



Republic of Serbia
GOVERNMENT
Office for Human and Minority Rights
Belgrade

Response of the Republic of Serbia to the Recommendations from UN Member States
received in the Third Cycle of Universal Periodic Review

Belgrade, April 2018

**RECOMMENDATIONS RECEIVED FOLLOWING THE EXAMINATION OF THE REPORT OF THE REPUBLIC OF SERBIA IN
THE THIRD CYCLE OF THE UNIVERSAL PERIODIC REPORT ON 24 JANUARY 2018**

RECOMMENDATIONS ACCEPTED IMMEDIATELY

COORDINATED RESPONSES BY THE DELEGATION OF THE REPUBLIC OF SERBIA

1	2
Recommendation Number in the Troika Report and the UN Member making the recommendation	RECOMMENDATION
6.1. Norway	Strengthen the rule of law through constitutional amendments as well as other reforms that enhances the independence and efficiency of the judiciary
6.2. Sweden	Ensure that the discussions on constitutional reforms regarding the independence of the judiciary move ahead in a timely and inclusive manner and that the outcome of this process is swiftly implemented
6.3. France	Strengthen judicial independence, by implementing the constitutional reform currently underway, in accordance with the standards of the Venice Commission, and improve access to justice for all citizens

<p>6.4. Morocco</p>	<p>Continue the harmonization of the penal code provisions with international norms</p>
<p>6.5. Poland</p>	<p>Оснажити правни оквир за Омбудсмана</p>
<p>6.6. Algeria</p>	<p>Grant the Defender of Citizens (the Ombudsman) the necessary legal and financial means to fulfil its mandate</p>
<p>6.7. Republic of Moldova</p>	<p>Strengthen the mandate of the Protector of Citizens and ensure its independent functioning, in line with the Paris Principles, also by allocating sufficient financial and human resources</p>
<p>6.8. Cuba</p>	<p>Implement the Strategy for the Prevention of and Protection from Discrimination and the corresponding Action Plan</p>
<p>6.9. Cyprus</p>	<p>Continue to combat all forms of discrimination, including through the implementation of the Strategy for the Prevention of and Protection from Discrimination</p>
<p>6.10. France</p>	<p>Strengthen anti-discrimination mechanisms, including for LGBTI persons, and continue efforts to promote the human rights of persons belonging to minorities, especially the Roma minority</p>

<p>6.11. Viet Nam</p>	<p>Continue to strengthen its efforts on the promotion and protection of human rights, especially with regard to the rights of vulnerable population, including women and children</p>
<p>6.12. Bhutan</p>	<p>Continue efforts towards promoting and protecting the human rights, especially of vulnerable groups</p>
<p>6.13. Indonesia</p>	<p>Strengthen national measures in promoting tolerance and pluralism in order to prevent ethnic discrimination</p>
<p>6.14. Italy</p>	<p>Strengthen efforts to prevent and combat all forms of discrimination, including against women, children, Roma and LGBTI persons</p>
<p>6.15. Belarus</p>	<p>Continue to organise regular information campaigns aimed at strengthening equality of the sexes and overcoming gender stereotypes</p>
<p>6.16. China</p>	<p>Continue to promote economic and social sustainable development to meet its people's need for a better life</p>
<p>6.17. Bulgaria</p>	<p>Continue pursuing appropriate policies to achieve more balanced economic and social development among the regions in the country</p>

<p>6.18. Iceland</p>	<p>Take the necessary measures to promote the participation of women in the labour market in a wider range of occupations, including through awareness-raising to overcome gender stereotypes</p>
<p>6.19. Azerbaijan</p>	<p>Initiate the application of innovative approaches and technological innovations for the efficient, accountable and transparent delivery of public services</p>
<p>6.20. Australia</p>	<p>Put in place further measures to improve the independence, accountability and effectiveness of the justice system</p>
<p>6.21. Lebanon</p>	<p>Increase efforts to combat hate speech</p>
<p>6.22. Germany</p>	<p>Strengthen an independent judiciary that guarantees the rule of law and tackles corruption by implementing EU recommendations</p>
<p>6.23. Morocco</p>	<p>Pursue efforts to strengthen the judiciary through the implementation of the national strategy adopted for this purpose</p>
<p>6.24. Estonia</p>	<p>Fully respect and implement the principle of rule of law by taking all necessary measures to ensure the effective and independent functioning of the judiciary</p>

<p>6.25. Republic of Korea</p>	<p>Continue with its judicial reforms to effectively introduce rule of law to all aspects of society</p>
<p>6.26. Singapore</p>	<p>Continue implementing all expedient measures in its National Strategy for Judicial Reform 2013-2018 that help strengthen the rule of law until a new national strategy is drawn up</p>
<p>6.27. Canada</p>	<p>Take steps to improve judicial independence by limiting the scope for political influence over judicial appointments</p>
<p>6.28. Bosnia and Herzegovina</p>	<p>Continue the promotion of initiatives to empower women of the country, at an economic, political and social level</p>
<p>6.29. Morocco</p>	<p>Pursue efforts with a view to improve accessibility to human rights training and education</p>
<p>6.30. Cyprus</p>	<p>Enhance their efforts to reduce non-attendance and school drop-out rates, ensuring the effective implementation of the Strategy of Education until 2020</p>
<p>6.31. Iraq</p>	<p>Make further efforts to promote opportunities of access to education for all</p>

<p>6.32. Timor Leste</p>	<p>Develop programmes to reduce dropout rates at schools</p>
<p>6.33. United States of America</p>	<p>Support efforts to ensure students from ethnic minority groups have access to school textbooks in their native language</p>
<p>6.34. Georgia</p>	<p>Step up efforts towards achieving inclusive education for all children</p>
<p>6.35. Algeria</p>	<p>Strengthen training programs for state agents in the field of the rights of minorities</p>
<p>6.36. China</p>	<p>Continue to take effective measures to promote gender equality and to better protect women's rights</p>
<p>6.37. Cuba</p>	<p>Continue developing actions to improve the status of women and gender equality</p>
<p>6.38. Egypt</p>	<p>Continue to make efforts to improve equality between men and women, and in particular support rural women and assist them in their economic empowerment</p>

