



Implemented by:



SRH Serbia
IPPF member

2019

Shadow Report

on progress towards
implementation of
Sustainable Development Goals
(SDGs)



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About Serbian Association for Sexual and Reproductive Health and Rights – SRH Serbia

Since its foundation in 2002 SRH Serbia works towards achieving a discrimination free, gender equal and pro-choice environment in which young people will be able to develop, prosper and make informed decisions regarding various aspects of life, including sexual and reproductive health. It also entails raising awareness on HIV/aids and embracing the differences. SRH Serbia is a Member Association of International Planned Parenthood Federation – IPPF, a global leader in providing reproductive health and rights services, existing since 1952 and operating in 150 countries worldwide.

As part of the international environment, SRH Serbia aims to improve normative framework at the national level and to strengthen institutional and human resources in order to accelerate the achievement of sustainable development, with special focus on achievement of universal access to sexual and reproductive health and gender equality.

Gender equality, inherent to sexual and reproductive health and rights (SRHR), is one of International Planned Parenthood Federation’s (IPPF) core areas and SRH Serbia’s strategic pillars. In this regard, SRH Serbia has, in cooperation with NGO partners and experts from Academia, with the financial assistance of Gesellschaft für Internationale Zusammenarbeit (GIZ) – SoRi project, created Shadow report on implementation of SDGs in Serbia with focus on SDGs 3,5,8,10,13 and 16, in line with Voluntary National Report – VNR our country shall be presenting on High Level Political Forum - HLPF 2019 in July, in UNHQ in New York, USA.

In accordance with the Working Group recommendations, there is a necessity for development of multisectoral cooperation in the process of planning, implementation and monitoring processes and demanding larger scale of transparency and accountability.

Executive summary

The Sustainable Development Goals (SDGs), adopted in September 2015, declare member states commitments to work collectively towards achieving people-centered sustainable development over the next 15 years. The comprehensive set of 17 goals and 169 targets marks the new universal agenda that applies to all countries in the world.

The High-level Political Forum (HLPF) is the main UN Platform on sustainable development and it has a central role in the follow up and review on the progress in implementation of SDGs at global level. The Republic of Serbia will present its Voluntary National Report on progress towards implementation of Sustainable Development Goals (SDGs) this year in July at the UN High-Level Political Forum in New York.

With the aim to provide different landscape related to the progress on achievement of sustainable development in Serbia, Serbian Association for sexual and reproductive health - SRH Serbia in partnership with NGO sector and members of Academia has created the Shadow Report on implementation of SDGs in Serbia.

According to the key report findings, there is an overall consensus that Republic of Serbia is not fully complied with all requirements needed for effective and successful implementation of the SDGs. The Republic of Serbia is still lacking progress on achievement of many indicators and targets. Although the National Statistics Office has established online portal for data relating to the

SDGs, many of the SDG indicators are still not developed. An associated issue is the lack of accountability mechanisms for assessing the progress under particular SDGs.

The Government of Republic of Serbia has not created the National Plan for implementation of SDGs, and has not established the necessary governance, monitoring and reporting structures for successful implementation, with clear roles and responsibilities. Multisectoral approach is not applied in implementation and monitoring process, leaving behind NGOs, academia and other important stakeholders. SDGs implementation is also hindered by the lack of space for meaningful participation of civil society. NGO sector in Serbia warns on growing trend of establishment of government organized non-governmental organizations in Serbian public space, thus creating an illusion of existence of constructive public debate between the government and the civil sector in Serbia.

In accordance with the Working Group recommendations, there is a necessity for development of multisectoral cooperation in the process of planning, implementation and monitoring processes and demanding larger scale of transparency and accountability.

One of the key guiding principles of Agenda 2030 is "leave no one behind". As detailed in this Shadow report, many individuals are currently left behind, including women, girls and youth, limited and challenged in each segment of human development: fundamental human rights, access to health, education, social rights, employment

opportunities and housing. In order to change this negative tendency, measures that will ensure that needs of vulnerable individuals are incorporated into national priorities ought to be developed and applied.

Although, the Republic of Serbia has a robust normative framework aligned with requirements of EU accession process and ratified international documents, there is still a huge “black hole” in the implementation status, especially when it comes to allocation of the budgets and creation of costed plans for implementation of strategic documents at national and local level. The huge gaps are noted in enabling the equal access to health care services, including sexual and reproductive health. Realization of all spectrum of human rights including sexual and reproductive rights has not yet been fully secured in adequate way for all. There is necessity for development and implementation of educational programs for health care providers in order to increase the level of knowledge and understanding of discrimination in provision of services. The urgency for investment in prevention is one of the key outcomes in this area, and it is reflected in the low level of knowledge and awareness especially in the area of sexual and reproductive health and rights. One of the factors that is missing is comprehensive sexuality education in school settings.

Bearing in mind that gender is political category that always implies balance of power and mainstream understanding of the “term” gender equality, report findings stated that Serbia did not meet all the necessary steps/standards for enabling grounds for creation of gender equal environment, that will open possibilities of equal chances for all individuals within society, including all socially invisible, marginalized, non-normative and non-dominant social positions and groups. Patriarchal patterns are still dominant in Serbian society, thus reflected in normative framework related to gender equality issues, that makes gender still debatable and questionable.

Although judicial system has done certain work in the context of all forms of gender based violence and prevention of discrimination towards women and girls, the extent of political influences on judicature and the corruption in the state still is a main concern that disturbs the development of recommended tactics for inclusion policy, human rights initiatives and the improvement of marginalized groups statuses (LGBTQ groups, Roma people, people with HIV / aids and all other social vulnerable individuals.

Based on the report findings, gender perspective is still not integrated fully in national climate mitigation challenges. There is a necessity for further adoption and harmonization with EU regulations in this field, as well as engagement on activities related to reduction of the number of women, girls and other vulnerable individuals impacted by disasters and their involvement in all decision-making processes starting from planning, disaster risk reduction and resilience.

The SDGs must be inclusive, responsive and participatory with respect to disadvantaged, vulnerable, non - normative and marginalized individuals, in both, implementation of goals and targets and in the follow up and review. The key role of CSOs’ contribution to implementation of the SDGs is their function in monitoring and representation of “voiceless” citizens.

Introduction

Shadow report on implementation of SDGs in Serbia has been prepared by Working group established by SRH Serbia consisted from members of SRH Serbia, the experts from different backgrounds (members of Academia, experts in the field of human rights, gender issues, social rights, and sexual and reproductive health and rights) and representatives of NGOs. Focus for creation of this Shadow report is based on SRH Serbia strategic identity and organizational mandate, taking into account inclusion of the principle LEAVE NO ONE BEHIND as cross cut topic. The all SDGs in focus were reviewed through the lens of human rights, including sexual and reproductive rights, taking into account involvement of the most vulnerable and marginalized individuals within society. This report is not intended to cover all targets and indicators, but rather to reflect the insights and assessments on critical elements of SDGs in focus.

The goals in focus of this Shadow Report are the following:

- **Goal 3.** Ensure healthy lives and promote well-being for all at all ages.

Special focus on target: 3.7 By 2030, ensure universal access to sexual and reproductive health-care services, including for family planning, information and education, and the integration of reproductive health into national strategies and programmes.

- **Goal 5.** Achieve gender equality and empower all women and girls

Special focus on targets: 5.1 End all forms of discrimination against all women and girls everywhere , 5.2 Eliminate all forms of violence against

all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation, 5.3 Eliminate all harmful practices, such as child, early and forced marriage and female genital mutilation ,5.6 Ensure universal access to sexual and reproductive health and reproductive rights as agreed in accordance with the Programme of Action of the International Conference on Population and Development and the Beijing Platform for Action and the outcome documents of their review conferences.

- **Goal 8.** Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all.

Special focus on targets: 8.5: By 2030, achieve full and productive employment and decent work for all women and men, including for young people and persons with disabilities, and equal pay for work of equal value, 8.6: By 2020, substantially reduce the proportion of youth not in employment, education or training, 8.7: Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms,8.8: Protect labor rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment

- **Goal 10.** Reduce inequality within and among countries.

Special focus on targets: 10.2 By 2030, empower and promote the social, economic and political inclusion of all, irrespective of age, sex, disability,

race, ethnicity, origin, religion or economic or other status, 10.3 Ensure equal opportunity and reduce inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard.

- **Goal 13.** Take urgent action to combat climate change and its impacts

Special focus on targets: 13.1: Strengthen resilience and adaptive capacity to climate-related hazards and natural disasters in all countries, 13.2: Integrate climate change measures into national policies, strategies and planning, 13.3: Improve education, awareness-raising and human and institutional capacity on climate change mitigation, adaptation, impact reduction and early warning

- **Goal 16.** Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels

Special focus on targets: 16.1 Significantly reduce all forms of violence and related death rates everywhere, 16.2 End abuse, exploitation, trafficking and all forms of violence against and torture of children, 16. b Promote and enforce non-discriminatory laws and policies for sustainable development.

To ensure accuracy and transparency of data and information provided through Shadow report, SRH Serbia in consultative process with the experts, has developed Methodological guidance for creation of Shadow report. It includes various methodological tools such as: desk research methodology used for mapping and analysis of the relevant normative framework, assessment questionnaires for collection of qualitative and quantitative data based on SDGs indicators and targets, Rapid Integrated Assessment Tool (RIA)

for identification of interlinkages across SDGs targets and Citizen-generated data analysis conducted in cooperation with Strategic Marketing Agency - IPSOS.

With the aim to ensure relevancy of qualitative findings of the impact that government actions and measures have on quality of life of citizens of the Republic of Serbia, SRH Serbia used Citizen Generated Data Methodology. Citizen Generated data report was conducted by IPSOS Strategic Marketing Agency, that developed questionnaire for assessing the progress against respective goals and targets. Research was conducted through the interviews with representative sample of citizens taking into account different demographic determinants of respondents (gender, age, level of education, territorial coverage etc.) This methodology enabled direct participation of citizens of the Republic of Serbia (age 18-64) through representation of their perspectives and opinions on the issues directly affecting their lives. The results of Citizen Generated Data Methodology highlighted the low impact of actions and measures taken by the government in the areas of improvement of gender equality, reporting of gender-based violence, access to sexual and reproductive health, enabling equal employment opportunities etc.

Conclusion

Achievement of sustainable development in its all aspects demand multisectoral approach and meaningful inclusion and participation of all sectors. Civil society is dynamic, capable and influential, but it is also selectively restricted. The role of civil society organizations in monitoring the government activities is crucial for holding the government accountable for implementation of SDGs and translating the global agenda into national priorities. In Serbia, the inclusion of civil society in monitoring and implementation has so far been limited. With some notable exceptions, the full capacities of civil society organizations have not been embraced. However, this report shows that civil society has much to offer, particularly in the monitoring of implementation of SDGs and its progress against respective targets and indicators.

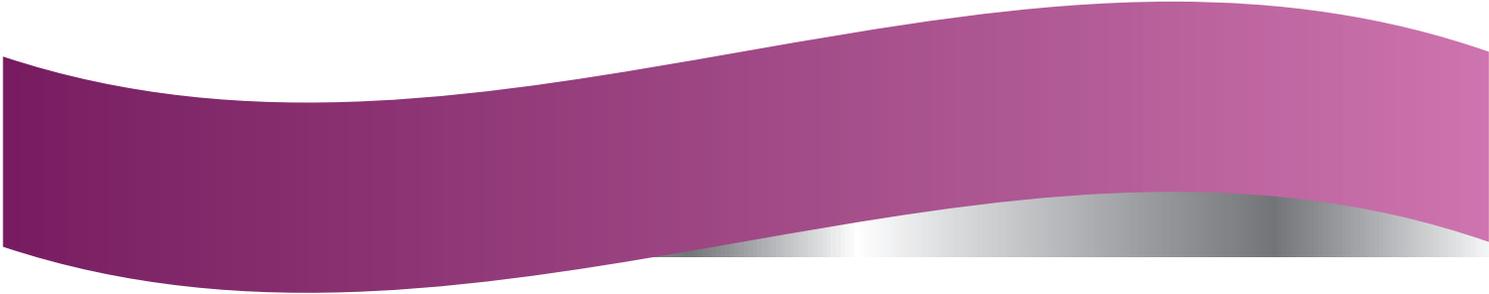
Drawing on the analysis and observations outlined in this Shadow report can be concluded that there is a need of an accurate understanding of the current reality and a vision of how to improve reality by making it more inclusive. This shadow report on implementation of Sustainable Development Goals highlights the key obstacles in implementation of the goals at national level and provide the next steps related to key actions that should be undertaken for successful implementation of Agenda 2030, respecting the fundamental human rights and following the principles leave no one behind.



2019

Shadow Report

SR



**Sustainable development
goal no.3**

Ensure healthy lives and promote well-being for all at all ages

SRH Serbia

1. Normative framework

*The Constitution of the Republic of Serbia*¹ guarantees the right to protection of mental and physical health to everyone, whereas children, pregnant women, mothers on maternity leave, single parents with children who are up to seven years old and the elderly exercise health protection from public income, if not achieved differently, pursuant to the law². Besides the above, the Constitution stipulates that everyone has the right to safe and healthy work conditions and that no one can waive those rights³.

*The Law on Prohibition of Discrimination (ZZD)*⁴ prohibits discrimination of persons or groups of persons in terms of their health, as well as their family members. Discrimination is particularly present if a person or a group of persons are unjustifiably turned down provision of health services because of their personal characteristics, if special conditions for provisions of health services are set and they are not justified by medical reasons, if diagnosis is refused and if information about their current health status, treatment measures that were taken or which are intended to be taken or rehabilitation, as well as in case of insulting or belittling during stay in a health institution⁵.

*The Law on Gender Equality (ZRP)*⁶ prohibits discrimination based on gender on the occasion of exercising health protection⁷. It stipulates that health protection of women particularly includes prevention and early discovery of disease, health protection related to family planning, during pregnancy and motherhood, health protection in case of disease of injuries, pursuant to the law that regulates health protection. All persons in reproductive age are entitled to health protection and provision of health services related to family planning, regardless of their gender. Partners are equal in planning number of children, access to information, education and means that enable them to use these rights. It stipulates that special measures that incite childbirth and special measures for protection and improvement of reproductive health of women are not considered discrimination⁸.

¹ „Official Gazette RS“, No. 98/2006

² Article 68. Constitution of RS

³ Article 60. Stipulation 4. Constitution of RS

⁴ „Official Gazette RS“, No. 22/2009

⁵ Article 27. The Law on prohibition of discrimination

⁶ „Official Gazette“, 104/2009

⁷ Article 24. The law on gender equality

⁸ Article 28. The law on gender equality

Discrimination in provision of health services because of invalidity is stipulated as especially severe case of discrimination in the Law on Prohibition of Discrimination of Disabled Persons (ZSDOSI)⁹. . It is defined as refusal to provide health service to a disabled persons because of his or her disability, refusal to set up special conditions for provisions of health services to disabled persons if the conditions are not medically justified, the refusal to diagnose and withhold appropriate information about the existing health status, treatment measures that were taken or which are intended to be taken or rehabilitation, as well as in case of insulting or belittling during person's stay in a health institution due to his or her disability.

*The Law on Protection of Persons with Mental Health Difficulties (ZZLMS)*¹⁰ prohibits discrimination in protection of persons with mental health difficulties on any basis whatsoever. Discrimination based on mental difficulties¹¹ is prohibited, as well as all types of harassment, neglect, exploitation, abuse or degrading behavior towards a person with mental health difficulties . The provisions of the Law guarantee to all persons with mental health difficulties who are in psychiatric institution the right to, depending from gender, be accommodated and sleep in separate rooms¹² .

*The Law on Public Health (ZJZ)*¹³ regulates the fields of activity of public health, planning and implementation of activities related to maintenance and improvement of people's health, as well as manner of financing¹⁴ . It stipulates that monitoring and analysis of health and health protection of population in all ages, and especially health of vulnerable social groups (women and children included, among others) and identification of priorities for promotion of health and prevention of disease is performed, among other things, through implementation and analysis of special research on health and factors that influence health of the population and vulnerable social groups¹⁵.

The Law on Health Protection (ZZZ)¹⁶ stipulates that the principle of fairness of health protection is achieved through prohibition of discrimination in provision of health protection¹⁷. The equal conditions of social health care are achieved through securing health protection for groups of population which are exposed to increased risk from disease, health protection of persons related to prevention, suppression, early discovery and treatment of disease and states with significance to public health, as well as health protection of socially endangered population. This care includes, among others, women when it comes to their health protection related to family planning, as well as during pregnancy, childbirth and motherhood up to 12 months after childbirth, victims of domestic violence, victims of human trafficking, single mothers with children up to seven years old (with identified amount of monthly income), as well as nuns¹⁸.

⁹ Article 17. The Law on Prevention of Discrimination against Persons with Disabilities, „Official Gazette RS“, No. 33/2006 и 13/2016

¹⁰ „Official Gazette“, No. 45/2013

¹¹ Article 4-6. The Law on the Protection of Persons with Mental Disorders

¹² Article 38. The Law on the Protection of Persons with Mental Disorders

¹³ "Official Gazette", No. 15/2016

¹⁴ Article 1. 3J3

¹⁵ Article 6. 3J3

¹⁶ „Official Gazette“, No. 25/2019

¹⁷ Article 21. 333

¹⁸ Article 11. 333

The Law on Health Insurance (ZZO)¹⁹, recognizes, among others, women in relation to family planning, during pregnancy, childbirth and motherhood up to 12 months, as especially vulnerable categories of insured persons that achieve rights from health insurance although they do not fulfill the stipulated conditions for acquiring status of the insured persons²⁰. Besides that, insured persons²¹ include victims of domestic violence, victims of human trafficking, as well as nuns.

The Law on Exercise of Rights to Health Protection of Children, Pregnant Women and Women who Recently Gave Birth (ZOPZZDTP)²² regulates the right to health protection and right to compensation of transport costs in relation to use of health protection for children, pregnant women and women who recently gave birth, regardless of basis of their health insurance, if these rights cannot be exercised based on obligatory health insurance pursuant to the law which regulates health insurance²³.

The Law on Patient Rights (ZPP)²⁴ stipulates that the patient is entitled to available and high quality health protection, pursuant to his or her health status, and within limits of material possibilities of the health protection system, that he or she is entitled to equal access to health service, without discrimination in relation to financial possibilities, place of residence, type of disease, time of access to health service or in relation to another different characteristic that can be the cause of discrimination²⁵. The Law stipulates the patient's right to information, right to preventive measures, right to notification, right to free choice of the proposed medical measures, right to privacy and confidentiality, right to freely decide on everything related to his or her life and health.

The Law on Pregnancy Termination Procedure in Health Institutions (ZPPTZU)²⁶ stipulates that pregnancy termination requires request of the pregnant women, as well as her explicit and written consent. The decision by which it is established that conditions are met for pregnancy termination in each specific case is reached in the health institution in which the pregnancy termination shall be performed. Pregnancy termination cannot be performed when it is ascertained that it would violate woman's health or endanger her life. Pregnancy termination can be performed up to the tenth week of pregnancy, but when it is established based on medical indications that life cannot be saved in another manner or that severe violation of a woman's health cannot be eliminated otherwise. Pregnancy can exceptionally be terminated after the tenth week of pregnancy²⁷.

The provisions which are related to special health protection of women are also included in the laws that regulate labor matter. The Law on Occupational Health and Safety (ZBZR)²⁸, regulates special rights, obligations and measures related to occupational health and safety of women who work on positions with increased risk that could endanger them becoming mothers²⁹. The employer shall secure that an

¹⁹ „Official Gazette“, No. 25/2019

²⁰ Article. 16. The Law on Health Insurance

²¹ Article 16. The Law on Health Insurance

²² „Official Gazette“, No. 104/2013

²³ Article 1. ЗОПЗЗДТП

²⁴ „Official Gazette“, No. 45/2013 and 25/ 2019 – state law

²⁵ Article 6. The Law on Consumer Protection

²⁶ „Official Gazette“, No. 16/1995 and 101/2005 – state law

²⁷ Article.1-9. ЗППТЗУ

²⁸ „Official Gazette“, No. 101/2005, 91/2015 and 113/2017 – state law

²⁹ Article 6. The Law on Safety and Health at Work

employed woman who is pregnant and an employed woman who is breastfeeding are informed in written form about results of risk assessment on the position and measures for elimination of those risks in order to increase occupational health and safety³⁰. The Labor Act³¹ prohibits discrimination of employed persons and persons looking for employment, among other things, based on their gender and health status, and it stipulates that the employer cannot establish employment during pregnancy, except if those are job positions that include significant risk in relation to a woman's and child's health established by the competent health authority³². Protection of maternity³³ is guaranteed by stipulations that an employed woman who is pregnant and an employed woman who is breastfeeding cannot work on positions which are, according to the findings of the competent health authority, detrimental to her health and her child's health, and the employer is obliged to secure performance of other appropriate jobs to the employee, and if there is no such positions, refer her to paid leave. Besides the above, the employee who is pregnant and the employee who is breastfeeding cannot work overtime and at night if such work would be detrimental to her health and her child's health, based on findings of the competent health authority.

