



Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

Distr.: General
29 November 2021

Original: English

Committee against Torture Seventy-second session

Summary record of the 1865th meeting

Held at the Palais des Nations, Geneva, on Wednesday, 24 November 2021, at 3 p.m.

Chair: Mr. Heller

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

Consideration of reports submitted by States parties under article 19 of the Convention *(continued)*

Third periodic report of Serbia (continued) (CAT/C/SRB/3; CAT/C/SRB/QPR/3)

1. *At the invitation of the Chair, the delegation of Serbia joined the meeting.*
2. **Ms. Čomić** (Serbia) said that no data on persons sentenced to life imprisonment were available to the delegation. That information would be provided in writing, along with statistics on training at the Judicial Academy and updated statistics on hate crimes, domestic violence, trafficking in persons and torture and ill-treatment.
3. **Ms. Kiurski** (Serbia) said a working group that included representatives of the Public Prosecutor's Office and the internal oversight department of the Ministry of the Interior, and that received technical support from the Organization for Security and Cooperation in Europe (OSCE) Mission to Serbia, had developed a methodology for the investigation of cases of torture, based on international standards and the case law of the European Court of Human Rights. It was recommended to use the methodology in all cases of ill-treatment, including those involving officials in places of detention. It included specific recommendations on the conduct of the investigation by the prosecutor, interviewing the alleged perpetrator and gathering evidence.
4. The purpose of the methodology was to ensure prompt, impartial and effective investigations, as required under the Convention. Neither the official under investigation nor police officers or prosecutors with any involvement in the case could participate in or influence the investigation. The alleged victim had all the rights provided for in the Code of Criminal Procedure and could therefore appoint an authorized person – usually the representative of a non-governmental victim-support organization – to be present during the investigation, and could obtain the status of especially vulnerable witness.
5. The Judicial Academy had organized training for prosecutors and law enforcement officials on investigations into ill-treatment by the police. The Public Prosecutor's Office kept a special national register on such investigations. Since, under national law, the offence of torture and ill-treatment could be committed by any person and its commission by a public official was simply an aggravating factor, the statistics provided in the report were not disaggregated according to whether or not the perpetrator was a public official. However, the number of cases in which it was known that the perpetrator was a law enforcement officer had been indicated. As part of planned upgrades to the case management system used by public prosecutors' offices, expanded data on victims would be included in the registers from January 2022.
6. The working group currently drafting a bill on amendments to the Criminal Code had decided that article 136, on forced confessions, and article 137, on torture and ill-treatment, should be amended to define the perpetrator of the offences and to bring the definition of torture and ill-treatment into conformity with international standards. An increase in the maximum sentence for torture was being considered; any increase would lead to an extension of the period applicable under the statute of limitations. The Government was aware that such an extension would not relieve it of its international obligation to consider excluding the offence from the statute of limitations altogether.
7. In 2012, to bring national law into line with international standards, an article had been added to the Criminal Code that required courts to take into account a motivation of hatred based on race, ethnicity, gender, sexual orientation or gender identity as an important factor in sentencing. The Criminal Code also contained a separate offence of racial and other discrimination, providing for a prison sentence of up to 5 years for organizations and individuals who committed such offences. Productive cooperation between the Public Prosecutor's Office and the OSCE Mission to Serbia, with input from civil society, had resulted in the adoption of guidelines on the prosecution of hate crimes in 2018. According to instructions issued by the Public Prosecutor's Office in 2015, all prosecutors' offices were required to keep a special register of such offences, with information on the victims,

perpetrators, measures taken and motivations. Of 31 recorded cases, the majority had concerned assaults, with 15 based on sexual orientation and 12 on nationality or ethnic origin.

8. Since 2013, the Ministry for Human and Minority Rights and Social Dialogue had held twice-yearly coordination meetings, which had continued throughout the coronavirus disease (COVID-19) pandemic and included representatives of governmental agencies and civil society organizations working on the protection of the rights of Roma, lesbian, gay, bisexual and transgender persons, and other groups. Individual cases were discussed at the coordination meetings, which had contributed to the successful prosecution of hate crimes, with the first conviction secured in 2018.

9. In 2016, the Public Prosecutor's Office and the Ministry of the Interior had concluded a cooperation agreement which required urgent action to be taken in all cases in which journalists were at risk and established a network of contact persons. A special register had been established to record offences against journalists. A standing working group, with representatives of the Public Prosecutor's Office, the Ministry of the Interior and various press associations, was working to improve the legal protection of journalists. A subgroup set up to analyse the Criminal Code had drawn up a list of 35 offences relevant to the endangerment of journalists. The list had been included in instructions issued by the Public Prosecutor's Office in 2020 on the protection measures needed to ensure the safety of journalists. The network of contact persons had been expanded to include 115 prosecutors.

