

Recommendations & Pledges

SERBIA

Second Review Session 15

Review in the Working Group: 30 January 2013
Adoption in the Plenary: 7 June 2013

Serbia's responses to recommendations (as of 17.07.2013):

In the Report of the Working Group:	In the Addendum:	During the plenary:	Summary:
132 recs accepted (102 of which were considered to be implemented or in the process of implementation) and 12 left pending	Out of the 12 pending, 7 were accepted and 5 were rejected	No additional information provided	Accepted: 139 Rejected: 5 No clear position: Pending: Total: 144

Paragraph headers are as in the Report of the Working Group, but the nature of responses to recommendations may have subsequently been changed.

List of recommendations contained in Section II of the Report of the Working Group A/HRC/23/15:

131. The recommendations formulated during the interactive dialogue and listed below have been examined by Serbia and enjoy its support:

A - 131.1. Consider finalizing the ratification process of the International Convention on the Rights of Migrant Workers and Members of Their Families (ICRMW) (Egypt)/Consider ratifying ICRMW not only to ensure access to just conditions of work and basic social service for migrants, especially those in vulnerable situations, but also to prevent discrimination (Philippines);

A - 131.2. Accede to the ILO Convention 189 (Philippines);

A - 131.3. Develop further measures with regard to the implementation of the Optional Protocol to the Convention against Torture (CAT) (State of Palestine);

A - 131.4. Consider establishing a national organ to monitor implementation of the recommendations of UN human rights mechanisms (Ukraine);

A - 131.5. Implement mechanisms to follow up UPR recommendations in order to verify the implementation and impact of policies and measures adopted to promote equality of rights and non-discrimination for all citizens, in particular the measures aimed at vulnerable groups such as women, children, ethnic minorities, the LGBTI community and persons in the situation of disability (Colombia);

A - 131.6. Consider enacting the draft law on the Rights of the Child at the earliest convenience (Indonesia);

A - 131.7. Continue to strengthen the role of national human rights protection mechanisms (Bhutan);

A - 131.8. Adopt the Law on the Ombudsman for the Rights of the Child and incorporate an explicit definition of the crime of sale of children into the Penal Code (Poland);

A - 131.9. Ensure the complementarity of the institutions for monitoring the protection of human rights (Republic of Moldova);

A - 131.10. Step up efforts to ensure complementarity and adequate resources for its human rights monitoring and protection of infrastructure (Philippines);

A - 131.11. Consider formulating a national human rights plan of action that unifies all efforts and stakeholders as well as streamline and mainstream all human rights programmes (Indonesia);

A - 131.12. Address the phenomenon of discrimination and negative attitude based on nationality, ethnicity or religion by criminalizing the so-called hate speech (Poland);

A - 131.13. Expand its intervention with the aim of better addressing racial prejudices, xenophobia, hate speeches and other forms of discrimination, in particular against Roma, women, persons with disabilities and the LGBT population (Italy);

A - 131.14. Ensure adequate protection for all citizens, including members of the LGBT community, by, inter alia, allowing them to assemble to publicly promote their human rights and identifying and prosecuting those who commit violence against those who participate in peaceful assemblies (United States of America);

A - 131.15. Take concrete steps to protect its LGBTI citizens and their freedom of assembly and expression (Australia);

A - 131.16. Enhance efforts to enable the lesbian, gay, bisexual and transgender (LGBT) community to exercise their fundamental freedoms of expression, association and peaceful assembly (Norway);

A - 131.17. Respond effectively to discrimination and violence against LGBT persons and ensure their safety during public events such as the Belgrade Pride Parade (Austria);

A - 131.18. Establish a more effective mechanism of dialogue with human rights defenders in the area of sexual minorities (Spain);

A - 131.19. Denounce more forcefully all verbal and physical attacks on human rights defenders (Norway);

A - 131.20. Effectively implement the relevant policies in the field of combating domestic violence in order to prevent domestic violence and to ensure impartial and prompt investigation and prosecution of perpetrators (Czech Republic);

A - 131.21. Undertake steps to shorten the period needed for issuing protective orders against domestic violence and to improve the effectiveness of criminal sanctions for violations of protective orders (Slovenia);

A - 131.22. Strengthen the judicial mechanisms designed to prosecute and punish perpetrators of trafficking in persons, especially in women and children, reinforcing reparation measures and reintegration services for victims (Uruguay);

A - 131.23. Develop a clear definition regarding the sale of children in the Penal Code and ensure its full enforcement with serious punishment for perpetrators (Thailand);

