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**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**

Thirty-eighth session
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**Responses to the list of issues and questions for consideration of the
initial report of Serbia**

**RESPONSES
TO QUESTIONS RELATED TO THE INITIAL REPORT OF THE REPUBLIC OF
SERBIA ON THE IMPLEMENTATION OF THE CONVENTION ON THE
ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN FOR
THE PERIOD 1992-2003**

General

1. Please provide information on the process of preparation of the initial report of Serbia (CEDAW/C/SCG/1). This information should indicate which Government departments and institutions were involved and the nature and extent of their participation, whether consultations were held with non-governmental organizations, in particular women's organizations, and whether the report was adopted at the time of its finalization in 2005 by the Government of Serbia and Montenegro, discussed and evaluated at the level of entities and presented to the Parliament

The Ministry for Human and Minority Rights of Serbia and Montenegro coordinated the preparation and drafting of the Initial Report on the Implementation of the Convention on the Elimination of All Forms of Discrimination against Women for the period 1992-2003. The Report, in the part relevant to the Republic of Serbia, was prepared by: the Ministry of Foreign Affairs of Serbia and Montenegro, the Ministry of Defense of Serbia and Montenegro, the Ministry of the Interior of Republic of Serbia, the Ministry of Education and Sports of the Republic of Serbia, the Ministry of Labor and Employment of the Republic of Serbia, the Ministry of Social Affairs of the Republic of Serbia, the Ministry of Health of the Republic of Serbia, the Ministry of Public Administration and Local Self-Government of the Republic of Serbia, the Ministry of Culture of the Republic of Serbia, the Commissariat for Refugees of the Republic of Serbia, the Coordination Centre of the Republic of Serbia for Kosovo and Metohija, and the Provincial Secretariat for Labor, Employment and Gender Equality.

The preparation of the Report commenced at the end of 2003. The Report is based on documents provided by the relevant authorities who approved the final version of the Report. The Council of the State Union Serbia and Montenegro adopted the Report on 15 November 2005.

By the Decree of the Government of the Republic of Serbia to establish the Agency for Human and Minority Rights, dated 2006, the competences for the preparation and submission of reports regarding the implementation of international agreements in the area of human rights have been transferred to the Agency.

2. The report contains some statistical data disaggregated by sex in regard to only some of the areas covered by the Convention. Please give a succinct overview of the status of data collection in the State party in general, and the status of data collection disaggregated by sex and age as well as by ethnicity, when appropriate in all areas covered by the Convention. How does the Government intend to improve the collection of data, so as to enable it to measure progress towards de facto equality between women and men?

The Republic Statistical Office is the entity in charge of official statistics in the Republic of Serbia, while there are other bodies in charge of specific areas of statistics, such as the Ministry

of Labour, Employment and Social Policy, the National Bank of Serbia, the Ministry of Finance, the Ministry of Health, the National Employment Service, the Institute for Pension and Disability Insurance, and the Provincial Secretariat for Legislation, Administration and National Minorities. The Republic Statistical Office aggregates data and information in all areas (including gender, age and ethnic origin) and in that manner compiles a full picture of economic and social life in the country. According to the Law on Statistics, the Statistical Office identifies the uniform methodology of statistical research and uniform statistical standards (Article 9, paragraphs 1 and 3).

Since 2002 significant efforts are being made to harmonize and establish official statistics with the standards and practices prevailing in the EU. The Government of the Republic of Serbia in 2005 adopted the Strategy for Development of Official Statistics in the Republic of Serbia in order to harmonize it with the EU standards and practices. At present, the Statistical Office performs the tasks from its scope of activities in 9 regional offices in the Republic of Serbia, excluding the autonomous provinces. In the territory of the AP Vojvodina, the Republic Statistical Office of Serbia has its department for statistics with 5 regional offices. The Institute performs about 200 research projects annually, and publishes its findings in 13 publications, but also at regular press conferences, and on its Internet page.

A systematic review of statistical data disaggregated by gender in the following areas of social life: population, health, education, social protection, criminality, employment and income, and decision-making, are presented in the publication of the Republic Statistical Office *Women and Men in Serbia* from 2005. This publication was a result of increasing requirements to monitor the situation in the society, *inter alia*, also by gender segregated data and this marks the beginning of establishing a sustainable institutional program of gender segregated statistics.

According to the new Civil Service Law, adopted in 2005, the Human Resources Management Service maintains the so-called central HR register of all civil servants. By-laws adopted by the Government regulate that one of the data contained in the central HR registry is the gender of civil servants.

The Service for Human and Minority Rights of the Government of Serbia shall identify the parameters which will enable the monitoring of progress aimed at gender equality and shall submit such proposals to the Republic Statistical Office for statistical monitoring.

Since 2002 the Provincial Secretariat for Legislation, Administration and National Minorities has been monitoring the disaggregated structure of employed persons in regional units of republic authorities, as well as the structure of judicial and prosecution officials and those employed in the courts and prosecution offices in the territory of the AP Vojvodina and regularly reports about it to the Executive Council of AP Vojvodina.

3. The Report contains a very brief report by the Coordination Centre of Serbia and Montenegro and the Republic of Serbia for Kosovo and Metohija, without, however, providing information on measures adopted and progress made to give effect to the provisions of the Convention. Please provide information on implementation of the Convention in Kosovo and Metohija, in accordance with the Committee's guidelines for the preparation of initial reports.

Basic Information

The implementation of the human rights instruments including the Convention on the Elimination of All Forms of Discrimination against Women in the Autonomous Province of Kosovo and Metohija should be considered against the background of the following main features:

-In 1999, administration over Kosovo and Metohija was, in accordance with the Security Council Resolution 1244 (1999), entrusted to the United Nations Interim Administration in Kosovo (UNMIK), while some responsibilities were also entrusted to the international security presence there (KFOR).

-According to the operative paragraph 11 (j) of the Security Council Resolution 1244 (1999), UNMIK is under obligation to protect and promote human rights in Kosovo and Metohija.

- Among several international core human rights instruments to which the Republic of Serbia is a State Party, the Convention on the Elimination of All Forms of Discrimination against Women is on the list of the instruments applicable in the Province as part of the Constitutional Framework for Provisional Self-Government in Kosovo and Metohija.

The inability of the Republic of Serbia (Serbia and Montenegro) to discharge its own responsibilities with regard to the protection and promotion of human rights in the Province of Kosovo and Metohija and accordingly to report on the implementation of international human rights instruments in the Province was acknowledged in the concluding observations after the consideration of two initial reports presented so far by the Republic of Serbia (Serbia and Montenegro) on the implementation of the UN human rights instruments – International Covenant on Civil and Political Rights (July 2004) and International Covenant on Economic, Social and Cultural Rights (May 2005).

The Human Rights Committee explicitly stated that “in accordance with the Security Council Resolution 1244 (1999), Kosovo currently remains a part of Serbia and Montenegro as successor state to the Federal Republic of Yugoslavia, albeit under interim international administration, and the protection and promotion of human rights is one of

the main responsibilities of the international civil presence (Par. 11 (j) of the Resolution)”.

Therefore, the said Committee “encouraged UNMIK, in cooperation with the Provisional Institutions of Self Government (PISG), to provide, without prejudice to the legal status of Kosovo, a report on the situation of human rights in Kosovo since June 1999.”

In accordance with that, in July 2006 the Human Rights Committee considered the report on the human rights situation in the Province of Kosovo and Metohija presented by the UNMIK. It was for the first time that a UN mission in the field reported to the UN treaty body on the implementation of human rights on the territory of the State Party it is temporarily administering.

The Committee on Human Rights in its Concluding Observations after the consideration of the UNMIK report, in paragraphs 11 and 16 expressed its concerns and made recommendations related to status of women in the Province, which could be of relevance to the Committee on the Elimination of All Forms of Discrimination against Women:

- *“The Committee is concerned about the persistence of male-dominated attitudes within Kosovar society, low representation of women in the Ministries and central institutions of Kosovo, under-reporting of incidents of domestic violence, low numbers of convictions related to domestic violence, limited capacity of victim assistance programmes, and the absence of a comprehensive evaluation of the effectiveness of measures to combat domestic violence. (Arts. 2(1), 3, 7, 26)*

UNMIK, in cooperation with the PISG, should take prompt and effective measures with the goal of achieving equal representation of women in public offices and intensify training for judges, prosecutors and law enforcement officers on the application of existing laws and other instruments to combat gender discrimination and domestic violence. It should further facilitate the reporting of gender-related crimes, the obtaining of protection orders against perpetrators, enhance victim assistance programmes, and ensure effective remedies. (HRC Concluding Observations, par. 11)”

- *“The Committee is concerned about the incidence of trafficking in human beings, especially women and children, and about reports that traffickers are rarely prosecuted and convicted. It is also concerned that victims of trafficking are often not informed of their rights and denied access to a lawyer or interpreter upon arrest, and that the*

Action Plan to Combat Trafficking in Human Beings fails to incorporate adequate measures for victim assistance and support. (Art. 8)

UNMIK, in cooperation with the PISG, should ensure the effective investigation and prosecution of persons involved in trafficking, including UNMIK and KFOR personnel. It should also ensure protection as well as adequate access by victims to lawyers and interpreters, health care and counseling, and to other forms of assistance and support, and review its Action Plan to Combat Trafficking in light of the Covenant (HRC Concluding Observations, par. 16).

These conclusions by the Human Rights Committee are reflecting problems women are facing in the Province, regardless of their ethnical origins. However, with regard to the situation of women belonging to minority communities in the Province it is necessary to bear in mind the overall grave human rights situation and discrimination against minority ethnic communities in the Province, namely, Serbs and other non-Albanians.

Addressing the issue of the situation of the minority ethnic communities in the Province the Human Rights Committee in its Concluding Observations on UNMIK report expressed concerns regarding “very low number of minority returns and the inability of displaced persons to recover their real property, including agricultural lands”, “restricted freedom of movement and access to essential services, such as judicial remedies, health care and education, and personal documents of minority communities living in micro enclaves”, “selective use of minority languages in official dealings and lack of opportunities for minority children, in particular Roma children, to receive instruction in, and of, their languages”. The Committee also noted with concern that “members of minority communities have only limited access to the conduct of public affairs, as well as to public service, and that discrimination against minorities, including Roma, is widespread in Kosovo”.

The Essence

The essence of the problem in Autonomous Province of Kosovo and Metohija refers to pronounced and aggressive discrimination based on ethnicity, origin, language and religion. In such societies, gender based discrimination is also imminent. This discrimination is a result of pronounced lack of tolerance of the majority Albanian community to difference based on ethnicity, origin, language and religion... Consequently, a whole scope of human rights and freedoms of members of other communities has been endangered, including the most fundamental rights such as the right to life, the right to free access to own property, the freedom of movement and other rights. The efforts of the international community to improve such a situation have been reflected through the policy of implementing identified standards whose essence has been to increase these standards to the minimum internationally recognized basic living standards. Regretfully, such a policy has actually been defeated. Only a certain, reduced number of standards was simply single-sidedly declared achieved without practical substantiation for such statement in practice, while the achievement of most other standards not even the minimum progress has been made.

Trafficking in Human Beings

We note that it was predominantly the Serb community that has been left out of the mainstreams of human trafficking as the most serious form of violation of the Convention in the rest of Autonomous Province of Kosovo and Metohija. This may partly be attributed to awareness raising efforts.