<p>6.39. New Zealand</p>	<p>Continue its efforts to increase the representation of women within State and local administrations</p>
<p>6.40. Poland</p>	<p>Promote the participation of women in public and political life, and in the labour market</p>
<p>6.41. Azerbaijan</p>	<p>Continue enhancing the role of women in strengthening democracy and ensuring sustainable development</p>
<p>6.42. Mexico</p>	<p>Strengthen the measures to prevent all forms of violence against women, in particular domestic violence, and strengthen the legal protection of women against discrimination and all forms of violence</p>
<p>6.43. Republic of Moldova</p>	<p>Adopt the National Strategy for the Prevention and Suppression of Violence against Women and Young Girls in the Family and Partnership Relations and ensure its effective implementation</p>
<p>6.44. Slovenia</p>	<p>Formulate and implement systematic measures toward eradication of stereotypes regarding women in society creating a climate of zero tolerance for violence against women</p>
<p>6.45. Tunisia</p>	<p>Continue efforts to combat discrimination against women and all forms of violence against women, including domestic violence</p>

6.46. Indonesia	Redouble efforts to effectively prevent all forms of violence against women
6.47. Kyrgyzstan	Take efforts to combat gender-based violence, such as violence in family and partner relationships, sexual harassment and rape
6.48. Czechia	Monitor and step up efforts to implement the legislation on domestic and gender-based violence and strengthen support for victims
6.49. Austria	Take further measures to combat domestic violence by inter alia establishing shelters and supporting centres with medical, psychological and legal support
6.50. Gabon	Continue its efforts to combat domestic violence
6.51. State of Palestina	Continue the promotion of educational policies against violence, namely physical and gender-based violence against women and children
6.52. Poland	Continue efforts to protect effectively women and children against violence, particularly to consider running the awareness raising campaign in this respect

<p>6.53. Greece</p>	<p>Complete efforts in order to effectively protect children from violence and abuse</p>
<p>6.54. New Zealand</p>	<p>Work towards the deinstitutionalisation of children with disabilities and the removal of barriers that hinder the effective access of children with disabilities to education</p>
<p>6.55. Mexico</p>	<p>Continue the efforts to guarantee the non-discrimination of persons with disabilities and adopt appropriate measures to ensure equal opportunities for them in education, employment and access to housing</p>
<p>6.56. Russian Federation</p>	<p>Continue to strengthen legislative mechanisms on the protection of the rights of persons with disabilities</p>
<p>6.57. Lebanon</p>	<p>Work to protect cultural heritage in Serbia; and respect of diversity</p>
<p>6.58. Mexico</p>	<p>Implement effective public policies to combat discrimination and ensure effective access to education and healthcare services to ethnic minorities in the country</p>
<p>6.59. Philippines</p>	<p>Strengthen its efforts in promoting respect for the rights of minorities, especially its national and ethnic minorities</p>

<p>6.60. Russian Federation</p>	<p>Continue the work in the area of combating discrimination against national minorities</p>
<p>6.61. Bulgaria</p>	<p>Undertake further measures to upgrade the legislation on promotion and protection of the rights of the persons, belonging to the national minorities and ensure its implementation</p>
<p>6.62. Singapore</p>	<p>Work closely with the relevant stakeholders such as the Council for National Minorities to ensure the effective implementation of the Action Plan for the Exercise of the Rights of National Minorities</p>
<p>6.63. Sierra Leone</p>	<p>Develop and promote strategies aimed at promoting tolerance for persons belonging to ethnic, national, racial, religious and other minorities</p>
<p>6.64. Timor Leste</p>	<p>Step up its efforts to promote tolerance for persons belonging to ethnic, religious and other minorities</p>
<p>6.65. Bolivarian Republic of Venezuela</p>	<p>Continue to intensify efforts to promote tolerance towards persons belonging to ethnic, national, racial, religious and other minorities, including Roma</p>
<p>6.66. Uruguay</p>	<p>Intensify the work for the promotion of tolerance towards persons belonging to ethnic, National, racial, religious, any other type, including Roma</p>

<p>6.67. Afganistan</p>	<p>Take necessary steps to ensure the rights of minorities particularly the Roma</p>
<p>6.68. Chile</p>	<p>Increase efforts to promote tolerance towards people belonging to ethnic and national minorities, including the Roma and to do so through awareness-raising campaigns</p>
<p>6.69. Egypt</p>	<p>Continue efforts to promote the educational and economic level of national minorities and to help them integrate into society</p>
<p>6.70. Côte d'Ivoire</p>	<p>Increase efforts to promote tolerance towards people, belonging to ethnic, national, racial, religious minorities, namely the Roma</p>
<p>6.71. Maldives</p>	<p>Continue to ensure non-discriminatory and adequate maternal healthcare for Roma mothers and young children</p>
<p>6.72. Mozambique</p>	<p>Improve the situation of human rights of Roma minority</p>
<p>6.73. Germany</p>	<p>Ensure the effective integration of Roma people into the Serbian society</p>

6.74. Germany	Establish an efficient and coordinated system for the integration of refugees into society
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RECOMMENDATIONS RECEIVED FOLLOWING THE EXAMINATION OF THE REPORT OF THE REPUBLIC OF SERBIA IN THE THIRD CYCLE OF THE UNIVERSAL PERIODIC REPORT ON 24 JANUARY 2018

SUPPORTED RECOMMENDATIONS AFTER SUBSEQUENT CONSULTATIONS IN SERBIA

COORDINATED RESPONSES BY THE DELEGATION OF THE REPUBLIC OF SERBIA

1	2	4
Recommendation Number in the Troika Report and the UN Member making the recommendation	RECOMMENDATION	Rationale
7.10. Ukraine	Issue an open standing invitation to the special procedures of the Human Rights Council	The Republic of Serbia supports the work of the United Nations special procedures, as demonstrated by the open standing invitation issued by the Republic of Serbia to the special procedures on 11 October 2005. The standing invitation was renewed in February 2018. This recommendation has been implemented.