A - 131.24. Consider enhancing national efforts in the area of trafficking in person through adopting a definition for the sale of children and child pornography in the criminal code (Egypt);

A - 131.25. Reinforce measures to prevent child sex tourism and to combat child pornography on the Internet (Republic of Moldova);

A - 131.26. Adopt swiftly the comprehensive draft child rights law (Portugal);

A - 131.27. That the draft child rights law forbid corporal punishment of children in all settings (Portugal);

A - 131.28. Expedite necessary legislative measures to expressly prohibit corporal punishment in all settings, including the family and alternative care settings (Uruguay);

A - 131.29. Prohibit by law the corporal punishment of children, including in the family (Austria);

A - 131.30. Ensure the rights of victims to truth, justice, reparation and nonrepetition (Switzerland);

132. The following recommendations enjoy the support of Serbia, which considers that they are already implemented or in the process of implementation:

A - 132.1. Ratify the Optional Protocol to CRC on the sale of children, child prostitution and child pornography (Portugal);

A - 132.2. Allocate adequate financial means and put proper legal foundations in place in order to ensure that the concerns expressed by the National Mechanism for the Prevention of Torture are addressed (Denmark);

A - 132.3. Continue its measures with regard to the better regulation and mainstreaming of the operation of the Ombudsman (Azerbaijan);

A - 132.4. Work constantly toward strengthening the coordination among the national human rights mechanisms and regularly provide them with the resources necessary for their proper functioning (Algeria);

A - 132.5. Continue to address and implement its plans of action in relevant areas of human rights in particular on the promotion and protection of minorities and other vulnerable groups (Cambodia);

A - 132.6. Continue to enable women and the disabled and provide them a greater role in society (Kuwait);

A - 132.7. Continue its efforts in the fight against corruption to strengthen its national policy in this area (Morocco);

A - 132.8. Carry out necessary measures, including legislative amendments, to ensure that all persons born in Serbia have access to birth registration regardless of the status of their parents (Mexico);

A - 132.9. Continue its efforts in a systematic manner to increase the availability of human rights education and training programmes for the law enforcement and judicial authorities (Republic of Korea);

A - 132.10. Continue its efforts in the field of human rights education and training with a particular emphasis on the training of police and law enforcement officials (Morocco);

- A - 132.11. Ensure strict observance of code of conduct by law enforcement officials (Poland);
- A - 132.12. Continue active and close cooperation with UN treaty bodies (Estonia);
- A - 132.13. Take all necessary measures for the exhaustive and efficient implementation of the anti-discrimination law (Switzerland);
- A - 132.14. Strictly apply the new Law on Discrimination and adopt a comprehensive legislation on hate crimes (Brazil);
- A - 132.15. Carry out efforts in the area of combating discrimination, and provide the Commissioner for the Protection of Equality with all necessary means to carry out its mandate (France);
- A - 132.16. Continue to implement measures to promote full and effective equality in the social, economic and political spheres (Cuba);
- A - 132.17. Continue its efforts in fighting discrimination based on ethnicity, gender and sexual orientation (Estonia);
- A - 132.18. Continue to implement existing legislation related to gender equality ensuring that men and women are treated equally and stereotypes regarding women are eradicated (Lithuania);
- A - 132.19. Continue efforts to achieve gender equality (Greece);
- A - 132.20. Continue further realization of the Action Plan for implementation of the National Strategy for Improving the Position of Women and Promoting Gender Equality (Armenia);
- A - 132.21. Take necessary measures to ensure equal treatment as well as consider ways of helping to eradicate stereotypes for women in rural areas (Republic of Korea);
- A - 132.22. Formulate a systematic approach toward eradication of stereotypes regarding women in society creating a climate of zero tolerance for violence against women (Slovenia);
- A - 132.23. Take further measures to eliminate discriminatory gender stereotypes (Republic of Moldova);
- A - 132.24. Further its endeavours with a view of positively affecting the participation of women in the field of economy, education and health (Azerbaijan);
- A - 132.25. Eliminate racial segregation in schools so that all children, regardless of their ethnic origin, have access to education (Costa Rica);
- A - 132.26. Take positive measures to protect and enhance the rights of LGBT persons and facilitate their integration into society (Belgium);
- A - 132.27. Put in place a policy of fighting discrimination based on sexual orientation and gender identity that would guarantee the rights of LGBT persons to freedoms of expression, association and peaceful assembly (France);
- A - 132.28. Ensure that LGBT persons in Serbia can exercise their human rights freely and in security, including fundamental freedoms such as the freedom of expression and the freedom of assembly and association (Germany);
- A - 132.29. Adopt all necessary measures to reduce prejudice and discrimination against the LGBT community, including through the training of the police, prosecutors and judges to respond effectively to violence against LGBT activists and to ensure the adequate protection of LGBT persons in the work place (Ireland);
- A - 132.30. Take further steps to protect the LGBT population from intolerance, hate speech, and physical attacks as well as to ensure the better inclusion of the LGBT population and to promote tolerance in this regard (Czech Republic);

