



# International Convention on the Elimination of All Forms of Racial Discrimination

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## Committee on the Elimination of Racial Discrimination

Seventy-eighth session

14 February–11 March 2011

### Implementation of the International Convention on the Elimination of All Forms of Racial Discrimination

#### List of themes to be taken up in connection with the consideration of the initial report of Serbia (CERD/C/SRB/1)

The following is a list of themes identified by the Country Rapporteur in connection with the consideration of the initial report of Serbia. The list is meant to guide the dialogue between the State party delegation and the Committee and *does not require written replies*. This is not an exhaustive list as other issues will be raised in the course of the dialogue.

**1. National legal framework, policies and programmes against racial discrimination (arts. 2 and 4-6):**

(a) Information on effective implementation of the provisions in force against racial discrimination and their full compliance with article 4 of the Convention; additional information on measures taken or envisaged to monitor the effective implementation of the Anti-discrimination Law (CERD/C/SRB/1, para. 21\*);

(b) Additional information on the Ministry for Human and Minority Rights (para. 34); allocation of competence (national versus local) for identifying and suppressing discriminatory practices; statistics on the trends over time of the proportion of the general State budget and local administration budgets allocated to human and minority rights;

(c) Information on the Law on Churches and Religious Communities (para. 179), which the State party observed as a transitional law subject to changes (A/HRC/10/78, para. 55); information on the reported difficulties that members of some religious groups encounter in the full enjoyment of the right to freedom of religion including obstacles to the registration of some religious confessions; measures to address the issue of the differential treatment of some religious communities in the implementation of the law on restitution of property;

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\* Unless otherwise specified, paragraph numbers in brackets refer to the initial periodic report of Serbia, published under symbol CERD/C/SRB/1.

(d) Information on the functioning of the Ombudsman's Office and on its resource allocation (paras. 26 and 243); information on any cases related to racial discrimination, and their outcome, that have been examined by the Ombudsman as well as information on the Ombudsman's initial report for 2009-2010; measures taken to ensure a clear mandate and priorities of the Commissioner for the Protection of Equality to avoid any possible clash of functions (para. 196);

(e) Measures taken against racist rhetoric in official statements and to prohibit, in practice, public manifestations of hate speech and intolerance by politicians;

(f) Information on whether any special measures in line with article 2, paragraph 2, of the Convention have been adopted with a view to securing the equal enjoyment of the rights protected by the Convention by individuals belonging to disadvantaged groups.

**2. Integration of national minorities (arts. 2, 4, 5 and 7):**

(a) Information on the implementation of articles 76 to 80 of the Constitution guaranteeing the prohibition of discrimination against national minorities, equality in administering public affairs, the prohibition of forced assimilation, the right to preservation of specificity and the right to association and cooperation with compatriots, and information on the cases of alleged covert discrimination and attempts of assimilation suffered by members of the Bunjevac national minority, as well as the results of any ensuing administrative or judicial proceedings (para. 68);

(b) Updated information on the progress reached by the specific measures to achieve full equality for the members of national minorities in Preševo valley, Bujanovac and Medveđa (paras. 55-60; HRI/CORE/SRB/2010, para. 285); measures taken to address the situation of Albanians and Bosniaks and their enjoyment of de facto equality;

(c) Additional information on the role, activities and achievements of the national councils of national minorities established so far, and on the legal and institutional frameworks that govern them (paras. 18 and 117);

(d) Additional measures taken by the State party to ensure consistency among provinces in the implementation of policies and programmes to accelerate the achievement of de facto equality for members of national minorities, in particular between those provinces where regulations and practice are more advanced, such as Vojvodina (higher enjoyment of rights than in others), and other parts of the country where minorities, including Albanian, Bosniak, Bulgarian, Vlach-Romanian and Roma minorities, are living in large numbers;

(e) Remedies, including judicial remedies, to address acts of discrimination against members of national minorities, as well as information on the number of cases referred to the courts of law;

(f) Information on the level of representation of members of national minorities in the Parliament and public administration, including in law enforcement structures and in the judiciary as well as in the design of policies and programmes to accelerate the achievement of their de facto equality;

(g) Information on measures taken or envisaged to preserve and promote the specificities, ethnic and national identities, and languages of national minorities; information on the institutional and financial measures to guarantee the right to cultural life for members of national minorities and to promote intercultural dialogue;

(h) Information on the institutional and financial measures in place to guarantee the rights of all children to receive an education, including access to education in minority languages; efforts made to ensure cultural rights, including the use or the teaching of their

own language, for children from various ethnic groups in the State party; availability of school curricula and teaching materials in their languages and reflecting their culture;

(i) Information on the law and practice guaranteeing access to complete and impartial information in the languages of national minorities which is responsive to the information needs of persons belonging to national minorities (Law on Protection of Rights and Freedoms of National Minorities, art. 17).

**3. Position of the Roma population (arts. 2-5 and 7):**

(a) Statistics on the trends over time of the proportion of the annual State budget and local administration budgets earmarked to the Roma population;

(b) Steps taken to prevent and combat discrimination due to stereotypes and prejudice against members of Roma communities, including any awareness-raising or solidarity campaigns;

(c) Efforts made to prevent discriminatory attitudes towards Roma women and girls;

(d) Additional information on the measures taken by the State party to guarantee access to formal education and to address the high rates of school dropout of Roma, in particular of girls, and to deal with the overrepresentation of Roma children in special classes (para. 77);

(e) Additional information on the measures taken to accelerate the achievement of de facto equality for the Roma, in particular access to personal identity documents and residence permits;

(f) Information on available health services and equality of access to health care; specific information on any plans by the State party for Roma Health Mediators at the municipal level;

(g) Additional information on participation in public life; specific information on the National Strategy for the Promotion of the Position of Roma and its implementation; information on the measures taken by the State party to ensure full participation of persons belonging to the Roma national minority in the establishment of a comprehensive promotion policy (para. 74);

(h) Additional information on the measures taken by the State party to ensure the right to adequate housing by Roma, including whether and how the State party plans to implement the National Action Plan for Housing of Roma; on the measures taken to end forced evictions of Roma, particularly in Belgrade; and on any special social housing programmes targeting Roma to avoid segregation in this field (para. 76);

(i) Information on the efforts taken by the State party to reduce unemployment among members of Roma communities.

**4. Intersectional discrimination, including the integration of internally displaced persons (IDPs), refugees from the former Yugoslavia and returnees (arts. 2 and 5):**

(a) Additional information on measures to provide adequate assistance and implement programmes to reintegrate IDPs;

(b) Measures taken by the State party to ensure that IDPs, refugees and returnees are not targets of discrimination, including in their access to employment, livelihoods and education; information on the existing processes for educational equivalencies and recognition of studies abroad.