10. Between 2016 and 2021, 332 criminal cases had been initiated for offences against the safety of journalists, which had resulted in 31 convictions, including 29 final judgments. In the case of the murder of Slavko Ćuruvija, the High Court had issued a judgment which had been challenged by both the prosecution and the defence and set aside by the appellate court in September 2020. The retrial was ongoing. The perpetrators of the murders of Milan Pantić and Radislava Vujašinović had not yet been identified.

11. Court-appointed defence lawyers might have been imposed in a few isolated cases, but there was no systemic problem in that regard. The previous situation in which the Code of Criminal Procedure did not give the Public Prosecutor's Office sufficient powers of oversight of the police had been resolved through legal amendments made in 2018.

12. Serbia had been one of the first countries to ratify the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence and had made every effort to give effect to its provisions. The adoption, in May 2021, of a new law on gender equality would also contribute to the prevention of gender-based violence. The Public Prosecutor's Office kept two special registers on domestic violence: one to record the number of offences reported each year and one to record preventive measures taken under the law on the prevention of domestic violence.

13. **Ms. Stepanović** (Serbia) said that the Administration for the Enforcement of Penal Sanctions and the Ministry of Justice had developed and carried out a strategy to address prison overcrowding up to the end of 2020, which had led to significant improvements through the construction of new buildings and the renovation of existing buildings in line with international standards. Construction of a 500-person prison in Kragujevac would be completed by the end of 2022. A new unit for 320 prisoners had been constructed at Sremska Mitrovica prison and Pavilion 4 there, which had been the subject of recommendations by national and international bodies, was no longer in use. The prison, which had an official capacity of 1,885, currently held 1,938 persons. Construction of a new unit would begin in 2022.

14. In the previous two years, three new units had been built at Požarevac prison, which had previously been badly overcrowded but was now only slightly over capacity. Overcrowding at Nis prison had been alleviated by the construction of additional capacity at Leskovac prison. An additional 165 places for women had been created in open and semi-open institutions and the construction of a new closed women's prison would begin in 2022. Overcrowding in Belgrade district prison had been completely resolved, with current occupation levels at 867 prisoners for an official capacity of 1,100.

15. Following its visit in March 2021, the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment had highlighted the progress

made with respect to prison overcrowding. The investments made had resulted in a national capacity of 11,000 places for 10,000 detainees. However, issues with the distribution of the available capacity remained. Under a new strategy for the period up to 2027, prisons would be moved out of city centres where planning regulations prevented expansion. A budget of over €50 million had been allocated for the construction of three new prisons by 2026 and a further €30 million in funding had been provided for reconstruction projects at existing prisons.

16. **Ms. Stepanović** (Serbia) said that the issue of prison overcrowding had also been addressed through the provision of training to staff of the Administration for the Enforcement of Penal Sanctions and members of the judiciary. In 2020, 163 prisoners had been granted early release and there had been 411 persons under house arrest. There had been a decrease in the use of short prison sentences: prison sentences of up to 1 year had accounted for 12.3 per cent of sentences in 2020, compared with 19.1 per cent in 2015.

17. As at 31 December 2020, 95.8 per cent of prisoners had been men and 96.3 per cent had been nationals of Serbia, while 16.7 per cent had been persons over 50 years old, a relatively high proportion compared to the average across the European Union. The Government had therefore adopted a set of measures aimed at older prisoners. Convicted adults had accounted for 69 per cent of the prison population, while pretrial detainees had accounted for 18.6 per cent and convicted juveniles for 4.5 per cent.

18. After the public-sector hiring freeze had been lifted, the Administration for the Enforcement of Penal Sanctions had set up a new recruitment system and had recruited 114 new employees in 2020. The Administration organized in-service and specialized training for its employees, including training on international standards and the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. A total of 328 staff members had received training of that kind in 2021.

19. Following its visit to Serbia in 2021, the European Committee for the Prevention of Torture had noted as an example of good practice that the guards in Požarevac-Zabela prison no longer carried rubber batons. In Belgrade district prison, such batons were carried only in the high security wings. In 2020, there had been 265 cases of use of force against prisoners and 145 cases in which rubber batons had been used.