A - 132.31. Amend and where necessary repeal all legislation which restricts the ability of journalists to carry out their work freely and which impacts upon the independence of the media (Ireland);

A - 132.32. Strengthen the protection of journalists, media personnel, and human rights defenders against the attacks and prosecute those responsible for such kind of attempts (Estonia);

A - 132.33. Enhance its efforts to eradicate violence against women and to improve the status of women in society (Japan);

A - 132.34. Continue its efforts to combat violence against women and promote gender equality (Singapore);

A - 132.35. Redouble efforts to combat all forms of violence against women and adopt policies on education and awareness-raising in this area (Spain);

A - 132.36. Develop a work plan to implement the National Strategy of 2011 to prevent violence against women (Libya);

A - 132.37. Give further attention to the assistance available to victims of violence against women, especially in the field of psycho-social support (Slovenia);

A - 132.38. Harmonize legal measures and policies in order to guarantee rights of victims of domestic violence in accordance with international standards, for instance, by amending the Criminal Procedure Law that would expand the term 'family member' in the criminal offence of domestic violence to include a former spouse or partner (Kyrgyzstan);

A - 132.39. Carry out efforts in harmonizing legal provisions to guarantee the rights of victims of domestic violence (Angola);

A - 132.40. Take additional measures in order to improve the implementation of legislation protecting against domestic violence, including through awareness raising campaigns and training on domestic violence for officials (Lithuania);

A - 132.41. Come up with a comprehensive national strategy to prevent and combat domestic violence, and conduct awareness campaigns at the national level (Republic of Korea);

A - 132.42. Implement the national strategy to prevent domestic violence and provide training for relevant officials on domestic violence (Republic of Moldova);

A - 132.43. Fully implement the national strategy to prevent domestic violence, and conduct awareness raising campaigns and training on domestic violence for officials (Norway);

A - 132.44. Effectively combat domestic violence and establish shelters and support centres with medical, psychological and legal support (Austria);

A - 132.45. Increase its efforts in ensuring the protection of children from violence in line with its 2008 National Strategy for Prevention and Protection of Children from Violence and 2010 Action Plan (Malaysia);

A - 132.46. Continue efforts in connection with the prevention of violence against children and the fight against child trafficking, child prostitution and pornography (State of Palestine);

A - 132.47. Give full and effective implementation to the national campaign to reduce violence against children and women in order to further reduce the occurrence of rape and domestic violence, sexual harassment, child abuse including in educational institutions and child marriage (Australia);

A - 132.48. Continue its intensified efforts against human trafficking (Philippines);

A - 132.49. Implement the Protocol on fight against trafficking in human beings of the Ministry of Justice as well as adopt the new national strategy to prevent and combat trafficking in human being and to protect victims (Portugal);

A - 132.50. Take measures to prevent child trafficking and sexual exploitation through education programmes and development of support services of assistance, rehabilitation and protection (Belgium);

A - 132.51. Establish specialized shelters for children victims of human trafficking (Portugal);

A - 132.52. Adopt comprehensive measures to ensure access to justice, provision of compensation and assistance to facilitate reintegration into local communities for victims of trafficking, particularly women and children (Thailand);

A - 132.53. Develop specialized programmes and services aimed particularly at the rehabilitation and reintegration of children victims of human trafficking (Libya);

A - 132.54. Bring the legislation against sexual exploitation of children fully in conformity with the principles and provisions of CRC, the Palermo Protocol and the Council of Europe Convention against Cybercrime and Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Portugal);

A - 132.55. Incorporate an explicit definition of the crime of sale of children into its Penal Code and draft Child Act (Malaysia);

A - 132.56. Provide a clear definition of child prostitution in its national legislation in line with its international obligations (Kyrgyzstan);

A - 132.57. Develop programmes and activities concerning training and capacity building of employees and others of vocational workers who work with children in the field of child sexual exploitation for commercial purposes (Libya);

A - 132.58. Improve the effectiveness of the administration of justice (Poland);

A - 132.59. Continue to enhance its judicial system and ensure respect for the rule of law (Singapore);

A - 132.60. Reinforce judicial reforms initiated in 2009 with a view to ensuring the judiciary's independence, transparency, efficiency and accessibility (Slovakia);