In other parts of Autonomous Province of Kosovo and Metohija populated predominantly by Albanian population, this problem is very serious and it is under the control of local, powerful organized crime groups. The Province is relatively small area is at the same time a transit zone in human trafficking, to a lesser degree the destination zone, and recently also the zone of origin for human trafficking.

This situation has already been the reason of criticism in numerous reports by non-governmental organizations, which pointed to the lowered minimum age limit of girls recruited for prostitution already at the age of 14. According to UNMIK reports, the number of bordellos in the Province varies, but there are about 200 of them at any time. The situation is further aggravated by the fact that some members of the civilian mission (UNMIK) and the military mission (KFOR) were engaged in human trafficking. Additionally, the local police are not trained to deal with this issue and are not willing to tackle organized crime engaged in human trafficking.

Articles 1 and 2

4. Throughout the report, reference is made to a number of legal instruments, including, the Constitution of the Federal Republic of Yugoslavia (FRY), the Constitutional Charter of the State Union of Serbia and Montenegro (the Constitutional Charter), the Charter on Human Rights, and the Constitution of the Republic of Serbia (RS). In light of the events which occurred after the submission of the report, please indicate which of these instruments remain in force. Please further indicate what other legislation of the FRY, which respond to the obligations under the Convention that currently remains in force.

With respect to changes that have occurred regarding the status of the Republic of Serbia and the fact that the Report covers a long period of time, we emphasize that the legal documents which are no longer in effect include the Constitution of FRY (ceased to be in effect in 2003), the Constitutional Charter of Serbia and Montenegro (ceased to be in effect in 2006), the Charter on Human and Minority Rights and Fundamental Freedoms (ceased to be in effect in 2006) and the Constitution of the Republic of Serbia (ceased to be in effect in 2006) which is replaced by new Constitution of the Republic of Serbia.

The following laws have ceased to be in effect: the Criminal Code of FRY, the Criminal Code of the Republic of Serbia, the Law on Misdemeanors, the Law on Yugoslav Citizenship, the Law on University, the Labor Law, the Law on Protection at Work, the Health Care Law, the Law on Health Insurance, and the Marriage and Family Law.

The areas of public life to which these laws applied are currently regulated by the following laws: the Criminal Code from 2005, the Law on Misdemeanors from 2005, the Law on Citizenship of the Republic of Serbia from 2004, Higher Education Law from 2005, the Labor Law from 2005, the Health Care Law from 2005, the Health Insurance Law from 2005 and the Family Law from 2005.

Still in effect are the following: The Law on Employment and Insurance in Case of Unemployment, the Law on Financial Assistance to Families with Children, the Law on Social Security, the Law on Pension and Disability Insurance, the Law on Public Order and Peace, the Law on Local Elections, the Law on Travel Documents for Yugoslav Citizens, the Law on Principles of the Education and Guidance System, the Law on Primary Education, the Law on Secondary Education, the Law on the Yugoslav Army, the Law on Pupils and Students Living Standard, the Law on Military Schools and Military Scientific-Research Institutions, the Law on Police College, the Law on Public Information.

New laws which also regulate individual obligations undertaken by the ratification of the Convention are as follows: the Broadcasting Law, the Advertising Law, the Ombudsman Law, the Law on Election of Deputies, the Law on Churches and Religious Communities.

5. The Report (par. 32) states that "it is necessary to bear in mind that work on the development and emancipation of women implies their getting better knowledge of their rights." Please explain what measures the Government has been taking in that regard and what mechanisms, legal means and remedies are available to women to protect their rights.

The new Constitution of the Republic of Serbia, adopted at the end of 2006, includes provisions for strengthened equality of women and men, guaranteeing that the state develops equal opportunities policies (Article 15), the possibility of introducing special measures for achieving full equality (Article 21), prohibition of sexual abuse (Article 26), equality in marriage and family and free decision-making regarding childbirth (Articles 62, 63, 64 and 65), special maternal protection (Article 66), and provisions stating that laws and other legal documents of the Republic of Serbia must be harmonized with international agreements and generally accepted rules of international law (Article 194).

Over the past six years a series of laws has been adopted relevant to specific aspects of social position of women (The Family Law, the Labour Law, the Health Care Law). After the implementation of these laws began in practice, it was noticed that there is need to make additions in them in the future so as to provide a legally clearly defined mechanism for monitoring of implementation in terms of preventing gender discrimination and incriminating different forms of direct and indirect discrimination. The future period should see the adoption of the remaining laws in this area (such as Anti-discrimination Law and Law on Gender Equality) whereby the legal framework related to the position of women in the Republic of Serbia will be made complete in compliance with the international law and generally accepted standards. The draft of Anti-Discrimination Law has been developed and is now in the process of inter-sectoral harmonization.

Issues related to the position of women and measures for empowerment are also integrated in the major national strategy documents. The most significant document of this kind is certainly the National Action Plan for Empowerment of Women and Advancing Gender Equality (2007-2010), which directly defines the directions and measures needed for empowerment of women. This Action Plan is still in draft form, but it includes groups of policy measures directed to the following areas:

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- Participation of women in government and decision-making;
 - Empowerment of women in business and in the labor market;
 - Equality in education;
 - Improved women health and promotion of equality in health policy;
 - Prevention, suppression and protection against violence;
 - Elimination of gender stereotypes and promotion of gender equality in the media.

At the beginning of March 2007, the Government has adopted a document titled *Nationalized Millennium Development Goals in the Republic of Serbia*, which, among other things, includes separate chapters presenting the goals and separate ones dedicated to specific measures and activities to be undertaken in order to achieve full gender equality in Serbia.

Apart from these strategic documents which aim most directly at achieving gender equality and empowerment of women, other preceding national strategies also include special measures to improve different aspects of the position of women in society in Serbia which most often include indicators for monitoring of implementation of stipulated measures. Significant national strategies in this respect include: Poverty Reduction Strategy, National Employment Strategy. The currently drafted National Strategy of Sustainable Development which, among other things, includes a separate chapter on strengthening gender equality.

A group of experts related to the Committee for Gender Equality of the National Assembly and the Provincial Secretariat for Labour, Employment and Gender Equality has drafted a working version of the Gender Equality Law.

6. While the Report refers to the equality and non-discrimination provisions in the Charter on Human Rights (par. 43) and in the Constitution of RS (par. 44), it is not clear whether comprehensive gender equality provisions are in place that fully encompass the definition of discrimination contained in Article 1 of the Convention. Please provide such information and in case no such law is in place, what steps does the Government intend to take towards the adoption of a comprehensive law on gender equality which would cover all the areas of the Convention and encompass a provision that prohibits discrimination against women in line with Article 1 of the Convention?

The new Constitution of the Republic of Serbia in Article 21, paragraphs 1, 2 and 3 prohibits discrimination meaning that according to this article of the Constitution all persons are equal before the Constitution and before the law and all persons are entitled to equal legal protection free of any form of discrimination. This means prohibition of any form of discrimination, direct or indirect, on any basis, especially on the basis of race, sex, nationality, social origin, birth, religion, political or other affiliations, property, language, age or psychological or physical disability.

Pursuant to the Article 128 of the Criminal Code whoever denies or restricts the right of man and citizen guaranteed by the Constitution, laws or other legislation or general acts or ratified international treaties on grounds of nationality or ethnicity, race or religion or due to absence of such affiliation or difference in political or other conviction, sex, language, education, social status, social origin, property of other personal characteristic, or pursuant to such difference

grants another privileges or benefits, shall be punished with imprisonment up to three years. If this act is committed by an official in discharge of duty such person shall be punished with imprisonment of three months to five years.

Prohibition of discrimination is prescribed by the Labour Law, as well. In accordance with Article 18 both direct and indirect discriminations are prohibited against persons seeking employment and employees in respect to their sex, origin, language, race, color of skin, age, pregnancy, health status or disability, nationality, religion, marital status, familial commitments, sexual orientation, political or other belief, social background, financial status, membership in political organizations, trade unions or any other personal quality. Discrimination is prohibited in relation to: employment conditions and selection of candidates for a certain job; working conditions and all rights resulting from the labor relationship, education, training and advanced training; promotion at work; termination of the labor contract (Art. 20)

The Labour Law prohibits harassment and sexual harassment. Harassment is any unwanted behavior resulting from some of the grounds referred to in Article 18 of this law aimed at or representing violation of dignity of a person seeking employment or employee, causing fear or breeding adverse, humiliating or insulting environment. Sexual harassment is any verbal, non-verbal or physical behavior aimed at or representing violation of dignity of a person seeking employment or employee in the area of sexual life, causing fear or breeding adverse, humiliating or insulting environment (Art. 21).

A group of experts associated with the Parliamentary Committee for Gender Equality of the National Assembly of Serbia and the Provincial Secretariat for Labor, Employment and Gender Equality have drafted a Gender Equality Law which has not yet entered the parliamentary procedure for adoption.

Article 3

7. The Report refers that "the setting up of the appropriate coordinating body at the level of the State Union would be very useful and, in the opinion of some, even essential". In this regard, please provide further information about the national machinery for the advancement of women in the Republic of Serbia, its location within the Government structure, its mandate, authority and human and financial resources and plans for further developments to strengthen the institutional capacity for integration of the gender equality principle in all policies and programmes.

After embarking upon the reform process after the year 2000, Serbia is intensifying its efforts to pay special attention to empowerment of women. Building institutional mechanisms for gender equality, and integration of gender perspective in the major national strategy documents is a reflection of such reform efforts. The most important institutions/organizations that have been established in recent years with the objective to empower women or to integrate gender equality issues in the achievement of other direct objectives are as follows:

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- The Parliamentary Committee of the National Assembly of Serbia for Gender Equality;
 - The Council of the Republic of Serbia for Gender Equality;
 - The Committee of the Vojvodina Assembly for Gender Equality;
 - The Vojvodina Provincial Secretariat for Labor, Employment and Gender Equality;
 - The Provincial Institute for Gender Equality;
 - The Provincial Ombudsperson;
 - Local committees for gender equality.

The Ombudsman Law, by which the institution of Ombudsman was established at the national level, sets out that the Ombudsman shall take special care that his deputies are specialized for actions in specific areas, specifically protection of persons deprived of liberty, gender equality, the rights of the child, the rights of members of national minorities and the rights of persons with disabilities. After this law is harmonized with the new Constitution of Serbia (in terms of election of the Ombudsman) the implementation of this law will begin.

8. The Report (par. 84) refers to the Council for Equality of Sexes, "an independent government body comprised of prominent public and political figures and professionals". Kindly give an update on the Council for Equality of Sexes: did it hold its constitutive meeting and were experts appointed? If not, explain the reasons for the delay in its official start. If yes, describe the concrete actions undertaken, tasks performed and results obtained so far towards achieving gender equality in Serbia.

The Council of the Republic of Serbia for Gender Equality was constituted on 8 October 2004, and subsequently it adopted its Rules of Procedure setting out the regular methods of operation as well as special thematic sessions, task forces for specific tasks, organization of panels on issues of significance for position of women and temporary engagement of experts in gender equality.

The Council is made up of 20 members, half of which represent the relevant ministries (the Ministry of Labor, Employment and Social Policy; the Ministry of Education and Sports; the Ministry of Justice; the Ministry of Finance; the Ministry of Culture; the Ministry of Public Administration and Local Self-Government; the Ministry of Interior), while a half are reputable persons in the public domain and activists of the civil society organizations. The Council is chaired by the Minister of Labor, Employment and Social Policy.