The Law on Treating Infertility through Biomedical Assisted Fertilization Procedure (BMPO), regulates conditions, manner and procedure of infertility treatment in women and men through biomedical assisted fertility procedures (BPMO)³⁴ in order to conceive a child. The equality principle is exercised through securing equal conditions for men and women for infertility treatment with BPMO procedures, pursuant to this Law³⁵. The right to infertility treatment through BPMO procedures is exercised by a man and a woman who are of age and who are capable of work, who live together pursuant to the law which regulates family relationships – spouses, i.e. domestic partners, who, in terms of their age and general health status, are able to perform parental duties and whose psycho-social status is such that it can be justifiably expected that they will be able to perform parental duties in the interest of their child, pursuant to the Law. There has to be a domestic partnership at the moment when gametes, i.e. embryos are entered into the woman's body. Exceptionally, the right to infertility treatment with BMPO procedures is exercised by a woman who is of age and capable of work, who lives alone and fulfills the conditions, with consent of the minister competent for health affairs and the minister who is competent for family relations, in case of existence of especially justified reasons for such treatment. It is prohibited to include a woman in a BMPO procedure who, according to her age and general health status, is not capable of giving birth, i.e. whose age is not appropriate for childbirth³⁶.

The Ordinance on National Program of Health Protection of Women, Children and Youth³⁷ defines activity related to maintenance and improvement of woman's health, including the field of sexual and reproductive health, Ordinance on National Program for Early Discovery of Cervix Cancer³⁸ and the Ordinance on National Program for Early Discovery of Breast Cancer³⁹, and The Rules on Detailed Conditions for Performance of Health Activity in Health Institutions and Other Forms of Health Service⁴⁰ stipulate minimum conditions that need to be fulfilled by a Health center in terms of health protection of women. Also, a special Ordinance on National Program for Maintenance and Improvement of Sexual

³⁰ Article 30. Stipulation 3. The Law on Safety and Health at Work

³¹ "Official Gazette", No. 24/2005, 61/2005, 54/2009, 32/2013, 75/2014, 13/2017 – Constitution of RS, 113/2017 and 95/2018 – authentic interpretation

³² Article. 18 and 26. The Law on Accounting

³³ Article. 89 – 93a The Law on Accounting

³⁴ "Official Gazette", No. 72/2009

³⁵ Article 8. The Law on Treating Infertility through a procedure of biomedical assisted fertilization

³⁶ Article 26. The Law on Treating Infertility through a procedure of biomedical assisted fertilization

³⁷ "Official Gazette", No. 28/2009

³⁸ „Article RS“, No. 73/2013 and 83/2013

³⁹ „Article RS“, No. 73/2013

⁴⁰ „Article RS“, No. 43/2006, 112/2009, 50/2010, 79/2011, 10/2012 – state rule book, 119/2012 – state rule book, 22/2013 and 16/2018

and Reproductive Health of the Citizens of the Republic of Serbia⁴¹ was reached in 2017. It defines sexual and reproductive health as a state of complete physical, mental and social welfare in all aspects related to reproductive system, its functions and processes, which implies that people are capable of achieving a satisfactory and painless sexual life, reproduce and have freedom to decide whether, when and how often they wish children. In order to maintain sexual and reproductive health, all people have to be provided all-encompassing and correct information, together with freedom of choice of contraception which is safe, efficient, accessible and acceptable, and appropriate health protection needs to be secured to women who are planning pregnancy and enable healthy motherhood in that manner⁴². The Directive also stipulates that the satisfaction of needs for maintenance and improvement of sexual and reproductive health has to be equal for all, regardless of sex, gender, age, socio-economic position, ethnicity, cultural heritage and belonging to other vulnerable population categories. It is important to enable all persons to participate in development of the program for protection of sexual and reproductive health at a wider social level, and for individuals to reach decisions related to their sexuality, reproduction and health protection⁴³.

2. Strategic framework

The Public Health Strategy of the Republic of Serbia 2018 - 2026 supports the promotion of health, disease prevention and extension of the quality of life of the entire population, recognizing that good health is essential for sustainable economic and social development and a basic worry in the life of every person, family and society.

National Strategy for the Youth (hereinafter: the NSY) for the Period 2015 to 2025 The NSY sets out the basic principles, directions and expected results of action of all youth policy stakeholders aimed at improving the social position of young people and the creation of conditions for realizing the rights and interests of young people in all areas, including the area of health and wellbeing. The NSY is based on the country's strategic commitment to work with young people and for the young people and contains, inter alia, specific provisions on the protection of sexual and reproductive health of young people.

In terms of the rights of the national minorities, the strategic and institutional framework for the protection of the rights of national minorities has been improved, in order to systematically address the inclusion of Roma men and women. A special national Strategy for the Social Inclusion of Roma Men and Women in the Republic of Serbia for the Period 2016 to 2025 was adopted as well as the related Action Plan, which also apply to the field of health care. The Action Plan contains gender-sensitive indicators and measures targeting Roma women in the areas of education, health care, housing, labour and social protection⁴⁴; also a Coordination Body for the Monitoring of the Implementation of the Strategy for Social Inclusion of Roma men and women in the Republic of Serbia⁴⁵, which coordinates the work of

⁴¹ "Official Gazette", No. 120/2017

⁴² Article. 1 Decree on preserving sexual and reproductive health of RS citizens

⁴³ The same.

⁴⁴ "Official Gazette", No. 61/ 2018

⁴⁵ "Official Gazette", No. 22/ 2015

state bodies in the area of inclusion of the Roma.

The National Strategy for Gender Equality 2016 - 2020 as one of the overall directions of development envisages the preservation and improvement of health of women and equal access to health care services, especially to multi-discriminated groups. The National Strategy lists numerous activities aimed at improving the health of women and equal access to health care services, including measures related to sexual and reproductive health and women's rights, in particular women with disabilities, women living with HIV, women in rural areas, as well as multiple-discriminated women. Some of these measures are: reducing the use of abortion as a birth control method by increasing awareness and access to modern forms of contraception that would be included in positive lists of drugs, while retaining the ability to use abortion, as it is legally and financially regulated at this time, and consideration of inclusion costs related to the execution of abortion in the health insurance system.

Among the basic principles of the National Program for the Health Protection of Women, Children and Youth (2009) are equality and accessibility, which implies that the health care services for women, children and youth should be available and accessible, i.e. to organize mobile teams, to be tailored to the needs and the problems that these groups have and to provide services to the population in an acceptable way. These services should be open to all persons in need of assistance, regardless of gender, age, ethnicity, race, religion, educational level, social status or any other characteristic that may be grounds for discrimination.

The Birth Promotion Strategy (2018), which regulates reproductive health issues at the national level, points to the need for the equal involvement of men in parenting and the importance of promoting such relationships between women and men. As specific goals, it aims to alleviate the economic cost of raising a child, it aims to harmonize of work and parenting and lower the psychological cost of parenting, preserve and improve the reproductive health of adolescents and promote use of modern contraception methods in the fight against infertility, and is also focused on healthy motherhood, population education and greater activation of local government in this field. Since 2017, the Cabinet of Ministers without Portfolio in charge of demography and population policy in its budget provides funds for co-financing measures of population policy in local governments. Grants are intended to co-finance those measures that relate to easing the economic cost of raising a child and matching work and parenting.

The Strategy for the Prevention and Control of Chronic Non-Communicable Diseases that expired in 2018 includes cardiovascular diseases, malignant tumors, diabetes, chronic obstructive pulmonary disease and musculoskeletal system diseases (without injury), because these chronic non-communicable diseases have been a major contributor to the disease in Serbia for decades, and have common risk factors (smoking, alcohol consumption, malnutrition and physical inactivity) and socio-economic determinants.

The Strategy for the Development of Mental Health Protection, which expired in 2017, was focused on the prevention of non-communicable diseases through the prevention of mental disorders and their treatment, the improvement of mechanisms for the protection of the rights of individuals with mental disorders and financial protection which should lead to all basic psychotropic medicines available, i.e. for them to be on the so-called positive list. In this Strategy, women are recognized as a sensitive group, in relation to which priority protection of human rights is expected and an effective response of the mental health care system. The strategy stated that procedures for the identification, care and treatment of abused children and women should be developed within the services of mental health care.

The prevention of drug abuse is regulated by the Strategy on the Prevention of Drug Abuse 2014 - 2021 and its accompanying Action Plan (2014-2017), which is in line with the European Union Drugs Strategy (2013 - 2016). The Strategy is based on the principles of respect for human dignity, freedom, democracy, equality, solidarity, the rule of law and human rights. The Strategy aims to provide and improve public health in this area, to provide general benefits for both the individual and society, to ensure and improve the high level of population safety, as well as to offer a balanced, integrative approach to drug problems.

The Strategy for the Prevention and Control of HIV Infection and AIDS 2018-2025⁴⁶, under the Prevention of HIV Infection in Girls and Women understands preventing primary HIV infection, preventing unwanted pregnancies of women living with HIV, reducing the risk of HIV mother-to-child transmission by treatment with antiretroviral drugs or by prophylaxis, safer births, infant nutrition counseling, then provision of care, treatment and support to women living with HIV and their families. In addition, the Strategy envisages a reduction in gender-based risk of HIV for women, by the increase in the number of interventions aimed at reducing the vulnerability of women to HIV and the prevention of HIV among women and girls through the implementation of programs based on combating gender-based violence leading to the risk of HIV infection, as well as the recognition of the role of men and young men as important factors in HIV prevention among women.

The National Program for the Prevention of Harmful Use of Alcohol and Alcohol-Induced Disorders in Serbia is aimed at significantly reducing the incidence and mortality caused by harmful alcohol consumption, as well as prevention of other social consequences arising from it; support for activities aimed at creating an environment where children and young people grow up protected from the negative consequences of alcohol consumption. The strategy focuses on vulnerable groups such as women, pregnant women, people with disadvantaged socio-economic status. The special significance is given to work on raising general awareness of the prevalence and characteristics of health, social and economic problems that cause harmful use of alcohol, and reinforcing the state determination to undertake actions aimed at reducing harmful use of alcohol.

⁴⁶ „Official Gazette”, Number 26/2016

By mid-2019, the National Strategy for Rare Diseases and the Action Plan for its implementation is planned to be adopted. The Strategy should be fully harmonized with the Council of Europe Recommendation on Rare Disease Activities.

Lastly, it is important to point out that since 2010, the Special Protocol of the Ministry of Health of the Republic of Serbia for the Protection and Treatment of Women Who Are Exposed to Violence, the Instrument for Recognizing, Registering and Documenting Gender-Based Violence has been in force, with the aim to include health workers respond to the plan to detect, combat and prevent violence against women.

3. Description of the situation

It is evident that there is a developed normative and strategic framework in the field of public health and the health care system in Serbia. Nevertheless, although many strategies have been adopted in this area, many have ceased to be valid⁴⁷, they are generally of varying degrees of generality and often without accompanying action plans and systems for effectively monitoring their implementation, as well as achieved results. Consequently, there are no clearly defined and prioritized goals that would, in the long run, more effectively target the allocation of available resources. Since concrete results have not been articulated, there is no comprehensive framework for a transparent way of assessing the health sector's outcomes and effects⁴⁸.

The universal coverage of health care in Serbia is achieved through mandatory health insurance for all employees, self-employed and their families, and the state provides insurance for pensioners, unemployed, refugees and vulnerable groups. The coverage of the population with compulsory health insurance is a good indicator of access to health care.

The previously passed Law on Health Care⁴⁹ and the Law on Health Insurance⁵⁰, the application of which for the purposes of writing this report can be analyzed because new laws regulating this subject-matter were brought only in April 2019, stipulate free health care to be provided to all insured persons. Also, free health care is prescribed for different groups of residents, including: women related to family planning, as well as during pregnancy, childbirth and maternity, up to 12 months after delivery; persons with disabilities, as well as mentally insufficiently developed persons; persons relating to the treatment of HIV infection; persons of Roma nationality who, due to the traditional character of life, do not have permanent residence or temporary residence in the Republic of Serbia; victims of domestic violence; trafficking victims; persons covered by compulsory immunization in accordance with the regulations governing the health protection of the population against infectious diseases; persons covered

⁴⁷ Action Plan for Implementation of the Strategy for the Social Inclusion of Roma and Roma in the Republic of Serbia for the period of 2016. до 2025., June 2017. – Available on web address: http://www.ljudskaprava.gov.rs/sites/default/files/prilog_fajl/akcioni_plan_za_primenu_strategije_za_socijalno_ukljufivanje_roma_i_romkinja_u_rs_2016_-2025_za_period_od_2017._do_2018._godine.pdf

⁴⁸ The report on the implementation of an Action plan for the period of 2017-2018 its under preparation.

⁴⁹ Decision of the Government on the establishment of a Coordination Body for Monitoring the Implementation of the Strategy for the Social Inclusion of Roma in the Republic of Serbia for the period of 2016. до 2025. године, "Official Gazette RS", No. 17 /2017.

⁵⁰ „Official Gazette“, No. 4/2016

by targeted preventive screening, i.e. screening according to the respective national programs; and single parents with children up to seven years of age whose monthly income is below income determined in accordance with this law⁵¹.

According to the data from the base of the insured persons of the Republic Health Insurance Fund (RFZO), the population coverage by compulsory insurance was 97.2% in 2016 and slightly higher than in 2012 when it was 95.8%. Still, approximately, every fifth citizen of Serbia (20% of total insured persons in 2016) during all these years belongs to vulnerable social groups and acquires insurance on this basis. Resource adequacy (number of doctors per capita, number of beds) as well as annual public health spending from public and private funds are clearly above the comparative expectations. Nevertheless, in regular surveys on income and living conditions (SILC) conducted in the EU28 and candidate countries, Serbia is one of the countries with the largest share of citizens with unmet medical needs with 7.6% in 2014. The reason for this should be sought in an uneven territorial resource allocation. The number of patients on waiting lists in the period 2011 to 2015 has steadily grown, so that in 2015 it will have reached a maximum of 130,298 patients⁵². During this period, the cataract list was increased by 68% of patients while for cardiac surgery the increase was 58%. The introduction of a new health information system should lead to a reduction in the list and the waiting times⁵³, as efficient health care services and e-health are explicit government priorities.

The health care for women at the primary level is provided by the health care services for women in the health centers. Health care in the health care services of women provided 532 doctors in 2017, which is 6% less than in the previous year. The number of health care workers with higher and secondary vocational education was also reduced, so their mutual relationship remained unchanged from the previous year and amounted to 1.4. The average annual number of visits per doctor in the observed period ranged from 3246.00 in 2015 to 3389.8 in 2016. Regarding the average annual number of visits for one woman aged 15 and over, the largest number was registered in 2016, and the smallest in 2017. Out of the total number of visits to the doctor, more than two fifths were first visits, and this percentage recorded a trend of increase in the observed period, with a slight decrease registered in 2017. When it comes to providing women with doctors in the health care services for women, we can see that in the period between 2013 and 2017, the range of doctor availability spanned from 5500 to 6000 women

⁵¹"Official Gazette", No. 28/ 2009

⁵²"Official Gazette", No. 25/ 2018

⁵³"Official Gazette", No. 22/ 2009

aged 15 and over per one doctor, with the lowest availability recorded in 2014 and the highest in 2015 and 2016.

Based on the previous Law on Health Care, within the framework of health promotion and health care of population groups that are exposed to increased risk of illness such as Roma men and women, the Ministry of Health has supported the introduction of health mediators in the health care system of the Republic of Serbia. The role of health mediators is to keep records of the health status of the inhabitants who live in informal settlements, to work with them to raise awareness about the need for vaccination of children, as well as the importance of proper nutrition and hygiene habits. Health mediators should provide a better insight of health institutions in the state of these settlements, and to indicate to the residents the importance of timely reporting to a doctor. The health mediator⁵⁴ connects the health system and citizens of informal settlements and is not a health care professional (physician, nurse). In cooperation with health workers, Roma health mediators have influenced the improvement of the reproductive health of Roma women by timely referring them to health care services, point to the need for family planning and contraception, and provide useful information and sources of information on pregnancy, childbirth, maternity, family organization, which all contributes to optimal development of children⁵⁵. During the selection of health mediators, the Ministry of Health gave priority to Roma women who are mothers who live in Roma settlements. Bearing in mind that they have daily communication with the Roma community and come from it, they provide a significant contribution to the work of the mobile team for the inclusion of the Roma population⁵⁶. However, the existing number of health care providers is inadequate, their sustainability is not guaranteed and they do not have sufficient training sessions⁵⁷. Roma women do not have an active role in family planning, they do not have or recognize the need for information of importance for the prevention and protection of their reproductive health, including information on health care and health insurance rights and protection mechanisms. Also, information on safe methods of contraception is not sufficiently available to them and reproductive health and reproductive health prevention activities are not systematically implemented.

A study of multiple indicators of women and children⁵⁸ indicated that Roma girls are significantly more exposed to child marriages than the general population. That is why a National Coalition for ending child marriages has been formed⁵⁹, and the implementation of pilot interventions for the elimination of child marriages in the community is currently taking place, which received project-oriented funding, therefore there is a problem of its sustainability. In the period between 2016 and 2018, the Ministry of the Interior filed 7 criminal charges for the offence of forced female marriage.

Disabled women are more discriminated, poorer and more unemployed than men with disabilities and are often invisible in public life⁶⁰. They face barriers in exercising their rights, especially sexual and reproductive, and are often victims of physical and all other types of violence. Disability discrimination was

⁵⁴ "Official Gazette", No. 8/ 2007

⁵⁵ "Official Gazette", No. 1/ 2015

⁵⁶ "Official Gazette", No. 61/ 2018

⁵⁷ "Official Gazette", No.115/2017

⁵⁸ Tobacco Control Strategy, The Strategy on Safety and Health at Work in RS for the period 2009-2012, Public Health Strategy of the Republic of Serbia, Strategy for providing adequate quantities of blood, Birth stimulation strategy, Strategy for palliative care, Strategy for prevention and control of chronic noncommunicable diseases, Strategy for permanent improving the quality of health care and patient safety, the Strategy for Improving the Position of Persons with Disabilities in the RS, the Strategy for the Development of Mental Health Protection, the Strategy on HIV Infection and AIDS..

⁵⁹ Serbia and Agenda 2030 and Serbia, Mapping the National strategic framework regarding sustainable development goals, The Public Policy Secretariat with the support of the Federal Ministry for Economic Cooperation and GIZ, <http://rs-jp.gov.rs/%D0%B0%D0%B3%D0%B5%D0%B-D%D0%B4%D0%B0-2030-%D0%B8-%D1%81%D1%80%D0%B1%D0%B8%D1%98%D0%B0/?script=cir>

⁶⁰ Article. 11, "Official Gazette ", No. 107/2005, 72/2009 – state law, 88/2010, 99/2010, 57/2011, 119/2012, 45/2013 – state law, 93/2014, 96/2015, 106/2015, 113/2017 – state law and 105/2017 – state law, article 11

the third most frequent basis for complaints to the institution of the Commissioner for the Protection of Equality in 2016⁶¹, and out of 390 complaints of discrimination based on disability, around a third was due to discrimination against women with disabilities. In 2018, the situation worsened so that the highest number of complaints in 2018 were filed for discrimination based on disability, more than a quarter of the total number, and health status is also evident as basis for discrimination⁶². An analysis of the implementation of the recommendations of the Committee for the Rights of Persons with Disabilities in the Republic of Serbia⁶³, given the consideration of the Initial Report on the Implementation of the Convention on the Rights of Persons with Disabilities in the Republic of Serbia and Analysis of Alternative Reports, shows that Serbia is working on the implementation of 25 recommendations that require continuous implementation, appropriate measures, and have recommendations that have not yet been implemented to a satisfactory extent.

The Provincial Protector of Citizens (Ombudsman) conducted the research entitled "Reproductive Health of Women with Disabilities in AP Vojvodina", whose results show that women with disabilities are exposed to discrimination and prejudice regarding their gender roles, sexuality, especially in relation to marital and family relations, and parenting. The results of the survey indicate that women with disabilities are discriminated against in exercising the right to sexual and reproductive health, and on many levels - from prejudices and stereotypes to inaccessible and unavailable services. They are invisible in public life, they are often victims of violence and encounter obstacles in education, health and social protection.

The Law on Social Protection⁶⁴ stipulates the personal assistance service for people with disabilities, which in Serbia only 166 users use in 10 cities. Out of that number, 50.6% are women, and by cities this percentage ranges from 20% to over 50% of women⁶⁵. So it is evident that this service should be strengthened. In the City of Belgrade, a child support service for 400 children was provided, of which 286 are boys and 114 are girls.

In Serbia there is still a great social distance towards people living with HIV, and there are obstacles in practice in their access to health and social protection, education, employment and dignified life⁶⁶. In

⁶¹ Article 22 "Official Gazette", No. 107/2005, 109/2005 -, 57/2011, 110/2012 – Constitution of RS, 119/2012, 99/2014, 123/2014, 126/2014 – Constitution of RS, 106/2015 and 10/2016 – state law

⁶² As well as persons belonging to a population group that is at increased risk of illness; persons whose health care is necessary in connection with the prevention, suppression, early detection and treatment of diseases of a greater social and medical nature; as well as persons in the category of socially vulnerable population, as well as children up to 18 years of age, school children and students until the end of the prescribed education, and at the latest up to the age of 26, in accordance with the law; persons older than 65 years of age; except for HIV infection and other infectious diseases that are determined by a special law regulating the protection of the population from infectious diseases, malignant diseases, haemophilia, diabetes, psychosis, epilepsy, multiple sclerosis, faces in the terminal phase of chronic renal insufficiency, cystic fibrosis, systemic autoimmunity diseases, rheumatic fever, addiction diseases, patients with rare diseases; as well as persons covered by healthcare in connection with the giving and receiving of tissues and organs; monks and nuns; materially unauthorized persons who receive monetary social assistance, or who are beneficiaries of a family disability, according to the regulations on social protection, or according to the regulations on the protection of combatants, military invalids and civil war invalids; users of permanent financial assistance, as well as assistance for housing in social welfare institutions or other families, according to the regulations on social protection; unemployed persons and other categories of socially vulnerable persons whose monthly income is below the revenues determined in accordance with this Law; beneficiaries of assistance - members of the family whose fiduciary is serving a military service.

