to education. It also wished to know what plans were being made to develop educational materials on gender discrimination, equality and gender-based violence; to incorporate age-appropriate content on sexual and reproductive health and rights into curricula and textbooks designed for all levels of the education system; and to provide teachers with effective training on the issues of gender discrimination, equality and gender-based violence.

8. The education system was marked by a significant level of gender discrimination, resulting in a disproportionate number of girls studying the humanities, social sciences and arts. Girls constituted a minority of the students studying information and communication technology, engineering and construction. She wondered what measures were being taken to reduce gender segregation at all levels of the education system and to encourage boys and girls to pursue careers not traditionally associated with their genders.

9. The Committee would welcome further information on the impact of measures taken to enhance the inclusion of children from vulnerable groups in preschool education. It would also like to hear what was being done to address the fact that girls with disabilities were less likely to be enrolled in inclusive education than boys with disabilities and what plans and policies were in place to improve access to schooling for Roma girls and ensure that they remained in the education system. Was the strategy for the school inclusion of Roma continuously monitored?

10. **Ms. Vuković** (Serbia) said that training on gender-based violence had been delivered to school staff and pupils in order to improve their ability to respond to such violence. The Government had published a manual on the prevention of gender-based violence in schools and, in conjunction with the United Nations Children's Fund (UNICEF) and other United Nations agencies, had taken steps to raise awareness of gender issues and gender-based violence in preschools and primary schools. In 2018, the Ministry of Education, Science and Technological Development had adopted a rule book that set out criteria for determining whether acts were discriminatory and outlined measures for preventing gender-based discrimination and fostering equality in the education system. Every school was required to establish a team responsible for addressing discrimination, violence, abuse and neglect and to draft a plan for promoting the safety and security of children. The Textbooks Law (2018) promoted the removal of gender stereotypes from textbooks and the promotion of equality, non-violence and non-discrimination. In civics education, students learned how to understand the origins of violence and recognize and prevent different types of violence.

11. **Mr. Vulević** (Serbia) said that the Government would examine the study published by the Incest Trauma Centre and consider the recommendations that it contained.

12. **Mr. Bergby** said that the labour market in the State party was marked by both horizontal and vertical gender segregation and that responsibilities were not equally shared between men and women in the home or in society. Women had lower employment rates than men and young women were more likely to be unemployed than young men. He wondered what legislative and other measures were being taken to decrease occupational segregation and encourage women to pursue careers in areas traditionally dominated by men. He also wished to know what was being done to decrease unemployment among young

women and to ensure that women who registered as unemployed were made aware of all the services offered by the National Employment Service.

13. The Committee would welcome information on the impact of measures taken by the National Employment Service to promote employment among persons with disabilities. It would particularly like to know whether the measures in question were gender-sensitive and in what way women had benefited from measures taken under the Law on the Professional Rehabilitation and Employment of Persons with Disabilities.

14. Under the State party's labour legislation, employees were guaranteed equal pay for work of equal value, yet men earned more than women in most areas of the labour market. He wondered, therefore, what the Government understood by "work of equal value" and whether lesser value was normally accorded to jobs traditionally associated with women. It would be interesting to learn what steps were being taken to encourage employers to reduce or close the gender pay gap and to encourage companies to be more gender-responsible.

15. In the light of studies indicating that around one third of young Serbian women had experienced sexual harassment in the public sphere, he wondered how many complaints of sexual harassment in the workplace had been reported by employers or public authorities. He also wondered whether the mechanisms currently in place were sufficient to prevent such harassment. How many harassment complaints had been brought before the courts? What other measures were taken to prevent sexual harassment in the workplace, what reporting and sanctions mechanisms were in place and how was the implementation of legislation to prevent sexual harassment monitored by labour inspectors?

16. Surveys indicated that women spent more than two and a half hours per day more than men on unpaid care work. He would like to hear about the State party's policies regarding the right to flexible working arrangements, including part-time work and work from home; access to care facilities for children and other dependents; and initiatives for promoting equal sharing of domestic work between men and women. How might working life be better organized so that men and women played an equal part in raising children?