The Council has the mandate to review and recommend policy measures for the achievement of gender equality and measures for inter-sectoral cooperation in this area, to consider whether national laws are harmonized with the basic international human rights instruments and to start initiatives to change legislation to remove discrepancies in the national legislation, to monitor and analyze the implementation of relevant laws and ratified international agreements and to propose measures for their full implementation, to propose initiatives and provide its positions and opinions, and through recommendations to propose relevant solutions for short-term and long-term measures which contribute to the achievement of gender equality, to monitor the status of gender equality policy, assess the effects of gender equality measures and report to the Government of the Republic of Serbia, to propose initiatives to start up programs for the

collection, processing and publication of data for equal treatment of the sexes, to monitor the data regarding the share of women and men in elected and appointed positions and to report to the Government of the Republic of Serbia about it, to monitor and analyze the selection criteria in different election and appointment procedures for public office, and to propose initiatives for the removal of obstacles which have a negative impact on the election and appointment of the less represented gender, to initiate and support capacity building and education programs, to analyze and initiate programs and propose measures for empowerment of women to participate in public and political life, and to analyze other issues of interest for the achievement of gender equality.

The Council has offices and equipment within the Ministry of Labor, Employment and Social Policy. Funds for regular operations of the Council are provided from the republic budget, and in view of the limited potential of the budget, funds for special programs and activities are provided through the assistance of donors.

The Council holds its sessions regularly and it deliberates on submitted legislation and other documents on which it provides its opinion to the Government of the Republic of Serbia. The strategic priorities identified by the Council include: to develop democracy through increasing gender sensitivity of legislation, to enable government authorities to implement gender equality policy through a National Action Plan, to empower women through measures for their economic empowerment and through gender sensitive budgeting, to increase public awareness about the significance of gender equality, and to build the capacity of the Council itself. The Council has started the process of review of legislation through its participation in the project of reforms of the judiciary system, it has drafted the proposed National Strategy for Empowerment of Women and Advancing Gender Equality in cooperation with 33 NGOs which includes policy measures in the field of decision-making, economy, health care, education, fighting violence, and the media coverage; it has undertaken a systematic research concerning the position of women in the labor market and based on it will make recommendations for empowerment measures. The Council participated in the implementation of the Poverty Reduction Strategy, programs relevant to the Millennium Development Goals, in the drafting of the Information Society Strategy and in the National Strategy of Sustainable Development. The Council has also undertaken three national campaigns to promote gender equality.

9. Please indicate the reasons why the several attempts to work out a national action plan for women failed (par. 68). Does the Government plan to initiate a new attempt towards the adoption of a national action plan?

Since the time when the Council for Gender Equality was constituted, the drafting of the National Action Plan for Empowerment of Women and Advancing Gender Equality was among its priorities. The Council established a separate working group which reviewed the previous drafts of such national action plans, as well as plans adopted in the region and other documents. After a series of consultations and also aware of the importance of cooperation with the civil society sector in the field of gender equality, and based on the experiences from the Region, and due to limited own capacities, the Council decided to embark upon a simultaneous and participatory process of drafting it which was undertaken in cooperation with UNIFEM, and at the invitation of the Council, 34 NGOs from throughout the country joined the process.

The drafting process lasted a whole year, it included 9 working groups and teams and 12 roundtables and 25 public panels were held. The working version was submitted to all relevant institutions, political parties, trade unions and other actors for comments, and it was publicly accessible. At the moment this proposal is being harmonized within the relevant ministries.

Article 4

10. In its general recommendation 25, the Committee emphasizes that temporary special measures are part of a necessary strategy to accelerate the achievement of women's de facto equality and should be distinguished from permanent, general social policies to improve the situation of women and girls. Bearing this difference in mind, please explain whether the existing legislation provides for introduction of temporary special measures directed towards achievement of de facto gender equality, and what such measures have been put in place or are envisaged to accelerate the achievement of substantive equality between women and men in the political, economic, social, cultural, or any other areas covered by the Convention.

Article 21, paragraph 4, of the new Constitution of the Republic of Serbia sets out that special measures which the Republic of Serbia may introduce in order to achieve full equality of persons or groups of persons who are essentially in an unequal position with other citizens shall not be deemed to represent discrimination.

With respect to special measures aimed at accelerated achievement of the equality of women *de facto*, in the area of political rights the Law on Local Elections from 2002 introduced in Serbia for the first time temporary special measures by prescribing that each entity submitting an election list for local elections (elections for municipal assemblies and city assemblies) shall include in the list a certain number of women candidates, according to rules and criteria elaborated in detail in this law (and which will be described in more detail in subsequent sections). At national level special measures were introduced in 2004, through amendments of the Law in the Election of Deputies by setting out that each entity submitting an election list shall have at least 30% candidates from the less-represented gender. The decision on the election of deputies in the Assembly of the Autonomous Province of Vojvodina has introduced the same rule in 2004 relevant to elections for the provincial parliament.

The Law on the Protection of Rights and Freedoms of National Minorities sets out a possibility of undertaking measures aimed at providing full and effective equality between members of national minorities and members of the majority nation. Relevant authorities shall adopt legal acts and undertake measures especially in order to empower persons belonging to the Roma minority. Based on this, measures have been undertaken in the field of education (see item 18).

Article 5

11. The Report acknowledges that in practice, "the traditional social perception of the role of women and their place in society still persists" (par. 93). It also acknowledges that "the picture of a woman in media is still stereotyped, misogynous and discriminatory, whereas the

government is under no obligation to respond to cases of discrimination against women in media" (par. 82). Please provide an update on the situation in this area. Please indicate in particular, whether a comprehensive strategy has been put in place, including legislation or/and the development of voluntary codes of conduct for the media, with clear goals and targets to eliminate stereotypes and attitudes that discriminate against women and perpetuate inequality between women and men.

The role of the media in the Republic of Serbia is to broadcast programs which have the objective of raising public awareness on gender equality issues and to influence changes in habits and practices which result in discrimination against women. This objective is achieved through the implementation and enforcement of provisions of the Public Information Law and the Broadcasting Law.

According to Article 38 of the Law on Public Information, it is prohibited to use hate speech and to publish ideas, information and opinions which promote discrimination, hatred or violence against persons or groups of persons due to their belonging or non-belonging to a racial, religious, national or ethnic group, sex or sexual orientation, irrespective of whether such publication represents a criminal act.

According to Article 3 of the Broadcasting Law all relations in the field of broadcasting are to be based on the principles of full affirmation of civil rights and freedoms and implementation of internationally recognized standards and principles, especially the respect of human rights in that area. The public broadcasting service includes the production, trade, processing and broadcasting of informative, educational, cultural, children, entertainment, sports and other radio and TV programs of common interest of the citizens, especially for the achievement of their human and civil rights, exchange of ideas and opinions, and the promotion of political, gender, national and religious tolerance as well as the preservation of national identity (Article 4, item 9).

According to Article 21 of the said law, the Republic Broadcasting Agency is in charge of taking care that the programs by broadcasters do not include information which would stimulate discrimination, hatred or violence against persons or groups of persons due to their political affiliations or belonging or non-belonging to a racial, religious, national or ethnic group, sex or sexual orientation. The Republic Broadcasting Agency may issue pronounce measures or warnings against broadcasters or temporarily or permanently revoke the broadcasting license.

According to the Advertising Law it is not allowed to advertise in a manner which unjustifiably portrays a person of a specific gender in a dominant position in relation to person of the other gender, especially by portraying typical forms of authority or other relations of one gender dominating the other (Article 38).

The Ministry of Culture publishes annual calls for proposals to co-finance projects/programs in the area of public information. The purpose of the calls is to use financing to stimulate production of programs with contents which would promote and improve the right of the public to know, which would promote objective and independent information, the role of the media in promoting human rights and values, the right of specific categories of persons, ethnic minorities, persons with disabilities, and children.

At the annual call for proposals for the year 2005 and within the Roma Decade, the Ministry of Culture supported the project of association of citizens *Roma Women and the Media* which is very important both from the aspect of this ethnic minority and from the aspect of promotion of women rights and gender equality. Through radio programs, this project educates Roma women in issues relevant to health care, violence against women, housing, culture and issues regarding discrimination.

At the same call for proposals the Ministry of Culture featured the production by the Forum of Women from Prijepolje and their project *Our Voice of Reason* and during the year 2006 it featured the project *For the Equal Opportunity Policy*. Within this project, during 6 months, 24 one-year programs were produced which were broadcast at eleven radio stations in Serbia. The purpose of this project is to encourage and empower women to take a more active role in all areas of life and to inform them about all issues directed to eliminating stereotypes and discrimination against women.

The Assembly of the Serbian Association of Journalists at its session held on 22 December 2006 adopted the Code of Ethics of the Association. The Code was adopted as a standard of ethical professional behavior of journalists. The Code sets out the responsibility of journalists to the audience, readers, listeners and viewers. The journalist is obliged to challenge all who violate human rights or promote discrimination, hatred speech or violence. The Code states that a journalist must have awareness of dangers of discrimination which can be spread by the media and must avoid any discrimination based on race, sex, sexual orientation, language, religion, political or other affiliation, national or social origin.

At the end of 2005, *Electing a Women Government* media campaign was initiated by the Blic daily newspaper and the European Movement of Serbia, with the support of the Gender Equality Council and the OSCE Mission. For 21 day the readers were presented with CVs of 8 women candidates every day for each government ministry and the readers voted by SMS. A total of 161 biographies of women reputable in politics and science were presented. Among the candidates were both members of different political parties and women who are not politically active. The response of readers was high, and the purpose of the campaign was to promote the potential of women in the Republic of Serbia.

Violence against Women

12. The Special Rapporteur of the Commission on Human Rights on violence against women, its causes and consequences, in her report (E/CN.4/2003/75/Add.1, par. 2094) expressed concern about women refraining from reporting cases of rape, sexual abuse and domestic violence due to cultural acceptance and a traditional stigma associated with victims and their families. She also drew attention, to the spousal abuse which is thought to have increased in the post war period. What measures has the Government put in place to prevent violence against women, to enhance access to justice for women victims of violence, to raise women's awareness of their rights and of available remedies and to provide them with access to legal aid? Please also indicate measures taken to increase the capacity of public officials in various

areas (i.e. police, social workers, health-care providers) to provide gender-sensitive support to victims of all forms of violence against women, in particular domestic violence?

The Criminal Code in Article 194 incriminates domestic violence. According to its provisions whoever by use of violence, threat of attacks against life or body, insolent or ruthless behaviour endangers the tranquillity, physical integrity or mental condition of a member of his family shall be punished with a fine or imprisonment up to one year. If in committing this offence weapons, dangerous implements or other means suitable to inflict serious injury to body or seriously impair health are used the offender shall be punished with imprisonment from three months to three years. However, if this offence results in grave bodily harm or serious health impairment or if committed against minor the offender shall be punished with imprisonment from one to eight years, but if it results in death of a family member the offender shall be punished with imprisonment from three to twelve years. In addition whoever violates a measure against domestic violence that was imposed on them by the court in accordance with the law shall be punished with a fine or imprisonment up to six months. Measures for protection against violence (issuing warrants to leave the family flat or house, irrespective of property rights, and irrespective of lease on real property, issuing warrants to move into the family flat or house, irrespective of property rights, and irrespective of lease on real property, restraining orders forbidding access to family member to more than a specified distance, restraining orders forbidding access to the area around the place of residence or place of work by a family member, orders forbidding harassment of family members) are prescribed in Article 198 of the Family Law.