7.11. UK	Adopt an open, merit-based selection process when selecting national candidates for UN Treaty Bodies elections	Clear and transparent procedures have been put in place for selecting national candidates for UN Treaty Bodies. The State will continue improving the already established procedures in the coming years. This recommendation has been implemented.
7.12. Uruguay	Amend the Criminal Code in order to explicitly criminalize racism and discrimination based on sexual orientation and gender identity	The law amending the Criminal Code supplemented the definition of the criminal offence of violation of equality, in that this criminal offence can now be committed if <i>the rights of man and citizen are restricted or denied on the grounds of sexual orientation or gender identity</i> . This recommendation has been implemented.
7.13. Argentina	Take the necessary measures to incorporate the crime of enforced disappearance into national legislation and establish an adequate legislative framework for access to the files related to cases of enforced disappearance and other human rights violations	The Republic of Serbia will continue harmonising its Criminal Code with the international standards in the coming years. Regarding the recommendation pertaining to access to the files relevant to cases of forced disappearance and other human rights violations, Serbia believes this part of the recommendation has been implemented.
7.14. Ukraine	Establish a National Human Rights Institution in accordance with the Paris Principles	The Protector of Citizens was established in 2005 under the Law on the Protector of Citizens and became constitutionally recognised in 2006, following the enactment of the current Constitution of the Republic of Serbia. The Protector of Citizens functions in accordance with the Paris Principles. The Global Alliance of National Human Rights Institutions has accredited the Protector of Citizens with an “A” status. This recommendation has been implemented.
7.15. Georgia	Accelerate process of amending the national legislation in line with the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment	The process of amending the national legislation and its harmonisation with the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment is currently underway.

7.16. Ireland	Strengthen the mandate and independence of its Ombudsman's office, ensuring that it is adequately resourced and that it can operate independently	Capacities of the Protector of Citizens are continually improved. An adequate legal framework, financial resources and full political support have been provided for the work of the Protector of Citizens. Allocations from the national budget of the Republic of Serbia for the work of the Protector of Citizens have been increased by 20% since the previous UPR cycle and additional support has been ensured by the hiring of new staff at the Office of the Protector of Citizens, notwithstanding the fiscal consolidation measures which are currently being implemented by Serbia.
7.17. Mongolia	Adopt a comprehensive law on child rights and establish an institution of Ombudsman for Children	The Republic of Serbia remains committed to further promoting and improving the rights of the child by establishing a competent and independent oversight body responsible for the exercise of child rights.
7.18. Macedonia	Increase the funding for the National Prevention Mechanism within the budget of the Ombudsman's Office and set up a separate national preventive mechanism unit or department within the Ombudsman's Office	The Law supplementing the Law on Ratification of the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment of 2011 extended the competences of the Protector of Citizens by designating him as the National Preventive Mechanism. A Deputy Protector of Citizens is also the head of the NPM and the organisational structure incorporates a dedicated internal unit—the NPM Secretariat. The Republic of Serbia has allocated appropriate resources for the normal functioning of the Protector of Citizens, and thus also the NPM. This recommendation has been implemented.
7.19. Slovakia	Ensure swift and smooth adoption of the draft bill on children's ombudsmen	See 7.17.

7.20. Costa Rica	Guarantee independence and strengthen the legal capacities of the Ombudsman by including in domestic legislation measures that would allow for proper interaction with the international human rights system as well as civil society organizations	Interaction of the Protector of Citizens with the international human rights system, as well as civil society organisations, is on an adequate level.
7.21. Switzerland	Take all necessary measures to ensure the full and effective implementation of the law on anti-discrimination, in particular with regard to national minorities, which remain the most vulnerable and socio- economically marginalized	The Republic of Serbia has in place high anti-discrimination standards set forth in the Constitution and in the set of the so-called anti-discrimination laws and secondary legislation, as well as the anti-discrimination measures set out in the Strategy of Prevention and Protection Against Discrimination 2014-2018 with the supporting action plan. All of these documents have been implemented.
7.22. Croatia	Increase efforts to promote tolerance for persons belonging to ethnic, national, racial, religious or other minorities and address hate speech, discrimination and hate crime more effectively	Institutional measures and activities aimed at public promotion and affirmation of tolerance of minorities are continually implemented.
7.23. Kyrgyzstan	Take additional serious measures to combat xenophobia, hate speech and discrimination based on race, nationality, ethnicity and religion	Serious measures are undertaken continually to combat xenophobia, hate speech and discrimination on any grounds (gender, race, nationality and ethnicity, religion, economic status or age).
7.24. Venezuela	Continue to strengthen the fight against incitement to violence and discrimination against vulnerable groups and ensure that crimes motivated by prejudice are investigated and their perpetrators punished	Efforts to prevent and combat violence and discrimination against all vulnerable groups will be strengthened. The judicial authorities of the Republic of Serbia will ensure that crimes motivated by prejudice are investigated and their perpetrators punished.
7.25. Mozambique	Improve policies aiming at preventing and combating racial discrimination	Policies aimed at preventing and combating racial discrimination will be improved and the currently debated amendments to the Law on the Prohibition of Discrimination will strengthen the