17. **Ms. Mitić** (Serbia) said that sexual harassment was defined under Serbian law as any unwanted verbal, non-verbal or physical behaviour of a sexual nature that violated a person's dignity or personal integrity. Women's unfavourable position in the labour market was recognized under the National Employment Strategy 2011–2020, the European Union accession process, the National Action Plan on Employment and local employment action plans, all of which were aimed at preventing discrimination. Strategies for improving the situation of persons with disabilities and promoting the inclusion of the Roma population had also been implemented, as had policies and measures for promoting the integration of women victims of trafficking into the labour market.

18. The role of the National Employment Service was to provide expert guidance, promote equal opportunities and ensure that employment measures benefited women. The Service helped unemployed persons to find work by drafting individual employment plans. With a view to closing the gender gap, it promoted women's employment, entrepreneurship and self-employment. Employment policies were based on the principles of non-discrimination and gender equality, and women were guaranteed equal access to the labour market under the law. Under labour legislation, employers were prohibited from specifying the preferred gender or age of candidates in job advertisements and were also barred from asking candidates personal questions. In order to help women overcome barriers to employment, the National Employment Service provided both employers and job seekers with information on employment opportunities and legislation.

19. **Ms. Paunović** (Serbia) said that over 50,000 women, including women belonging to vulnerable groups, such as Roma women and rural women, had benefited from national employment policies. Data-collection practices in the area of employment had been significantly strengthened. The National Employment Service maintained detailed gender-disaggregated data, which served as a basis for the development of strategies to increase the employment rate among different groups of women, such as those over 50 years of age, and for the identification of sectors in which women were poorly represented. The new gender equality law would include a number of provisions that would increase gender equality in the labour market. One of its articles concerned the principle of equal pay for work of equal

value. In 2017 and 2018, the Labour Inspectorate had taken measures to improve the situation of women working in the informal sector.

20. **Ms. Kiurski** (Serbia) said that, over the reporting period, 275 complaints of sexual harassment had been received, leading to 26 convictions. With regard to employment, the Judicial Academy had recently exercised affirmative action by appointing a member of the Roma community, despite the fact that the person in question had not met all the formal requirements.

21. **Mr. Bergby** said that he would appreciate a response to his earlier question about the adequacy of the measures taken by the State party with regard to sexual harassment. He wished to know whether the State party planned to carry out a comprehensive survey on sexual harassment so as to gauge its prevalence across the workforce, including in the public sector. As for his earlier question on discrimination, his intention had been to suggest that the very concept of “work of equal value” should be re-examined. He would be grateful if the delegation could comment further on how men could be encouraged to play a greater role in home and family life, without which it would be impossible to ensure equal employment opportunities for women.

22. **Ms. Gavrilović** (Serbia) said that, although legislation had been introduced to address the adverse effects of traditional gender stereotypes, more needed to be done to raise awareness of those effects and change societal attitudes towards the roles of women and men. Across the workforce as a whole, women were paid less than men because they often tended to work in lower-paid sectors.

23. **Ms. Marković** (Serbia) said that, in 2018, over 200 fathers had taken paternity leave. It was becoming more common for new fathers to take paternity leave.

24. **Ms. Mitić** (Serbia) said that sexual harassment constituted an offence that attracted penalties under Serbian law.

25. **Ms. Paunović** (Serbia) said that the Government was aware that the efforts currently being made to combat sexual harassment in the workplace were inadequate, and it would continue working to strengthen them, including by conducting prevalence surveys in both the private and the public sectors.

26. **Ms. Peláez Narváez** said that, while the State party was to be commended for the adoption of the National Programme for the Preservation and Improvement of the Sexual and Reproductive Health of Serbian Citizens, women, in particular Roma women, continued to face a number of attitudinal barriers with regard to access to contraceptives. She would like to know what specific campaigns had been developed to raise awareness of modern methods of contraception among women and girls. Were such contraceptives available free of charge? She wondered whether the State party had introduced a protocol to establish the duty of health-care professionals to report cases of pregnancy in minors to the relevant authorities. It would be useful to know what was being done to protect the right of women, in particular Roma women, to medical care during childbirth, free of charge. On a separate point, she would be grateful if the delegation could indicate what measures were being taken to expand access – including for Roma women, women with disabilities, and institutionalized and incarcerated women – to programmes for early detection of cervical and breast cancer.