The Ministry of Labor, Employment and Social Policy has developed a framework for the national strategy against violence. The Gender Equality Council participated in several campaigns, including the campaign of the Council of Europe to Combat Violence against Women, including Domestic Violence. The National Action Plan for Empowerment of Women and Advancing Gender Equality includes measures to fight violence against women by strengthening the system of protection against violence through strengthening the legislation, building capacity for implementation of laws and standards, improving research, providing documents and keeping records, and increasing public awareness of violence against women as a social problem. Training was provided for centers for social work and the police on how to act in cases of domestic violence, and the Judicial Training Centre is preparing a similar program for the judiciary and the prosecution.

13. Please indicate what types of statistical data are regularly and systematically collected on all forms of violence against women, including domestic violence, and from what sources. Please provide an analysis of available data indicating trends in various forms of violence against women, as well as the extent of the use of available remedies.

Violence against women is monitored through records maintained by persons of age against whom court sentences have been made by different groups of criminal acts. Persons convicted for criminal acts of rape and procuring or those enabling acts of prostitution and mediating in acts of prostitution are monitored in particular.

Convicted persons of age according to conviction by criminal sanctions, 2000 - 2004

Table 1

	2000		2001		2002		2003		2004	
	number	%	number	%	number	%	number	%	Number	%
TOTAL	31949	100.0	33168	100.0	33675	100.0	33017	100.0	34239	100.0
Criminal acts against life and physical integrity	3520	11.0	3857	11.6	4015	11.9	3712	11.2	3556	10.4
Criminal acts against freedoms and human and civil rights	350	1.1	418	1.3	484	1.4	436	1.3	453	1.3
Criminal acts against honor and reputation	1266	4.0	1449	4.4	1513	4.5	1314	4.0	1442	4.2
Criminal acts against personal dignity and moral	169	0.5	224	0.7	231	0.7	183	0.6	178	0.5
Criminal acts against marriage and family	461	1.4	428	1.3	518	1.5	878	2.7	1184	3.5
Criminal acts against human health	439	1.4	632	1.9	588	1.7	792	2.4	1426	4.2
Other criminal acts	2529	7.9	2435	7.3	2380	7.1	2536	7.7	2702	7.9

Source: The Republic Statistical Office

Convicted minors according to the groups of criminal acts by gender, 1992. and 2002.

Table 2

Criminal act	1992			2002		
	Girls	Boys	Number of girls per 100 boys	Girls	Boys	Number of girls per 100 boys
Rape	0	10	0	0	3	0
Pimping and Procuring	0	0	0	0	0	0

Source: *Women and Men* Publication, RSO

Convicted persons according to the groups of criminal acts by gender, 1992. and 2002.

Table 3.

Criminal act	1992			2002		
	Girls	Boys	Number of girls per 100 boys	Girls	Boys	Number of girls per 100 boys
Rape	0	89	0	0	95	0
Pimping and Procuring	0	1	0	2	4	50

Source: *Women and Men* Publication, RSO

14. Considering that the task of the National Team (par. 149) is to prepare a national strategy to combat human trafficking and that a civic initiative has been taken for the adoption of a national plan (par. 155), please clarify whether a national plan to combat trafficking in women is now in place. If so, please provide details about the scope, goals and objectives of the plan, as well as its monitoring and evaluation mechanisms and the results that have been achieved in its implementation. Please also give an indication of the impact of the regional cooperation efforts undertaken in recent years to curb the phenomenon of trafficking in women in Serbia.

The Government of the Republic of Serbia adopted the Strategy against Human Trafficking in December 2006. The National Plan against Human Trafficking, however, has not yet been adopted, as the new Government of the Republic of Serbia is yet to be established.

15. The Report states that the setting up of the Centre for Guidance and Advice, which will have a role of coordinator in the procedure of identification of and assistance to victims of human trafficking, is under way (par. 159). Please clarify whether the Centre has been set up. If so, please give details on its work.

The Service for Coordination of Assistance to Victims of Human Trafficking was established and started to operate on 1 March 2004. In organizational terms, it is a part of the Institute for the Education of Children and Youth in Belgrade (a republic social protection institution) and it is funded from the republic budget. It is a part of the national mechanism to fight human trafficking and is a coordinating body in the process of providing and organizing all forms of assistance to victims. It is at the same time a service providing information on available health care, social and legal services of use to victims in the country and abroad.

This Service operates on the basis of voluntary consent by the victim, in its best interests. The Service and all institutions, organizations and individuals participating in providing protection and assistance to the victim are obliged to respect the privacy and protect the identity of the victim.

The Service deals with victims of all types of human trafficking (sexual exploitation, forced labor, forced beggary) whether nationals of foreign nationals and is not in charge of cases of illegal immigrants.

The Service is in charge of first needs assessment of the victim of human trafficking in the Republic of Serbia and it is in charge for further organization and coordination of assistance, including:

- Transfer to a shelter home for victims of human trafficking or finding other adequate accommodation
- Providing adequate documents relevant to residence status of the victim
- Identifying adequate modes of assistance, including reintegration programs
- Informing the victims of their rights, status and possibilities for recovery in the Republic Serbia
- Monitoring the process of reintegration of the victim in the Republic of Serbia.

The Victims may be detected by the police, NGOs, SOS call centers, social workers, consular officers and embassies and citizens. After receiving and doing the initial assessment, the Service first grants the status of victim of human trafficking to all victims with which it comes into contact. Such approach facilitates further identification of the victim, which is done after it is stabilized and is done by organizations or institutions in charge of providing direct assistance.

After having completed the initial needs assessment, the Service informs the victims of their possibilities for recovery and transfers them to further forms of assistance and protection which are available in Serbia. With the consent of the victim, and in line with its best interest, the Service refers them to councilors who provide direct assistance and protection to victims. This may include accommodation in a shelter home, a social protection institution, social, medical or legal aid, programs of reintegration, or voluntary return to the country of origin, depending on specific needs of each victim.

Since this Service is the central coordinating body within the comprehensive system of assistance and protection of victims, this implies that all information regarding the extended assistance and protection to the victim are collected by the Service, so that the victim is at all times informed about any matter of importance for it in the process of recovery and protection. The Service also tries to inform the victim about the situation in which it is and about the options that are available to it.

In case of victims who are foreign citizens the Service is the only one authorized to submit the request for provisional residence permit. Getting the temporary residence permit enables the victims to have a legal status in the Republic of Serbia and it is issued for a period of up to one year. In case of victims who are nationals, the Service in cooperation with relevant centers for social work deals with residence permits / personal documents, as a precondition for them to use health care and social services.

The Service monitors each victim from initial assessment to integration. This monitoring implies cooperation with local, regional and international actors dealing with fight against human trafficking, especially those providing legal aid to victims.

The Service cooperates daily with specialized NGOs, police, judiciary and professionals and organizations in charge of victims of trafficking. The Service is available 24 hours a day, every day of the week, including holidays.

Since the beginning of its operation until March 2007, the Service has assisted 163 victims of human trafficking. Of the total number, 159 were female. In 2006, assistance was provided to 62 victims, all female, of which 46 were citizens of the Republic of Serbia.

Article 7

16. The Report highlights (par. 215) the relatively marginal participation of women in political life and the lack of mechanisms to guarantee equal representation in decision-making. What steps have been taken by the Government to increase women's full and equal participation in public life and decision-making at the national, local/municipal, and provincial level, how is their impact monitored and what results have been achieved, within a given timeframe? Do these efforts include temporary special measures in accordance with Article 4, paragraph 1. of the Convention and the Committee's general recommendations 23 and 25?

According to provisions of Article 40a, par. 1 of the Law on Election of Deputies, the election lists shall include among each four sequential candidates on the list (the first four, the second four, and so on until the end of the list) at least one candidate who is a member of the less represented gender, and the total number of such less represented candidates on the election list shall not be lower than 30. If election list is not comprised in compliance with this legal provision, the party submitting the list shall be obliged to rectify this deficiency, and if he fails to do so within the prescribed period of time this is the basis for the election commission to refuse the whole election list. This rule is also contained in the Law on Local Election for election of deputies and councilors in assemblies of local self-government (cities and municipalities). The decision on election of deputies in the Assembly of the AP Vojvodina introduced the same rule in 2004 to apply for elections for the Provincial Assembly. The National Action Plan for Empowerment of Women sets out a gradual increase of quotas to 40% of the under-represented gender and it recommends increasing the number of women in executive authorities, in managerial positions within the public administration and public services.

This national task is set out as one of the targets within the Nationalized Millennium Development Goals.

The share of men and women among deputies in the National Assembly, by political parties

Table 4

item	Name of political party in the National Assembly	Number of delegates	Number of men	%	Number of women	%
1	SRS – The Serbian Radical Party	81	77	95.06%	4	4.94%
2	DSS – Democratic Party of Serbia	52	46	88.46%	6	11.54%
3	DS – Democratic Party	32	27	84.38%	5	15.63%
4	G 17 PLUS	31	21	67.74%	10	32.26%
5	SPS – The Socialist Party of Serbia	22	21	95.45%	1	4.55%
6	SPO – The Serbian Revival Movement	12	10	83.33%	2	16.67%
7	NS – New Serbia	9	9	100.00%	0	0.00%
8	SDP – The Social-Democratic Party	3	2	66.67%	1	33.33%
9	GSS – Civil Alliance of Serbia	2	1	50.00%	1	50.00%
10	SLS – Serbian Liberal Party	1	1	100.00%	0	0.00%
11	SLPS – Social Liberal Party of Sandžak	1	1	100.00%	0	0.00%
12	BDSS – Bosniak Democratic party of Sandžak	1	1	100.00%	0	0.00%
13	SDU – Social-Democratic Union	1	1	100.00%	0	0.00%
14	Not a member of any political party	2	2	100.00%	0	0.00%
T O T A L		250	220	88.00%	30	12.00%

The share of men and women in parliamentary committees of the National Assembly of Serbia

Table 5.

Item	Name of political party in the National Assembly	Number of delegates	Number of men	%	Number of women	%
1	SRS – The Serbian Radical Party	80	76	95.00%	4	5.00%
2	DSS – Democratic Party of Serbia	53	47	88.68%	6	11.32%
3	DS – Democratic Party Boris Tadić	33	28	84.85%	5	15.15%
4	G 17 PLUS	31	21	67.74%	10	32.26%
5	SPS – The Socialist Party of Serbia	22	21	95.45%	1	4.55%
6	New Serbia and independent delegates 9+9	17	17	100.00%	0	0.00%
7	For European Serbia	5	3	60.00%	2	40.00%
8	Delegates not belonging to any political party	9	7	77.78%	2	22.22%
T O T A L		TOTAL	220	88.00%	30	12.00%

Within the National Assembly, the Parliamentary Committee for Gender Equality was established as a standing working body, tasked primarily at providing opinion and presenting proposed amendments to all proposed laws discussed by the National Assembly, if such laws are related to issues that may have an impact on exercising gender equality. This Committee is also authorized to propose to the Assembly the adoption of laws regulating the equal position of women in society.

17. In its general recommendation 23, the Committee recommended that when reporting under Article 7, the States parties should provide statistical data. In view of this recommendation, please provide updated statistical information on participation of women in high-level positions in Government and its advisory bodies, the civil service, in public administration and the judiciary.