⁶³ Article 11. The Law on Health Protection

⁶⁴ Article 22. The Law on Health Insurance, The third national report on social integration and poverty reduction 2014-2017, RS, Social Social Inclusion and Poverty Reduction Union, <http://socijalnoukljucivanje.gov.rs/sr/>.

⁶⁵ Institute „Др Милан Јовановић Батут“, Annual report on the quality of the work of Health Institution for 2015, 2016.

⁶⁶ CEVES, – Indicator System for Social Dialogue on Health and Health System of Serbia, Project: „ Measuring the effectiveness of the health care system in Serbia“, Foundation for Open Society, Serbia, 2017.

the period from 2012 to 2016, monitoring of the response to HIV infection and AIDS was carried out in accordance with the “Plan for monitoring and evaluating the strategic response to HIV infection and AIDS”. During 2016, 8,478 people were tested for HIV, out of which 2,890 women or 34.1%. Among the tested women are women who use drugs, sex workers, women serving criminal sanctions, girls and young beneficiaries of social welfare institutions, pregnant women, and health care workers. HIV prevention programs through field activities and drop-in centers, which were implemented in 2016, include 286 sex workers who were all female. In Serbia, there is an organization of people living with HIV (USOP), which brings together also an organization of women who live with HIV (Žena+). USOP is in the process of being introduced into the system of services developed by organizations of people who live with HIV in cooperation with line ministries and international partners who operate in this field.

According to a qualitative survey carried out by Ipsos⁶⁷ on the views of the public in relation to certain goals of sustainable development of the UN, the access to services in the field of sexual and reproductive health was assessed by more than 40% of the citizens of Serbia as bad or very bad and nothing significantly changed compared to four years prior when it comes to access of the citizens to these services. When it comes to access to these services for women, the youth, the Roma, persons with disabilities, refugees and displaced persons, almost half of the citizens consider that they are not at all or in just slightly inferior position compared to other citizens, while younger citizens (18 to 34), as well as residents of Belgrade, are more inclined to believe that members of these groups are significantly more discriminated compared with others⁶⁸.

The structure of the 10 main causes of mortality in Serbia in relation to the years of lost life (GIŽ) is similar to that of comparable countries, but we stand out in the number of cerebrovascular diseases (2.5 times more than EU28) and diabetes (2.25 times higher)⁶⁹, while we stand out in the good scale when it comes to mortality related to alcoholism and drug abuse⁷⁰.

The burden made by diseases of the circulatory system or diseases of the heart and blood vessels is increasing not only Serbia, but also in all countries in transition. In recent years in Serbia, on average, 55% of the deceased are victims of some of the diseases from this group. In relation to all causes of death, in 2017, 24,362 males (45.4%) and 29,306 females (54.6%) died of diseases of the heart and blood vessels. The average mortality rate from cardiovascular diseases in Serbia in the period 2013 to 2017 was 754.2 per 100,000 inhabitants⁷¹.

In the last few decades, there has been a continuous increase in dying from malignant tumors. Mortality rates from malignancies have increased over the past five years from 294.4 in 2013 to 305.9 per 100,000 inhabitants in 2017. Based on data from the Central Serbia Cancer Registry, in 2015, 27,867 persons (14,582 men and 13,285 women) were diagnosed with malignant tumors, while 15,224 persons (8,790

⁶⁷ Health mediators provided personal documents and health claims to 16,330 citizens; helped 28,003 citizens of Roma people to choose a doctor; influenced an increase in the number of vaccinated children (30,018) and adults (2,719), as well as improving health controls for 4,500 pregnant women and maternity, and 11,177 women selected their gynecologist and 12,617 of them were covered by systematic examinations.

⁶⁸<https://www.rodnaravnopravnost.rs/attachments/article/276/Posebana%20izvestaj%20ZG%20Rep%20zdravlje%20Romkinja%2011.pdf>

⁶⁹ The source <http://www.inkluzijaroma.stat.gov.rs/sr/%D0%B7%D0%B4%D1%80%D0%B0%D0%B2%D1%81%D1%82%D0%B2%D0%B5%D0%BD%D0%B5-%D0%BC%D0%B5%D0%B4%D0%B8%D1%98%D0%B0%D1%82%D0%BE%D1%80%D0%BA%D0%B5>

⁷⁰<https://www.rodnaravnopravnost.rs/attachments/article/276/Posebana%20izvestaj%20ZG%20Rep%20zdravlje%20Romkinja%2011.pdf>

⁷¹ The same

men and 6,434 women) died of cancer. Malignant tumors, following cardiovascular disease, are the most common cause of illness and dying in the Republic of Serbia.

According to the World Health Organization, when it comes to maternal mortality, 17 women died per 100,000 babies in Serbia, while according to the data of the Institute of Public Health of Serbia "Batut", that number was 1,253. The percentage of pregnant women covered by preventive screening in Serbia is 39.1%, which, although more than in the previous two years, continues to be an inadequate coverage. Neonatal mortality is 4 per 100,000 newborns. Regardless of the fact that infant mortality in 2015 in tertiary institutions is reduced to 28, an analysis of indicators of the quality of work of maternity wards has been observed that in 2015 all indicators are worse than in previous years. Thus, the percentage of mothers who suffered birth injury, as well as the percentage of newborns who suffered an injury at birth grew, together with an increase of the length of hospital stay for normal delivery and in 2015 it was 3.8 days. Mortality for children up to 5 years of age is 7 per 1,000 live births⁷². The coverage of vaccinated children against diphtheria, tetanus and pertussis is 95% and polyomyelitis is 94.9%. MMR vaccination was performed in 84% of cases, while coverage of newborns by BCG vaccine was 98.3%. According to the OECD indicators, Serbia is at the bottom of the list of comparative countries with 93%, or 86% of the coverage of children under 1 year of age.

Data obtained by Unicef's Multiple Indicator Survey (MICS) indicate a significantly higher mortality rate for children and infants below five years of age in the population in Roma settlements. A survey conducted for 2014 showed a significant improvement among the population as there was a decrease of 50% of the value of both mortality rates for Roma children in Roma settlements. This can be attributed to the improvement of coverage by health insurance that has facilitated easier access to health care services and improved coverage of prenatal services during the same period when such services were provided to Roma population through Roma health mediators.

The rate of mortality from contagious diseases (per 100,000 inhabitants) amounts to 4.21 in 2015. In the same year, 45 newly infected with HIV were registered, most of them in the 40-49 age group, and according to vital statistics, 24 people died from Morbus HIV. On the other hand, newly reported cases of tuberculosis is 962, which indicates a constant perennial decline. Serbia places itself among countries with low tuberculosis in Europe.

Nevertheless, in many areas preventive activities are not carried out in a comprehensive way. The percentage of preventive examinations (1,108,698) in the total number of examinations (28,046,674) and visits to physicians is 4.0%. Serbia has extremely high rates of mortality from cervical and breast cancer (3.49 per 1,000)⁷³ and obviously there is a problem in the quality of health care services. In 2016, 38 municipalities (out of 150) were covered by the program of organized screening of breast cancer, 18

⁷² 2014., http://www.unicef.rs/files/MICS5_Srpski_web.pdf

⁷³ According to the following parameters: a. Nearly 60% of girls from Roma settlements are married before the age of 18, while in the general population this percentage is 7%, b. 1 out of 5 girls and women from Roma settlements entered marriage before age 15, v. the number of girls from Roma settlements that were married before the age of 18 was constantly increasing - from 46% in 2005, 54% in 2010, to close to 60% in 2014..

in the screening of cervical cancer, and 31 in the screening of colorectal carcinoma. If hospitalization is excluded due to spontaneous delivery, the most common cause of hospitalization of women in 2017 was malignant tumor of the breast. According to the Institute of Public Health in 2017, the percentage of beneficiaries aged 25 to 69 years covered by targeted screening for early detection of cervical cancer was 15.8%. The percentage of 45 to 69-year-old users who have been referred to mammograms with any selected gynecologist in the previous 12 months was 11.4%. The Institute for Public Health of Serbia "Batut" warns that the response for data delivery by institutions is reducing, so the quality of care, including prevention, may not be adequately monitored.

According to the qualitative research carried out by Ipsos on the views of the public in relation to certain goals of sustainable development of the UN regarding the preventive examinations that women take, the situation is the following. In terms of preventive examinations at the gynecologist, more than a third of women reported that they did not visit a gynecologist during the previous year, although they were required, and stated that they could not allocate time due to other obligations (30%), whereas almost 20% of the women were stopped from visiting a gynecologist by waiting lists. About 60% of women performed the Papanikolau test in the previous 2 years, a quarter of women were checked more than 2 years ago, and 16% never performed this examination. Even a third of women who have never taken a Papanikolau test think that it is unnecessary for them. Among the youngest category of women, aged 18 to 34, most are those who have never performed a cytological cervical smear. In terms of mammographic examination, a third of women have done it for the last 3 years, every tenth woman was examined more than 3 years ago, and almost 60% never performed this review. Almost 40% of women who have never performed this exam believe that they do not need it⁷⁴.

As regards the prevention of drug abuse and alcohol abuse, with the support of the European Center for Drugs Monitoring and Drug Addiction, the EMCDDA was established an early warning system for new psychoactive substances within the Center for Drugs Monitoring and Drug Addiction. Protocol on the Early Warning System for New Psychoactive Substances was also completed⁷⁵.

Tobacco control also focuses on reducing the health risks of the population. This area is regulated in Serbia by a series of laws, although according to the National Plan for the Adoption of the Legal Acquis of the European Union, in the following period, the focus must be on harmonizing the Law on Tobacco with the Directive 2014/40 / EU, i.e. on the drafting of a comprehensive law on tobacco control and amendments and supplements to the Law on Tobacco, in order to apply the highest standards in the field of protection of health and safety. Regardless of certain tobacco control measures, such as ban on smoking in public places, higher cigarette prices and emphasizing the harmfulness, Serbia stands immediately after Greece in the share of smoking population of the age of 15 and over in the total population with 42.1%⁷⁶

In relation to the reduction of mortality from contamination of water, air and land, of the total number of controlled public utility water supply systems in the Republic of Serbia in 2015, 27 or 17.4% of the water supply systems have simultaneously physical-chemical and microbiological irregularity, while only

⁷⁴<http://socijalnoukljucivanje.gov.rs/sr/%D0%BE%D1%81%D0%BD%D0%BE%D0%B2%D0%B0%D0%BD%D0%B0-%D0%BD%D0%B0%D1%86%D0%B8%D0%BE%D0%BD%D0%B0%D0%BB%D0%BD%D0%B0-%D0%BA%D0%BE%D0%B0%D0%BB%D0%B8%D1%86%D0%B8%D1%98%D0%B0-%D0%B7%D0%B0-%D0%BE%D0%BA%D0%BE/>

⁷⁵ Statement of the Commissioner for the Protection of Equality Brankica Jankovic at the "Rights of Women and Girls with Disabilities" event, 3rd December, The International Day of Persons with Disabilities.

⁷⁶ Regular annual report of the Commissionaire for the Protection of Equality for 2016.

91 or 58.7% were regular. The decrease in air pollution with sulfur dioxide compared to the previous year was recorded in Belgrade, Bor, Smederevo and Kraljevo, while values increased in Valjevo, Kikinda, Kruševac, Čuprija and Jagodina. The mean annual value of nitrogen dioxide emission exceeded the allowed average annual limit value for populated areas of 40.0 g/m in the case of Belgrade, Obrenovac and Smederevo, that is, in 3 out of 24 urban areas. The most polluted settlements regarding the presence of the soya were Zaječar and Užice.

When it comes to the knowledge and attitudes of elementary and secondary school students on sexual and reproductive health and connected rights, the results of the research are rather disturbing. Prior to the start of the pilot project 2016-2018 “Reproductive Health and Rights and Gender Equality” - implemented by the Association for Sexual and Reproductive Health of Serbia (SRH Serbia – IPPF member)⁷⁷, with the support of GIZ⁷⁸, elementary and secondary school pupils did a pre-test, in order to gain insight into their knowledge and attitudes regarding sexual and reproductive health and rights, and gender equality. The pre-test showed a very low level of knowledge, and the pronounced attitudes showed a high level of intolerance towards minority/vulnerable groups, especially toward LGBT+ population and the Roma population. According to the reports of teachers and professors, elementary and high school pupils are very interested, motivated and satisfied that they can openly discuss these topics and learn in the school environment. To the claim “I need education on reproductive health and rights and gender equality”, 64% answered YES, 17% NO, 9% MAYBE, and 10% - I AM NOT SURE.

According to a qualitative survey carried out by Ipsos about the views of the public in relation to certain goals of sustainable development of the UN, and in relation to the use of contraceptive means, almost two thirds of adult citizens of Serbia (63%) who had had sexual intercourse over the past 12 months declared that they never used or rarely used contraceptives. Male condom is the most common form of contraception for the vast majority of people who use contraception. Nevertheless, a quarter of the subjects also state terminated intercourse, and every tenth person states infertile days. In addition, 10% use contraceptive pills as a contraceptive.

4. Conclusion

Although the legislative and strategic framework has improved in the previous period, health improvement, equal access to health care services and health care through the spread of universal health insurance and public health care services, and the realization of sexual and reproductive rights has not yet been fully secured in a satisfactory way for all people. In a particularly difficult situation are persons from particularly vulnerable groups of the population.

In order to achieve the desired results, primary and secondary health care for all must be in focus, as well as prevention and reduction of risk factors for health, prevention of narcotics, alcohol and drugs abuse, improvement of mental and emotional health, including special programs intended for adolescents, and the promotion of healthy lifestyles, recreation and other physical activities. It is necessary to ensure the active participation of marginalized groups in decision making on their own health, i.e. plan-

⁷⁷ Regular annual report of the Commissionaire for the Protection of Equality 2018.

⁷⁸ „The analysis of the implementation of recommendations of Committee for the rights of the persons with disabilities in the Republic of Serbia”, National organization of persons with disabilities in Serbia, Belgrade 2018 – available on the web page: http://noois.rs/images/Analiza_sprovodjenja_preporuka_Komiteta_za_prava_osoba__sa_invaliditetom_u_Republici_Srbiji.pdf

ning, provisioning and reviewing health care services, which is especially important for creating a quality, just and responsible health care system.

When it comes to the special improvement of the health status of the female population, effective implementation of laws and policies that provide compulsory health insurance and free services for all women and girls should be ensured, together with work on affirmation and raising the awareness of women on the importance of preventive examinations by regular activity of health care workers, also enable preventive examinations for all women regardless of their place of residence, age or health insurance in order to prevent and early detection of malignant diseases, improve women's access to quality health care and health services, especially when it comes to a multi-discriminated and vulnerable groups of women, such as women from the countryside, women with disabilities, Roma women, and the realization of their right to sexual and reproductive health, reduce the use of abortion as a method of contraception by raising awareness and access to modern forms of contraception, take measures to provide access to HIV-positive women and girls to another generation of anti-retroviral drugs and other necessary drugs and services, as well as information on methods of prevention of HIV transmission from mother to child, work on prevention and suppression of all forms of violence against women and girls and to provide a comprehensive system of protection for women and girls that are victims of violence.

In the same way, this conclusion can be applied to all other vulnerable categories of the population.

5. Recommendations

- In the upcoming period, it is unnecessary to make health care more accessible to a larger number of particularly vulnerable categories of the population. It is necessary to improve access to health care services, including sexual and reproductive health care services, and provide adequate prevention programs, especially for Roma women, older women, women who live in rural areas, women with disabilities, and other women from vulnerable multi-discriminated groups.
 - It is also necessary to ensure equal access to counseling for family planning and to create and implement programs to overcome the problem of early marriage and maternity, especially for Roma women.
 - It is necessary to take the necessary measures to create conditions for the reconciliation of family and business life and increase the number of fathers who use the absence from work to care for the child.
 - It is necessary to create and implement educational programs for employees in health institutions in order to increase the level of knowledge and understanding of discrimination in general, especially in this area and in some particularly vulnerable, multi-discriminated groups. It is necessary to introduce a program of sexual education and reproductive health for girls and boys.
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2019

Shadow Report



**Sustainable Development
Goal 5**

Achieve gender equality and empower all women and girls

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Goal 5 advocates equal opportunities for men and women in economic life, the elimination of all forms of violence against women and girls, the elimination of early and forced marriage, and equal participation at all levels.

Gender has always been a political question. When researching gender as a political category in a civil society, analytical approach should always consider the ideological, political, social, cultural and discursive context of gender. Many concerns and questions about gender are articulated and problematized in very conservative and non-emancipatory concepts through various politics of gender mainstreaming and reduction to the binary models of gender identities. Therefore, main consideration in this report should be a transformative attribute of gender as a political emancipatory, critical and transformative potential that gender enlightens in society through the dynamics of relations of power in one state and problematization of social system. It should be taken in the consideration to reconstruct the category gender because gender itself is a psychological and cultural connotation that has been used first time in 1968. by Robert Stoller to describe a term that has no connection to biological attributes. Many researchers and feminists critics wrote about the differentiation about biological and social aspects of this term, separating the „sex“ from „gender“. Why is this matter important? Gender is a category that opens a possibility of equal chances for all and even inclusion of all participants of civil society because it takes into the consideration all invisible, marginalized, non-normative and non-dominant social positions and groups. Also, it recognizes the corporeality and materiality in the analysis of gender political dynamics. All mentioned aspects of gender research and transformations are important goals that should be reached in civil society, not just because it opens new visibilities of identities and understanding of gender categories, but also provides tools for raising awareness and highlighting many types of discrimination, violence and systematical conditions that are not visible to the law in Republic of Serbia. This possibility is important not only for the questions of gender but for the development of democracy in state because since 2012. Serbia has been a candidate for admission in the Europe Union. Although judicial system has done certain work in the context of gender based violence and prevention of discrimination towards women and girls, the extent of political influences on judicature and the corruption in the state still is a main concern that disturbs the development of recommended tactics for inclusion policy, human rights initiatives and the improvement of marginalized groups statuses (LGBTQ groups, Roma people, people with HIV and AIDS and all other social vulnerable groups).

National draft law on amendments and supplements that tackles the antidiscriminatory politics and gender equality have been an open public debate between the organizations that are moving towards the SDGs goals and conservative and religiously oriented organizations. Many state reports notes that the implementation of the antidiscriminatory politics is going very successfully,

but there have not been reports on the action taken and the measures prosecuted toward ending violence towards women and girls or achieving goals in gender equality. Council is dispatching information about the possible review of the National draft law about antidiscriminatory politics but the reports and information about implementation has been critical due to inconsistency in state's work and care about this issue and goal. There are no still publicly available data from the new Council for tracking and implementation of the Action plan for Strategy prevention and protection of discrimination. Activities about this subject matter are non-existent or not implemented, especially towards ending discrimination against women. Most of the periodical reports about the implementation of the Action plans are still in drafts¹⁰⁸. Law for gender equality has been an open public debate because there are still some concerns about the use of the word "gender" in the legislative frameworks and most suggestions are about the "neutral" use of the gender, meaning as if the gender does not exist in the context of the law. These suggestions came from the conservative organizations and individuals who want to perpetuate these limitations to gender or make it invisible. Most of the suggestions by the Non-governmental organizations to give access of low-cost education and services about childbirth planning, contraception and sexuality have been ignored or erased from the law drafts of the Action plan. "Violence against women" that has been a big issue in Republic of Serbia has been treated in the legislative framework, laws and in public sphere as a "violence based on sex". Based on these worrying actions and unpleasant progress on gender equality, many of mentioned laws and legislative framework have had no measurable indicators for antidiscriminatory politics and actions towards women and girls in Republic of Serbia. More importantly, civil society organizations are still not taking part of building the laws, strategical and action plans with the obligatory reports about the results and actions taken towards ending discrimination against women and girls. Women organizations have been filling up reports and concerns about lingual discrimination in the legislative framework, therefore the invisibility that is taking place on the "neutral" solutions state exposes in laws and open public discussions. Gender equality is not a debatable content that should be open for discussion about the basic human rights issues, especially women's right in anti-gender discourses which are empowered by the patriarchal society in Republic of Serbia. The lack of political consensus is also a concern that is contributing against anti-discriminatory politics and implementation of these values that will ensure a space where women's rights will not be a question of debate, but an unquestionable worth. Many critical approaches of gender and implementation of the SDGs goals have been done by the civil society organizations such as Žene u Crnom, Autonomni ženski centar, CEDAW, SRH Serbia who have been working towards ending violence of all girls and women, and providing social support, safety, education and tools for women, girls and endangered groups. Most victims of gender based violence are taken care of because of the NGO sectors which has been reaching out for donations and sponsors who will help support the projects that aim in ending violence against all women and girls and participating in SDGs goals implementations. Women's rights are not a debatable category, but considering that gender is a political category that can be discussed in various topics and social discourses, and to be able to have emancipatory aim, gender should always be re-examined to insure the changes in society and re-question social norms and practices, as well as the categories in legislative framework and social structures. Otherwise not only it loses its emancipatory material, it indorses the conservative use gender categories (binary model) which are built on the biological presumptions. Gender as a political category should always question these assumptions and biological categories, identities which are thought

¹⁰⁸ <http://www.ljudskaprava.gov.rs/sr/dokumenta/ljudska-prava/strategija>

to be unchangeable and essential without critical approach and taking into consideration intersectionality.