		independent institution of the Equality Commissioner, who is in charge of protecting the rights of citizens against any form of discrimination, including racial discrimination.
7.26. Albania	Develop educational materials that promote pluralism for combatting ethnic polarization and discrimination	Development of appropriate educational materials will be continued in the following years.
7.27. Palestine	Increase Serbia's tolerance towards people belonging to different ethnic, national or religious backgrounds and provide IDPs with necessary identification documents to receive basic services	See 7.22.
7.28. Brazil	Ensure that all children born in Serbia have access to timely birth registration immediately after birth without discrimination and regardless of the legal or documentation status of their parents	The systemic arrangements contained in the legislative framework allow every person born in the territory of the Republic of Serbia to be recorded in the birth registry, subject to the principles of lawfulness of procedures and legal certainty of birth registration, regardless whether it is a child of known or unknown parents, a child without parental care or an adopted child and regardless whether this fact is reported to the registrar in charge within the statutory period or after expiry of the statutory period for registration.
7.29. Czech Republic	Strengthen efforts to eliminate discrimination on the basis of sexual orientation and gender identity	In the coming years, efforts will be strengthened to prevent and eliminate discrimination on the basis of sexual orientation and gender identity.
7.30. Lithuania	Ensure full implementation of the law on gender equality	The Law on Gender Equality has been successfully implemented in practice, as evidenced by the Gender Equality Index, which ranked the Republic of Serbia 22 nd in Europe.

7.31. Turkmenistan	Harmonize gender equality for guaranteeing equal rights for men and women	The Constitution of the Republic of Serbia (2006) contains guarantees for the enjoyment of equal rights for men and women. In the coming years, efforts will be strengthened to harmonise the existing primary and secondary legislation and strategic and planning documents.
7.32. Portugal	Strengthen measures to combat all forms of social stigmatization, discrimination and violence against persons based on their sexual orientation, gender identity and HIV status	By enacting and implementing the Law on the Prohibition of Discrimination (2009) and the Strategy of Prevention and Protection Against Discrimination 2014-2018 with the supporting action plan for its implementation, Serbia has put in place measures to combat discrimination and violence against persons based on their sexual orientation, gender identity and HIV status.
7.33. New Zealand	Take concrete steps to protect lesbian, gay, bisexual, transgender and intersex people and their freedom of assembly and expression, and to eradicate all forms of discrimination and violence based on sexual orientation and gender identity	Pride Parades and supporting events have been held successfully since 2014, with visible political support. Serbia will continue making efforts to improve the protection of rights of LGBTI persons.
7.34. Honduras	Improve measures aimed at eradicating all forms of social stigmatization, discrimination and violence on the basis of sexual orientation or gender identity, or of their status regarding HIV	See 7.32.
7.35. Australia	Strengthen discrimination protections for LGBTI persons, and enact legislation that includes protection from discrimination on the grounds of intersex status	See 7.33. The anti-discrimination legislation of the Republic of Serbia affords protection to LGBTI persons, among other vulnerable social groups.
7.36. Iceland	Strengthen measures to eradicate all forms of social stigmatization and discrimination and violence against persons based on their sexual orientation and gender identity	See 7.32.
7.37. Palestine	Increase the Government's control over the Serbian companies operating abroad, namely any negative impact of their activities on the protection of human rights, especially in conflict zones, including cases of foreign occupations where there are heightened risks of human	Efforts will be made to strengthen contacts with the Serbian companies operating abroad in the coming years to promote human rights instruments and raise awareness of the need for their observance, especially in conflict zones.

	rights violations	
7.38. Vietnam	Actively engage with the international community in the efforts to promote and protect human rights in the context of climate change	The Republic of Serbia actively takes part in the efforts to promote and protect human rights in the context of climate change and will continue doing so in the coming years, including in the context of achievement of the Sustainable Development Goals of the UN 2030 Agenda for Sustainable Development.
7.39. The Netherlands	Take all necessary steps to prevent impunity for serious crimes under international law and to further increase efforts to shed light on the fate of missing persons	The Republic of Serbia is fully committed to preventing impunity for core crimes under international law and to shedding light on the fate of missing persons.
7.40. Croatia	Strengthen the fight against impunity for war crimes, in particular by accelerating investigations and prosecution, including high level cases, and by ensuring access to justice and reparations to victims without discrimination and in line with the international standards	<p>The Republic of Serbia is fully committed to the fight against impunity for all crimes under international law, both through cooperation with the Mechanism for International Criminal Tribunals and through war crime trials before national courts.</p> <p>The Republic of Serbia is fully committed to ensuring the right of access to justice to all victims and the right to direct individual fair compensation, as evident from its commitment to the development of a National Strategy for the Exercise of Rights of Victims.</p>
7.41. Sweden	Cooperate fully with the Mechanism for International Criminal Tribunals and implement the War Crimes Prosecution Strategy	The Republic of Serbia has fully cooperated with the ICTY and will continue fully cooperating with the Mechanism for International Criminal Tribunals and supporting its activities, in accordance with the legislative framework of the Republic of Serbia.
7.42. Switzerland	Implement fully the national strategy to prosecute of war crimes, beginning by defining clear and specific priorities	Plans are underway to adopt a National War Crimes Prosecution Strategy, which will define the criteria for the selection of war crime cases and for the compiling of a list of prioritised and significant cases of war crimes.