The share of women in the National Republic Assembly after elections in 2007
Table 6

	Total number of deputies	250	51	20,4%
SRS	Serbian Radical Party	81	12	14,8%
		64	15	23,4%
DS	Democratic Party	61	15	24,6%
SDP	Sandžak Democratic Party	3	0	0
		47	9	19,1%
DSS	Democratic Party of Serbia	33	6	18,2%
NS	New Serbia	10	2	20%
JS	United Serbia	2	1	50%
SDPO	Serbian Democratic Revival Movement	2	0	0
G17+	G 17 Plus	19	7	36,8%
SPS	Socialist Party of Serbia	16	2	12,5%
		15	5	33,3%
LDP + GSS	Liberal-Democratic Party Integrated with the Civil Alliance of Serbia	9	3	33,3%
SDU	Social-Democratic Union	1*	=	0
LSV	League of Social-Democrats Vojvodina	4	2	50%
DHSS	Democratic-Christian Party of Serbia	1*	=	0
		8	1	12,5%
LzS	Coalition List for Sandžak	2	0	0
SVM	Coalition of Vojvodina Hungarians	3	1	33,3%
URS	Union of Roma, Serbia	1*	=	0
RP	Roma Party	1*	=	0
APD	Coalition of Albanians of the Preševo Valley	1*	=	0

Share of women and men among municipal assembly deputies, by age, 2004

Table 7

	Total number of deputies	Women	Age group				
			18-29	30-39	40-59	Over 60	unknown
THE REPUBLIC	6634	1418	594	1592	4065	383	-

OF SERBIA							
Central Serbia	4968	1020	448	1216	3027	277	-
Vojvodina	1666	398	146	376	1038	106	-

Source: The Republic Statistical Office

After the parliamentary elections held in January 2007, the number of women deputies in the National Assembly of the Republic of Serbia has almost doubled (from 12% to 20.4%).

Current data on the present number of women performing functions in courts and other judiciary bodies and executive bodies – ministries, special organizations, authorities within ministries, the General Secretariat of the Government, the Government services, indicates a significant progress compared to the previous communist system.

At present, among all judges in courts in Serbia, the share of women is 70%. The president of the highest, Supreme Court of Serbia is also a woman. Of the total 6 judges of the Constitutional Court, 3 judges (50%) are women. Among persons holding public prosecutorial functions, over 50% are women. The following sections present a detailed overview of the gender structure of courts and public prosecution offices in the territory of AP Vojvodina.

With respect to the Government as the highest executive power, the gender composition of the Government (Prime-Minister, Deputy PM, and ministers) since the year 2001 until now, it is possible to notice a certain progress in comparison to the period before 2000, so in the period 2001-2004 the Serbian Government had four women ministers, and the Government in the period from 2004 until now two women ministers, and one woman deputy PM. We note that the new Government is expected to be established soon. The previously mentioned strategic documents identify as one of the objectives increased participation of women at highest positions of the executive government.

On the other side, if we take a look at the share of women at the so-called positions of second and third level of management in the executive bodies (ministries, special organizations, authorities within ministries, the General Secretariat of the Government, the Government services) it is possible to conclude that the situation is truly improving. Namely, in ten ministries (58.8%) the state secretaries (persons authorized to replace the minister in performing his duties) are women. For example, women occupy such functions in diverse ministries such as the Ministry of Finance and the Ministry of Interior. The situation in terms of posts of assistant ministers and ministry secretaries is even more favorable, so these posts are taken in 65% of all cases by women, and the situation is comparable in terms of assistants in other authorities (special organizations, authorities within ministries) as well as the General Secretariat of the Government and the Government services. The share of women is somewhat lower in the posts of directors of special organizations and authorities within ministries (in the legal system of Serbia, these are also bodies of public administration, apart from ministries), and at present this share is about 28%. It is, however, possible to notice that there is a positive trend for women to occupy managerial functions in some very important bodies, such as the Treasury Administration, The Human Resources Management Service, etc.

The gender composition of employees in public administration of the republic of Serbia is presented in the following table.

Table 8

*The gender composition of employees in the public administration of the Republic of Serbia**

Source: the Human Resources Management Service

Item	INSTITUTION	Men	Women	Men %	Women %
1	The Ministry of Trade, Tourism and Services	439	358	55.08	44.92
2	The Ministry of Health	130	224	36.72	63.28
3	The Ministry of Labour, Employment and Social Policy	210	339	38.25	61.75
4	The Ministry of Agriculture, Forestry and Water Management	463	521	46.44	52.26
5	The Ministry of Finance	62	152	28.97	71.03
6	The Ministry of Capital Investments	164	137	54.49	45.51
7	The Ministry of Education and Sport	135	292	31.62	68.38
8	The General Secretariat of the Government	29	66	30.53	69.47
9	The Republic Statistical Office	189	370	33.81	66.19
10	The Treasury Administration	372	848	30.49	69.51
11	Joint Services	444	568	43.87	56.13
12	The Republic Geodetic Administration	1114	1383	44.08	54.73
13	The Customs Administration	1568	1045	60.01	39.99
14	The Republic Institute for IT	6	7	46.15	53.85
15	The Hydro-Meteorological Service	428	256	62.57	37.43
16	The EU Integration Office	12	27	30.77	69.23
17	The Human Resources Management Service	4	20	16.67	83.33
18	The Ministry of Religion	2	4	33.33	66.67
19	The Ministry of Diaspora	15	23	39.47	60.53
20	The Ministry of Public Administration and Local Self-Government	21	45	31.82	68.18
21	The Ministry of Culture	9	48	15.79	84.21
22	The Ministry of Economy	15	46	24.59	75.41
23	The Ministry of Mining and Energy	33	21	61.11	38.89
24	The Ministry of International Economic Relations	30	73	29.13	70.87
25	Energy Efficiency Agency	6	5	54.55	45.45
26	The Agency for Development of Infrastructure of the Local Government	3	4	42.86	57.14
27	The Recycling Agency	4	13	23.53	76.47
28	SIEPA Agency for Promotion of Foreign Investments and Exports	11	17	39.29	60.71
29	The Railroads Directorate	22	20	52.38	47.62
30	The Commissariat for Refugees	13	31	29.55	70.45
31	The Republic Agency for Labour Mediation	4	3	57.14	42.86
32	The Directorate for Commodity Reserves	50	100	33.33	66.67
33	The Directorate for Republic Property	12	56	17.65	82.35
34	The Republic Development Institute	7	28	20.00	80.00
35	The Republic Seismological Institute	9	7	56.25	43.75
36	The Republic Legislative Secretariat	7	19	26.92	73.08
37	The Standing Government Office for Economic Development, Bor		1	0.00	100.00
38	The Standing Government Office for Economic Development, Bor	1	1	50.00	50.00
39	The De-Mining Centre	2	3	40.00	60.00
40	The Tax Administration	2743	4208	39.46	60.54
41	The Ministry of Science	12	34	26.09	73.91
42	The Anti-Money-Laudry Office	8	16	33.33	66.67
43	The Tobacco Agency	3	22	12.00	88.00
44	The Lottery Directorate	4	12	25.00	75.00
45	The Agency for Human and Minority Rights	12	24	33.33	66.66
	Total	8827	11497	43.43	56.57

** Data are missing for the Ministry of Interior, Ministry of Foreign Affairs and Ministry of Defense*

As mentioned beforehand the analysis of the gender composition of public office holders in courts and public prosecutor offices, and in regional units of republic authorities in the territory of AP Vojvodina, which was conducted in 2006, demonstrated the following:

- In municipal courts 75% of all employees are female (1364), while men account for about 25% of all employees (456).
- District courts employ 57% women (51) and 42.7% men (38) employees.
- Commercial courts employ about 82% women (181) and about 18% men (40).
- Prosecutors in municipal prosecution offices include 60.4% women (67) and 39.6% men (44),
- Prosecutors in district prosecution offices include 47.7% women (21) and 52.3% men (23), while among all employees it is 90% women (55) and 10% men (6).
- The total of seven secretariats of the interior of the R Serbia which operate in AP Vojvodina include 82% men and 18% women
- Authorities regarding the cadastre of real estate have 38% men (123) and 62% women (201)
- Customs offices and customs services of the Ministry of Finance of R Serbia in AP Vojvodina have 64.2% men (525) and 35.8% women (293)
- The Republic Institute for Health Insurance – the Provincial Institute in Novi Sad employs 26.2% men (129) and 73.8% women (364)
- The gender structure of employees in the Republic Fund for Pension and Disability Insurance for Employees – The Novi Sad branch employs 34.9% men (44) and 65.1% women (65.1)
- Regional offices of the Republic Fund for Pension and Disability Insurance of Entrepreneurs employs 21.3% men (10) and 78.7% women (37)
- District prisons and correctional institutions in AP Vojvodina (the Ministry of Justice of R Serbia) employ 77.7% men (707) and 22.3% women (203)
- The seven branches of the National Employment Service in AP Vojvodina employ 24.3% men (111) and 75.7% women (345).

Article 10

18. The Report refers to "a large number of female children left outside the education system already after the fourth grade of elementary school due to a patriarchal family environment, stereotypes, early marriages, etc." (par. 275). Please indicate the measures taken to prevent girls dropping out of school after the fourth grade, and improve their access to and completion of secondary school. Kindly provide specific information about the situation of disadvantaged groups of girls, in particular rural and Roma girls and girls belonging to minority groups, as well as refugee and internally displaced girls, and the measures taken to ensure their access to, and completion of schooling.

Important democratic principles have been integrated in the educational system of the Republic of Serbia and they are reflected in free primary education for all irrespective of sex, race, national, religious, language, social, cultural or regional origin, physical or psychic constitution.

The Law on Principles of the Education System sets out the measures needed for stable, long-term development of the education sector, such as the establishment of the National Education Council. Important documents for the education sector have been drafted, and some of them have been adopted, including: the National Action Plan for Children, the Poverty Reduction Strategy, the National Action Plan for Roma Children, the Secondary Education Reform Strategy and the Adult Education Strategy.

We wish to make special emphasis of the fact that the statement in par. 275 of the Report referred almost exclusively to Roma girls. However, in order to resolve this problem, the Government has undertaken and is undertaking a series of measures.

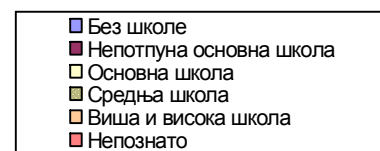
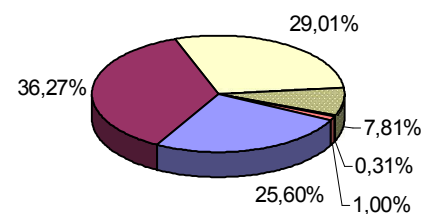
The Government of the Republic of Serbia has adopted the National Action Plan for Children which identifies the government policy for children until the year 2015. The objective of this document is to systematically tackle the problems of social position of children, including girls, who grew up in the period of crisis and transition.

According to the data used in the National Action Plan for Children, the number of children enrolled in primary and secondary schools segregated by gender from 1991 to 2002 indicates a moderate growth in favor of the female school population, which is strongest in case of higher education. The enrollment rate and the rate of completing the enrolled school was under the influence of the inflow of a significant number of children – refugees and internally displaced persons – especially in academic years 1994/95 and 1998/99. The enrollment rate in 2003 for boys was 98.4%, and for girls 98%.

Data indicate that among the Roma children enrolled in schools there are more boys (77.9%) than girls (69.7%). Although primary education is mandatory, despite warnings and sanctions against parents, the enrollment rates for Roma girls attending primary schools has not increased significantly, and it is accompanied by early marriage.