20. A total of 32 prison health workers had been recruited in 2020 and a further 22 had been recruited in 2021. The Administration for the Enforcement of Penal Sanctions had developed a manual for prison health workers that contained protocols for conducting medical examinations, drawing up medical reports, keeping medical records and dealing with a range of situations, including self-harm. Those protocols were in line with the Committee's recommendations. A plan for the prevention, diagnosis and treatment of hepatitis in prisons had been drawn up. Steps had been taken to raise awareness among prisoners and prison health workers of the importance of hepatitis screening. In addition, various health programmes were being implemented in areas such as the prevention of communicable diseases and the provision of methadone substitution therapy.

21. The Administration for the Enforcement of Penal Sanctions had published guidelines for prison staff on how to deal with cases of alleged ill-treatment of prisoners in accordance with international standards. In such cases, all relevant evidence must be collected within a period of 72 hours and transmitted to the public prosecutor. Training on the content of those guidelines had been provided to all prison directors and prison medical directors. Those who had completed the course would, in turn, organize training for their staff.

22. Prison hospital staff had attended workshops on the creation of individual treatment plans for persons with mental disabilities and had participated in the drafting of the strategy on the protection of mental health for 2019–2026. Prisoners who were in need of continuous psychological support were referred to the acute psychiatry department of the Special Prison Hospital. The Administration for the Enforcement of Penal Sanctions planned to invest in new infrastructure in order to improve the provision of psychiatric support to prisoners with mental disabilities. For example, there were plans to expand the Special Prison Hospital. The budget that had been set aside for those improvements amounted to €10.4 million.

23. The manual for prison health workers included information on suicide prevention. There had been five cases of suicide in prisons in 2019 and eight cases in 2020. The Administration for the Enforcement of Penal Sanctions had organized training for prison staff, including training on the treatment of persons with hepatitis or AIDS, with the aim of reducing the number of deaths in prisons. That number had remained stable over the previous three years.

24. In 2021, prison directors had received training on the prevention of violence among prisoners on the basis of a new curriculum. All incidents of violence were investigated to determine whether they had resulted from failings on the part of prison staff that would justify the initiation of disciplinary proceedings. In addition, prison guards received specific training on preventing violence and building a relationship of trust with prisoners. Overall, there had been a shift towards a more multidisciplinary approach to the prevention of aggressive behaviour in prisons.

25. Prisoners' complaints were dealt with either by the director of the Administration for the Enforcement of Penal Sanctions or by judges for the enforcement of criminal sanctions, who conducted regular visits to places of detention and decided on applications for judicial protection. In 2019, the director of the Administration had received 189 complaints, none of which had related to alleged ill-treatment. Meanwhile, judges for the enforcement of criminal sanctions had ruled on 55 cases, of which 18 had related to alleged violations of the right to life and physical integrity. No violations had been found in any of those cases. The Act on the Enforcement of Criminal Sanctions had been amended in 2019 to expand the competence of those judges.

26. Juveniles were sentenced to imprisonment only where strictly necessary and for the shortest possible length of time. The average term of imprisonment served by juveniles was three months. Juveniles in Belgrade district prison had access to education and specialized psychiatric support. Various non-governmental organizations (NGOs) had been authorized to carry out visits to places of detention and to hold private interviews with prisoners. In addition, the Administration for the Enforcement of Penal Sanctions had signed an agreement with a network of NGOs that were involved in providing after-prison support. The Administration had also been engaged in fruitful cooperation with the national preventive mechanism for 10 years. In 2021, the mechanism had carried out 17 visits to prisons, of which 4 had been focused on the investigation of allegations of torture.

27. **Mr. Nedimović** (Serbia) said that, over the previous few years, the Ministry of the Interior had made significant efforts to ensure that law enforcement legislation and practices were in line with international human rights standards. Legislative amendments had been made with a view to improving conditions of detention and police officers had received training on the absolute prohibition of torture and other humiliating treatment. The Police Act had been amended in 2018 to establish the principle that police officers should protect the rights and safety of all persons on an equal basis without discrimination. The new police rulebook adopted in 2019 dealt with issues such as the use of force and the treatment of juveniles. Police officers could not conduct interviews with juveniles unless they had received special training.

28. The regulations on conditions of detention adopted in 2018 stated that detainees should be held in cells no smaller than 7 m² or should be allocated areas of no less than 4 m² in shared cells. They should have access to beds, natural light, fresh air and drinking water. The conditions in most places of detention were in line with those regulations and the standards established by the European Committee for the Prevention of Torture. Over the previous two years, the Ministry of the Interior had invested in the renovation of 63 cells in police directorates and police stations. Prior to that, 18 cells in police directorates had been renovated with financial support from the Government of Norway.