Legislation and implementation of the law is not enough because those same laws are organized around conservative ways of seeing gender, as a binary model. If we take time and progress to take gender as a transformative category, emancipatory space and critical term for questioning political system of power, then we can use legislation and law implementation to redefine and think about the others who are invisible by the law and those who are still endangered by it – if we don't take gender in the biological context than we can resolve political questions around gender, open the possibilities of rethinking the political questions about same sex marriages, inclusion of transgender people, Roma people and every other marginalized group that has been put in the invisible or endangered political space where their existence and basic human rights are put into a debate.

5.2 Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation

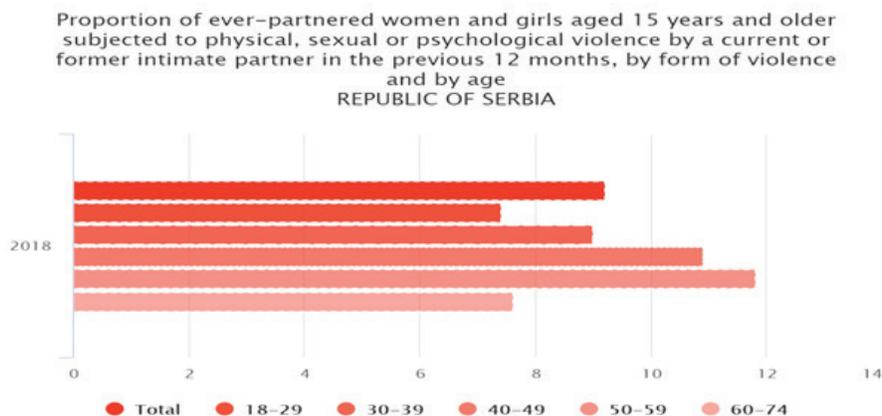
All forms of violence against women and girls in public and private spheres have been a key issue that violates basic human rights in Europe, but in Serbia it is mostly carried out in silence. Most cultural practices and traditional activities in Serbia are based on patriarchal values where gender roles are very stereotypical and men are more privileged, therefore women and girls are commonly more endangered by various forms of gender based violence. Republic of Serbia accepted regional and international standards of gender equality that are moving towards prevention of violence against women. Many women and girls are still under serious forms of violence, such as violence in family and in relationship, sexual harassment, rape and persecution. Definition of gender based violence is considered to be every type of injury that is done to a woman or a girl and it represents the cause of consequences of unequal relations of power which is built on the perception and growth of patriarchal gender stereotypes that puts women in subordinate role in public and private sphere. This type of violence has roots in cultural and social structures, norms and values that are in the perception of society¹⁰⁹. Serbia has built the national strategy for gender equality for a chance of ending gender based violence toward women and girls, but the silence and shame of violence in family, sexual harassment (at work and in public sphere) is still a common mode of dealing with gender based violence. Most women and girls are afraid of reporting the violence because of the consequences that come afterwards or because they feel ashamed because of that experience. There has been terrifying analysis in Serbia that show that every other woman has been through some type of physical violence (46,1%), every third has been from the member of her family (30,6%). Most common physical (71,7%), psychological (58%) or economical violence (50,6%) came from the partner, in most cases husband¹¹⁰. Elimination of gender based violence means redefining the gender and gender based violence in laws, norms and introducing it into the social perspective by various educational methods, media discussions on national frequencies and building a secure and safe space for women and girls who were victims of gender based violence.

¹⁰⁹<https://www.rodnaravnopravnost.gov.rs/sr/dokumenti/medunarodni-dokumenti/konvencija-o-sprecavanu-i-borbi-protiv-nasila-nad-zenama-i-nasila-u>

¹¹⁰ <http://www.ljudskaprava.gov.rs/sr/node/145>

Republic of Serbia has built the action plan for fighting against violence towards woman that represents the first overall political framework for state administration. Afterwards there have been recommendations from Convention of United Nations that recognized gender based violence as a form of discrimination and violence towards women and girls. Main concern of normative framework in Serbia comes from the fact that the law is genderless and put gender based violence ahead of violence against women and girls. Most strategical documents about domestic violence and violence in partnership relations are neutral and put under the sector „gender based violence“. This type of matter is important because it does not give the result of protection of women who were under some type of violence in the public and private sphere¹¹¹. The Law on prevention of domestic violence points out types of violence and crimes, including rape, prosecution, sexual harassment, domestic violence etc.; also it includes that centers for social work will provide support for the victims of domestic violence. Public prosecutor's office of Serbia in November of 2018. started delivering information about the violence based on sex, age and the relations of the victim and the perpetrator. Based on those reports it seems that in 76% of the cases, women were victims of domestic violence and that 92% were men who were the perpetrators (mostly husband/ partner). The considered amount of domestic violence cases in Serbia monthly is around 3700 to 4500, and around 1700 to 1950 cases are the newly registered. The Law recognizes the domestic violence and gender based violence in Serbia, but there has not been a formal body in state that is keeping track of all domestic violence towards women. Gender stereotypes and prejudices are also tackling the public sphere where the communication of the state, campaigns and marketing texts have not been gender sensitive and commonly put women and girls in subordinate position of patriarchal society. The public sphere still lacks of positive representation of women in media news and articles; women views and opinions on the subject of violence that is endangering women and girls is not presented in the national public space. Most data collection for all types of violence towards women and girls that is represented comes from independent non-governmental organizations because the state's collection of data in Serbia does not exist when it comes to tracking all types of violence towards women and girls. Statistical Office has an online SDGs indicators and analysis of gender equality statues in Serbia that covers SDGs targets and values of measuring. Indicators that are taken into consideration in the sector 5.2. that states to eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation provides results of proportion of ever-partnered women and girls aged 15 years and older subjected to physical, sexual or psychological violence by a current or former intimate partner in the previous 12 months, by form of violence and by age and the proportion of women and girls aged 15 years and older subjected to sexual violence by persons other than an intimate partner in the previous 12 months, by age and place of occurrence.

¹¹¹<https://www.ombudsman.rs/index.php/2012-02-07-14-03-33/5985-u-vrd-ni-pr-pus-i-u-r-du-n-dl-znih-u-bl-s-i-z-sh-i-zr-v-u-sluc-vi-p-r-dicn-g-i-p-r-n-rs-g-n-silj>



This graphic represents a visual data taken from Statistical Office about SDG targets. Besides sustainable development goals, Statistical Offices also periodically provides a report *Woman and men in Serbia*¹¹² that gives significant information that are usually very limited, mostly as a visual data that cannot be read properly because it is missing numeric marks that helps in the analysis of the reports. In the state sector it is concluded that the *National action plan for Resolution 1325 SB UN – Women, peace and safety in Republic of Serbia (2017-2020)* highlights the safety and recovery of women who have been through challenges, risks and threats of safety, especially those marginalized and women of multiple discrimination. The main issue with this proposed paragraph is that it does not provide any report of implementation and measures of actions¹¹³, therefore it is impossible to conclude if the planned actions are implemented and to what extent. Most extensive analysis and reports about gender based violence comes from the independent women organizations that provide comprehensive work¹¹⁴ and critics about the implementation of the goals, cultural values, state plans and actions and social structure in Serbia. These same organizations also provide help and safety to all the women and girls who have been victims of any type of gender based violence in Serbia by providing psychological help and safe space, but have not been included in the building of the national plans towards ending all type of discrimination against women and girls, even though women organizations have tried communicating and proposing suggestions about the reports and plans in state about the issues and targets of gender equality.

Republic of Serbia has been facing the challenges of gender equality precisely because of the patriarchal principles in society and traditional conservative values that are shaping the perception of gender roles and power where men are more privileged; therefore women are put in subordinate positions in society. Gender based violence has been recognized by the law in Serbia and it is taking measures of its reduction but the State does not highlights the violence women and girls are facing and what measures have been taken for fighting against it. Difficult challenge that still exists is understanding of gender more widely and taking measure of tracking violence towards women and girls that is not just in the domain of domestic violence, sexual harassment

¹¹² <http://www.stat.gov.rs/sr-Latn/oblasti/stanovnistvo/statistika-polova>

¹¹³ <http://www.mod.gov.rs/lat/4352/akcioni-planovi-4352>

¹¹⁴ https://www.womenngo.org.rs/images/vesti-19/Sedmi_nezavisni_izvestaj_jul_decembar_2018.pdf

and violence in partnership relations. Understanding gender as a spectrum can open up more discussions and preventions of gender based violence, but more importantly it will provide education about the emancipatory spaces that gender can create. Therefore one of the main recommendations is to define gender based violence as violence towards women and girls, provide definition of the concept about multiple discriminations in the anti-discrimination laws. Public sphere does not help in highlighting the violence against women and girls because most of the national space is taken up by the state's media reports that tackle different topics and discussions and the co-operation and the communication between women organizations and the government has been difficult and it should be more co-operative and trustworthy. Most of the NGO sector, especially women organizations, helps out in providing necessary care for the victims of gender based violence whereas state does not provide enough additional help to these organizations in creating a safe space for women and girls in Serbia. Most women who have been victims of domestic violence, violence in partnership relations and sexual harassment feel ashamed and feared about the consequences for the action taken and they are not well aware of their rights and laws in the state. Measures that should be taken into the consideration should be raising awareness to women and girls about their rights and the mechanisms about dealing with the violence. This also means that it should be a free consulting to women and girls about their rights in the state.

5.3 Eliminate all harmful practices, such as child, early and forced marriage and female genital mutilation

The context of early child marriages represents marriages in which one partner is a child, early marriage refers to child marriage also, meaning that one partner is person younger than 18 years old and forced marriage is any marriage where there is no consent from one or both partners, or it means that they cannot end marriage on their own terms. These kinds of practices come from different social aspects, but mostly they are cultural or religious practices. Even though boys are at risk when it comes to child marriages, the fact is that the girls are more endangered by these practices worldwide¹¹⁵. Child marriage, early marriage and forced marriage are practices that are based on structural and systematic inequalities and discrimination, especially in gender inequality, by influence of gender stereotypes and prejudices, unequal distribution of power, control of female body and their sexualities. Other factors that contribute to these practices are poverty, safety and protection of girls, lack of education, harmful social and religious practices¹¹⁶. Child marriages are common practices in Roma population where girls between 15 and 19 years are mostly affected and endangered. The state of sexual and reproductive health are unfortunate in Roma women population where 7.2% of Roma girls uses modern effective contraception, whereas 54% uses traditional method, which ends up in spreading HIV in Roma population widely, especially among young girls and children. Childbirth rate by Roma girls is 157 per 1,000 girls at the age of 15-19¹¹⁷. Most of these practices and harmful consequences are invisible to general public because of the lack of representation in public and political sphere for women of Roma population.

Marriages and family relationships are seen as a private sphere in which the state should interfere minimum, but in these cases there has been a development of laws that protect the child and are regulated by the Constitution and laws in Republic of Serbia, as well as the rights and the position

¹¹⁵ Roma Women's Center Romski BIBIJA "Premature marriage:Life stories of Roma women in Serbia"(Copy Planet: Beograd, 2016.) str. 14.

¹¹⁶ Report of the Office of the High Commissioner for Human Rights "Girls Not Brides"
<http://www.ohchr.org/Documents/Issues/Women/WRGS/ForcedMarriage/NGO/GirlsNotBridesSecretariat.pdf>

¹¹⁷<https://www.ombudsman.rs/attachments/article/5536/Posebna%20izvestaj%20ZG%20Rep%20zdravlje%20Romkija%202011.pdf>

of the child. In the Constitution, by the name *Child's Rights*, it has been written that children should enjoy their human rights equal to their age and mental maturity¹¹⁸ and they are protected from any psychological, physical, economical and every other harm and exploitation¹¹⁹. When it comes to marriage, the law sees the maturity and adulthood at the age of 18 which means that legally they can get married at that age. *Family law*¹²⁰ on the other hand is relatively new legislation in Serbia that states that children are under the protection of their parents but in the Family law there is a corpus of children's rights that gives them protection over the family relationships and decision making. Practices in Roma culture are different and are depending on the state they are in. When it comes to Serbia, especially Roma girls who are between 15-19 years and are already married, the percentage of married girls in Roma settlements show increasing to 52%, especially in poor household and only with primary education¹²¹. When it comes to women in Roma settlements, there have been unfavorable conditions to the health services and care in the state. The specific fertility rate of girls aged 15-19 years old is 19/1000, and the number of child births from girls less than 16 years old is not decreasing: every 6/1000 girls give childbirth a year. . The situation in population of Roma women and women from marginalized social groups is in more endangered situation where the birth rate of Roma women age 15-19 is 157 per 1,000 girls. In the state reports it has been written that the strategical document and action plan for inclusion of Roma people in Republic of Serbia (2016-2025) have been adopted and it has been stated that the means of realization have been collected from the state budget and donations. In the 2016. report of that action plan has not been realized on that matter and there hasn't been other reports ever since on that topic. Existing normative framework has shown that these practices have been criminalized and prosecuted by the Law, therefore they have been highlighted and discussed in the legislative sphere but there is still lack of movement towards ending these practices in endangered social groups, especially in Roma populations. Most of the NGO organizations who have been working on providing support and help to marginalized groups, are also helping out with the conditions Roma people have been dealing with in Serbia. Through NGO frameworks and donations to Roma populations, these practices have been highlighted through various reports. Many women of Roma population have lack of access to birth registration for children or identity documentation which contributes to statelessness. Most of the Roma people are not registered in the system and therefore their children are lacking of birth certificate. Surely system of tracking all cases involving child marriages among stateless children in Roma girls should be established in the state. One of the solutions for tackling children marriages is through education system where Roma girls should have access to the education and integration to society. The public awareness should be raised about the modern form of contraception through education and media campaigns that will target and teach adolescent boys and girls, especially in Roma population. The state should work towards prevention of child and forced marriages through coordinating action by competent authorities, non-government organizations who have been working closely with Roma community and have been learning about the issues and practices of their culture and practices, by providing access to education about the negative effects on girls in early child and forced marriages. Since the question of early child marriages has been the issue Roma community has been dealing with in Republic of Serbia, the state should empower the prosecution and punishment of this crime and systematically collect data on the number of complaints, prosecutions and penalties.

¹¹⁸ Article 64. Stipulation 1 of Constitute RS

¹¹⁹ Article 64. Stipulation 3 of Constitute RS

¹²⁰ „Official Gazette RS”, No. 18/2005, 72/2011 – state law i 6/2015

¹²¹ http://www.unicef.org/serbia/Srbija_2014_MICS_Rezime.pdf

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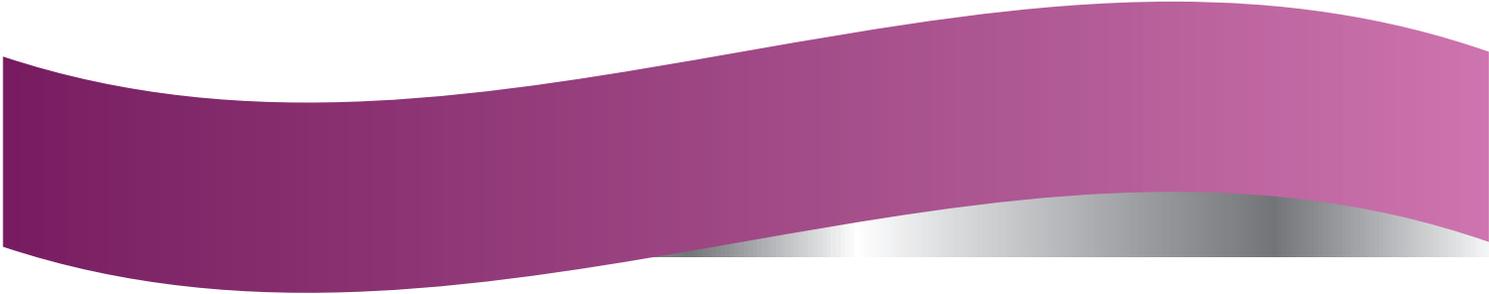
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2019

Shadow Report

SR



**Sustainable Development
Goal 8**

Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all

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1. Review of the national policy, legal and legislative framework

1.1 Brief introduction

The review of the national policy, legal and legislative framework related to SDG 8, had in the focus 4 (8.5 to 8.8), out of the total of 10 targets. Serbia has been traditionally active in the ratification of ILO's conventions of relevance for the fields under scrutiny and also those related to them. Along with that, in the last two decades, numerous regulations and strategies have been enacted in the national economy, with a view to confronting two pressing needs: to become harmonized with the regulations of the European Union and to make the labour market more responsive to existing and perceived challenges (first of all, increasingly unfavourable dependency ratio). Currently, the progress made seems moderate in terms of the mentioned.

1.2 Assessment of framework

The integration of national commitments under targets 8.5 to 8.8 can be scrutinized at the level of the Constitution, laws and strategies, some of which are listed in the text to follow.

The Constitution of the Republic of Serbia of 2006¹²² makes declarations on the prohibition of all kinds of discrimination (be it on the basis of race, gender, ethnicity or disability, etc.) (art. 21), as well as of forced labour (art. 26). It guarantees employment related rights, such as the right to work, equal availability of jobs, recognition of someone's dignity at work, safe and healthy working conditions, limited working time, paid leaves and holidays, a just salary for the work and legal protection, etc. with women, youth and persons with disability emphasized in terms of a guarantee of a special protection (art. 60). On top of this, labourers are granted the rights to belong to unions (art. 55) and to strike (art. 61).

The Labour Law of 2005¹²³, inter alia, regulates in more detail the employment related rights and the prohibition of discrimination as prescribed by the Constitution. It also stipulates norms regarding the employment of children below 15 years of life and persons with disabilities.

¹²² https://www.paragraf.rs/propisi/ustav_republike_srbije.html

¹²³ Labor Law, Official Gazette RS, 24/2005, 61/2005, 54/2009, 32/2013, 75/2014, 13/2017 – US, 113/2017, 95/2018

Children aged below 15 are excluded from employment, while those aged 15 to 18 can be employed with the consent of their parents or custodians, provided that such employment does not deteriorate “their health, morale and education”. Along with this, additional restrictions are applied to children aged below 18 (art. 84-88)¹²⁴. Persons with disabilities are allowed to work on a job “according to their working capacities” (art. 101). The Law provides for that an employee has the right to an adequate salary and guarantees equal salary for the same work or for the work of the same value (art. 104)¹²⁵.

The Law on Employment and Insurance in Case of Unemployment of 2009¹²⁶ prescribes social insurance benefits for employees in case of unemployment, but also active labour market programmes. Contrary to the previous Law, this one does not list vulnerable groups as such on the labour market, but 7 types of ALMPs in general: liaising unemployed and employers; providing professional orientation and counseling; giving subventions for newly opened jobs or for employing hard to employ persons; supporting self-employment; providing training and education; granting benefits to cash beneficiaries in case of their new employment while on the cash benefit; and organizing public works (art. 43).

The Law on Vocational Rehabilitation and Employment of Persons with Disabilities of 2009¹²⁷ stipulates the incentives for the employers of persons with disabilities, the latter’s vocational rehabilitation and active labour market programmes. It provides for establishing of companies for vocational rehabilitation, working centres and social companies. Employers in the breach of the norm on employing persons with disability are obliged to pay half of the amount of a national average salary (art. 26).

The Law on Employment of Foreigners of 2014¹²⁸ regulates, inter alia, the procedures for the employment of refugees and asylum seekers, persons granted temporary protection, victims of human trafficking, i.e. persons granted subsidiary protection in Serbia.

The Law on Criteria for Sending Employees for a Temporary Work Abroad and their Protection of 2015¹²⁹ regulates, inter alia, the rights of Serbia’s nationals sent to temporary work abroad. It brings to focus the obligations of national employers and procedures of cooperation among relevant stakeholders, along with provisions on safety at work.

The Law on Social-Economic Council of 2004¹³⁰ provides for the establishing and functioning of social-economic councils, as independent bodies in charge of organizing and developing the social dialogue, at the levels of the Republic, Autonomous Province and local communities.

The Law on Prevention of Work Abuse of 2010¹³¹ defines the work abuse as any of behaviours towards an employee or a group of them that are repetitive with a view to jeopardizing their

¹²⁴ The Family Law of 2005 envisages the sanctions for parents forcing their children to excessive work or to work deteriorating their health, morale or education, i.e. to work prohibited by the law. The Family Law, Official Gazette, 18/2005, 72/2011, 6/2015. The Law on Youth of 2011 contains certain references to their employment. The Law on Youth, Official Gazette, 50/2011.

¹²⁵ The Law on Strike of 1996 with amendments of 2003 and 2005 regulates the strike procedure. Zakon o štrajku, Službeni list SRJ, 29/96.

¹²⁶ The Law on Employment and Unemployment insurance, Official Gazette RS, 36/09, 88/10, 38/15, 113/17 – state law, 113/17.

¹²⁷ The Law on professional rehabilitation and employment of persons with disabilities, Official Gazette RS, 36/09, 32/13.

¹²⁸ The Law on Employment on Foreign Citizens, Official Gazette RS, 128/14, 113/17, 50/18.

¹²⁹ The Law on requirements for temporary assigning employees to a foreign country and their protection, Official Gazette RS, 91/15, 50/18.

¹³⁰ The Law on Social and Economic Council, Official Gazette RS, 125/04.

¹³¹ The Law on the Prevention of Harassment at the workplace, Official Gazette, RS, 36/10.

dignity, reputation, personal or professional integrity, health, position, which, inter alia, can lead to an employee by themselves terminate the employment. Employer or a responsible person with the employer is held responsible for such behaviours (art. 6). Protective measures are envisaged, however, without distinctions made between adults and underage employees¹³².

The Law on Volunteering of 2010¹³³ starts from the statement of the principles of volunteering - the solidarity and protection of volunteers and youth, the prohibition of discrimination and abuse, as well as the principle of free volunteering. It places the same restrictions for children, as in case of their employment. Public companies are authorized to organize volunteering. The contract on volunteering is prescribed, as well as the records of volunteers and those organizing volunteering. Finally, the Law proclaims rights and obligations of the two sides.