Population aged 15 and over by qualification, 2002 (as %)

TABLE 9



	Total	No school	Incomplete primary school	Primary school	Secondary school	Higher education	unknown
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Republic of Serbia	100.00	5.66	16.18	23.88	41.07	11.03	2.18
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Roma	100.00	25.60	36.27	29.01	7.81	0.31	1.00
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Source: the Ethnical Mosaic of Serbia according to Population Census of 2002

Population aged 10 and more

Table 10

<i>According to literacy2002</i>	Sex	Illiterate population	% of illiterate in the total population aged 10 or
Republic of Serbia	Total	232925	3,45
	Men	35271	1,08
	Women	197654	5,66
Roma	Total	16581	19,65
	Men	5019	11,84
	Women	11562	27,56

Source: the Ethnical Mosaic of Serbia according to Population Census of 2002

Population according to school attended, 2002

Table 11

	Sex	Total	Does not attend school	Primary	Secondary	College	University
Republic of Serbia	Total	7498001	6214690	675337	321113	73966	212895
	Men	3645930	3007940	347504	160499	36625	93362
	Women	3852071	3206750	327833	160614	37341	119533
Roma	Total	108193	94205	12772	1058	80	78
	Men	54531	46962	6825	656	42	46
	Women	53662	47243	5947	402	38	32
y %							
Republic of Serbia	Total	100,00	82,88	9,01	4,28	0,99	2,84
	Men	100,00	82,50	9,53	4,40	1,00	2,56
	Women	100,00	83,25	8,51	4,17	0,97	3,10
Roma	Total	100,00	87,07	11,80	0,98	0,07	0,07
	Men	100,00	86,12	12,52	1,20	0,08	0,08
	Women	100,00	88,04	11,08	0,75	0,07	0,06

Source: the Ethnical Mosaic of Serbia according to Population Census of 2002

Among the Roma children attending primary school the share of boys (77.9%) is higher than the share of girls (69.7%). Although primary education is mandatory, and despite the measures of warning and fines against parents, no significant progress is made in terms of increasing the number of girls of the Roma population who attend school beyond the fourth grade of primary school, primarily due to early marriage.

Increasing the general education level of Roma is an important precondition for increasing their economic and social inclusion. For that purpose, several programs are planned to be implemented in the education and employment domain. In order to enable efficient implementation of these programs, there is need for cooperation with the Roma communities and there is need to build partnerships in implementing programs. It is also necessary to provide normal housing for Roma families.

At the beginning of 2005, the Government of the Republic of Serbia adopted action plans for Roma education, health care, housing and social policy. Also, during the academic year 2006/2007, the National Strategy for Roma Secretariat which operates within the Agency for Human and Minority Rights of the Government of the Republic of Serbia in cooperation with the Ministry of Education and Sports and the National Council of Roma implemented affirmative action measures for enrollment of high school and college students of Roma origin into schools and universities. On the basis of these measures

during the academic year 2006/2007, against the Serbian republic budget, 138 high school students and 104 higher education students were enrolled thanks to the affirmative measures even though they did not initially qualified.

According to the information available to the Commissariat for Refugees, girls refugees (from Bosnia and Herzegovina and Croatia) are fully covered by primary education. According to the data based on registration of refugees between November 2004 and January 2005, about 83.5 percent of girls refugees apart from primary education acquire also secondary education.

19. The Report does not provide any information about vocational education and training for girls and women or about continuing education for adult women. Please provide such information.

It is worthwhile to note that in the number of students in Serbia, girls represent more than 50% share of the students' population.

Based on the data contained in the report on the activities of the National Employment Service for the year 2004, active labor market policy programs cover 50.586 persons (somewhat under 6% of the total number of unemployed registered by the NES), of which 52,64% are women. Women take a more active participation in active employment policy measures aimed at increasing their competences and employability (training, courses, etc.), while men have a higher share in programs aimed at starting up one's own business. In programs of actively seeking employment and for matching supply and demand, women make up 60% of participants, in additional qualification programs women represent 61%, while among persons covered by programs to develop entrepreneurial skills and employment programs women make up 40% of participants.

A survey conducted in 2003 on a sample of more than 800 unemployed persons in four municipalities (Kraljevo, Lazarevac, Niš and Pančevo), within the project titled Employment, Promotion, Learning and Innovation Credit (DFID), showed that women were generally somewhat more ready than men for additional training: 72.7% of women and 69.1% of men expressed readiness to participate in program of additional education/training. Results also indicate the differences between women and men in terms of readiness to participate in different forms of raining.

Share of women and men in categories that expressed readiness to participate in different programs for additional / new qualification, 2003

Table 12

Type of training	Women (%)	Men (%)	Total
Computer literacy training	64.2	35.8	100
Foreign languages	59.4	40.6	100
Driving	46.4	53.6	100
Crafts and trades	46.4	53.6	100
Finance	72.2	27.8	100
Agriculture	30.6	69.4	100

Source: EPLIC survey, 2003.

Women have a greater share in categories ready for training in computer literacy, foreign languages and finance, while men have a greater share in groups willing to undergo training in driving and crafts and training for farming. These differences indicate that unemployed women are more oriented to modern sectors of the labor market.

20. The Report does not provide any information as to whether a curriculum review and reform has taken place to eliminate stereotyping from textbooks, educational curricula and teacher training, and to enhance the role of the education system in supporting the practical realization of equality between women and men. Please provide such information.

The subject titled Education for Civil Society has been introduced as a new subject by a government decree as an optional subject. But since 2005, it became a mandatory optional subject taught in all schools in the Republic of Serbia. Programs and curricula for this subject have been developed for grades first to sixth of primary school and for all grades of secondary school. Within these programs, the fundamental part includes issues relevant to developing tolerance, respect of differences and specific characteristics, promotion of living together irrespective of nationality, ability, origin, and sex. There is continued training for teachers teaching this subject (training seminars have been organized for 17000 teachers) and teacher handbooks have been developed as well as pupil textbooks in the field of human rights for all levels of teaching this subject.

Also, the new laws regarding education have introduced new technical bodies within the republic administration in charge of adopting educational plans and programs and monitoring their implementation, and this is a way in which any stereotypes can be removed from textbooks and teaching aids. It could be stated that there have been no complaints so far from any monitoring missions of the Council of Europe, the European Commission or other international institutions regarding this issue.

Article 11

21. Please provide an accurate picture of the situation of women in the labour market. Such information should include statistical data on women's participation in the formal and informal sectors, disaggregated by sector, and by urban and rural areas, as compared to men, and show trends over time. Please also provide information about women's wages, as compared to those of men, in different sectors.

The labor market in the Republic of Serbia in terms of basic indicators depicts a much worse picture of Serbia compared to developed European societies which have been more successful in post-socialist transition, and this fact is caused by difficulties and delays in the process of economic and general social restructuring of society.

The following tables are an overview of the economic active population by profession, gender and sector; of the unemployment rate; of employment rates relative to highest degree of completed education; of employees in corporations, institutions and organizations by gender and qualification; of senior positions in enterprises, by gender; of persons engaging only in informal labor according to the basic socio-economic status; and of the structure of employed women and men by profession.

Economic Active Population by profession, gender and sector, 2002

Table 13

Sector of activity	Total	Women	Men	Share (%)		Number of women per 100 men
				women	men	
Total	2642987	1117202	1525785	100.0	100.0	73
1. Agriculture, hunting and forestry	580339	237496	342843	21.3	22.5	69
2. Fisheries	1489	210	1279	0.0	0.1	16
3. Ore and stone mining	35495	6019	29476	0.5	1.9	20
4. Processing industry	630129	239341	390788	21.4	25.6	61
5. Energy, gas and water generation	46101	9434	36667	0.8	2.4	26
6. Construction industry	118801	16277	102524	1.5	6.7	16
7. Whole sale, retail and repairs	327547	164058	163489	14.7	10.7	100
8. Hotels and restaurants	63429	33127	30302	3.0	2.0	109
9. Transport, warehousing and communications	146066	32123	113943	2.9	7.5	28
10. Financial management	36657	24785	11872	2.2	0.8	209
11. Real estate and leasing jobs	82269	38193	44076	3.4	2.9	87
12. Public administration and social insurance	131655	48718	82937	4.4	5.4	59
13. Education	122218	79982	42236	7.2	2.8	189
14. Health care and social work	168431	129104	39327	11.6	2.6	328
15. Other utilities and personal services	76417	33455	42962	3.0	2.8	78

Source: *Women and Men* Publication, RSO

According to the data from the labor survey for the year 2004, about 23% of women worked in farming. More than one half of women working in farming (54.9%) have the status of the assisting member of the household, while only 15% of men in this category have the same status. When these data are analyzed from a different perspective, it is evident that the category of the assisting members, among women, there are 92.3% of women farmers, and just slightly less that women employed in crafts and trades. Generally, the category of assisting members consists of 72.3% of women compared to 27.7% of men.

Unemployment rate up to the ILO definition, by gender and age, 2003.

Table 14

Age	Total	Women	Men
Total	14.6	15.8	13.8
15-24	44.8	49.3	42.0
25-34	23.5	26.4	21.3

35-44	13.8	14.1	13.6
45-54	9.3	10.8	8.0
55-64	6.7	4.6	7.9

Source: *Women and Men* Publication, RSO

Employment rates relative to highest degree of completed education, 2004

Table 15

Highest degree of completed education	Employment rate (%)	
	Women	Men
No education	16,2	34,5
1 - 4 grades of primary school	21,8	43,4
5 - 7 grades of primary school	25,4	46,6
Primary school	24,4	46,3
Secondary vocational school (1 –3 grade)	41,5	59,1
Secondary vocational school (4 – 5 grade or grammar school)	45,5	59,4
College	57,6	55,9
Faculty, academy or higher education institution	66,7	64,2
Masters degree	82,3	78,5

Source: Labor survey, The Republic Statistical Office, 2004

Employees in corporations, institutions and organizations by gender and qualification (in %), in 2003

Table 16

Degree of qualification	Share (%)		Number of women per 100 men
	Women	Men	
Total	44.3	55.7	80
Non-qualified	45.4	54.6	83
Semi-qualified	39.4	60.6	65
Qualified	27.4	72.6	38
Highly qualified	12.8	87.2	15
Primary school	52.2	47.8	109
Secondary vocational school	55.9	44.1	127
College degree	57.6	42.4	136
University degree	53.2	46.8	114

Source: *Women and Men* Publication, RSO

Respondents engaging only in informal labor according to the basic socio-economic status, 2003

Table 17

Socio-economic status	Women (%)	Men (%)
Unemployed	32.8	42.3
Retired	34.7	45.3
Students/pupils	8.5	11.5

Housewives	24.0	0
Other	0	0.9
Total	100	100

Source: Transformation Strategies of Social Groups in Serbia, ISIFF

The structure of employed women and men by profession, 2006
Table 18

Position	Gender	Number	%
Manager	Male	60645	79,2
	Female	15795	20,8
Representative	Male	70484	77,4
	Female	20478	22,6
Administrator	Male	1583	71,6
	Female	644	28,4
Founder	Male	108234	75,4
	Female	35372	24,6
Chief Executive Officer	Male	1329	85,7
	Female	230	14,3
Procurist	Male	521	71,7
	Female	205	28,3
Bankruptcy administrator	Male	73	86,4
	Female	12	13,6
Member of Executive Board	Male	4407	77,8
	Female	1234	22,2

Source: Agency for Corporate Registry, November 2006

The principle of equal pay was introduced by the Labor Law in 2001, subsequently amended by the law in 2005. This law, among other things, prescribes that employees are entitled to receive adequate remuneration which is determined according to the law, by-laws and labor contract and that every employee is guaranteed to receive the same pay for the same job, or for the job of the same value, when it is the same employer. Job/work of the same value means work requiring the same qualification, the same working ability, responsibility and physical and intellectual work. This law also defines salaries/income as salaries earned for work performed and for time spent on the job, and the contribution of the employee to the operating performance of the employer (benefits, bonuses, etc.) and other compensation resulting from employment according to by-laws of the employer and the labor contract. Finally, the law sets out that decisions made by the employer or contracts signed with employees shall be null and void if not in accordance with the mentioned articles of the law, and it sets out that employees are entitled to receive compensation for damages if this right has been violated.