29. Police officers did not hold people in custody for longer than the maximum periods established by law, which ranged from 12 to 48 hours depending on the alleged offence. In 2020, a total of 22,767 people had been taken into police custody. Of those, 45 per cent had been held in connection with traffic offences, while 35 per cent had been held for up to 48 hours in connection with criminal offences.

30. The rights of arrested persons were set out in the Police Act and the police rulebook. Police officers were required to inform all arrested persons of their rights, such as the right to be assisted by counsel and the right to contact a relative. Arrested persons who were members of national minorities were provided with that information in their own language. According to the police rulebook, police officers must ensure that arrested persons who were ill, injured or intoxicated were examined immediately by a doctor. Police officers did not remain present for such examinations unless the doctor requested their presence for security reasons, which, in practice, happened frequently. However, as a general rule, the doctor's assessment of the arrested person's state of health was treated as confidential personal information and was not included in the police arrest report.

31. Electronic registers had been in use since 2013 and contained detailed information, including the detention reports that had to be signed by the officer and the individual. Cooperation had been established with a number of police forces in Europe to develop best practices and encourage police officers to fill in the registers. A manual was being developed on how to interview persons with mental disabilities, who were held separately in police detention facilities. The Ombudsman's Office conducted unannounced inspections to establishments reporting to the Ministry of the Interior, and more than 140 of its recommendations had been implemented in the previous year.

32. Regarding the training of police officers, on the recommendation of the European Committee for the Prevention of Torture, annual in-service training on interactions with various categories of people had been introduced. The national preventive mechanism had organized seminars on that topic for police officers, border guards, detectives and internal oversight personnel. Language classes were also available, as well as 12 online modules on police powers. In addition, there was training on human rights, how to work with marginalized or vulnerable groups and minorities, the asylum system and human trafficking. Several thousand police officers, including officers from the counter-terrorism unit, had received training on the protection of persons deprived of liberty. Lastly, a presentation on the mandate, tasks and powers of the national preventive mechanism and the European Committee for the Prevention of Torture was available on the website of the Ministry of the Interior.

33. Concerning the anti-Government protests in July 2020, more than 240 individuals had been detained by the police for committing minor offences or crimes, but they had been quickly processed. Enquiries had been conducted into the allegations of unnecessary use of force, leading to criminal action against one police officer and disciplinary proceedings against another three officers. Requests for information in relation to the events had been filed with the Public Prosecutor's Office and the Ombudsman. While some evidence had been obtained from police officers and the public surveillance system, there had been delays in gathering information owing to many police officers being injured or ill with COVID-19.

34. In line with recommendations made by the Ombudsman, all policers officers wore visible identification. However, special equipment carried by officers was not visibly identified, an aspect that would be rectified in future amendments of the relevant law. Pursuant to a request by the European Committee for the Prevention of Torture and the national preventive mechanism, a plan had been drawn up to equip interrogation rooms and detention cells with video surveillance. Some 30 such spaces should be equipped by the end of 2021.

35. Efforts were ongoing to improve the collection of information on asylum seekers and to provide administrative support and interpretation services with the aim of ensuring the effective implementation of asylum and protection procedures and rendering appropriate decisions on asylum claims. Officials of the Asylum Office had taken part in training organized by the European Asylum Support Office and the International Organization for Migration on topics including the Convention relating to the Status of Refugees and how to interview vulnerable people, such as children and trafficking victims. All the principles and guarantees contained in European Union directives on asylum had been transposed into domestic legislation. Decisions on asylum applications were taken within 3 to 12 months depending on the complexity of the case and the number of arrivals. Asylum seekers could be placed in reception centres. Seventeen out of 145 asylum applications had been approved in 2020 and 5 out of 125 in 2021; asylum decisions were appealable. Asylum seekers whose

application had been denied were given between 7 and 30 days to leave the country. Those who failed to comply were forcibly returned to their country of origin.