The Law on Social Entrepreneurship and Employment in Social Companies is drafted¹³⁴ to provide an opportunity for social cohesion and inclusion of those listed as social welfare beneficiaries, i.e. beneficiaries of benefits for unemployed based on the insurance in case of unemployment; long-term unemployed over 50 years of life; above-average unemployed members of ethnic minorities; persons with disabilities; refugees and internally displaced persons; lone parents or those living in households without employed adult members; those returned to Serbia based on readmission agreements; and other hard to employ persons (art. 4). Various measures and incentives for the promotion of social entrepreneurship are provided, along with the establishment of the Fund for the promotion of its development and the Government's Council.

The Law on Safety and Health at Work of 2005¹³⁵ foresees mechanisms for the promotion of safety and health at work, i.e. prevention of work injuries and vocational diseases. It starts from the preventive measures and defines the rights and obligations of employees and employers. Regulations provide for information in writing for employees below 18 year of life regarding risk assessment at work. Employees are allowed to appoint representatives for safety and health at work that can be organized in Boards with appropriate authorizations regarding the verification of measures in place. Finally, there is a long list of sanctions for those in breach of the regulations.

The National Employment Strategy (NES) for period 2011 – 2020 of 2011 is aimed in general at increasing the employment, with the specific objectives set as the promotion of employment in underdeveloped regions and development of regional and local employment policies; enhancement of human capital; development of institutional capacities and expansion of active labour market programmes, as well as reduction of labour market dualism. It promotes women's entrepreneurship, self-employment and employment, reduction of discrimination and strengthening of the capacities of all stakeholders to eliminate discrimination and use women's resources better¹³⁶. The first assessment of the Strategy implementation for period 2011-2015 stressed the need to additionally "strengthen the employment policy"¹³⁷.

¹³² The Law on Prevention of Discrimination of 2009 regulates the discrimination in labour relations., Official Gazette, 22/2009.

¹³³ The Law on volunteering, Official Gazette RS, 36/10.

¹³⁴ http://www.parlament.gov.rs/upload/archive/files/lat/pdf/predlozi_zakona/1688-13Lat.pdf

¹³⁵ The Law on Safety and Health at Work, Official Gazette RS, 101/05, 91/15, 113/07 – state law.

¹³⁶ http://www.nsz.gov.rs/live/digitalAssets/0/302_nacionalna_strategija_zaposljavanja_2011-2020.pdf

¹³⁷ https://www.minrzs.gov.rs/sites/default/files/2018-11/procena_uspesnosti_nacionalne_strategije_zaposljavanja_za_period_2011-2020_godine__za_prvih_5_godina_primene__2011-2015_.pdf

The National Action Employment Plans¹³⁸ were designed for each year and Reports on their implementation were issued¹³⁹, as well as Fiscal Strategies with references to the labour market and employment¹⁴⁰.

The Employment and Social Reform Program in the Process of Accession to the EU (ESRP) of 2016, as a document devised to follow the process of the integration of the country into the EU, has multiple focuses on the labour market, both from the sides of its demand and supply. In total, 4 objectives were devised:

- to prevent huge growth in unemployment, due to expected privatization and public sector shrinking, by means of active labour market programmes.
- to decrease overall inactivity rates and increase employment rates, by devising specific measures for older workers, women, persons with disabilities and low qualified or persons without any qualifications. The focus is on an increased availability of jobs for Roma and strengthened role of employment policy.
- to reduce dualism on the labour market.
- to improve position of youth in regards to the labour market¹⁴¹.

The Economic Reform Programs (ERPs) for 2016-2018, 2017-2019, 2018-2020 and 2019-2020 contain chapters on education and skills as well as employment and labour market.

In regards to the area of education and skills, the first mentioned ERP gave priority to the establishment of the system of National Framework of Qualifications in order to increase competences of the population. The three ERPs that followed gave priority to qualifications oriented towards labour market needs.

In regards to the area of employment and labour market, the first three ERPs gave priority to the improvement of the effectiveness of active labour market programmes, with a special focus on youth, labour market surpluses and long term unemployed. The fourth ERP gives priority to the increasing of working activation of able-bodied social welfare beneficiaries, those hard to employ as per the regulations from the area of employment and other hard to employ from vulnerable categories as well as strengthening of formal employment.

In the second **Programme of Decent Work for the Republic of Serbia in period 2013-2017** (currently outdated), the International Labour Organization streamlined its activities in Serbia towards three priorities: strengthening the capacities of state institutions and social partners with a view to improving the labour market functioning; increasing employability; and strengthening social welfare system. Once again, the focus was on the more effective implementation of the employment policy, developed active labour market programmes for youth, etc¹⁴².

The Strategy on Safety and Health at Work in period 2013-2017 had an overall objective of improving and maintaining health of active population, i.e. improving working conditions in order to minimize work injuries and occupational diseases.¹⁴³ It is followed by **the Strategy on Safety and Health at Work in period 2018-2022** with three overall aims: to improve safety and health at

¹³⁸ <https://www.minrzs.gov.rs/sr/dokumenti/predlozi-i-nacrti/sektor-za-rad-i-zaposljavanje>

¹³⁹ <https://www.minrzs.gov.rs/sr/dokumenti/izvestaji/sektor-za-rad-i-zaposljavanje>

¹⁴⁰ <http://www.mfin.gov.rs/pages/issue.php?id=8382>

¹⁴¹ <http://sociojalnoukljucivanje.gov.rs/wp-content/uploads/2016/06/SIPRU-ESRP-2016-Srpski.pdf>

¹⁴² <https://www.minrzs.gov.rs/sr/dokumenti/predlozi-i-nacrti/sektor-za-rad-i-zaposljavanje>

¹⁴³ http://www.sociojalnoekonomskisavet.rs/cir/propisi/strategija_bezbednosti_i_zdravlja_na_raduRS_2013-2017.pdf

work; to prevent work injuries and occupational diseases; and to improve records on work injuries¹⁴⁴.

The National Programme for the Suppression of Grey Economy of 2015 was followed by the new one for period 2019-2020 of 2018 with the objective of reduction of grey economy volume in the society. Five specific aims were defined as: more effective supervision over grey economy flows; improvement of the work of Tax Administration for the purpose of collecting more funds; offering incentives for fair competition, legal entrepreneurship and employment; reduction of administrative and para-fiscal burden of economy and citizens; and raising consciousness of the citizens and economy on the importance of the grey economy suppression¹⁴⁵.

The Strategy for Support to the Development of Small and Medium-sized Enterprises and Entrepreneurship of 2015, has 6 objectives in total, two of which are:

- continual development of human resources (encompassing improvement of the quality of labour force and support to entrepreneurship education) and
- development and promotion of entrepreneurship and encouraging of the entrepreneurship among women and youth, as well as of social entrepreneurship (encompassing improved statistics and research into the topic as well as policies and mechanisms for the support to women and youth)¹⁴⁶.

The Strategy of Education Development in Serbia until 2020 of 2012, inter alia, is oriented towards the improvement of quality and access to all levels of education, reducing drop-out rates, and better harmonization of education with the labour market needs¹⁴⁷.

Objectives of increasing employment rates in youth, Roma, persons with disabilities etc. are integral parts of relevant strategies too, while the **Proposal to develop the Roadmap to Eliminate Child Labour, including its Worst Forms, in the Republic of Serbia: 2018-2022** is finalized.

Finally, **Chapter 19 (Employment and Social Policy)** was prepared, but the evaluation from the Screening Report from 2014 on further improvements to be made, due to its partial harmonization with the EU acquis, effectively disabled its opening¹⁴⁸. Moreover, similar formulations have been repeated during the last five years in the row in the Reports issued by the European Commission on Serbia's progress in this field. Back in 2014, the situation regarding the grey market was declared critical, but also the functioning of social dialogue, while it was stated that the employment policy and health and safety at work would need adequate funds.

1.3 Challenges and recommendations

¹⁴⁴ <https://www.minrzs.gov.rs/sr/dokumenti/podzakonski-akti/uprava-za-bezbednost-i-zdravlje-na-radu>

¹⁴⁵ <https://www.srbija.gov.rs/dokument/45678/strategije.php>

¹⁴⁶ <http://www.privreda.gov.rs/wp-content/uploads/2015/06/Strategija-mala-i-srednja-preduzeca.pdf>

¹⁴⁷ <http://www.mpn.gov.rs/wp-content/uploads/2015/08/STRATEGIJA-OBRAZOVANJA.pdf>

¹⁴⁸ <http://www.eu-pregovori.rs/srl/vesti/119/167/detaljnije/bilateralni-skrining-za-poglavlje-19-od-24-do-26-juna/>

The review of the national policy, legal and legislative framework points to numerous documents of importance for SDG 8, targets 8.5 to 8.8. Some of them were enforced prior to 2015, while some other have been amended since then.

The challenges (followed by recommendations) can be summarized such as follows:

- Moderate preparation and moderate progress in the area of employment as regards the aligning with the EU acquis¹⁴⁹. Special concerns have been brought by the EU and the civil sector organizations in the country especially regarding the amendments to the Labour Law of 2014. The Law on Strike was adopted as early as in 1996, with only two minor changes since then. The social dialogue has been very weak. The volunteering has been stalled due to inadequate legal regulations, which discourage interested stakeholders to engage volunteers, primarily, but not only, due to complex procedures, and high costs for those organizing volunteering. The working activation of able-bodied social welfare beneficiaries has been stalled too due to suggested controversial forms and alleged forced labour.

With a view to that, the current legal and strategic framework should be further aligned with the EU acquis, for two reasons: 1) national obligations stemming from the country's status in the negotiation process with the EU 2) the EU's devotion to the promotion of SDG 8 in its documents and policies. Therefore, it could be reasonably supposed that alignment with the EU acquis would be beneficial for the integration of targets 8.5 to 8.8 into the national context of policy and legislation.

- Inconsistent coherence of public policies both within the sectors covering targets 8.5 to 8.8 and those related with them, mainly but not exclusively due to overlapping regulations and consequently over-crowded and non-prioritized objectives, leading to implementation trap.

With a view to that, public policies within the sectors covering targets 8.5 to 8.8 and those related with them should be made more coherent in order to benefit from their synergies. Furthermore, the legislation and strategies should be evidence based and supported by the methods of rational planning¹⁵⁰. All strategies should have clear action plans devised for all of the envisaged objectives. The evaluations are of crucial importance, and they should be done on a regular basis, both the formative and substantive ones, by external independent experts. The participatory processes should be in place, so to encompass all relevant stakeholders, including the Economic-Social Council. The voices of the unions and target groups should be especially encouraged and fully represented through officially designed paths, so to build a "bottom-up" approach. There are strong concerns that existing resources are inadequate especially regarding the rules set in the areas of safety at work and suppression of grey economy.

- Even though there are improvements, regarding the regulation of hard to employ per-

¹⁴⁹ <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20180417-serbia-report.pdf>

¹⁵⁰ The effects of the Law on the System of Planning in the Republic of Serbia are yet to be fully evaluated.

sons, there are still gaps.

With a view to that, active labour market programmes need further redesigning and diversification, so to be targeted especially, but not exclusively, to long-term unemployed and youth. The regulation on social entrepreneurship should be adopted. Gaps to be filled relate mainly to the framework related to lone parents, Roma, persons with disabilities (especially with the intellectual ones), asylum seekers, social welfare beneficiaries. Human rights approach should be the basis for the regulation in the field. The employment of hard to employ should be built-in in all public policies and cooperation among the professionals from different sectors should be given priority.

2. Review of implementation

2.1 Brief introduction

As in the case of the review of national policy, legal and legislative framework, the review of implementation of SDG 8, had in the focus 4, out of the total of 10 targets. The targets in the focus were analyzed primarily based on indicators as developed in the related Global indicators framework. The Statistical Office of the Republic of Serbia has made available 4 out of 6 relevant indicators for targets 8.5 to 8.8¹⁵¹. When the data of the national Statistical Office were not sufficient for the review of implementation (either due to their absence in total or absence of disaggregated data or absence of data for the period under scrutiny, i.e. 2015-2018, or for the reason of intersections with indicators from related areas), data from other sources were presented, where available.

2.2 Assessment of progress

8.5 By 2030, achieve full and productive employment and decent work for all women and men, including for young people and persons with disability and equal pay for work of equal value.

Even though increasing in the period from 2015 to 2018, employment rates of working-age population of 52.0%, 55.2%, 57.3% and 58.8% are low, especially compared to the EU28 where in the period from 2015 to 2017 they accounted for 65.7%, 66.7% and 67.7%¹⁵².

The national economy is still low competitive¹⁵³ in the comparative perspective and annual growth rates of real GDP per capita of 2.3 in 2015, 3.9 in 2016 and 2.6 in 2017 were not sufficient for the generation of more new jobs¹⁵⁴. The labour market is characterized by imbalance of labour force supply and demand, both in terms of the numbers and qualifications, which

¹⁵¹ The Statistical Office of the Republic of Serbia has made available indicators for targets 8.5 to 8.7 and not for 8.8.

¹⁵² In 2017, three bottom ranked EU member states regarding employment rates were Croatia (58.9%), Italy (58%) and Greece (53.5%). Bulgaria and Romania stood at employment rates of 66.9% and 63.9% respectively. <http://appsso.eurostat.ec.europa.eu/nui/submitViewTableAction.do>

¹⁵³ According to the World Economic Forum Edition of 2018, the Global Competitiveness Index ranks Serbia's economy at the 65th position out of 140 economies in total. <http://www3.weforum.org/docs/GCR2018/05FullReport/TheGlobalCompetitivenessReport2018.pdf>

¹⁵⁴ <http://sdg.indikator.rs/en-us//area/decent-work-and-economic-growth/?subarea=SDGUN080101&indicator=080101IND01>

results in high barriers for the entrance of those searching for their first employment and vulnerable populations. In terms of that, regional differences throughout the country have been of concern, with the Belgrade region having above average employment rates, contrary to the region of Eastern and Southern Serbia having lowest employment rates in long periods.

Increasing shares of the employed work with fixed time contracts, currently about 23% of employed of working-age population. In 2018, almost half million employed worked with fixed time contracts (of various types of arrangements), 9% of which for a period longer than 3 years¹⁵⁵. Albeit offering flexibility, fixed time contracts can effectively prevent labourers from the full effectuation of their employment-based rights and jeopardize their employment security, especially when they last for long periods.

Gender segregated data reveal strong labour market imbalances: with female employment rates over 50% as late as of 2017, gaps between male and female employment rates have been narrowing to result in still high 14 percentage points currently. Employment rates of young people (15-24 years of life) are discrediting for Serbia, ranging from 16.6% in 2015 to 21.1% in 2018¹⁵⁶.

Informal employment has been oscillating, with the peak in 2016, when it accounted for 22% of working-age population. It was reduced in two years to follow, to result in 19.5% in 2018, when more than half million people worked informally¹⁵⁷. High share of informal employment in the total employment should be of special concern. Informal employment is highly precarious, due to evasion of regulations and risk of absent security, earnings below the poverty line due to low work intensity, etc. In Serbia, young people are dominant in those in informal employment, but also women, contrary to the situation in the EU and the perceptions of Serbian citizens (as per Citizen Generated Data of April 2019). Still, 56% of respondents of the survey perceive women and young people (along with the Roma and persons with disabilities) as discriminated at the labour market, in terms of their entrance and working conditions. Unsurprisingly, reports produced by the Commissioner for Protection of Equality for three years in the row (2015 to 2017) evidence that citizens filed the greatest number of files for the discrimination in the area of employment and labour relations (one third of the total number of files submitted)¹⁵⁸.

Unemployment rates have been decreasing from 18.2% (in 2015) to 15.9% (in 2016), 14.1% (in 2017) and finally 13.3% (in 2018) to account for 412,2 thousand of people in Serbia. Still, they are twice as high as in the EU28 in the respective years¹⁵⁹. As in the case of employment, gender and years of life are important factors of unemployment. In 2018, women and men accounted for 14.2% and 12.5% respectively of unemployed, while unemployment rate of young people stood as high as 29.7% (with young women prevailing)¹⁶⁰. Persons over 50 years of life are also

¹⁵⁵ <http://publikacije.stat.gov.rs/G2019/Pdf/G20195646.pdf>

¹⁵⁶ <http://data.stat.gov.rs/Home/Result/SDGUN080502?languageCode=sr-Latn>

¹⁵⁷ <http://publikacije.stat.gov.rs/G2019/Pdf/G20195646.pdf>

¹⁵⁸ <http://ravnopravnost-5bcf.kxcdn.com/wp-content/uploads/2018/07/Skra%C4%87eni-RGI-2017-PZR.pdf>
<http://ravnopravnost-5bcf.kxcdn.com/wp-content/uploads/2017/10/Poverenik-Skraceni-godisnji-izvestaj-za-2016-srp-za-odobrenje-za-stampu.pdf>

¹⁵⁹ In 2018, only Greece and Spain were the EU member states with two-digit unemployment rates. Bulgaria and Romania had 5.2% and 4.2% unemployment rates respectively. http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=une_rt_a&lang=en

¹⁶⁰ However, it is for the first time that it dropped below 30%.

vulnerable. In 2017, they accounted for 31% of those unemployed¹⁶¹. However, the most worrying situation is with the Roma population whose unemployment rate stood at as high as 59%¹⁶². Differences between the regions remained huge, with the highest unemployment rate in the region of Eastern and Southern Serbia of 17.3%¹⁶³.

From 2015 to 2017, the National Employment Office registered between 450,000 and 490,000 long-term unemployed person. They accounted for 67% (in 2015), 66% (in 2016) and 69% (in 2017) of those reported to be unemployed¹⁶⁴. In 2017, registered persons were waiting for jobs for 4 years and 7 months on average. These data are, once again, discrediting for Serbia, when compared to the EU28. The number of unemployed persons with disabilities has been reducing for about 200 per year, to account for 22,254 (out of which 37.4% of women) registered with the National Employment Office in 2017¹⁶⁵.

Unemployment rates are actually largely “compensated” by extremely high inactivity rates, i.e. discouragement to search for an employment, most frequently due to long-term periods of unemployment¹⁶⁶. Currently, inactivity rate of working-age population stands at 32.2% (with women outnumbering men for 16 percentage points), while it stands at 70% for young people (again, with young women prevailing)¹⁶⁷. In nominal numbers, 2,710 thousand of people in Serbia are registered as inactive¹⁶⁸.

The average earnings are consistently lower among female employees by about 10 percentage points, depending on the year. Data on average earnings per sectors point to only three of them in which female employees earn higher earnings, which can be correlated with women’s higher educational attainments compared to men employed in those sectors. At the same time, the sectors characterized by higher female employment are those having lower earnings. In the total number of employed women, 24.4% are those with low earnings. Contrary to that, in the total number of employed men, 21.6% are those with low earnings.

In 2014, average hourly earnings of employees by occupation amounted to 364.42 RSD. Female and male employees were paid on average 346.96 RSD and 379.96 RSD respectively¹⁶⁹. The resulting pay gap stood at 8.7%¹⁷⁰. The fact that the employed women were paid for 8.7% less than their male counterparts would be very favourable for Serbia provided that we do not take into account that women with lower educational attainments have low employment rates, hiding thus the real scope of the pay gap. This is confronting with the Citizen Generated Data which suggests that only half of the population perceives that men are better paid compared to women,

¹⁶¹ On average, an age of unemployed person is 41 years and 3 months. http://www.nsz.gov.rs/live/digitalAssets/9/9467_izvestaj_o_radu_i_-_xii_2017.pdf

¹⁶² http://www.ljudskaprava.gov.rs/sites/default/files/dokument_file/strategija_za_socijalno_ukljucivanje_roma_i_romkinja_2016_2025_0.pdf

¹⁶³ <http://publikacije.stat.gov.rs/G2019/Pdf/G20195646.pdf>

¹⁶⁴ Long-term unemployment is especially related to those without qualifications and with low qualifications. http://www.nsz.gov.rs/live/digitalAssets/6/6265_izvestaj_o_radu_nsz_2015_sa_prilozima.pdf

¹⁶⁵ http://www.nsz.gov.rs/live/digitalAssets/9/9467_izvestaj_o_radu_i_-_xii_2017.pdf

¹⁶⁶ The national labour market survey, which is in compliance with relevant Eurostat regulations, defines an unemployed “as a person who did not perform any paid job in the observed week, was actively searching for a job during four weeks that preceded the observed week and is able to start to work in two weeks after the observed one”, while an inactive person is defined “as a person who did not perform any paid job in the observed week, was not actively searching for a job or was not able to start to work in two weeks after the observed one”. <http://publikacije.stat.gov.rs/G2019/Pdf/G20195646.pdf>

¹⁶⁷ The inactivity rate of young people is largely contributed to their uncompleted schooling or training (as high as 67,4% of them). <http://publikacije.stat.gov.rs/G2019/Pdf/G20195646.pdf>

¹⁶⁸ <http://data.stat.gov.rs/Home/Result/SDGUN080502?caller=SDGUN&languageCode=sr-Latn>

¹⁶⁹ <http://data.stat.gov.rs/Home/Result/SDGUN08050102?caller=SDGUN&languageCode=en-US>

¹⁷⁰ https://www.rodnaravnopravnost.gov.rs/sites/default/files/2018-07/%C5%BDene%20i%20mu%C5%A1karci%20u%20Srbiji_2017_0.pdf

while as high as 31% perceive that they are equally paid, pointing to lack of information in the population.