With respect to salaries in public administration at national level, provincial level, authorities of local self-government, public services and utilities, the regulations do not allow and there is no evidence in practice that a man and woman be paid differently for the same job based on gender difference. In terms of private employers, the labour inspectorate is in charge of exercising control and undertaking measures aimed at strict respect of the Labour Law.

Average Salaries by Gender and Economic Sectors,, 2003

Table 19.

Economic Sector	Average salaries			Average women and man salaries in relation to total salaries		Average women salaries compared to average men salaries (%)
	Total	Women	Men	Women	Men	
Total	17258	17056	17419	98.8	100.9	97.9
1. Agriculture, hunting and forestry	12919	12213	13164	94.5	101.9	92.8
2. Fisheries	15623	12831	16263	82.1	104.1	78.9
3. Ore and stone mining	21266	20258	21458	95.3	100.9	94.4
4. Processing industry	13234	10860	14639	82.1	110.6	74.2
5. Energy, gas and water generation	23338	21626	23768	92.7	101.8	91.0
6. Construction industry	15946	16781	15791	105.2	99.0	106.3
7. Whole sale, retail and repairs	14066	13103	15019	93.2	106.8	87.2
8. Hotels and restaurants	12257	11682	13094	95.3	106.8	89.2
9. Transport, warehousing and communications	20132	20075	20153	99.7	100.1	99.6
10. Financial management	33576	31564	38030	94.0	113.3	83.0
11. Real estate and leasing jobs	20842	20944	20758	100.5	99.6	100.9
12. Public administration and social insurance	24178	23490	25125	97.2	103.9	93.5
13. Education	21093	22579	18247	107.0	86.5	123.7
14. Health care and social work	19064	18558	20809	97.3	109.2	89.2
15. Other utilities and personal services	20411	19513	21024	95.6	103.0	92.8

Source: *Women and Men* Publication, RSO

The above Table indicates that in every sector there are differences between average salaries earned by men and women. These differences are a result of the fact that these are average salaries for different jobs in a specific sector. So, in activities with a greater share of women than men performing jobs with a lower level of complexity and responsibility, which by definition receive a lower salary, there are therefore differences in average salary (for instance fishing or processing industry).

22. Please provide information about trends in the unemployment rate, disaggregated by sex, ethnicity and age, and describe the measures that are being taken to lower the unemployment rate of women. Please also further clarify women's access to unemployment benefits.

The Law on Employment and Unemployment Insurance regulates the issues of employment, active labor market policies, rights and obligations of persons seeking employment, and the setting up of the National Employment Service. The Law prescribes that the Government of the Republic of Serbia (at the proposal of the sectoral minister in charge of labor and employment and with the prior approval of the Social-Economic Council of the Republic of Serbia) adopts the program of active employment policies. This program identifies the priorities, measures, funds and competences for their implementation. Among other things, these measures are to regulate the employment of certain categories of the unemployed (those seeking first employment, long-term unemployed, those aged over 50); employment of refugees and internally displaced persons; employment of members of ethnic minorities with high unemployment rates; employment and professional rehabilitation of persons with disabilities and persons with reduced working ability. The law prescribes that employers employing persons from the said categories may, through the National Employment Service receive subsidies for contributions for pension and health insurance and unemployment insurance for a period of 24 months. Also, according to this Law, the National Employment Service may, at the request of the unemployed person, pay such person one-off financial benefits for self-employment.

According to the data published in the report by the National Employment Service for the year 2005, at the end of the said year the records of the service included 895,697 unemployed persons, of which 54.3% women. Of the total number of unemployed, 52.2% are those who have never been employed. In this category of the unemployed, again, women are the majority with 57.6% of the total number of the unemployed looking for their first employment.

The age segregation of the unemployed indicates that unemployment is the highest both in women and in men aged from 20 to 30. In the category of unemployed women, this age group (20-30) represents 35.1%, while in the category of unemployed men the same age group represents 37.4%.

When the unemployment rates for women are viewed according to education categories, it is possible to notice much higher unemployment rates among women with primary, secondary vocational and secondary general education.

Rates of activity, employment and unemployment for population over 15 according to age and sex, 2004

Table 20

Age	Women	Men
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group	Rate of activity	Rate of employment	Rate of unemployment	Rate of activity	Rate of employment	Rate of unemployment
15 - 19	14,7	5,3	64,1	20,5	9,3	54,6
20 - 24	50,1	26,6	46,9	59,7	33,7	43,5
25 - 29	69,5	45,1	35,1	86,8	68,8	20,8
30 - 34	82,6	61,6	25,5	95,5	82,9	13,2
35 - 39	80,5	63,5	21,1	93,4	81,5	12,7
40 - 44	83,0	65,7	20,8	94,3	85,2	9,6
45 - 49	74,7	60,9	18,4	90,1	81,4	9,7
50 - 54	61,5	52,9	14,0	82,8	73,3	11,5
55 - 59	33,8	30,9	8,8	69,8	61,4	11,9
60 - 64	18,5	18,0	3,0	40,1	37,3	6,9
65 - 69	13,1	12,9	1,1	23,6	23,5	0,6
70 - 74	12,4	12,3	1,2	20,9	20,7	1,0
75 and more	6,5	6,5	0,0	13,4	13,4	0,0
Persons of working age*	57,9	44,0	24,1	75,1	63,1	15,9
Aged 15 or more	47,0	36,3	22,9	64,6	54,9	15,1

Source: Labor survey, the Republic Statistical Office

Share of women in unemployment and employment in Serbia

Table 21

	Share of women in the total number of persons seeking employment	Share of women in total employment
2002	55,3	50,1
2003	54,4	48,7
2004	54,5	47,9
2005	54,4	44,9

Source: The National Employment Service, the Republic Statistical Office

Unemployment rates segregated by sex and the highest degree of completed education, 2004

Table 22

Highest completed education	Unemployment rates (%)	
	women	men
No education	7,1	6,1
1 - 4 grades of primary school	5,6	3,6
5 - 7 grades of primary school	17,2	15,2
Primary school	27,0	14,7
Secondary vocational school (1 -3 grade)	33,8	18,7
Secondary vocational school (4 - 5 grade or grammar school)	25,1	16,8
College	17,6	14,8
Faculty, academy or higher education	12,1	8,2

institution		
Masters degree	4,6	11,1

Source: Labor survey, 2004, the Republic Statistical Office

According to the records of the National Employment Service, women have the greatest share of unemployment in the following professions: textile and leather processing, health care, pharmacy and social protection, education, economy, law and administration, culture, art and public information, social studies/humanities, chemistry, non-metals, trade, catering industry and tourism, sciences and mathematics, agriculture, food production and processing it may seem paradoxical, but the demand for labor in situations of evidently high demand is not fully met due primarily to inadequate qualification on the supply side. Also, the share of women in employment in sectors of activity consistently lags behind to their share in the total number of unemployed in the same sectors, except in cases of health care, pharmacy and social protection, and social sciences and humanities.

23. Please indicate how the Poverty Reduction Strategy in Serbia, and the Government efforts to achieve the Millennium Development Goals, integrate a gender perspective and contribute to the implementation of the Convention. Please also give an assessment of the results achieved so far for women in the implementation of this strategy, including with regard to vulnerable groups, elderly women, women with disabilities, women refugees, internally displaced women, Roma women and minority women.

In terms of gender equality, the primary objective of the Poverty Reduction Strategy is to reduce the scope of poverty and remove specific barriers which generate female poverty. Employment is a generator of poverty, including female poverty, and during the recent period there have not been significant programs for women refugees and women internally displaced persons through which they would receive qualification, pre-qualification or assistance to become employed or self-employed. The Commissariat for Refugees, with the assistance of the European Agency for Reconstruction and through NGOs, provided assistance to start-up one's own business in form of grants in the amount of Euro 1200 and during the year 2005 the number of persons receiving such assistance was 256, while in 2006 it was 257. Also, 45 persons were qualified for different professions, and 175 refugees and IDPs received assistance in form of advisory services to start up businesses. Funds provided by UNHCR in 2006 were used to fund projects for adult education which were attended by 334 persons (142 IDPs and refugees received qualification for the following professions: 42 hair-dressers, 68 bakers, 32 graphic designers) of which 60% became employed within 6 months. The share of women in the said programs is about 40%.

The document Millennium Development Goals in Serbia, as stated above, includes two specific targets aimed directly at gender equality and affirmative measures for empowerment of women in order to achieve the goals. The first target refers to achieving increased share of women at all levels of political decision-making to at least 30% by 2015, the second target is aimed at providing a comprehensive set of systematic pre-conditions for the achievement of gender equality by 2008. This document was adopted by the Government on 8 March 2007, and each identified target is elaborated in detail through the Action Plan which is an integral part of the document identifying specific actions for implementation.

24. The Report states that "the mother and father may use the right to childcare alternatively" (par. 358). Please indicate what proportion of fathers take paternity leave, and explain if fathers enjoy the same protection from being dismissed during such leave as mothers.

According to the provisions of Article 94 of the Labour Law father of the child may claim maternity / paternity leave which will last until three months after the childbirth in case the mother deserts the child, dies or is prevented from caring for the child due to other justified reasons (serving prison sentence, being severely ill , ect.). The father is entitled to that right even in case the mother is not employed. The father of the child is entitled to leave for childcare to expiry of 365 days after the outset of the maternity leave. During the maternity/paternity leave and absence from work because of childcare, the employed women or father to the child are entitled to compensation of salary, pursuant to the law. The father of the child is entitled to the right to leave for childcare in the duration till expiry of two years from the day when the maternity leave started.

Pursuant to Article 96, par. 1, one of the parents to the child in need of special care because of severe psycho-physical disability, except in cases covered by health insurance regulations, is entitled to, after the expiry of maternity leave and leave for childcare, prolong absence from work or work half-time up to the age of five of the child, at most.

According to the data provided by the Gender Equality Council, a relatively small number of fathers have used the right to paternity leave or leave for the purpose of providing care to the child. This can be explained by the still present traditional belief regarding the upbringing of a child during the first months of life, according to which the mother's vicinity is exceptionally important for a healthy psycho-physical development of the child in this, which is something that contemporary medicine confirms as well. Another possible explanation is that in Serbia a significant share of mothers breast-feeds the infant, which is also in the best interest of the child, and which also requires that the mother has to use the legal right to maternity leave and leave to provide care to the child.

In Article 187, the Labour Law sets out special protection in case of termination of employment. During pregnancy, maternity leave, absence from work in order to provide special child care, the employer may not terminate the labor contract, provided that for employees employed for a specific period of time, such employment may be terminated after the expiration of the said period of employment. The legally prescribed protection against termination of employment is guaranteed also to the father of the child if he is using any of the mentioned rights, i.e. if he is absent from work in order to use maternity leave, child care or special child care.