7.44. USA	Fully investigate and hold accountable those responsible for the 1999 murder of the Bytyqi Brothers	The competent authorities of the Republic of Serbia are undertaking all necessary activities to resolve the case of the murder of the Bytyqi brothers.
7.45. Belgium	Ensure the full cooperation with the Mechanism for International Criminal Tribunals as a successor to the International Criminal Tribunal for the former Yugoslavia	See 7.41.
7.46. Costa Rica	Take measures to guarantee the prosecution of those participating in crimes of war and to secure proper redress to the victims	The full commitment of the Republic of Serbia to prosecuting crimes under international law is evident from its cooperation with the Mechanism for International Criminal Tribunals and the war crime trials before national courts. Serbia is also committed to affording the right of access to justice to all victims and the right to fair compensation, as evident from its commitment to the development of a National Strategy for the Exercise of Rights of Victims.
7.47. Côte d'Ivoire	Increase efforts to protect human rights defenders and to put an end to the impunity of those who violate their rights	The Republic of Serbia will strengthen efforts to ensure anyone who violates the rights of human rights defenders is prosecuted in accordance with the law and in this regard the recommendation enjoys Serbia's full support. Regarding the part of the recommendation calling for "an end to impunity" of those who violate the rights of human rights defenders, please note that there is no such impunity in the Republic of Serbia. In accordance with the laws of the Republic of Serbia, anyone who violates human rights is prosecuted and punished.
7.48. Argentina	Deepen investigative measures and punishment of the perpetrators of these types of hate crimes, motivated by prejudice	Hate crime was introduced in the national criminal legislation in 2012. In 2017, Guidelines for the Criminal Prosecution of Hate Crimes in the Republic of Serbia were developed.

7.49. Norway	Apply more efficiently the legislation against hate speech, given reports of continued rise in hate speech in the Serbian public discourse	Serbia is committed to applying the legislation against hate speech and this recommendation enjoys Serbia's full support with regard to more efficient application of legislation against hate speech and taking into account all relevant documents. However, we would like to note that the allegation of continued rise in hate speech in the Serbian public discourse is unsubstantiated.
7.50. Croatia	Ensure full access to all information, including access to archives, that will enable tracing, identifying and ascertaining the fate of missing persons or their remains	See 7.13.
7.51. Slovakia	Consider introducing the legislative amendments necessary to broaden the definition of victims of enforced disappearance to include the relatives of a disappeared person	The Republic of Serbia is committed to considering this recommendation and the possibility of its implementation in the coming years, which will be determined primarily by the availability of financial resources.
7.52. Belgium	Ensure that police, prosecutors and judiciary are all fully aware of their responsibilities with regard to the identification, prosecution and adjudication of hate crimes	Hate crime was introduced in the national criminal legislation in 2012. In 2017, Guidelines for the Criminal Prosecution of Hate Crimes in the Republic of Serbia were developed to ensure that the police, prosecutors and the judiciary are fully aware of their responsibilities with regard to the identification, prosecution and adjudication of hate crimes. Additional trainings for public prosecutors have also been planned.
7.54. France	Strengthen the legal framework for the fight against corruption and strengthen the powers and resources of the Anti-Corruption Agency	The fight against corruption at all levels will be continued through full application of the National Anti-Corruption Strategy and the Action Plan for Negotiation Chapter 23, including through enactment of amendments to the Law on the Anti-Corruption Agency.

7.55. Ireland	Take timely action to provide media workers with protection and ensure that perpetrators of crimes against media workers are duly investigated, prosecuted and sanctioned	Under the Law on Public Information and Media, physical attacks against editors, journalists and other persons involved in the gathering and publishing of information in the media are punishable by law. The Republic Public Prosecutor's Office and the Ministry of Interior signed a Cooperation Agreement in 2016 by which they undertook to prosecute as a matter of urgency cases of crimes perpetrated against media workers. The Republic Public Prosecutor's Office, the Ministry of Interior and the relevant journalists' associations signed an Agreement on Cooperation and Measures to Improve the Safety of Journalists in 2016. This recommendation enjoys Serbia's support and is implemented continually.
7.56. Italy	Adopt measures to protect and promote freedom of expression, including freedom of speech and information, and ensure that journalists and human rights defenders may work freely and safely	The Republic of Serbia adopted media laws which are fully harmonised with the EU regulations and the international standards in 2014. Human rights defenders in Serbia also enjoy special protection under criminal law, since the law provides for penalties against anyone "who persecutes organisations or individuals for advocating equality among people".
7.58. The Netherlands	Ensure full implementation of the media laws that were adopted in 2014, as part of the necessary steps that need to be taken to improve media freedom and the protection of journalists	The media laws which the Republic of Serbia adopted in 2014 have been fully implemented.
7.59. Norway	Implement reforms on media ownership and revenues, with the aim of guaranteeing transparency and a level playing field for media regardless of ownership and affiliations	Transparency of ownership structure of the media has been ensured through the Media Register, which was established by the law and which includes information on the legal entities and natural persons that directly or indirectly hold more than 5% of equity in media outlets, as well as information on other media publishers in which such persons hold more than 5% of equity. The Media Register is public and is available to all interested persons.

7.61. Korea	Effectively guarantee freedom of press by ensuring the safety of journalists and their activities, and the independence of editorial boards of the media	The Republic of Serbia adopted media laws which are fully harmonised with the EU regulations and the international standards in 2014. These laws guarantee freedom of the press and editorial independence and ensure freedom and safety for journalists in their work.
7.62. Germany	Support independence and pluralism of the media, including by creating transparency regarding the financing of media and media ownership, and by a comprehensive implementation of the law on the privatization of media	The Republic of Serbia fully supports independence of the media. The laws provide for freedom of the media and afford protection to journalists. With regard to transparency of media ownership, see 7.59.
7.63. Belgium	Take the necessary measures to ensure that the media regulator can operate effectively and in all independence	Legal guarantees for the regulator's independence are provided by the Law on Electronic Media through: (1) the definition of the regulator's status (2) the method of appointing members of the regulator's bodies (3) provisions governing termination of office (4) provisions governing the exercise of duties in office (5) funding arrangements for the regulator.
7.64. Sweden	Conclude the work of a new media strategy, in full partnership with civil society, and ensure that the strategy is in conformity with Serbia's international obligation and is fully implemented once adopted	The development of a media strategy in line with the European regulations and the international standards in this field through an inclusive process is currently underway.
7.66. Brazil	Enhance efforts regarding the protection and promotion of the freedoms of expression and press	The Republic of Serbia will enhance efforts regarding the protection and promotion of the freedoms of expression and press.
7.67. Slovakia	Conduct prompt and impartial investigations of all allegations of crimes against journalists and media and bring the perpetrators to the justice	See 7.55.