8.6 By 2020, substantially reduce the proportion of youth not in employment, education or training.

Data on employment shows extreme vulnerability of youth aged 15 to 24 years on the labour market in various aspects – rates and numbers, types of work, earnings, etc. The same goes for their unemployment, with the rates of 43.2%, 34.9%, 31.9% and 29.7% for those aged 15 to 24 in 2015, 2016, 2017 and 2018 respectively¹⁷¹. In 2018, the highest number of youth aged 15 to 24 years, one third of the total number of young people unemployed, was recorded in the region of Sumadija and Western Serbia, followed by the region of Southern and Eastern Serbia. Early drop-out rate, i.e. the percentage of youth aged 18 to 24 years with the primary school education, accounted for 6.8%¹⁷².

Youth not in employment, education or training includes both those who are and those who are not actively searching for a job. The most frequent reason of inactivity of the latter is the discouragement, followed by caring tasks after children or relatives, and their own temporary sickness or disability.

The proportion of youth aged 15-29 years not in employment, education or training (NEET) in Serbia has been narrowing from 24.5% where it stood in 2015 to 20.1% in 2018¹⁷³. Still, the NEET rate for this group is above the EU28 average of 17.2% in 2017¹⁷⁴. It points to aggravated transition from education to work in Serbia, for one fifth of its young population and even for more young women. Currently, young women outnumber young men for 4.7 percentage points in this respect.

Even though also unfavourable, the proportion of youth aged 15-24 years not in employment, education or training (NEET) in Serbia, has yet better performance. In 2018 it stood at 16.5% with young women outnumbering young men for 1 percentage point¹⁷⁵.

Thus, data points to higher obstacles and barriers for young women and men aged over 25 years of life to enter the labour market. This has serious implications for their life cycle, among other, by prolonging their potential taking on of parenting roles.

8.7 Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms.

In Serbia, 9.5% of children aged 5 to 17 years were engaged in child labour in 2014. Half of all children involved in child labour in Serbia are not enrolled in education.

Child labour is almost 3.5 times higher in rural than in urban areas. The reasons contributing to that could be agricultural activities and higher at-risk poverty rates of rural households. However, the reported child labour in Roma settlements (4.7%) is well below the average and even below the one recorded

¹⁷¹<http://sdg.indikatori.rs/sr-Latn/area/decent-work-and-economic-growth/?subarea=SDGUN080502&indicator=24000200IND01>

¹⁷²<http://publikacije.stat.gov.rs/G2019/Pdf/G20195646.pdf>

¹⁷³<http://data.stat.gov.rs/Home/Result/SDGUN080601?caller=SDGUN&languageCode=en-US>

¹⁷⁴In the EU28, NEET rate ranged from 7.8% in Sweden to 29.5% in Italy. [https://ec.europa.eu/eurostat/statistics-explained/index.php?title=SDG_8_-_Decent_work_and_economic_growth_\(statistical_annex\)#Young_people_neither_in_employment_nor_in_education_and_training](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=SDG_8_-_Decent_work_and_economic_growth_(statistical_annex)#Young_people_neither_in_employment_nor_in_education_and_training)

¹⁷⁵<http://data.stat.gov.rs/Home/Result/SDGUN080601?caller=SDGUN&languageCode=en-US>

in urban settlements (4.8%). In general, boys outnumber girls with 12% and 7% respectively (the gap is even prominent in the Roma population where boys outnumber girls with 8% and 2% respectively)¹⁷⁶.

The highest percentage of children engaged in labour is aged 5 to 11 years – 12%; followed by those aged 15 to 17 years – 7.5%; and finally those aged 12 to 14 years – 5.8%.

Education of mothers is in direct correlation with the child labour – the higher the educational attainments of mother, the lower the child labour percentage.

The wealth index quintiles proved not to be in direct correlation with child labour. However, the highest percentage of children engaged in labour is in the poorest quintile (14.6%), it is lower in the middle quintile (12.3%) and the lowest in the richest one (4.4%)¹⁷⁷.

In total, 3% of children works in unsafe working conditions (6% of boys and children from other settlements, 8% of children aged 15-17 and the children from the poorest households). Data for Roma children are slightly different: 4% of Roma children works in unsafe working conditions (7% of boys and children from other settlements, 8% of children aged 15-17 and the children from the poorest households).

8.8 Protect labour rights and promote safe and secure working environments for all workers, including migrant workers, in particular women migrants, and those in precarious employment.

The Directorate for Safety and Health at Work reports data on accidents at work in a way that is not consistent with the European Statistics on Accidents at Work (ESAW)¹⁷⁹, disabling thus the focus on migrants in general, including women migrants, and those in precarious employment.

Unsurprisingly, the number of officially reported cases of accidents at work in total (potentially, the number is higher, since not all are reported) has been on the rise, due to controversial transition and privatization processes, which led to aggravated working conditions, without effective inspections and supervision.

In the last four years, the number of work injuries has been on the rise, for almost one third. It accounted for 7,991, 9,064, 10,312 and 10,404 in 2015, 2016, 2017 and 2018 respectively. One fourth of those injured at work are employed in the sector of processing industry. Men contribute with more than 70% of the total number of injured at work. Finally, almost half of the total number is aged 30-49, followed closely by those over 50 years of life¹⁸⁰.

2.3 Challenges and recommendations

The review of implementation points to some severe and persistent challenges as regards targets 8.5 to 8.8, which are accompanied by recommendations:

- Still absent certain data and indicators, despite significant improvements in the work of the National Statistical Office.

The importance of data cannot be overstated. The development of solid, harmonized and timely

¹⁷⁶ <https://www.unicef.org/serbia/sites/unicef.org.serbia/files/2018-08/MICS5.pdf>

¹⁷⁷ <http://data.stat.gov.rs/Home/Result/SDGUN08070105?caller=SDGUN&languageCode=en-US>

¹⁷⁸ <https://www.unicef.org/serbia/sites/unicef.org.serbia/files/2018-08/MICS5.pdf>

¹⁷⁹ *Strategy on Safety and Health at Work in the Republic of Serbia for the period 2018. do 2022. with an action plan for its implementation*, <https://www.minrzs.gov.rs/sr/dokumenti/predlozi-i-nacrti/uprava-za-bezbednost-i-z-dravlje-na-radu/strategija-bezbednosti-i-zdravlja-na-radu-za-period-od-2018-2022>

¹⁸⁰

data should be prioritized, along with the development of disaggregated data based on gender, years of life, ethnicity (where possible), disability, region, etc.

Independent and qualitative research and studies should be encouraged and financed from specially designated funds for that purpose. Scientific projects focused on the employment and labour market should be prioritized by the ministry in charge of science.

- Breaching of the regulations, their evasion and consequent implementation “trap”. In general, the social and economic rights are hard to be guaranteed. However, many rules from the field have been arguably controversial and therefore, inter alia, brought in front of the Constitutional court.

Along with the factual harmonization of rules in the areas covering targets 8.5 to 8.8 and related areas, the rules have to take into account the analysis of the factual situation in the country. The resources and capacities for the implementation should be clearly devoted and strengthened.

- High risk of precarious labour. On the one hand, out of the total number of only app. 2,800 thousands of employed population, almost half million works based on fixed time contracts and another half million works in the grey economy. Injuries at work are on the rise. Along with low employment rates in general, special concerns are in connection with the employment opportunities for women, young, those over 50 years of life, Roma, persons with disabilities, with regional disparities which seem to be very hard for overcoming. Along with that, inactivity rates are very high, and also the proportion of long-term unemployed within the structure of unemployed.

Regulations which are de facto in favour of extreme flexibility on the labour market will not lead to decent work and they have to be eliminated. This means reconsidering rules on, inter alia, fixed time contracts (since they lead employers to keep employees for unjustifiably long periods on such contracts), and employment related contributions (the labour is burden with costs, many of which are considered by employers as unjustifiably high, resulting in paying employees minimal wages or pushing people towards grey economy which presents a survival strategy).

Employment policy should have a decisive turn towards active labour market programmes. Funds devoted to ALMPs have to be adequate for the coverage of higher shares of unemployed (especially women, young, Roma, persons with disabilities, long-term unemployed) and capacities for their implementation should be enhanced. In terms of that, social entrepreneurship should be further promoted.

Social welfare and educational systems should be actively engaged in the prevention of child labour, but also in the measures designed to its eradication.

Labour Inspectorate should have adequate capacities for the implementation of its competencies.

3. Civil society participation in SDG 8 implementation

3.1 Assessment of civil society space

The activities of the civil sector organizations, including unions, as regards targets 8.5 to 8.8 have been on-going, however with outcomes of a limited scope, for various reasons, as indicators in the field convincingly shows.

The activities of the unions have been connected with numerous hardships. Some of them stem from the weak national economy and low number of employed that could be potentially organized within unions. However, not even all employed are members of the unions. Overall trust and relying to unions in Serbia is extremely low as demonstrated by a research conducted by the Centre for the Development of Syndicalism of 2018¹⁸¹. On the other hand, there are a lot of anecdotal evidence that some union activists have been sanctioned for the performance of their legally prescribed activities. Most frequently by being transferred to lower paid positions or getting laid from the job. Furthermore, the International Labour Organization reported that the Social-Economic Council was not even consulted when the laws in the field were drafted, which was effectively disabling the representative of employees to put their voice¹⁸².

On the one hand, many civil sector organizations with a focus on specific groups, such as women, youth, Roma, and persons with disabilities, have within their area of activities, those related to employment and labour relations of respective groups, their discrimination on the labour market etc.

On the other hand, there are civil sector organizations with a focus on labour relations in general and especially, labour legislation and its implementation in Serbia. Some of them are leftist, arguing in favour of empowering labourers in general. Recently, there has been an increased focus of civil sector organizations on the social entrepreneurship.

There have been activities in terms of networking between and among the civil sector organizations active in the field.

One of the most prominent developments is the creation of the National Convent on the European Union which gathers representatives from the civil sector organizations and Unions, inter alia, as regards Chapter 19.

The major part of the activities of stakeholders from the civil sector rests within informing public on the negative effects of legislation in the field, commencing public discussions and dialogue in the society, publishing, etc. They have been also advocating and pressuring for changes in the field, not only regarding the legislation, but also its implementation. However, the funds available to them are rather limited, due to uncertain financing in case of civil sector organizations and low funds collected based on contributions in case of unions.

3.2 Challenges and recommendations

The main challenges are found in low power and moderate activism of the stakeholders from the civil

¹⁸¹ Srećko Mihailović (ed.), Protection and strengthening of labour rights – the activity of workers and civil rights organizations. Belgrade, Syndicalism Development Center, 2018.

¹⁸² <https://www.minrzs.gov.rs/sr/dokumenti/predlozi-i-nacrti/sektor-za-rad-i-zaposljavanje>

sector. Recommendations to that are:

- To continue to build partnerships between civil sector organizations
- To make the lines of finances devoted to the civil sector from the side of the budget more transparent
- To implement the regulations regarding the participation of the civil sector.

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2019

Shadow Report

SR



**Sustainable Development
Goal 10**

Reduce inequality within and among countries

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LIST OF ACRONYMS

Ministry of Economy – MoE
Ministry of Labor, Employment, Social and Veteran Affairs – MoLESVA
Ministry of Foreign Affairs – MoFA
Ministry of Justice – MoJ
Ministry of Youth and Sports- MoYS
Ministry of Interior- Mol
Ministry of Education, Science and Technological Development – MoESTD
Ministry of Health
Ministry without portfolio responsible for demography and population policy- MoDPP
Ministry of Public Administration and Local Self-Government – MoPALSG
Ministry of European Integration -MoEI
Coordination Body for Gender Equality – CBGE
Commissariat for Refugees and Migration – CfRM
Commissioner for Protection of Equality - CoPE

Sustainable developmental goal 10, as one of points in focus of this shadow report, particularly deals with **reduction of inequality within and among countries**. Mix of qualitative and quantitative indicators from various sources were used in compiling this report, in order to demonstrate what the Republic of Serbia has taken to implement SDGs in scope of the goal 10 and it's and targets, to provide information related to current situation on the ground and relevant recommendations. Elements of the UN methodology – RIA (Rapid Integration Assessment - RIA) were used in the analysis, for the identification of gaps in the strategic framework, as well as for the assessment of the relative importance of particular strategic documents for sustainable development goals.

As a core principle of the 2030 Agenda, “Leave no one behind” implies ending extreme poverty, reducing inequalities, and addressing discriminatory behaviours and requires action across all SDG goal areas. This principle implies measures that should tackle marginalized groups, particularly individuals and groups facing multiple discrimination.

Given that there is **no available national data** for SDG 10, and that regarding levels of assessment of availability of indicators there is no internationally recognized methods and data for 45% of

¹⁸³ Regarding to presentation “Statistic of SDG”, for SDG Goal 10 for only 23% indicators there are internationally recognized methods and data who are broadly available (Level 1 data); and for 32% indicators there are internationally recognized methods and data, but not broadly available (Level 2 data), while some less than half of indicators belongs to level 3 - no internationally recognized methods and data. Presentation of Tiina Luige Available on: <http://sdg.indikatori.rs/dokumenti/>

indicators for this goal¹⁸³, this report tend to review data from various sources and to provide descriptive analysis of the legal and policy framework, with focusing on implementation and budgeting with a critical analysis and set of key recommendations.

Table 1. Targets, indicators, responsible institutional apparatus, potential linkages of between goal 10 and other SDG goals and targets, and list of relevant strategies and laws

SDG Goal 10 ¹⁸⁴ Reduce inequality within and among countries Indicators ¹⁸⁵	Line Ministers Responsible Institutional Apparatus	SDGs Potential Interlinkag es	Relevant strategies and laws
10.1. By 2030, progressively achieve and sustain income growth of the bottom 40 per cent of the population at a rate higher than the national average 10.1.1 Growth rates of household expenditure or income per capita among the bottom 40 per cent of the population and the total population	MoE MoLESVA	<u>Goal 1</u> Poverty 1.1, 1.2 <u>Goal 2</u> Food 2.1, 2.2 <u>Goal 8</u> Decent Work and Economic growth 8.1, 8.5	<ul style="list-style-type: none"> • Employment and Social Reform Program (ESRP), 2015¹⁸⁶ • National Employment Strategy for the period (NES) 2011 – 2020 • Strategy for Social Inclusion of Roma in the Republic of Serbia (SSIR) for the period 2016 – 2025 + Action Plan 2017 -2018¹⁸⁷ • National Strategy for Resolving the Issues of Refugees and Internally Displaced Persons (NSRIDPs) for the period 2015 – 2020 • National Strategy for Gender Equality (NSGI) for the period 2016 – 2020 + Action Plan • Strategy for the Prevention and Suppression of Trafficking in Human Beings, Especially Woman and Children, and Protection of the Victims (SPTH) 2017 – 2022 + Action Plan 2017 – 2018 • Strategy on Migration Management SMM¹⁸⁸ • Strategy for Education Development (SED) in Serbia 2020¹⁸⁹ + Action Plan • National Employment strategy 2011-2020¹⁹⁰ • Public Administration Reform Strategy (PARS) + Action Plan • Fiscal Strategy for 2017 with projections for 2018 and 2019¹⁹¹
10.2. By 2030, empower and promote the social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status 10.2.1 Proportion of people living below 50 per cent of median income, by sex, age and persons with disabilities	MoE MoLESVA CBGE MoEI CoPE	<u>Goal 1</u> Poverty 1.4 <u>Goal 2</u> Food 2.3 <u>Goal 4</u> Education 4.5 <u>Goal 5</u> Gender 5.1	<ul style="list-style-type: none"> • Strategy for the Prevention and Suppression of Trafficking in Human Beings, Especially Woman and Children, and Protection of the Victims (SPTH) 2017 – 2022 + Action Plan 2017 – 2018 • Strategy on Migration Management SMM¹⁸⁸ • Strategy for Education Development (SED) in Serbia 2020¹⁸⁹ + Action Plan • National Employment strategy 2011-2020¹⁹⁰ • Public Administration Reform Strategy (PARS) + Action Plan • Fiscal Strategy for 2017 with projections for 2018 and 2019¹⁹¹
10.3. Ensure equal opportunity and reduce inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard 10.3.1 Proportion of population reporting having personally felt discriminated against or harassed in the previous 12 months on the basis of a ground of discrimination prohibited under international human rights law	MoE MoLESVA CBGE CoPE	<u>Goal 2</u> Food 2.3 <u>Goal 4</u> Education 4.5 <u>Goal 5</u> Gender 5.1 <u>Goal 8</u> Decent Work and Economic Growth 8.5	<ul style="list-style-type: none"> • Strategy for the Prevention and Suppression of Trafficking in Human Beings, Especially Woman and Children, and Protection of the Victims (SPTH) 2017 – 2022 + Action Plan 2017 – 2018 • Strategy on Migration Management SMM¹⁸⁸ • Strategy for Education Development (SED) in Serbia 2020¹⁸⁹ + Action Plan • National Employment strategy 2011-2020¹⁹⁰ • Public Administration Reform Strategy (PARS) + Action Plan • Fiscal Strategy for 2017 with projections for 2018 and 2019¹⁹¹

¹⁸⁴ Without additional indicators 10.a, 10.b and 10.c.

¹⁸⁵ Economic and Social Council (2017) Statistical Commission. Report on the forty-eighth session. New York: United Nations, available at: <https://unstats.un.org/unsd/statcom/48th-session/documents/Report-on-the-48th-session-of-the-statistical-commission-E.pdf>

¹⁸⁶ The original title of this document in 2014 was the National Economic Reform Programme, since 2015 it is drafted under the name Economic Reforms Programme (ERP). <http://www.mfin.gov.rs/pages/article.php?id=13105>

¹⁸⁷ The strategy of social inclusion of Roma for the period from 2016 to 2020, *Official Gazette of the Republic of Serbia* No. 90-1370/2016-1 <http://sociojalnoukljucivanje.gov.rs/en/national-strategy-of-social-inclusion-of-roma-for-the-period-from-2016-to-2025/>

¹⁸⁸ Strategy on Migration Management, *Official Gazette* of RS, No 59/09

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¹⁹⁰ National Employment Strategy 2011-2020. *Official Gazette of the Republic of Serbia* No 37/2011, http://www.you-see-for.me/images/policies/srb/Nacionalna_strategija_zaposljavanje_2011_2020.pdf

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<p>10.3. Ensure equal opportunity and reduce inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard</p> <p>10.3.1 Proportion of population reporting having personally felt discriminated against or harassed in the previous 12 months on the basis of a ground of discrimination prohibited under international human rights law</p>	<p>MoE MoLESVA CBGE CoPE</p>	<p><u>Goal 2</u> Food 2.3 <u>Goal 4</u> Education 4.5 <u>Goal 5</u> Gender 5.1 <u>Goal 8</u> Decent Work and Economic Growth 8.5</p>	<p><u>MISSING – OUT OF DATE</u></p> <ul style="list-style-type: none"> • Social Protection Strategy (SPS) 2005 -2008 • National Action Plan for Children (NAPC) 2005 -2015 • Strategy of Public Health (SPH) • National Strategy on Ageing (NSA) 2006 –2015 • Strategy of Prevention and Protection against Discrimination (SPPD)+Action Plan 2014 - 2018)¹⁹² <p><u>LAWS ADOPTED 2014-2018</u></p> <ul style="list-style-type: none"> • Law on Financial Support to Families with Children, 2017¹⁹³ • Law on Free Legal Aid, 2018¹⁹⁴, will be enforced from October 2019 • Law on Migration Management¹⁹⁵
<p>10.4. Adopt policies, especially fiscal, wage and social protection policies, and progressively achieve greater equality</p> <p>10.4.1 Labour share of GDP, comprising wages and social protection transfers</p>	<p>MoE MoLESVA MoEST D</p>	<p><u>Goal 1</u> Poverty 1.3 <u>Goal 8</u> Decent Work and Economic Growth 8.5</p>	<p><u>LAWS ADOPTED BEFORE 2014</u></p> <ul style="list-style-type: none"> • Family Law, 2005¹⁹⁶ • Law on Social Protection, 2011¹⁹⁷ • Law on the Prevention of Discrimination against Persons with Disabilities, 2006¹⁹⁸ • Law on the Prohibition of Discrimination, 2009¹⁹⁹ • Law on Employment of Persons with Disabilities, 2009²⁰⁰ • Law on Gender Equality²⁰¹ • Labour Law, 2009/2015/ 2017²⁰²
<p>10.5. Improve the regulation and monitoring of global financial markets and institutions and strengthen the implementation of such regulations</p> <p>10.5.1 Financial Soundness Indicators</p>	<p>MoE MoFA</p>	<p><u>Goal 8</u> Decent Work and Economic Growth 8.10 <u>Goal 9</u> Infrastructure 9.3</p>	<p></p>
<p>10.6. Ensure enhanced representation and voice for developing countries in decision-making in global international economic and financial institutions in order to deliver more effective, credible, accountable and legitimate institutions</p> <p>10.6.1 Proportion of members and voting rights of developing countries in international organizations</p>	<p>MoE MoFA</p>	<p><u>Goal 16</u> Peace and Effective Institutions 16.7, 16.8</p>	<p></p>
<p>10.7. Facilitate orderly, safe, regular and responsible migration and mobility of people, including through the implementation of planned and well-managed migration policies</p> <p>10.7.1 Recruitment cost borne by employee as a proportion of yearly income earned in country of destination</p> <p>10.7.2 Number of countries that have implemented well managed migration policies</p>	<p>MoJ MoLESVA CfRM</p>	<p></p>	<p></p>

¹⁹² Strategy for Prevention and Protection against Discrimination (2014-2018). *Official Gazette of the Republic of Serbia*, No.60/2013 http://www.ljudskaprava.gov.rs/sites/default/files/dokument_file/strategija_jul_2013.pdf and Action Plan for the Implementation of the Strategy for Prevention and Protection Against Discrimination for the period 2014–2018. *Official Gazette of the Republic of Serbia*, No. 107/2014.