Article 12

25. Kindly provide updated data disaggregated by sex and ethnicity on the prevalence of HIV/AIDS in the country. Please also describe measure taken to address HTV/AIDS, and indicate whether a gender perspective has been integrated in such measures.

Monitoring relevant to the epidemiological situation in the Republic of Serbia with respect to HIV/AIDS is performed through the Institute for Public Health of Serbia and a network of 22 regional public health institutes. Since 2003 many activities are implemented with the aim to prevent, diagnose and treat this disease in the country. The National Strategy for HIV/AIDS was adopted in 2005, and an important feature of the strategy is the position of

the person diseased with this disease, and in that context provisions are included for the establishment of new treatment centers in Novi Sad, Kragujevac and Niš. There was a series of training seminars for health care staff in this field, free HIV testing was introduced and the necessary drugs were purchased for treatment of the diseased.

26. Please provide information on the availability of mental health services for women, including provision of psychological rehabilitation to victims of physical and sexual violence and other traumatizing experiences related to the armed conflict.

The National Action Plan for Empowerment of Women and Promotion of Gender Equality sets out that the preservation and improvement of women's health and achievement of gender equality in health care policy includes the advocacy of a holistic approach to health, meaning inclusion of all physical, psychic and social-economic aspects of health throughout life. Also, the objectives of this plan of prevention, suppression and protection from violence against women includes the establishment of standards of professional work and adoption of protocols in cases of violence against women in institutions of social care, health care, educational and guidance institutions, in the police and the judiciary, as well as establishment of teams specialized in different forms of violence, increasing the number of shelters and services providing psycho-social and legal support available to women free of any discrimination and informing the public about the system for protection of women against violence.

Since the year 2003 the Government of the Republic of Serbia is creating conditions for improved access to health care services for women, through the following activities: strengthening primary health care in terms of improved equipment for health care centers and investing in infrastructure through the projects of the National Investment Plan, improving and strengthening preventive health care services through establishment of reproductive health counseling services at the level of primary health care, developing national programs for early detection of uterus and breast cancer as the most frequent malignant diseases in women, creating preconditions for capitation and decentralization. These are measures directly leading to better access to health care. Significant efforts are also made to continually improve the quality of health care, decentralization and higher efficiency and productivity of services. It all contributes to better access to health care at the level of primary, secondary and tertiary health care.

Article 14

27. Please indicate the measures carried out by the Government to improve the situation of rural women, including their access to health, namely taking in to account that "numerous health stations in rural areas were closed down" (par. 493), as well as access to education, employment, and participation in decision-making processes. Kindly provide also information on measures taken to raise their awareness towards all the rights they are entitled but often ignore or do not claim, such as their rights to property and inheritance (par. 492).

The Government of the Republic of Serbia has adopted the Poverty Reduction Strategy, and one of the strategic objectives of this strategy is efficient implementation of existing programs and development of new programs, measures and activities directly targeting the poorest socially marginalized groups (children, the old, persons with disabilities, refugees, internally displaced persons, Roma, rural population, and the non-educated) particularly in the least developed areas.

The objective of these activities is to begin empowering these groups to come out of poverty by enabling them to develop skills needed for the new economy and providing the minimum living standard which would create the opportunity for equal access to employment, health care, education and utility services.

The process of decentralization which has begun and which is one of the Government priorities is already yielding first results in the area of health care. By the delegation of significant competences from the republic to the municipal and city level in the field of primary health care, conditions have been provided for municipalities to organize on their own the services in primary health care to suit the needs of citizens living in their area, so that gradually and increasingly in rural areas citizens, meaning also women, are provided with adequate health care. One of the general problems that Serbia has faced and which has impact on this issue is the fact that rural areas are to a great degree practically abandoned, and it is extremely difficult and expensive in every rural area to provide all conditions, knowing that there is a great number of villages, mostly in mountainous regions, with a total of ten or fifteen inhabitants.

Article 16

28. The Report mentions that (par. 515) in certain regions of Serbia "family relations, outside the institutions of the system, are regulated in keeping with religious rules and common law", which "may place women in an unequal position", but no indication is given on measures taken or foreseen to address this problem. Please provide further information in this regard.

The Law on Churches and Religious Communities was adopted in April 2006. According to Article 1 of this law, the law guarantees for all the right to exercise freely one's conscience and religion. The freedom of religion includes: the freedom to have or not to have, to maintain or to change religion or religious belief, the freedom to believe, the freedom to preach the belief in God; the freedom to, individually or in community with others, publicly or privately, manifest belief of religious belief by participating in religious service and performing religious rituals, religious education and teaching, preserving and developing the religious tradition; the freedom to develop and promote religious education and culture. Freedom of religion and religious belief may be subject only to such limitations as prescribed by the Constitution, the law and the ratified international agreements, and which are needed in a democratic society in order to protect public security, public order, ethics, and to protect the freedoms and rights of others. Religious freedom must not be used in ways which are a threat to life, right to health, rights of children, right to personal or family integrity and the right to property, not in ways which cause or encourage religious, national or racial intolerance (Article 3).

With respect to the said provisions, in case of inequality of women in family relations representing a violation of the law, the relevant authorities are authorized to undertake all existing measures in order to rectify the violation.

29. Kindly provide farther information about the situation of women who are former or current refugees or internally displaced women, particularly women with missing husbands, widows and abandoned women. In this regard, indicate what steps have been taken to facilitate family reunification and repossession of property, as well as provision of reconstruction and integration assistance to this vulnerable group of women.

The situation of women with minor children or children undergoing regular education (up to the age of 27) who are current or former refugees has not changed significantly over the past period since the scope of rights to which they are entitled has not increased. The right to receive family pension has been fulfilled by a significant number of women refugees whose husbands had been killed, but there still remains the problem of proclaiming dead the missing persons.

In terms of repossession of the property, it should be emphasized that the national legislation recognizes the institute of declaring a missing person as past away, which enables women of missing husbands in armed conflicts to inherit the property. However, the family members of missing persons open enquiries for missing persons and request their declaration of permanently missing persons rarely.

30. The Representative of the Secretary-General on the human rights of internally displaced persons (IDPs), following his visit to Serbia and Montenegro in January 2006, recommended that national and local authorities, in coordination with international agencies and donors, urgently seek durable solution for the most vulnerable among the IDPs, including female-headed households and families of missing persons, whose situations have not been satisfactorily resolved. Please provide information on steps taken by the Government in response to this recommendation, and how women will benefit from these measures.

The position of internally displaced persons should be considered in the wider context of long lasting problems of displaced population in the Republic of Serbia, both refugees from Croatia and Bosnia and Herzegovina, and also of IDPs from Kosovo and Metohija.

The Republic of Serbia continues to provide refuge and support to a great number of displaced persons. According to the recent statistics, the number of refugees in the Republic of Serbia is 104,000 and the number of internally displaced persons from the Province is 228,000.

Although the number of refugees has been reduced significantly from 538,000 in 1996 to 104,000 registered refugees in 2006 (about 130,000 refugees have returned to the country of origin – 60,000 to Croatia and 70,000 to Bosnia and Herzegovina, 20,000 have left for third countries, while a significant number received the citizenship of the Republic of Serbia as the first step to local integration) the number of *de facto* refugees in the Republic of Serbia is 350,000 who need assistance – including registered refugees but also those who have received citizenship as the first step of integration in the local community.

The number of internally displaced persons from the Province in the Republic of Serbia is currently 228,000 (including 20,000 internally displaced persons in Kosovo and Metohija). They are members of 31 ethnic groups (75 % Serbs, 10.85 % Roma, 2.5% Muslims, 1.5% Gorani and less than 1% Albanian, Aschali, Egyptian, Hungarian, Macedonian, Turks, Croats, etc.). Regrettably, after eight years of international presence in the Province, only a few thousand people have returned to Kosovo and Metohija.

Resolving the issue of internally displaced persons is one of the priorities of the Government of the Republic of Serbia. In this respect the Government is led by the Basic Principles of Internal Displacement, which also set out that IDPs should be given the choice to make their own decision about where they wish to live, i.e. whether they wish to return, be locally integrated or move to third countries. This, however, is possible only if

each of these options is realistic. With the lack of basic pre-conditions for return of IDPs, despite the eight years of international presence in the Province, it is clear that a much more pro-active engagement of all actors is needed – primarily of UNMIK and the Provisional Institutions of Self-Government in K&M, including the relevant UN mechanisms for human rights, in order to provide for sustainable return of internally displaced persons.

In the meantime, until return as one option of sustainable solution, the Government is making extraordinary efforts to provide assistance to a great displaced population in the Republic of Serbia. Internally displaced persons from Kosovo and Metohija, as citizens of the Republic of Serbia, enjoy all rights as other citizens. However, we should note here that although there is a different legal status between refugees and internally displaced persons, this vulnerable category of population is faced with the same or similar problems, including women.

In all projects that have been implemented over the past period for providing housing for refugees – through construction, pre-fabricated semi-finished construction or individual construction, starting from 1996 (the project in Srpska Crnja), a number of housing units is intended for single parents – most often women with minor children or children undergoing regular education. As solving the housing problem for women refugees is one of the most important issues, this assistance was provided in integration and in improving conditions for elimination of all forms of discrimination against a certain number of women refugees.

Also, in 2003, in 17 municipalities in the Republic of Serbia, facilities were constructed for social housing in protected conditions for the most vulnerable categories of refugees – primarily for the old and for single parents. As single parents are predominantly women, this project provided assistance also to women refugees most vulnerable in terms of housing and in financial sense, and a portion of capacities was intended also for internally displaced persons from the territory of Kosovo and Metohija.

In 2006 a project was initiated for social housing in protected conditions for displaced persons, within which single parents – women with minor children or children undergoing regular education, had priority in provision of this form of assistance and providing better living conditions.

Over the past three years projects were implemented which provided assistance to refugees in collective centers and in private accommodation through the purchase of rural households and assistance in form of construction materials, and in these projects single mothers' families also had priority in the process of selection of beneficiaries.

The most vulnerable categories of internally displaced persons are accommodated in collective centers, for which the Commissariat for Refugees covers 95% of expenditures. Although collective centers for accommodation of refugees and internally displaced persons are gradually being phased out, within its competences, the Commissariat for Refugees still takes into consideration serious cases which need assistance in providing food and accommodation and places them in collective centers.

Requests for the accommodation in collective centers are still submitted by single mothers or women victims of home violence. In cooperation with centers for social work, the shelter homes for women or other social services, Commissariat for Refugees tries to register such problems and to assist in providing basic living conditions through temporary accommodation in collective centers.

Optional Protocol, Amendment to Article 20 (paragraph 1) of the Convention

31. Please describe measures in place to publicize the Optional Protocol and encourage its use.

The Law ratifying the Optional Protocol to the Convention on Elimination of All Forms of Discrimination against Women was published in the Official Gazette of FRY, number 13/02.

32. Please indicate any progress made towards acceptance of the amendment to Article 20, paragraph 1, of the Convention.

There is political will in the Republic of Serbia to adopt the amendment to Article 20 (par. 1). Its adoption, however, has been slowed down due to the dissolution of the state union Serbia and Montenegro and the establishment of the Republic of Serbia as a sovereign state whose institutions are in the process of being constituted.