

ADVANCE QUESTIONS TO SERBIA- ADDENDUM

DENMARK

- When do you expect to adhere to OPCAT?
- Human trafficking seems to be an increasing problem in Serbia. In spite of a new criminal code on the issue the penal assessment seems to be relatively mild in comparison with other crimes. Are there any plans for adopting a comprehensive national action plan for combating human trafficking in order to fight this problem?
- The draft law which sets out procedures for the election of judges in relation to the reform of the judiciary under the new Constitution will require all judges to reapply for appointments along with new candidates. Furthermore the national assembly apparently has a role in the selection of judges. These procedures raise questions about the independence of the judiciary and imply a risk of a politicization of the role of the judiciary. Are there plans for taking the criticism from international bodies into account?
- There have been numerous instances of threats or attacks against judges, prosecutors and lawyers, in particular those involved in cases concerning organized crime or war crimes. The International Court of Justice (ICJ) has recommended that immediate steps are taken to prevent threats to and attacks on judges, prosecutors and lawyers and ensure their security, in particular to protect against threats to life and physical integrity. Are there any specific plans or actions plans to address this issue?

GERMANY

- Germany welcomes the steps taken by the Republic of Serbia regarding the enhancement of participation of Roma children in schools, such as the introduction of Roma assistant teachers and of pre-school institutions. Would the delegation be able to offer some complementary information on the improvement of the schooling situation of Roma children by these measures and line out what additional efforts are envisaged in this respect?

NETHERLANDS

- Human rights defenders and independent journalists in Serbia face threats and violence. Human rights defenders, also being critical voices, are entitled to their place in any democratic society.
Could you describe the role of human rights defenders in Serbia? How is the Serbian government guaranteeing the safety of these human rights defenders?
- Could you describe the measures taken by the Serbian Government to prevent LGBT people from being attacked by opponents of LGBT-rights.

SWEDEN

- Concerns with regard to the rule of law have been raised in Serbia. The new constitution states that national law shall override international law. There is alleged corruption in the judiciary and in the customs service, for example concerning the wide-spread occurrence of trafficking. Reportedly the separation between the executive and judicial powers is poor. There have been initiatives of reforms in the judiciary, for example with the 2007 law on the establishment of a constitutional court. Can the government of Serbia elaborate on the effects of the establishment of this court and on how this and other initiatives can strengthen the rule of law in Serbia?
- Reports have identified problems in Serbia with respect to the freedom of expression, the freedom of the press and the freedom of association. Journalists and human rights defenders have reportedly been subject to threats and physical violence. The new media law reportedly imposes restrictions on the independence of the media. What is the intention of the Serbian government in order to ensure the full enjoyment of these human rights? Can the government elaborate on any measures taken to guarantee the independence of the media?