¹⁹³ The Law on Financial Support to Families with Children, *Official Gazette of the Republic of Serbia*, Nos 113/17 and 50/18

¹⁹⁴ Law on Free Legal Aid. *Official Gazette of the Republic of Serbia*, No. 87/18 <http://www.pravno-informacioni-sistem.rs/SlGlasnikPortal/eli/rep/sgrs/skupstina/zakon/2018/8>

¹⁹⁵ The Law on Migration Management. *Official Gazette of RS*, No. 107/12.

¹⁹⁶ The Family Law, *Official Gazette of RS*, Nos 18/05 and 72/11.

¹⁹⁷ The Law on Social Protection. *Official Gazette of RS*, No. 24/11.

¹⁹⁸ The Law on the Prevention Discrimination against Persons with Disabilities. *Official Gazette of the Republic of Serbia*, Nos. 33/2006 and 13/2016.

¹⁹⁹ The Law on the Prohibition on Discrimination. *Official Gazette of the Republic of Serbia*, No. 22/2009.

²⁰⁰ The Law on Employment of Persons with Disabilities. *Official Gazette of the Republic of Serbia*, No. 128/14.

²⁰¹ The Law on Gender Equality. *Official Gazette of the Republic of Serbia*, No. 104/2009.

²⁰² The Labour Law. *Official Gazette of the Republic of Serbia*, Nos. 24/05, 61/05, 54/09, 32/13, 75/14 and 13/17.

1. Integration of SDG 10 in policy and normative framework in Serbia

Recent analysis on equity issues in Serbia listed 5 Specific anti-discrimination strategies and 14 additional strategies relevant to the rights to equality and non-discrimination²⁰³ (more than a third of those documents are currently out of date). There is also about 70 separate laws dealing to inequality issues, and numerous of rulebooks. Latest mapping of national strategic framework regarding 2030 Agenda²⁰⁴ emphasize lack of coherence in policy, existence of more than 80 national strategies that overlaps and not infrequently contradict each other and several hundreds of local public policy documents (488 adopted public policy documents and 897 ongoing planning processes at local level).

The relevant strategic and policy framework in the Republic of Serbia dealing with issues of inequality reviewed in this document includes:

1. Economic Reform Programmes (ERP) for the period 2017-2019 and 2018-2020; and Employment and Social Reform Programme (ESRP);
2. Strategy for the Social Inclusion of Roma in the Republic of Serbia 2016-2025;
3. Strategy for Education Development in Serbia 2020
4. National Gender Equality Strategy 2016 – 2020 and Action Plan 2016 – 2018;
5. Screening Report for Serbia for the Chapter 19 (Social Policy and Employment) and Action Plan for the EU Negotiations Chapter 23 (Judiciary and Fundamental Rights); and

The Economic Reform Programmes (ERP) and the Reform Program of Employment and Social Policy in the EU Accession Process (ESRP) are among the most important documents for the SDG's 1, 2, 8 and 10 implementation, which has been (be)annually producing since 2014 up to 2020. ERP (2017-2018 and 2018-2020) stresses the need to improve the investment and business environment and fiscal wage policy, does not identify particular measures and policies regarding inequality, but it defines the reduction of relative poverty as one of priorities. Priority reforms in the social sectors is about improving adequacy, quality and targeting of social protection through the "increase of adequacy of cash payments" and efficiency of social benefits for people below the poverty line, enhancement of availability and quality of social services through legislation measures, "as well as linking different sectors, information systems" (ERP, 2018-2020). The Economic Reform Programmes stress gender equality is in the areas of work and money, that large numbers of employees working in the "grey" zone and limited funds for active labour market measures.

ESPR contain key reforms and programs a in the area of employment and labour market including unemployment of the youth as a vulnerable category, human capital and skills, social inclusion

²⁰³ Petrusic, N. and Beker, K. (2019) Equality in Practice Implementing Serbia's Equality Laws. London: Equal Rights Trust

²⁰⁴ Government of Republic of Serbia (2018) Serbia and Agenda 2030 - Mapping the National Strategic Framework vis-a-vis the Sustainable Development Goals, https://rsjp.gov.rs/EN/wp-content/uploads/2018/07/Agenda_2030_i_Srbija_-_Report_ENGLISH_2802.pdf

and protection, as well as challenges in the pension and health care system. ESPR name the most vulnerable groups among children, since child poverty rates are considerably increased since 2010, and Roma, particularly those in informal settlements, internally displaced persons, persons with severe disability, the elderly without pensions, individuals without education or with low education levels as well as non-urban population (ESRP, 2016). The main challenge in reducing inequality, according to ESPR, remains in improving the coverage and adequacy of means-tested cash benefits, and in maintaining pension adequacy and safeguarding the living standard of the elderly, especially elderly without pensions.

The Performance Assessment²⁰⁵ of ESPR strategy indicate the insufficient funding on active labour market policy measures, and unadjusted and not enough intensive support measures for hard-to-employ vulnerable groups, especially long-term unemployed from marginalized or multiple vulnerable population (Roma, women, youth, people with disability, without qualifications, etc).

Strategy for the Social Inclusion of Roma (SSIR, 2016-2025) is comprehensive document holding different affirmative measures for man and woman from Roma community who are affected by consequences of long-standing multiple discrimination and social exclusion. Strategy deals with the elimination of social inequality and poverty of Roma in Serbia through political, economic, social and financial systems. The Strategy sets five special objectives and diverse goals in five key areas: education, housing, employment, health and social protection. On that way, SSIR is on the line with The European Union (EU) Framework for National Roma Integration Strategies²⁰⁶.

Strategy for Education Development (SEDS) includes a number of detailed measures focusing on the education of ethnic minorities, persons with disabilities and gifted students. Particular focus is on regional disparities issues characterized by process of population decline in rural, near-border, underdeveloped and industrially devastated areas and the issue of social inequality in education and related problems is unemployment structure of youth. Series of measures are envisaged and taken in order to increase of education coverage and inclusiveness, especially at the preschool education level and among the vulnerable groups of students such as Roma, children and youth with disability and migrants and refugees.

National Gender Equality Strategy (GES) 2016 – 2020 with the Action Plan 2016 – 2018 pay particular attention on different aspects of gender inequality. Sources of income determines unfavourable status of women: earnings, financial compensation for unemployed persons property income and loans/savings are the main source of income for 58% - 63% men, while for woman main sources of incomes are pensions, scholarships and social income (55%-57%). There is also a issue of higher unemployment rates and lower income among women, and evident gender-property inequality, since property is largely owned by man. Strategy specifically focuses on improving the position of women who experience multiple and intersectional discrimination, based on their ethnicity, disability, place of living (rural/urban), age, employment status, education status, and/or experience of domestic violence. Specific strategic goal (goal 2) aims to

²⁰⁵ https://www.minrzs.gov.rs/files/procena_uspesnosti_nacionalne_strategije_zaposljavanja_za_period_2011-2020._godine_za_prvih_5_godina_primene_2011-2015.pdf

²⁰⁶ EU Framework for National Roma Integration Strategies up to 2020 https://ec.europa.eu/info/policies/justice-and-fundamental-rights/combating-discrimination/roma-and-eu/roma-integration-eu-countries_en#nationalromainegration-strategies

improve economic and labour market status of women, to promote gender equality in rural areas and to ensure equal access to development results. During 2015, Gender Responsive Budgeting (GRB) was introduced in public finance, therefore all budget users are obliged to implement the principles of GRB by the end of 2020.

Two documents prepared for EU negotiation process - **Screening Report for Serbia for the Chapter 19** (Social Policy and Employment) and **Action Plan for the EU Negotiations Chapter 23** (Judiciary and Fundamental Rights) are principally important for SDG 10. Screening Report for Chapter 19²⁰⁷ considers the issue of unequal position of different groups within the society and a need to address critical labour market situation (including undeclared work), measures for poverty reduction and social inclusion of the Roma, people with disabilities and other vulnerable groups. **Action Plan for Chapter 23**²⁰⁸ focuses on the advancing of the position of vulnerable groups and stress measures aspiring to stop violation of equality based on the sexual orientation or gender identity (3.10.1.2), measures for improving the position of Roma (3.8.2), and measures to improve protection and enforcement of rights of children and of persons with disabilities (3.6.2).

A decade ago (2009) Serbia adopted the **Law on the Prohibition on Discrimination** as a broad equality law. Two additional laws were also adopted concerning to the non-discrimination of specific groups: the **Law on the Prevention of Discrimination against Persons with Disabilities**, and the **Law on Gender Equality**, which is currently under review. Relevant law is also the **Law on Vocational Rehabilitation and Employment of Persons with Disabilities**, dealing with improvement of position of persons with disabilities in the labour market. The interaction between these legislative documents is not established well and undoubtedly, creating an added challenge in the area of enforcement²⁰⁹.

The Strategy of Prevention and Protection Against Discrimination (SPPAD) 2013- 2018, and its associated **Action Plan for the Implementation** has just expired. That universal strategy referred to measures needed to advance the right to equality of all persons but focuses in particular on improvement of nine particularly vulnerable groups (women; persons with disabilities; older people; children; members of the LGBTI community; national minorities; refugees, IDPs and other migrant groups; people whose health condition may be the ground for discrimination; and members of religious communities). The latest report on implementation on Action Plan of SPPAD, states that for 122 specific measures, 63 (51.7%) are fulfilled, 22 (18%) are unrealized, 15 (12%) are partly realized, and there is no data for 22 (18%) of specific measures²¹⁰.

²⁰⁷ Screening Report for Chapter 19: Social policy and employment. <http://www.eu-pregovori.rs/eng/negotiating-chapters/chapter-19-social-policy-and-employment/>

²⁰⁸ Republic of Serbia Negotiation group for chapter 23 Action Plan for chapter 23 with implementation status on 31st December 2018. <https://www.mpravde.gov.rs/tekst/22364/polugodisnji-izvestaj-pregovaracke-grupe-za-poglavlje-23-za-treci-i-cetvrti-kvartal-2018-godine.php>

²⁰⁹ Petrusic, N. and Beker, K. (2019) Equality in Practice Implementing Serbia's Equality Laws. London: Equal Rights Trust

²¹⁰ Monitoring report on implementation of the Action plan for implementation of the Strategy of Prevention and Protection against Discrimination for the period of 2014.- 2018. -for the first and second quartal 2017., Belgrade, September 2017., <http://www.ljudskaprava.gov.rs/sh/node/22042>

²¹¹ Social Protection Development Strategy (2005) <http://www.gs.gov.rs/english/strategije-vs.html>

The Social Protection Development Strategy²¹¹ adopted in 2005 is outdated more than 10 years - from 2008. A new strategy was announced to be adopted by the end of 2018, but this has not happened. Simultaneously, in the public sphere, professional circles and civil society there is no debate about strategic directions and priorities in social protection. This missing strategy can have a vital contribution to the implementation of wide range of SDG's targets:

- SDG 1 Eradicate extreme poverty for all people everywhere (1.1), Reduce the proportion of men, women and children living in poverty in all its dimensions (1.2) and SDG 1 – target: Implement nationally appropriate social protection systems and measures for all, including floors (1.3).
- SDG 2 – End hunger, especially access to food of vulnerable groups (2.1);
- SDG 4 – Universal primary and secondary education (4.1) Access to early childhood development and pre primary education (4.2);
- SDG 5 – Elimination of all form of violence (5.2), Elimination of early child marriages (5.3);
- SDG 8 – End modern slavery, human trafficking and worst form of child labour (8.7)
- SDG 10- Income growth of the bottom 40 per cent of the population (10.1); Empower and promote the social, economic and political inclusion of all, irrespective of age, sex, disability, race, ethnicity, origin, religion or economic or other status (10.2); Ensure equal opportunity and reduce inequalities of outcome, including by eliminating discriminatory laws, policies and practices and promoting appropriate legislation, policies and action in this regard (10.3)
- SDG 16 - End abuse, exploitation, trafficking and all forms of violence against and torture of children (16.2)

2. Social and economic context for sustainable reduction of inequality

Serbia is an upper middle-income country with population of 7.2 million, with per capita Gross Domestic Product (GDP) of 4.904€ in 2017, which is equivalent to 47% of the world's average²¹². Positive economic trends in GDP increase and growth of economic activities is marked in 2015 after eight years of stagnation. The main sources of household income are wages and pensions. Comparing to Southeast Europe region, average wage of 404€ in 2017 is lower only in Macedonia (375€), while average wage in Croatia is 813€, in Montenegro 510€, Bosnia and Herzegovina 439€ and EUR 427€ in Albania. In 2016 the average pension in Serbia was 202€.

The United Nations Development Programme ranked Serbia in 2015 at 66 out of 188 countries, with the Human Development Index (HDI) value of 0.776. Gini income coefficient, which measures inequality in the distribution of wealth, spanning 38.0 to 37.8 for the period 2013-2017, was highest in Southeast Europe, and indicates a stable but high income inequality in Serbia. In European Union, average income inequality spans 30.5-32.0 from 2013 -2015²¹³. High income inequality in Serbia is evident also in income quintile share ratio (S80/S20). According to Third national report of on social inclusion and poverty reduction²¹⁴ in 2016 income distribution inequality was 9.7 (average value for EU- 28 is around 5) which means that 20% of the wealthiest

²¹² World Development Indicators <https://databank.worldbank.org/data/reports.aspx?source=2&country=SRB>

²¹³ Survey on Income and Living Conditions (SILC). For Serbia, Press Release no. number 087, Statistic Office of the Republic of Serbia; For EU Eurostat: http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=ilc_di12&lang=e

²¹⁴ Government of the Republic of Serbia (2018) Third national report of on social inclusion and poverty reduction in the Republic of Serbia The Status of Social Exclusion and Poverty Trends in the Period 2014–2017 and Future Priorities, third-national-report-on-social-inclusion-and-poverty-reduction2014-17_eng.pdf

population in the Republic of Serbia had equivalent income that was 9.7 times higher than the income of the bottom 20%.

Living standard is low and poverty is pervasive and long-lasting. The absolute consumption poverty rate based on the Household Budget Survey is constantly high with fewer fluctuations in last 10 years. In 2017 almost 500,000 people or 7.2% of the total population has not been able to meet basic needs²¹⁵.

Table 2. Absolute poverty in Serbia 2007-2017²¹⁶

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Monthly poverty line in RSD	6.625	7.401	8.022	8.544	9.483	10.223	11.020	11.340	11.556	11.694	12.045
% of poor in RS	8.3	6.1	6.6	7.6	6.6	6.3	7.4	7.6	7.4	7.3	7.2

According to SILC (2016) data, at-risk-of-poverty (AROPE) rate²¹⁷ stood at very high 25.5% (1.79 million of people), the severe material deprivation rate at 19,5% and low work intensity rate is 15.7%. Same source indicates that 38.7% of the population of the Republic of Serbia (2.72 million people) were at risk of poverty or social exclusion (EU-28 average is 23.5%). Simultaneously, almost two thirds (63.9%) of the population of the Republic of Serbia were subjectively poor, which was 2.5 times higher than the proportion of the population at risk of poverty. Comparing to SILC 2013, at-risk-of-poverty-or-social-exclusion rate decreased by 4.4%, and that is primarily due to reduction of share in the severely materially deprived population.

Inequalities are growing, and according to EU-SILC methodology, the **SDG indicator 10.1.1** is not favourable for Serbia, since living standard of the population is falling, with the standard of the poorest falling to an even greater degree. In the 2012-2015 period the real income of the overall population fell by -1%, whilst for the poorest 40% fell by -2%. Real growth was negative for everyone, but more prominent among the poorest population, particularly for the bottom 20%.

Different insight is provided by Household Budget Survey (HBS) per-capita consumption, which unlike SILC differently treats in-kind income from agriculture and unregistered self-employment. HBS data indicates that the living standard in the observed period grew faster for the poorest 40% (3.7%) than for the overall population (2.9%), and that SILC data underestimates social transfers²¹⁸. This requires careful interpretation, since HBSS data are not comparable with EU-28 data.

²¹⁵ Mladenović, B. (2017), Poverty in the Republic of Serbia 2006-2016 – Revised and New Data, Belgrade, Social Inclusion and Poverty Reduction Unit, Government of the Republic of Serbia, <http://socijalnoukljucivanje.gov.rs/rs/socijalno-ukljucivanje-u-rs/statistika/apsolutnosiromastvo/>

²¹⁶ Social inclusion and Reduction team of the Government of the Republic of Serbia (2017), Poverty in Republic of Serbia 2006 – 2016., revised and new data http://socijalnoukljucivanje.gov.rs/wp-content/uploads/2017/09/Siromastvo_u_Republici_Srbiji_2006-2016_godine_revidirani_i_novi_podaci.pdf

²¹⁷ AROPE - At-risk-of-poverty-or-social-exclusion rate is a combination of three distinct indicators – the at-risk-of poverty rate, the severe material deprivation rate and the very low work intensity rate.

²¹⁸ UNDP (2018) Human Development Paper On Income Inequality In The Republic Of Serbia Reduced inequality as part of the SDG agenda. http://www.rs.undp.org/content/serbia/en/home/library/human_development/human-development-paper-income-inequalities-in-serbia.html

According to Arandarenko et al.²¹⁹, both factors can influence very little on the inequality, no more than 1.5 percentage points. During the observed period, the at-risk-of-poverty rate decreased in rural areas, and grew in cities (from 15.9 to 19.1%)²²⁰, which could indicate lack of food for some urban poor without land and relatives in agricultural production (**SDG 2.1.2.**).

Some authors explain high income inequality in Serbia with the high rate of low work intensity of household members and the high proportion of people working in non-standard forms of employment. Furthermore, the low coverage of social transfers for poor (particularly financial social assistance and child benefit) and very low level of progressivity of the Serbian personal tax system describe the modest redistributive role of direct taxes and social transfers²²¹.

Three basic elements determine the living standard and profile of poor: employment status, level of education and urban/ rural residence. Regarding employment status, the highest risk of poverty rate in 2017 was for unemployed (50.7%), while rate for self-employed was 35.5%, and 17.5% for pensioners²²². Poverty is noticeably higher in non-urban areas (34.1%), also people with lower education are more exposed to risk of poverty.

Child poverty and vulnerability rates are considerably higher than average and is growing last few years - in 2017 at-risk-of-poverty rate for children up to 18 was 30.5%. Rate is just slightly lower for youth 18-24 – 29.7%). The lowest at-risk-of-poverty rate was for person older than 65 years (21.3%). It is important to stress that highest risk of poverty was in households of two adults and three or more dependent children (55.8%). It also indicates that a large number of children in Serbia are growing up (and reach young adult age) in long-term poverty, and that the conditions for families with children are worsening comparing to other households.

Various analyses acknowledged presence of extreme vulnerability among Roma ethnic community, particularly in Roma settlements where adequate access to water and electricity is not ensured. Other groups vulnerable to poverty are internally displaced persons, person with severe disability, elderly without pensions, people without or with low level of formal education and rural population.

Two key cash benefits targeting the poor in the Republic of Serbia's social and child protection system are financial social assistance and child allowance, amounted to approximately 1.75% of the GDP in 2017. Expenditures on **financial social assistance** totalled RSD 14.5 billion (0.33% of the GDP) in 2017. Same year financial social assistance was used by over 104.000 households (over 260.000 adults and children), or 3.7% of the total population. It is slightly over one half of 7.2% of the total population (500,000 people) who has not been able to meet basic needs in 2017.

The World Bank data emphasised that coverage of at risk of poverty population by financial social assistance was low – it was received by only 11% of the poorest quintile. This situation is mainly a result of the harsh requirements regarding this transfer: income ceiling is very low - for an individual is lower by one third than the absolute consumption poverty threshold; in addition land

²¹⁹ Arandarenko, M, Krstić, G. i Žarković Rakić, J. (2017) Income inequality in Serbia Dohodna nejednakost u Srbiji: From Data to Politic Friedrich-Ebert-Stiftung | Belgrade Office

²²⁰ Government of Republic of Serbia (2018) Serbia and Agenda 2030 - Mapping the National Strategic Framework vis-a-vis the Sustainable Development Goals, https://rsjp.gov.rs/EN/wp-content/uploads/2018/07/Agenda_2030_i_Srbija_-_Report_ENGLISH_2802.pdf

²²¹ Krstic, G. (2016) Why income inequality is so high in Serbia: empirical evidence and a measurement of the key factors. Economic Annals, Volume LXI, No. 210, 23-46. DOI:10.2298/EKA1610023K

²²² Statistical Office in Serbia. Poverty and Social Inequality, 2017. <http://www.stat.gov.rs/sr-latn/vesti/20181225-siromastvo-i-socijalna-nejednakost-2017/?s=0102> 25.12.2018.

ownership ceiling is proved to be a very demanding clause especially for the elderly households in undeveloped rural areas. Furthermore, combination of many other requirements inevitably leads to a small number of those who meet all of them simultaneously.