36. **Mr. Tuzmukhamedov** (Country Rapporteur) stressed that he was interested in hearing about court cases in which either the applicants or the judicial authorities had invoked the Convention against Torture – not the European Convention on Human Rights. He said he was curious about the intention behind the proposed amendment to merge articles 136 and 137 of the Criminal Code, on extorting confessions, and torture and ill-treatment, respectively. He would appreciate a reply to his questions about the potential juridical ambiguity between the provision on the integration of international instruments into domestic law and the provision empowering the Constitutional Court to rule on the constitutionality of those instruments, any prohibition of the extradition or surrender of Serbian nationals to other States or international courts, the nature of the charges brought against high-ranking officials by the Office of the War Crimes Prosecutor, the Cevdet Ayaz case, and the results achieved by the various working groups mentioned by the delegation, including the one set up to look at compensation for victims of serious offences.

37. **Ms. Racu** (Country Rapporteur), recalling that the aim of the Committee's questions was to objectively assess the State party's achievements and remaining challenges, said that she would welcome replies to her questions about the investigation of complaints lodged by pretrial detainees, the discrepancy between the number of complaints filed against the police and the number of indictments and penalties, and the increased recourse to disciplinary measures against prison staff.

38. Emphasizing that she had not said there was a systematic practice in the State party of denying detainees access to a lawyer of their own choosing, she said that the absence of complaints regarding fundamental legal safeguards was not necessarily a sign that the situation was alright. Accordingly, it would be helpful to know how safeguards, particularly access to counsel, were provided in practice. Serbia should consider repealing provisions authorizing police officers to be present during medical examinations of detainees.

39. As for Pavilion 4 of Sremska Mitrovica prison, the delegation was invited to comment on the impact of its closure on overcrowding and on why, after five years, the Constitutional Court had yet to render judgment on the complaint of inhuman and degrading treatment lodged on behalf of dozens of inmates.

40. Welcoming the plans for the construction of medical units for prisoners with psychiatric disorders, she wished to know whether the Ministry of Health conducted visits to prison medical facilities. She would appreciate hearing about the steps taken to investigate instances of the use of physical force and about the prevalence of violent incidents among inmates, including cases of self-harm.

41. She wished to know whether the cases of injuries to prisoners that had been reported to the authorities had resulted in investigations, prosecutions and punishment. Further details regarding the treatment provided to prisoners with COVID-19 and the steps taken to prevent the virus from entering prisons would be appreciated.

The meeting was suspended at 5.10 p.m. and resumed at 5.20 p.m.

42. **Ms. Bekan** (Serbia) said that Serbia had concluded extradition treaties with Croatia and with Bosnia and Herzegovina. Under the treaty with Croatia, Serbia would extradite Serbian citizens only for offences related to organized crime and corruption. Although Serbia did not extradite its own citizens for acts of genocide, crimes against humanity and war crimes, it provided other forms of international legal assistance. It had taken over the prosecution of 36 cases, involving 40 defendants, from Bosnia and Herzegovina. Those efforts had resulted in 18 final convictions for war crimes and 4 convictions that were not yet final. Four cases had not led to convictions and nine cases were still pending. In order for Serbia to surrender its citizens to an international court or tribunal, the act in question must be punishable under both domestic law and the statute of the international court or tribunal and must relate to grave violations of the Geneva Conventions, violations of the laws and customs of war, genocide or crimes against humanity.

43. It should be noted that the 21 persons indicted by the Office of the War Crimes Prosecutor between 20 November 2018 and 1 November 2021 were not all high-ranking

individuals. Allegations of torture and inhuman treatment had appeared in 15 indictments filed since May 2015 in connection with war crimes charges.

44. The national strategy for the prosecution of war crimes included references to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. The Ministry of Justice had published the draft strategy and the results of an ex ante analysis of it; members of civil society had participated in public discussions on the draft and had been invited to submit comments.

45. **Mr. Vukićević** (Serbia) said that, immediately after the Committee had issued its decision in *Cevdet Ayaz v. Serbia*, the Ministry of Justice had held a meeting with Mr. Ayaz's legal representatives. A plan had been prepared to implement the Committee's recommendations, and training sessions for judges had been organized in 2020 and 2021. Four cases similar to Mr. Ayaz's had since been heard by the courts and had resulted in decisions not to extradite. With respect to the damages due to Mr. Ayaz and his family, the Ministry and Mr. Ayaz's representatives had decided jointly that the representatives would file a claim with the State Attorney's Office, which handled all cases against Serbia, and try to negotiate a settlement. Mr. Ayaz had stated that he wished to be visited by representatives of Serbia only in the presence of his Serbian legal representatives. However, those representatives did not wish to go to Turkey, where they feared for their safety.