7.68. Australia	Take steps to enable the exercise of freedom of expression, including by improving transparency of media ownership and financing, and investigating and prosecuting cases of intimidation and violence against journalists	See 7.59 and 7.55.
7.69. Germany	Conduct impartial, thorough and effective investigations into all cases of attacks, harassment and intimidation against journalists and human rights defenders, and bring perpetrators of such offences to justice	See 7.55 and 7.56.
7.70. UK	Ensure that all threats, intimidation and attacks against journalists and human rights defenders are thoroughly investigated, ensuring no impunity for perpetrators	See 7.55 and 7.56.
7.71. Greece	Ensure thorough, prompt and independent investigations into all reports of human rights violations against human rights defenders and journalists and bring to justice those suspected for such crimes	See 7.55 and 7.56.
7.73. Czech Republic	Increase efforts to prevent cases of violence against journalists and media workers	See 7.55 and 7.56.
7.74. Estonia	Address threats and attacks against journalist and improve transparency of media ownership and independence of media outlets	See 7.55 and 7.59.
7.75. Canada	Take steps to ensure conditions for the full exercise of freedom of expression, including by: (i) ensuring effective investigation and prosecution of alleged threats and attacks on journalists, and (ii) ensuring equal opportunity for all media to access funding available from government sources	See 7.55. The recommendation enjoys Serbia's full support with regard to the taking of additional steps to ensure equal opportunity for all media to access relevant funding.

7.76. France	Guarantee freedom of expression by combating the intimidation of the media and civil society and by ensuring the transparency of media financing	The Constitution and the existing legislative framework guarantee freedom of expression in the Republic of Serbia. One of the forms of combating the intimidation of the media and civil society is the criminal law protection afforded to those persons, in that anyone who commits a criminal or other punishable offence against members of the media and the civil society by threatening and assaulting them will be held accountable under the law. With regard to transparency of media financing, see 7.59.
7.77. Switzerland	Ensure the safety of journalists and writers so that they can work freely, express critical opinions or cover topics that the Government might deem sensitive, without fear of reprisals	See 7.76.
7.78. USA	Fully investigate incidents of serious threats and violence against journalists and civil society activists, and hold those perpetrators accountable	See 7.55 and 7.56.
7.79. Austria	Foster an enabling environment where freedom of expression can be exercised without hindrance and ensure that all threats and violence against journalists and bloggers are publicly condemned and properly and promptly investigated	See 7.55.
7.80. New Zealand	Recognise the important role of human rights defenders, many of whom face particular risks and threats, and provide practical support for them to carry out their human rights work, including by preventing any acts of reprisals or intimidations against them	See 7.56. The Special Prosecutor's Office for High-Tech Crime is taking all available measures within its statutory powers to prevent and combat any endangerment of or acts of intimidation against human rights defenders, i.e. members of civil society organisations, on social networks and has an excellent track record of cooperation with civil society organisations in this context.
7.81. Korea	Protect human rights defenders, by initiating independent, impartial and effective investigations into threats against them	See 7.56 and 7.80.

7.82. France	Guarantee political pluralism, by ensuring access for all parties to the media and to funding and by strengthening the power of independent institutions for the protection of the rights of citizens	The Law on Public Information and Media affords the right to freedom of public information to all citizens. This Law guarantees media pluralism.
7.83. Portugal	Adopt measures to fully apply the principle of equal pay for work of equal value, bearing in mind the gender wage gap	The established legal framework guarantees equal pay for equal work or work of equal value. Furthermore, the relevant laws prohibit discrimination in the field of work, i.e. violation of equal employment opportunities or equal exercise of all labour rights, including the right to work, the freedom to choose an occupation, the right to career advancement, professional development and professional rehabilitation, the right to equal pay for work of equal value, the right to fair and equitable work conditions, the right to rest, the right to education and the right to join a trade union, as well the right to protection from unemployment.
7.84. Greece	Step up efforts in the goal of improving housing conditions for those most in need	The Law on Housing and Building Maintenance was enacted in 2016. A significant number of its provisions govern housing support, which includes several types of assisted housing for persons who are unable to afford housing under market conditions due to social, economic or other reasons.
7.85. Portugal	Further develop the provision of health-care services, including mental health care, in prisons	We will continue implementing the measures and activities set out in the Penal Sanctions System Development Strategy of the Republic of Serbia by 2020, with the aim of further developing the provision of health-care services in prisons. Mental health care services are available to persons deprived of liberty at all correctional facilities. This recommendation is implemented on a continual basis.

7.86. Belarus	Consider the possibility of elaborating programs to provide inclusive education	This recommendation is implemented on a continual basis.
7.87. Estonia	Review and revise the Criminal Code, the Family Code and other relevant laws with a view to effectively prevent all forms of violence against women	The legislative framework of the Republic of Serbia applicable to domestic violence and the protection of women and girls in general was significantly improved following the effective date of the Law on the Prevention of Domestic Violence and the addition of new criminal offences to the Criminal Code in June 2017. The Law on the Prevention of Domestic Violence was enacted in June 2017 and has taken effect.
7.88. Iraq	Improve legislation and laws related to domestic violence	See 7.87.
7.89. Kyrgyzstan	Establish legislative and other measures to protect children from abuse and violence	Legislative and other measures to protect children from abuse and neglect are highly developed in the Republic of Serbia. Drafting of a new Strategy for the Prevention and Protection of Children against Violence 2018-2022 and an Action Plan for its implementation is currently underway.
7.90. Estonia	Establish legislative and other measures to ensure compliance with the general protocol on the protection of children from abuse and violence	See 7.89.
7.91. Montenegro	Enact legislation to explicitly prohibit corporal punishment of children in all settings, including at home	A provision which explicitly prohibits corporal punishment of children has already been incorporated in the working draft of the Law amending the Family Law.