A - 132.61. Continue the policy aimed at improving the judicial system, reforming law enforcement bodies and lowering the level of crime and corruption (Russian Federation);

A - 132.62. Ensure that Serbian jurisdictions are able to rigorously apply criminal provisions related to racial and discriminatory offences (France);

A - 132.63. Make the fight against corruption sustainable by ensuring that due legal process is being followed from the opening of an investigation through to the end. Political outbursts should be avoided to leave room for genuine and independent work by police and prosecution. Furthermore, practices should be developed and implemented to prevent future cases of high-level corruption, mainly by ensuring increased and effective transparency in processes such as privatization and public tenders (Sweden);

A - 132.64. Continue efforts in the fight against impunity for gross violations of human rights committed during the armed conflict (Argentina);

A - 132.65. Take all necessary measures to put an end to impunity by prosecuting alleged perpetrators in accordance with law and international standards (Switzerland);

A - 132.66. Take necessary measures to ensure that all persons alleged to have committed war crimes are prosecuted in national courts, and that victims are properly compensated (Spain);

A - 132.67. Ensure that persons accused of being the authors of or accomplices in crimes against humanity are properly prosecuted (Mexico);

A - 132.68. Ensure that all persons suspected of having committed or being accomplices of crimes against international law are brought to national courts and judged in accordance with international norms (France);

A - 132.69. Continue to strengthen its efforts to combat impunity for serious crimes under international law by continuing its cooperation with the ICTY and by ensuring that other perpetrators are prosecuted in domestic courts in accordance with international standards (Australia);

A - 132.70. Ensure that a serious inquiry is undertaken into persons responsible for detaining and executing the Bytyqi brothers in 1999 (United States of America);

A - 132.71. Further strengthen the rule of law and institutions to enforce social cohesion, tolerance and equality in order to exhaustively guarantee human rights for its people, in particular those of vulnerable groups such as women, children, displaced and disabled persons (Viet Nam);

A - 132.72. Continue to make efforts to improve the treatment of detainees in prisons (Japan);

A - 132.73. Continue to carry out necessary reforms to end prison overcrowding, including the launching of a new plan for the renovation and new construction of prisons with conditions comparable to those of the European Union average providing them with the material and human resources appropriate for its proper functioning (Spain);

A - 132.74. Take measures to protect the right to privacy by developing an effective system for monitoring the legality of data collection on citizens by Serbian security services and ensuring that the confidentiality of any collected information is respected (Canada);

A - 132.75. Continue its efforts to strengthen the institutional and normative human rights framework, particularly with regard to freedom of expression (Australia);

A - 132.76. Take steps to protect the right to freedom of assembly and freedom of opinion and expression by ensuring the effective investigation and prosecution of alleged threats and violence by various non-state actors and extremist groups toward individuals and groups, including civil society organizations and individuals based on their sexual orientation (Canada);

A - 132.77. Develop and implement regulations and practices to ensure transparency in the ownership of media in order to prevent undue influence over editorial material by politicians, businessmen and other centres of power (Sweden);

A - 132.78. Implement Recommendation 2010/5 of the Committee of Ministers of the Council of Europe, in particular the issues regarding freedoms of expression and peaceful assembly (Switzerland);

A - 132.79. Continue its efforts to fight against hate crimes, hate speech and incitement to hatred, including in political discourse, to prosecute members of racist or xenophobic extremist groups, and to combat racial prejudice and racial discrimination in the media (Tunisia);

A - 132.80. Continue with the efforts carried out to combat criminal acts motivated by racial or religious hatred as well as their incitement (Argentina);

A - 132.81. Take all appropriate measures to protect the right to assembly and to ensure investigation and prosecution of persons violating civil and political rights as guaranteed by the Serbian Constitution (Denmark);

A - 132.82. Increase the representation of women within the State and local administration (Lithuania);

A - 132.83. Ensure that men and women are treated equally, including equal pay for equal work (Ukraine);

A - 132.84. Continue its efforts to meet the needs of the elderly and improve the quality of their life regarding housing and transport (Kuwait);

A - 132.85. Continue its effort to ensure the access of all citizens to safe drinking water and sanitation (Egypt);

A - 132.86. Consolidate the constitutional and legislative framework to prevent discrimination against persons with disabilities (Iraq);

A - 132.87. Remove the barriers that hinder the effective accessibility of boys and girls with disabilities to education (Mexico);

A - 132.88. Intensify dialogue with the Councils of various national minorities in Serbia and with their organizations (Spain);