27. There remained a number of obstacles to the realization of the sexual and reproductive rights of women with disabilities, who in some cases continued to be subjected to practices contrary to human rights principles, such as forced sterilization. She wished to know what measures had been taken to end discrimination against women with disabilities with respect to health, including sexual and reproductive health.

28. Lastly, she wondered whether financial assistance was available to ensure that all women could exercise their legally recognized right to abortion. The State party had indicated in its periodic report ([CEDAW/C/SRB/4](#), para. 181) that the inclusion of abortion expenses under the national health insurance fund would require a multisectoral approach. She would appreciate clarification of that statement.

29. **Ms. Aksentijević** (Serbia) said that the Roma community had not been specifically targeted in efforts to reduce reliance on abortion as a form of contraception and enhance

access to modern contraceptives, as the problem affected the Serbian population as a whole. The Government had launched several campaigns to promote modern forms of contraception. However, it would take time to see concrete results. The Ministry of Education, Science and Technological Development, in coordination with the Ministry of Health, was preparing to introduce sexual and reproductive health as a mandatory subject in all primary and secondary schools.

30. Every year, the Ministry of Health set aside funding to support non-governmental organization (NGO) activities to benefit the Roma community. The Ministry had established a corps of Roma health mediators, and 85 such mediators were currently active. They received special training and worked to raise awareness of health-related issues in the Roma community, particularly among young people.

31. With regard to pregnancies in minors, health-care professionals had a duty to report any findings that appeared to be inappropriate for the age of the patient, especially where it was suspected that a girl had been subjected to violence. The Ministry of Health had various protocols relating to the treatment of specific vulnerable groups. Over 500 health-care workers had been trained as trainers on such issues. There were standardized procedures for reporting cases of violence, and they would soon be integrated into a unified database to which all doctors had access.

32. **Mr. Vulević** (Serbia) said that the Government was committed to a process of gradual deinstitutionalization of persons in long-term residential care. Serbian legislation regulated issues of consent, the use of restrictive measures, treatment, oversight systems and complaint mechanisms with a view to protecting such persons.

33. **Ms. Arijas** (Serbia) said that Roma health mediators were drawn from the Roma community itself. Over the course of a year, the mediators had conducted nearly 37,000 visits, including over 1,400 to pregnant women. Reproductive health workshops had also been organized. However, according to a recent survey, life expectancy among Roma women was 10 years less than among other women living in Serbia, so more clearly remained to be done to improve health in the Roma community. Efforts would be made to integrate the services of Roma health mediators into the general health-care system in order to improve their sustainability.

34. **Ms. Strajin** (Serbia) said that the Vojvodina Autonomous Province had set aside funding for a mobile mammography service, which would offer free preventive screenings throughout that territory. The screenings would be of particular benefit to women who lacked health insurance coverage, a group that included many Roma women. The service would be available for one year beginning on 1 June 2019.

35. **Ms. Kiurski** (Serbia) said that, throughout Serbia, free cancer screenings were organized several times a year. In addition, television campaigns had been conducted to promote the use of contraceptives. Abortion was covered under the national health insurance fund.

36. **Mr. Bergby**, noting that unemployed persons and informal sector workers could contribute voluntarily to the social benefits system, asked whether a study had been conducted to assess the impact of the voluntary contribution scheme from a gender perspective. He wondered what could be done to address the fundamental inequality between men and women in the agricultural sector, in which a large number of women worked without pay, and would be grateful for information on the outcome of the various measures taken to empower women economically in that sector. He would be interested in hearing whether the recent Instrument for Pre-accession Assistance programme, under which 2,000 women had received training on developing business opportunities in the agricultural sector, had been a one-off initiative or whether it had been renewed. What proportion of the women who had participated in that programme had gone on to start their own small businesses?