7.92. Portugal	Explicitly prohibit corporal punishment of children in legislation	See 7.91.
7.93. Austria	Prohibit by law corporal punishment of children, including in the family	See 7.91.
7.94. Chile	Adopt all necessary measures to eradicate corporal punishment towards boys and girls	See 7.91.
7.95. Uruguay	Consider seriously prohibiting in its legislation any type of corporal punishment, promoting non-violent disciplinary alternatives and generating public awareness of the harmful effects of this practice, in line with the recommendations made by Uruguay during the second cycle and accepted by Serbia	See 7.91.
7.96. Slovenia	Adopt the envisaged legislative amendments to explicitly prohibit all corporal punishment of children, in all settings	See 7.91.
7.97. Montenegro	Strengthen further implementation of deinstitutionalization process, with particular focus on children without parental care under age of 3	The Law on Social Protection in the Republic of Serbia contains a provision which explicitly prohibits the placement of children under the age of three in residential care. Although the Republic of Serbia has made significant progress in all deinstitutionalisation processes, we believe there is still room for improving the deinstitutionalisation of care for children through the development of community services and assistance and support programmes for families with children at risk of resettlement.

7.98. Honduras	Adopt specific measures to prevent and combat the multiple and intersectional discrimination of women and girls with disabilities, in particular in access to justice, protection against domestic violence and abuse, and in education, health and employment	The Constitution and relevant laws of the Republic of Serbia contain guarantees for the protection against discrimination. Additional activities will be undertaken to prevent and combat multiple and intersectional discrimination. In particular, the Republic of Serbia will make sustained efforts to implement the Istanbul Convention, which aims to protect women and girls from domestic violence and abuse.
7.99. Romania	Continue the efforts aimed at improving the conditions for persons belonging to national minorities to preserve and develop their own culture and to have access to education, religious service and media in their own languages throughout the entire territory of Serbia	A legislative framework for the protection and exercise of rights of national minorities has been developed in line with the Action Plan for the Realisation of the Rights of National Minorities. In the entire territory of the Republic of Serbia, in those settlements where there is demand for it, religious service is regularly performed in the languages of all national minorities, while the practice of illegal service in certain areas of the Republic of Serbia is not condoned.
7.100. Macedonia	Further promote effective participation of national minorities, especially the Roma minority, in electoral processes and their representation in public administration	Political participation of members of national minorities has been ensured through affirmative measures applicable to the registration of political parties representing national minorities and the application of the so-called “natural threshold” to the representation of national minorities in the representative bodies at national, provincial and local levels.
7.101. Tunisia	Consider adopting a law on racial discrimination and continue efforts to combat racial discrimination and hate speech against foreigners and minorities, namely the Roma	Anti-discrimination policy measures are effectively realised through the guarantees contained in the Constitution of the Republic of Serbia, the set of the so-called anti-discrimination laws and the Strategy for the Social Inclusion of Roma Men and Women in the Republic of Serbia 2016-2025, the activities of the National Council of the Roma National Minority and implementation of projects aimed at economic and social empowerment of other races, in particular the Roma.

7.102. Honduras	Redouble its efforts in the promotion of tolerance towards persons belonging to ethnic, national, racial, religious and other minorities, including Roma	See 7.101.
7.103. Albania	Take further measures to overcome the prevailing discrimination against Roma in the enjoyment of economic, social and cultural rights	See 7.101.
7.104. Austria	Ensure the full implementation of the new strategy for Roma inclusion and adopt promptly the action plan	Strategy for the Social Inclusion of Roma Men and Women in the Republic of Serbia has been adopted for the period 2016 to 2025, together with relevant action plans.
7.105. Turkmenistan	Continue the efforts to enable tangible progress in combating trafficking in persons	The Strategy for Prevention and Suppression of Trafficking in Humans, Especially Women and Children, in 2017-2022, has been adopted, together with the Action Plan for 2017-2018. The Strategy is successfully implemented.
7.106. UK	Increase human and financial resources dedicated to the Office for Coordination against Trafficking in Persons, to help drive national improvements in support of achieving SDG 8.7	The Republic of Serbia is committed to combating human trafficking. In the coming years, efforts will be made to increase the resources available to the Office for the Coordination of Activities in Combating Trafficking in Human Beings.
7.107. Tunisia	Continue efforts to combat human trafficking, namely trafficking of unaccompanied migrant children	We have continued implementing and monitoring the Strategy for Prevention and Suppression of Trafficking in Humans, Especially Women and Children, and Protection of Victims in 2017-2020. The Action Plan is currently being implemented and individual activities are being carried out. The first Shelter for Victims of Human Trafficking is scheduled to open in 2018.

7.108. Venezuela	Continue increasing the actions to combat trafficking in persons, especially women and children; and reinforce measures to prevent and improve the detection of these cases	See 7.107. Training is continually provided to the professionals and staff who intensively interact with migrants and refugees. The focus of trainings in the past period was on identifying victims of human trafficking among migrants and refugees and affording protection to this population.
7.109. Honduras	Strengthen measures to prevent and combat trafficking in persons, paying special attention to migrants and refugees	See 7.107 and 7.108.
7.110. Sierra Leone	Strengthen measures to combat and eliminate trafficking in persons particularly migrants and refugees	See 7.107 and 7.108.
7.111. Palestine	Promote efforts to prevent and combat human trafficking, namely among refugees and migrants	See 7.107 and 7.108.
7.112. East Timor	Strengthen its measures to prevent and combat trafficking in persons, a specific focus on migrants and refugees	See 7.107 and 7.108.
7.113. Ukraine	Strengthen measures to prevent and combat trafficking in persons, placing a specific focus on migrants and refugees, in line with the Human Rights Committee's recommendation	See 7.107 and 7.108.