A - 132.89. Continue with the efforts carried out to combat the discrimination suffered by minorities (Argentina);

A - 132.90. Ensure effective practical implementation of the standards guaranteed by the Serbian Constitution in the field of minority rights, including by further harmonizing its legislation, providing adequate financial and administrative support to relevant institutions, preventing any forms of discrimination and prejudice in society and the media, and undertaking measures to achieve a more balanced socio-economic development among the regions in the country (Bulgaria);

A - 132.91. Further the implementation of the Framework Convention for the Protection of National Minorities and of the laws on the prohibition of discrimination, especially those related to hate crimes (Colombia);

A - 132.92. Take steps to more effectively integrate Roma into Serbian society (Canada);

A - 132.93. Take appropriate measure to ensure that the basic civil and political rights of Roma are being assured and that birth registration is available and accessible for all children without discrimination (Brazil);

A - 132.94. Increase measures to guarantee non-discrimination, to improve the conditions of Roma regarding the realization of good education, adequate housing, and to make available all basic services to them (Libya);

A - 132.95. Enforce legal safeguards to ensure fair and equal access to housing, education, employment and government services for Romani individuals and protection against arbitrary, forcible evictions and displacement from their homes or temporary residences (United States of America);

A - 132.96. Enhance measures regarding the integration of Roma citizens through the social and educational systems of the State, inter alia, by facilitating registration in the birth registry allowing them to register using a provisional address (Austria);

A - 132.97. Undertake effective legal and administrative measures to ensure greater security of tenure for Roma, especially for those living in informal setting (Germany);

A - 132.98. Resolve alleged discrimination in the restitution of property with regard to certain minority religious groups (Slovakia);

A - 132.99. Guarantee teaching of minority languages at all elementary levels and enhance knowledge and tolerance in the Serbian society concerning languages and cultures of others (Libya);

A - 132.100. Protect the rights of immigrants and take active measures to protect the rights of foreign workers, and promote harmony among all ethnic groups (China);

A - 132.101. Continue its efforts for addressing the challenges of refugees and IDPs in the country (Azerbaijan);

A - 132.102. Continue pursuing appropriate, sensitized policies such as the National Strategy on Resolving the Issue of Refugees and Internally Displaced Persons for the period 2011-2014 to address the situation of such persons in a durable, sustainable manner (Slovakia).

133. The following recommendations will be examined by Serbia, which will provide responses in due time, but no later than the twenty-third session of the Human Rights Council in June 2013:

R - 133.1 Ratify ICRMW (Guatemala);

A - 133.2. Ratify Additional Protocol III of the Geneva Conventions of 12 August 1949 (Estonia);

A - 133.3. Bring its definition of torture into line with that of CAT and accelerate judicial reforms so that acts of torture are not subject to negative prescriptions (Tunisia);

A - 133.4. Adjust its definition of torture to the definition of CAT and carry out legislative reforms to adjust the penalties to the seriousness of the crime of torture and in order not to apply the statute of limitations to torture (Costa Rica);

A - 133.5. Establish an independent and external oversight mechanism for alleged unlawful acts by police and that the Ombudsman monitor and investigate these cases independently and impartially (Hungary);

A - 133.6. Ensure that LGBT people can express themselves freely for example, in the Belgrade Pride in 2013 (Netherlands);

R - 133.7. Establish the International Commission for Investigation of Murders of Journalists and make sure the Commission will have a mandate appropriate to investigate the alleged case of murder of journalists (Netherlands);

R - 133.8. Publish and implement a plan for human rights defenders addressing how the government will allow them to operate freely, independently without any harassment or interference and with details of how investigations will be pursued (United Kingdom of Great Britain and Northern Ireland);

R - 133.9. Adopt a more supportive policy with regard to human rights defenders and as part of it, form a network of independent and specialized lawyers to provide legal aid for them (Hungary);

A - 133.10. Enforce the principle of separation between State and Church in accordance with its own Constitution and not to condition the fulfilment of the rights of some of its citizens by the agreement of a religious body (Romania);

R - 133.11. Take necessary measures to allow access to religious services, as well as to education and the media in Romanian language to all persons requesting this all over its territory (Romania);

A - 133.12. Publish and implement a plan to protect rights to freedom of assembly and expression ensuring the police have adequate powers to ensure the safety of those present and that any crimes committed in connection will be thoroughly and transparently investigated (United Kingdom of Great Britain and Northern Ireland).

Disclaimer: This classification was made by UPR Info based on United Nations documents and webcast. For more information about this document, consult the "Methodology" on our website: www.upr-info.org. For questions, comments and/or corrections, please write to info@upr-info.org