46. The law on free legal aid had been adopted in 2018 and had entered into force in 2019. Such aid was provided to victims of torture without regard to their financial situation and was also available to foreign citizens. Two follow-up reports prepared by the Ministry were available online. No statistics were available on the number of people who had requested free legal aid in connection with claims of torture.

47. Implementation of the national strategy on the rights of victims and witnesses of crime called for nine laws – both criminal laws and laws on the judiciary – to be amended. The Ministry of Justice, together with the OSCE Mission to Serbia, had prepared a list of the issues that the amendments had to address. The Ministry planned to hire a national coordinator for the network of protection services to be created under the strategy. In addition, again with assistance from the OSCE Mission, the Ministry had prepared a template for reporting on the implementation of the strategy.

48. Serbia did not ask for diplomatic assurances in connection with extraditions. It had provided all diplomatic assurances sought from other countries – mainly Germany, Switzerland and Austria – in connection with extraditions to Serbia. Of the 46 people whose extradition to the International Tribunal for the Former Yugoslavia had been requested, 45 had been extradited and one had died before extradition. Serbia had provided more than 1,700 pieces of documentation to the International Residual Mechanism for Criminal Tribunals in connection with the cases against those individuals.

49. **Ms. Dragičević-Dičić** (Serbia) said that, in a decision of 29 December 2020, the Constitutional Court had found that the constitutional rights of a group of Afghan refugees facing deportation had been violated. The refugees had alleged violations of their rights under both the European Convention on Human Rights and the Serbian Constitution, but the Court had found that the alleged violations of the European Convention also constituted breaches of rights under the Serbian Constitution and could therefore be considered in that light. The Court had drawn on the Convention against Torture in its reasoning in the decision.

50. Translations of Constitutional Court decisions were not available on the Court's website. However, with support from the European Union, a project had been launched to translate the Court's most important decisions. The Supreme Court was working to harmonize the approach taken by Serbian courts to the admissibility of evidence in cases involving claims of torture. For four years, the Belgrade Centre for Human Rights had been running a programme to educate lawyers on how to represent victims and defendants in such cases.

51. Under Serbian law, the detention of minors was to be ordered only as an exceptional measure, and any such detention measures had to be reviewed monthly. The period of detention could not exceed four months for minors under 16 years of age or six months for minors between 16 and 18 years of age. Minors could only be placed in facilities with adult

detainees if certain conditions were met, there was no risk of harm to the minor and a judge approved the placement.

52. The lawyers appointed ex officio to provide representation in criminal cases were selected from a list of lawyers considered to be competent and knowledgeable by the bar association. However, if a judge hearing a case believed that a court-appointed lawyer was not providing an effective defence, the judge could ask the president of the court to dismiss that lawyer.

53. **Ms. Stepanović** (Serbia) said that, with 1,938 detainees, the prison in Sremska Mitrovica currently housed 53 more prisoners than it had the capacity to hold. The overcrowding in that prison had been eased in part by relocating detainees to a new prison in Pančevo. A detailed description of the steps taken to resolve the issues at Pavilion 4 of the Sremska Mitrovica prison had been submitted to the Constitutional Court.

54. Psychiatrists working with the general public in cities where prisons were located were engaged to provide psychiatric services to prisoners. Plans to transfer the responsibility for providing health-care services in prisons from the Ministry of Justice to the Ministry of Health had been abandoned on the basis of an analysis conducted by independent experts.

55. There had been 717 cases of violence among prisoners in 2019 and 754 in 2020. Under the Code of Criminal Procedure, prisoners who attempted to escape, attacked guards or brought psychoactive substances into a prison could be placed in solitary confinement. During disciplinary proceedings, detainees could mount a defence, file a complaint and lodge an appeal. Prisoners in solitary confinement enjoyed all fundamental rights, such as having visitors and spending time outside. In 2020, proceedings had resulted in a suspended disciplinary sanction of solitary confinement, where the penalty would not be imposed if the prisoner did not commit another infraction, in 3,443 cases. That year, solitary confinement of less than 5 days had been ordered in 201 cases, of 5 to 10 days in 478 cases, and of 10 to 15 days in 411 cases. There had been 107 appeals.

56. **Ms. Čomić** (Serbia) said that the ratification by Serbia of eight of the nine core United Nations human rights treaties demonstrated the country's commitment to human rights. Her country worked actively with all the United Nations human rights mechanisms and had created a national mechanism to monitor the implementation of their recommendations. In addition, it had started drafting a national strategy to monitor and improve the human rights situation in the period until 2030 and would welcome the Committee as a partner in that work.

The meeting rose at 6 p.m.