37. With regard to sport, he wondered why women did not account for 50 per cent of the beneficiaries of the scholarships and awards granted by the Ministry of Youth and Sport and whether the budget set aside for sports had been analysed from a gender perspective.

38. **Ms. Song** said that she wished to know what priorities had been identified for the advancement and empowerment of rural women and whether any specific indicators had been

set to track the progress made in that regard. In view of the challenges facing older women in the State party, particularly in rural areas, it would be useful to learn what mechanisms were in place to ensure that they were well supported and protected and whether recreational and cultural events were regularly organized for older people. She wondered whether the State party planned to conduct a comprehensive survey of the situation of Roma women so as to inform policy aimed at ensuring that their basic needs were met, their rights enhanced and their aspirations realized. In addition, it would be useful if the delegation could indicate what proportion of school-age girls with disabilities received schooling and what proportion of adult women with disabilities were in employment. Lastly, she wished to know how gender concerns had been integrated into the National Strategy for Resolving the Problems of Refugees and Internally Displaced Persons and what other measures had been put in place to ensure the economic empowerment of internally displaced women and their integration into local communities.

39. **Ms. Mitić** (Serbia) said that in 2018 the Ministry of Labour, Employment, Veteran and Social Affairs had invited NGOs to propose projects for the empowerment of rural women. Grants had been awarded to the 11 NGOs selected. In March 2017, a national conference on issues affecting rural women had been held with the support of the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women). In 2018, on the occasion of the International Day of Rural Women, the Ministry had sent a delegation to meet representatives of the local authorities in Kruševac in order to discuss how to improve the lives of rural women. Rural women's access to social and health-care services was governed by the Law on Social Protection, which established that such services must be provided with due regard for the language, ethnicity and specific needs of such women.

40. **Ms. Gavrilović** (Serbia) said that gender-responsive budgeting would provide the statistical evidence the Government needed to be able to redistribute funding with a view to improving rural women's lives. The funds allocated to Serbia to promote gender equality through the Instrument for Pre-accession Assistance programme would go to finance grants for rural women entrepreneurs, among other initiatives. Funding would also be provided to organizations employing women in agriculture and providing training in agricultural production.

41. **Ms. Konjević** (Serbia) said that the Commissariat for Refugees and Migrations aimed to reintegrate, house and economically empower refugees and internally displaced persons. Financial support was available on a priority basis to lone parents, families with three or more children and other vulnerable groups.

42. **Ms. Vuković** (Serbia) said that individual education plans were prepared for children with disabilities. Based on the number of plans in place, such children made up about 1.5 per cent of all children enrolled at the primary level. About 4,700 children with disabilities attended special schools. However, there were now fewer special schools, as they were being turned into resource centres for mainstream schools. Refugee children between the ages of 5 and 15 were required to attend school. Measures had been taken to facilitate their inclusion.

43. **Ms. Miladinović** (Serbia) said that gender-responsive budgeting had been introduced thanks to the Women's Parliamentary Network. The budget was analysed carefully each year and special attention was given to the needs of women in the areas of agriculture, health and education rights. Subsidies were allocated to women working in agriculture.

44. **Ms. Paunović** (Serbia) said that the Government paid great attention to research on issues of concern identified by women over 50, including domestic violence, access to health care and participation in decision-making at all levels of government. Recreational and cultural activities were not as accessible to rural women, in part because the Government had prioritized improving those women's access to health care and protection from domestic violence. In 2017 women had received 246, or 37 per cent, of 401 athletic scholarships awarded. The Government would continue working to improve that statistic.