7.114. Indonesia	Intensify efforts to prevent and combat trafficking in persons, focusing on migrants and refugees	See 7.107 and 7.108.
7.115. Iraq	Improve special procedures for asylum seekers	The procedure and conditions for granting the right to asylum are governed by the Law on Asylum, which is aligned with the core principles of the Convention Relating to the Status of Refugees of 1951 and the Protocol Relating to the Status of Refugees of 1967.
7.116. Honduras	Adopt a comprehensive policy aimed at providing durable solutions for all internally displaced persons in Serbia; which would include local integration in a pragmatic way, taking into consideration the return and settlement in other places, implementing the law on temporary and permanent residence in a holistic manner	The continual political commitment of the Republic of Serbia to affording adequate living conditions and providing permanent solutions for internally displaced persons is demonstrated by the adoption of the Law on Migration Management, the revision of the National Strategy for Resolving the Issues of Refugees and Internally Displaced Persons 2015-2020 and the fact that the issue of internally displaced persons is regularly placed high on the political agenda of all relevant forums, which focus on finding permanent solutions to their problems. Regarding permanent solutions, the Republic of Serbia has been making significant efforts to ensure adequate conditions for their return to the Autonomous Province of Kosovo and Metohija.

RECOMMENDATIONS RECEIVED FOLLOWING THE EXAMINATION OF THE REPORT OF THE REPUBLIC OF SERBIA IN THE THIRD CYCLE OF THE UNIVERSAL PERIODIC REPORT ON 24 JANUARY 2018

NOTED RECOMMENDATIONS AFTER SUBSEQUENT CONSULTATIONS IN SERBIA

COORDINATED RESPONSES BY THE DELEGATION OF THE REPUBLIC OF SERBIA

1	2	4
Recommendation Number in the Troika Report and the UN Member making the recommendation	RECOMMENDATION	Rationale
7.1. Uruguay	Consider ratifying the International Convention on the Protection of the Rights of All Migrants Workers and Members of Their Families	There are no objective conditions for the implementation of this recommendation during this cycle. We note that the national legislation provides an adequate framework for the protection of migrant workers, as it guarantees them same rights as for the workers with Serbian citizenship.
7.2. Venezuela	Consider ratifying the International Convention on the Protection of the Rights of All Migrants Workers and Members of Their Families	See 7.1.
7.3. Albania	Consider ratifying the International Convention on the Protection of the Rights of All Migrants Workers and Members of Their Families	See 7.1.

7.4. Chile	Increase efforts to ratify the International Convention on the Protection of the Rights of all Migrant Workers and Members of Their Families	See 7.1.
7.5. Afghanistan	Finalize the ratification of the International Convention on the Protection of the Rights of All Migrants Workers and Members of Their Families	See 7.1.
7.6. Honduras	Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families	See 7.1.
7.7. Sierra Leone	Accede to the ICRMW	See 7.1.
7.8. Costa Rica	Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights	Accession to the Protocol would require amendments to the relevant national legislation, which is not a priority in the current situation.
7.9. Slovakia	Ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure	The Republic of Serbia co-sponsored the UN Resolution by which the Optional Protocol was adopted and was among the first signatories of this Protocol, thus demonstrating its commitment to the protection of child rights. The Protocol has not been ratified because it would require certain amendments to the national legislation.

7.43. Albania	Initiate a vetting process to identify all government officials who had allegedly been involved in the commission of war crimes	The Republic of Serbia is committed to prosecuting crimes under international law in the Republic of Serbia, as evident from its cooperation with the ICTY and trials before national courts. The procedures for determining liability are clear and there is no need for any additional vetting. Therefore, this part of the recommendation is not supported by Serbia.
7.53. Canada	Take measures to strengthen the rule of law, including through a full and public enquiry into police and municipal authorities' alleged involvement in the so-called Belgrade Waterfront night-time demolitions or "Savamala" case in the city centre in April 2016	The Republic of Serbia continually takes measures to strengthen the rule of law, which means inter alia that the competent authorities act in compliance with the laws, without any exceptions. In view of these facts, the Republic of Serbia sees no reason for singling out individual cases, such as the "Savamala" case, in which the competent authorities have been undertaking all activities required by the law.
7.57. Lebanon	Enhance laws on freedom of media	Freedom of the media is guaranteed by the Constitution of the Republic of Serbia. No legislative amendments have been planned for the coming years, since the Republic of Serbia adopted a set of media laws in 2014 which govern media freedom and which are fully harmonised with the EU regulations and the international standards.
7.60. Poland	Strengthen effectiveness of actions undertaken for the enhancement of editorial independence and pluralism in media	Editorial independence is governed by the Law on Public Information and Media. The Ministry of Culture and the Media and the Regulatory Authority of Electronic Media identify threats to pluralism in the media and undertake measures to protect pluralism in the media.
7.65. Lebanon	Enhance laws protecting freedom of expression	See 7.57.

7.72. Latvia	Refrain from prosecuting journalists, human rights defenders and other members of civil society as a means of deterring or discouraging from freely expressing their opinion	The way this recommendation is worded implies that persons are systemically and deliberately prosecuted when it is known they did not commit an offence, which is not true. When a criminal offence has been committed, no one can refrain from prosecution, unless there are legal grounds for doing so.
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