Articles 15 and 16

45. **Mr. Safarov** said that, according to information available from alternative sources, daughters were expected to renounce their inheritance rights to the benefit of sons, only one third of partners regularly paid alimony, most single-parent families were unable to afford

basic services and a family welfare law discriminated against women on the basis of their fertility. Information from alternative sources also indicated that the physical presence of the persons concerned was still required in most cases to register a marriage or birth, and he therefore wondered how effective the online registration system was. He also wondered whether women who adopted children were entitled to paid maternity leave and whether fathers were entitled to paid paternity leave.

46. Seven per cent of girls reportedly married before the age of 18, and he wished to know in what cases the marriage of minors was legally permitted and how many cases of forced marriages had been heard by the courts in the State party. Figures on the number of Roma living in Serbia differed, and he would therefore be grateful for up-to-date statistics. He wondered why an online database on gender-based violence had not been created and why no budget was allocated to NGOs fighting human trafficking. Lastly, he would like to hear the Government's response to information indicating that women made up only 11 per cent of registered landowners and that women entrepreneurs' access to property rights was hindered if their marriages were not registered.

47. **Mr. Vulević** (Serbia) said that lone parents were entitled by law to social protection benefits and indeed were given priority. Maternity leave and benefits were guaranteed to all women, although the calculation method had changed following amendments to the relevant law. Legally speaking, all children had equal inheritance rights. However, as a result of traditional cultural patterns, sons were sometimes given priority over daughters, who were expected to renounce their rights. Efforts were being made to address the problem.

48. **Ms. Kiurski** (Serbia) said that there had been two reported cases of forced marriage and charges had been brought against one person. Since 2017, cohabitation with a minor had been made a criminal offence with a view to tackling the issues of forced and underage marriage.

49. **Ms. Milutinović** (Serbia) said that the Family Law gave parents equal property rights, regardless of whether they were married or cohabitating, and regardless of whether the man or the woman was the title holder. When determining property ownership rights, the courts took into account rural women's work on family farms and their contribution to the care of children and older family members.

50. **Ms. Antić** (Serbia) said that parents did not have to go in person to register births at a registry office. Maternity ward staff did the registration online. Citizenship applications could also be made online.

51. **Ms. Leinarte** said that information available to the Committee indicated that almost all Roma girls were cohabiting or married by the age of 16, yet the Government had only reported a few cases of forced marriage. She wondered what could be done to encourage more Roma girls to remain in school. She would suggest that the Government should consider introducing temporary special measures aimed at tackling high premature mortality and other problems among the Roma population.

52. **Ms. Peláez Narváez** said that she would like to know how it was ensured that women, especially those with disabilities and Roma and migrant women, could give their free and informed consent for health-care services. Did women and girls, especially Roma women and girls, with HIV infection have access to antiretroviral medication? Lastly, she wished to know what the State party was doing to ensure that restrictions on the legal capacity of persons with disabilities would not hinder their enjoyment of various rights, including the right to marry, start a family, vote and manage personal property.

53. **Mr. Safarov** said that, given the discrepancy between data provided by the Government and alternative reports, he wondered what steps the State party would take to effectively implement its law on child marriage. Could training be provided to key professionals, such as judges? He would also like to know what could be done to ensure that women who were not title-holders had an equal right to joint property in cases where a couple were not officially married. In addition, he wished to learn how home births were registered. He would appreciate answers to his questions regarding maternity leave for adoptive mothers, paid paternity leave for fathers and exceptions to the minimum marriage age requirement.

54. **Ms. Paunović** (Serbia) said that, according to the latest census, there were 147,000 Roma living in Serbia. However, unofficial data suggested that the actual number was around 200,000. Citizens of Serbia shared the same rights and responsibilities, regardless of whether they belonged to a minority group. Measures to assist the Roma population in areas such as health had paid off: for example, in five years the mortality rate of Roma children had halved and over 30,000 children had been vaccinated. Under the forthcoming amendments to the Family Law, underage marriage would be prohibited, with no exceptions. An intergovernmental coalition had been set up to tackle the problem, including through training for judges.

55. The Government was committed to advancing the status of women and protecting their rights, and would pay close attention to the implementation of the recommendations put forward in the Committee's forthcoming concluding observations.

The meeting rose at 5.10 p.m.