UNICEF MICS 2014 survey data indicate that the coverage rate with cash transfers of vulnerable Roma population was comparatively high. In 2014, in Roma settlements 63.8% of poorest according to the wealth index – received financial social assistance²²³. The financial social assistance coverage rate did not change substantially relative to the preceding reporting period. It grows by over 50% relative to the period prior to the legal changes of 2011, when it stood at 2.3%. The cost-benefit ratio, showing the reduction in at-risk-of poverty depth for every dinar spent on the given scheme, stood at 0.85.328²²⁴. It is very important to emphasize that financial social assistance recipients are eligible for the status of “protected energy customer”, allowed to a reduction in monthly electricity or gas bills, health care and for child allowance if the child attends school regularly. Other types of assistance vary among local government units; in most cities and municipalities, financial social assistance recipients are entitled to one-off cash assistance or some type of in-kind benefits (meals in soup kitchens, textbooks for school children, clothing and footwear for children, and the like). However, from the ability to meet the basic needs, financial social assistance has unsatisfactory amount, and keeps beneficiaries under the line of absolute consumption poverty. From different perspectives, some argue that higher amounts of this transfer could compete with minimal pension based on contribution, and to discourage active engagement in job search, since transfer amount stood at 37% to the net minimum wage (about 190€ in 2017). So, it seems that poor families on benefits have a small space to survive, and, eventually to relocate themselves to working poor (**SDG 1.1.1.; 1.2.1.; 1.2.2**).

The **child allowance** is subject to a means test and conditional upon regular school attendance, and could be used by first four children. The augmented amount (30% higher) is designed for children with disabilities, children in single-parent and foster and guardian families. Coverage rate of children and youth up to the age of 19 with child allowance stood at approximately 21% in 2017 (342 thousand children). According to the last SILC (2016) data, the **child allowance coverage rate** for children living in severely materially deprived households – is 53% and for all children at risk of poverty (0-17) is about 45%. MICS data²²⁵ highlights that the most of primary-school-age children in Roma settlements (over 70%) received the child allowance in 2014, while the coverage rate of secondary-school-age children was below 30%. It is noticeable that coverage is considerably lower for secondary-school-age children and youth - owing to the regular school attendance requirement, and it is not a case only for children in Roma settlements. That indicate that the poorest families with children do not consider this transfer stimulating enough to encourage schooling of teenagers who could contribute in family income more engaging in (low paid) work (**SDG 4.5**). Similarly like other social transfers, in 2017 child allowance gradually decline in the ratio compared to previous years, with expenditures 0.28% of GDP (about RSD 12 billion). This proportion was considerably lower than in the European Union (1.1% of the GDP in 2014).

Besides cash benefits targeting the poor, other social transfers have a diverse impact on poverty and inequality. **Cash benefits for children and adults with disabilities** (basic and augmented, for

²²³ Statistical Office of the Republic of Serbia and UNICEF, *Multiple Indicator Cluster Survey, 2014, and Roma Settlements Multiple Indicator Cluster Survey, 2015*.

²²⁴ World Bank (2017) Republic of Serbia, Restructuring and Right Sizing Project Vertical Review of Ministry of Labor – Review of Social Assistance Programs in Serbia

²²⁵ Statistical Office of the Republic of Serbia and UNICEF, *Multiple Indicator Cluster Survey, 2014, and Roma Settlements Multiple Indicator Cluster Survey, 2015*.

those with the most severe disabilities) are designed for adults and children who are unable to independently perform activities of daily living as a result of illness or disability, apart from of their material status. Inside the social protection system, roughly 16.000 people received the basic (attendance) allowance, and about 35.900 received the augmented allowance²²⁶, which cover about 60% of individuals with challenges in independent living. According to MoLESVA data, together with people who receives those entitlements under the Pension and Disability Insurance Fund, it covers complete targeted population²²⁷. The augmented allowance is about 20% higher than net minimum wage, aiming to compensate for the missed earnings of family members who provide care for a child or adult with disability. This cash transfer is very important for families of people with severe disabilities, but for average amount RSD 22,533 monthly in 2017 (approximately 191€) it is very hard to appoint paid caregiver even for usual working hours, considering that many of those beneficiaries needs 24 hour care²²⁸.

In reality, adequacy of cash benefits for population at the risk of social exclusion should be judged under the fact that **support service** for different vulnerable groups are very modestly developed. Due to lack of funding, expertise and poor law enforcement in area of social protection, those services are absent, inaccessible and elusive for the most of those who are in need.

Social care service are designed in Law on Social Protection (2011), includes assessment and planning (with gate-keeping function preformed by CSW), day-care services, services for independent living, counselling-therapy and social-educational services, as well as residential and foster care services. Part of the services is within the mandate of the central level and other (“soft” or community-based services such as day care, services for independent living, counselling-therapy and social-educational services) are within the mandate of local governments. Current financing mechanisms, challenges in decentralization, delay or partial implementation and application of certain lawful solutions have led to predominant usage of foster and residential care services in terms of number of clients and expenditures. In 2017²²⁹ (figures were quite stable in last four years) there were about 21.000 residential and foster care service users with national budget expenditures of 0.14% of GDP since around 23.000 - 25.000 users, amounted 174 local government units about 0.06 of GDP²³⁰.

The most widespread community based service is in-home care for the elderly - during 2015 was provided in 122 of 174 local communities, but with varying intensity and availability, since considerable ratio of local units do not provide this service during hole year. However, coverage of elderly by that essential day care services is very low (just 1.1% of the total population aged 65+), and availability is particularly poor in rural areas. Day care for children and youth with disabilities was provided just in 68 local community units (47%), but generally, the coverage of children and youth with disabilities with different services was low and insufficient (about 0.7%). New emerging service for this population - personal companion, which seeks to make the prerequisites for inclusion and to provide possibilities for proper education of children and youth with disabilities, was

²²⁶ Among those who received augmented allowance are about 20.000 individuals who received the basic allowance under the pension and disability insurance system

²²⁷ Government of the Republic of Serbia (2018) Third national report of on social inclusion and poverty reduction in the Republic of Serbia. The Status of Social Exclusion and Poverty Trends in the Period 2014–2017 and Future Priorities.

²²⁸ Other measures and cash transfers who could potentially influence inequalities, such as a birth grant in cash for the first four children born in a family introduced by a new Law on Financial Support to Families with Children (2017), since it directly aims on population policy, and there is no available data to asses potential impact of law enforcement in this area.

²²⁹ Until April 2019, Republic Institute for Social Protection, institution who is in charge by the Law for reporting in Social Protection did not publish reports for 2018

²³⁰ Matković, G., Stranjaković, M. (2016), *Mapping Social Care Services within the Mandate of Local Governments in the Republic of Serbia*. Belgrade: Social Inclusion and Poverty Reduction Unit, Government of the Republic of Serbia,

provided in 30 of local communities (every fifth). At the same time, personal assistant for adult whit disability was offered in 17 local units.

Assisted living arrangements were available for persons with disabilities just in 9, and for youth care leavers in 12 local communities. Unfortunately, after 14 years of pioneering, struggling and advocating for inclusion and provision of assisted living arrangements for 18 persons with disabilities who previously lived on residential care, NGO Association for Promotion of Inclusion of Serbia (API Serbia), has terminated the provision of the service, due to financial instability and lack of (statutory) support, so previously deinstitutionalized people were, after years of life and work in communities, returned to institutions²³¹.

The least developed cluster of services are so call counselling-therapy and social-educational services, not yet standardized in relevant bylaw as other services. There are services such as counselling, mediation, help lines, social and psycho education in groups, outreach services, crisis intervention, as well as intensive family preservation and reunification services. This group of “soft” services mainly demands high professional competences and defined treatment program rather than rooms and equipment, in order to provide support to individuals and families who are facing with multiple and complex problems. Serious lack of services that prevents the separation of children from biological families and offer family reunification after alternative care, as well as rang of family support services for families of children with disabilities is well recognised and evident. Different initiatives and projects supported development and piloting of a range of services with such goals, including the most prominent family outreach service, funded from the Instrument for Pre-Accession Assistance (IPA 2013) and with UNICEF support. Despite excellent evaluations and experiences among service users and provides, professionals, academic community and decision makers²³², sustainability of those necessary services is not afforded, and services that have proven to be effective disappear.

There are a several challenges and obstacles in enforcement of Law on Social Protection in previous period regarding development and provision of social inclusion measures and services. Adoption of whole set of important bylaws and regulations for implementation of this law was slow and late, particularly affecting development and sustainability of community social services. Rule-books of minimum standards of social services as well as rulebook on licensing of services were stipulated more than two years after LSP. Furthermore, Decree on Earmarked Transfers in Social Protection²³³ as a regulation intended to provide the development and sustainability of community based services and boos to local governments units and to encourage the involvement of civil society in service provision, was adopted five years after in 2016. That Decree was strongly criticized by civil society organizations, because it allegedly favours public service providers²³⁴.

In 2014, only 35 under developed municipalities received funds for social care service develop-

²³¹ Termination letter on providing accommodation with the support http://www.sapi.rs/2012/index.php?option=com_k2&view=item&id=800:%D0%BE%D0%B1%D0%B0%D0%B2%D0%B5%D1%88%D1%82%D0%B5%D1%9A%D0%B5-%D0%BE-%D0%BF%D1%80%D0%B5%D0%BA%D0%B8%D0%B4%D1%83-%D0%BF%D1%80%D1%83%D0%B6%D0%B0%D1%9A%D0%B0-%D1%83%D1%81%D0%BB%D1%83%D0%B3%D0%B5-%D1%81%D1%82%D0%B0%D0%BD%D0%BE%D0%B2%D0%B0%D1%9A%D0%B5-%D1%83%D0%B7-%D0%BF%D0%BE%D0%B4%D1%80%D1%88%D0%BA%D1%83&Itemid=792&lang=sr

²³² Žegarac, N. (2107) Evaluation of the services for families with children with disability - *Piloting outcomes*. [Research on the Outcomes of Family Support Services for Families with Children with Disability]. Beograd: Fakultet političkih nauka univerziteta u Beogradu, Centar za istraživanja u socijalnoj politici i socijalnom radu. http://www.fpn.bg.ac.rs/wp-content/uploads/2017/12/Evaluacija-usluga-za-porodice_v5_18.12.17.pdf

²³³ Decree on Earmarked Transfers in Social Protection, *Official Gazette of RS*, No. 18/2016.

²³⁴ The contested Regulation of committed transfers in social protection <http://www.oda.rs/2016/sporna-uredba-o-namenskim-transferima-u-socijalnoj-zastiti>

ment (about RSD 50 million), and significant improvement in coverage was notice with new regulation: in 2016 support was provided to 122 and in 2017 for 125, local government units (RSD 400 in 2016 and 710 million in 2017) and in 2018 earmarked transfers were used by 111 local government units²³⁵. Despite current significant increase of budget for development of community based social services, the challenges in development of community based services remain the same. Recent analysis of earmarked transfers effectives indicates that more than 12% of funds remained unused, and that about half of local government units failed to spend the entire fund from earmarked transfers. Identified problems are related to administration and unfamiliarity with procedures (about 20%) and incapacity of local governments to meet prescribed deadlines (9%). Roughly, every sixth municipality (16%) states that it had problems with public procurement procedures. Also 13% of municipalities point out the low capacities of the social protection system, mainly due to the undersized capacities of the centers for social work and the lack of licensed service providers²³⁶. Only 55 (60%) of municipalities has a list of service providers, while in half of them, there is only one licensed service provider (in 10 municipalities there are two, and only in 7 it is possible to find a larger number of licensed service providers. It's remarkable that problems with service availability and intensity remain the same even after provision of significant funds through earmarked transfers, since many local governments offer services only for a 7 or 9 months per year, due to their incapacity to fulfil public procurement requirements.

Licensing of social services proved to be expensive and incredibly bureaucratic, partly since some newly adopted regulations from other sector (such as fire regulations) pose for advanced and costly solutions. Also local government units seem to have serious lack of interests, knowledge, and funds for development of community based services for socially disadvantaged groups of citizens. This situation was particularly discouraging for civil society organization that provides a variety of those services with uncertain funding and unclear priorities in policy regarding vulnerable groups. Many social services which already proved to be useful, effective, necessary for inclusion and dignified life of vulnerable children and adults were extinguished due to insufficient and inadequate government support. Those social services are sometimes labelled as unsustainable, but they are rather poorly or entirely unsupported.

3. Many are lefts behind – policies regarding the most vulnerable populations in Serbia

As well as in many Eastern European Countries, in Serbia, one of the groups that are consistently identified as vulnerable or marginalized is Roma, the group facing limited access to opportunities in nearly each aspect of human development: basic rights, health, education and housing. A wide gap between marginalised Roma and other population in terms of human capabilities and materi-

²³⁵ Republic Institute for social protection, <http://www.zavodsz.gov.rs/sr/aktuelnosti/realizacija-namenskih-transfere-za-2018/>

²³⁶ Praćenje efekata sprovođenja namenskih transfera u socijalnoj zaštiti. Namenski transferi – finalni izveštaj (2018) <http://rsjp.gov.rs/wp-content/uploads/2019/01/Pra%C4%87enje-efekata-sprovo%C4%91enja-namenski-transfera-u-socijalnoj-za%C5%A1titi.pdf>

al well-being is evident in Serbia. Due to 2011 census, Roma composing 2.1% of population, but different evidence shows that that figure is underestimated. Recent World Bank report relies on Council of Europe estimate on about 400.000 – 800.000 or 5.5-11.1% (mean 8.3%) of population in Serbia²³⁷. This makes the Roma the second largest minority in Serbia, after Hungarians.

According to Strategy for Social Inclusion of Roma in the Republic of Serbia (SSIR), 59% of the total active Roma are not employed, which is significantly above the national average of 22.4%, which is directly conditioned by low educational structure of Roma population. Also, employed Roma earn much less than non-Roma. More than one-quarter (27.6%) of Roma households earn their income using social assistance. According to UNICEF data quoted in that strategy, Roma share of beneficiaries of social security services is almost four times higher than that in the total population in Serbia²³⁸. Also, Roma are less likely to own their homes, more likely to live in substandard housing or to be homeless, and more likely to report that they fear they will be evicted from their homes.

The data speaks for themselves in area of education: while 80% of children from Roma settlements who were enrolled in the first grade of elementary school had previously attended preschool preparatory program, in the general population, the coverage is 98%. Furthermore, 97% in the general population and of 69% of Roma children started the first grade of primary school on time. Merely 64% of Roma children graduate from primary school comparing to 93% in the general population. Also just 22% Roma children go to high school weigh against to 89% in the general population. Roma girls are especially vulnerable, since more than 40% drop out of school to get married between 15 and 19 years of age, comparing to 4% girls in the same age group in the general population. According to UNICEF study (2017)²³⁹ in many Roma communities, early marriage is a response to widespread unemployment, which is a demotivating factor to engage in further education or potential job opportunities.

Furthermore, Roma children are also fare worse in school performance compared to their non-Roma peers (Robayo-Abril and Millan, 2019). These data are particularly warning in light of the fact that the Roma population is significantly younger than the general population in Serbia. Additionally, adult education is particularly important, since literacy rates are low among Roma, especially Roma females. At the same time, the returns to education among Roma are fairly low²⁴⁰.

Different evidence points toward discriminatory factors in the education system in Serbia: both parents had to be employed for the child to gain admission in kindergarten, which is rare among Roma; cost of preschool education which lead to unpreparedness for school and cost barriers for compulsory education and subsequent stages of education (textbooks, clothes, and transport; harassment from teacher, non-Roma parents and children, disproportionate number of Roma children in special and vocational schools, joined with discriminatory practices in the labour force represents some structural factors which contribute to poor educational outcomes and high

²³⁷ Robayo,-Abril, M. and Millan, N. (2019). *Breaking the Cycle of Roma Exclusion in the Western Balkans*. Washington, DC: World Bank Group. <http://documents.worldbank.org/curated/en/642861552321695392/pdf/Breaking-the-Cycle-of-Roma-Exclusion-in-the-Western-Balkans.pdf>

²³⁸ The strategy of social inclusion of Roma for the period from 2016 to 2020, *Official Gazette of the Republic of Serbia* No. 90-1370/2016-1 <http://socijalnoukljucivanje.gov.rs/en/national-strategy-of-social-inclusion-of-roma-for-the-period-from-2016-to-2025/>

²³⁹ United Nations Children's Fund (2017). *Child Marriage among the Roma Population in Serbia: Ethnographic Research*. Belgrade: UNICEF, https://www.unicef.org/serbia/Child_marriage_among_the_Roma_population_in_Serbia_web.pdf.

²⁴⁰ World Bank estimates based on weighted 2017 UNDP-World Bank-EC Regional Roma Survey data.

school drop-out²⁴¹.

Some positive legislative measures, such as the Law on Foundations of the Educational System in 2009, which introduces the concept of inclusive education, create some improvements. Development is evident in decrease of the proportion and overall number of Roma children in special education school, which is connected to general steps for reduction of usage of special schools, not with particular measures towards Roma. Important systemic measure that supported school enrolment and completion among Roma children was the introduction of one compulsory year of Preparatory Preschool Program for all children ages 5.5 to 6.5 year.

4. Activities of civil society organization regarding sustainable developmental in reducing inequalities

Office for Cooperation with Civil Society was established on 2011, with the aim of system inclusion of civil society organisations into a permanent dialogue with government institutions, which should be based on a transparent and structured communication and regular exchange of experiences, information and opinions. Also, during 2014, Guidelines for Inclusion of Civil Society Organizations in the Regulation Adoption Process were published²⁴².

It seems that in the past period, the participation of civil society organizations in the activities of social inclusion stagnated. This is also testified by the report of EU commission for 2018, which states that no progress has been made in establishing a favourable environment for the civil society. The planned National strategy for the development of civil society has not been adopted, even it was negotiated since 2014. The cooperation of state bodies and civil society organizations is considered fragmented and selective, while civil society mostly has a negative connotation in the media. In addition, the adoption of laws by urgent procedure restricts democratic debate and effective involvement of civil society²⁴³, since during 2018 one third of 82 laws were adopted in urgent procedure, without any consultations, while during 2016, public debate was held for every eighth act²⁴⁴.

In 2016, social protection services were provided by 85 licensed service providers, of which 57.6% are civil society organizations. Some reports indicate that in 2017, a certain number of GoNGO (government NGOs) and NGOs (non-governmental organizations from political parties), including the Monitoring Council for Human Rights and Transparency in the Fight Against Corruption, and the Institute for the Assessment of Youth Needs, were established to compete in certain vacancies to finance or discredit the efforts of other CSOs²⁴⁵. The 2017 Indicator of Sustainability of Civil Society Organizations, developed under the USAID methodology, shows that the legal and practical environment for citizens' participation in the decision-making process in Serbia is deteriorating, particularly in the area of advocacy²⁴⁶.

²⁴¹ Majumdar, S. and Woodhouse, A. (2019). The Problem Is 'They See Us As A Whole': Explaining Gender- and Ethnicity-Based Inequalities among the Roma in Serbia. Background paper, Washington, DC: World Bank, <http://documents.worldbank.org/curated/en/867831552914300138/text/The-Problem-Is-They-See-As-A-Whole-Explaining-Gender-and-Ethnicity-based-Inequalities-Among-the-Roma-in-Serbia.txt>

²⁴² Government of Republic of Serbia and Office for Cooperation with Civil Society (2014) Guidelines for Inclusion of Civil Society Organizations in the Regulation Adoption Process. <http://civilnodrustvo.gov.rs/upload/documents/Publikacije/2015/EN%20smernice.pdf>

²⁴³ Serbia Report - European Commission for 2018. u [http://www.mei.gov.rs/upload/documents/eu_dokumenta/godisnji_izvestaji_ek_o_napretku/izvestaj_ek_o_srbiji\(1\).pdf](http://www.mei.gov.rs/upload/documents/eu_dokumenta/godisnji_izvestaji_ek_o_napretku/izvestaj_ek_o_srbiji(1).pdf)

²⁴⁴ Civilno društvo i evropske integracije Srbije u 2018. godini http://www.bos.rs/cd/vesti/163/2019/02/01/civilno-drustvo-i-evropske-integracije-srbije-u-2018_godini-.html

²⁴⁵ Civilno društvo i evropske integracije Srbije u 2018. godini http://www.bos.rs/cd/vesti/163/2019/02/01/civilno-drustvo-i-evropske-integracije-srbije-u-2018_godini-.html

²⁴⁶ National Coalition for Decentralization and USAID (2018) Sustainable index Civil Soceity 2017. <http://nkd.rs/wp-content/uploads/2018/10/IO-OCD-2017-Srbija.pdf>

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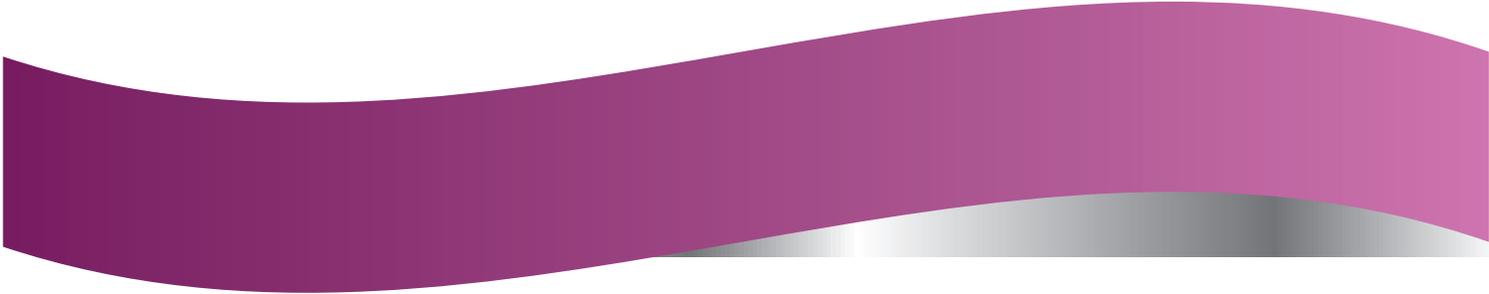
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2019

Shadow Report

SR



**Sustainable Development
Goal 13**

Take urgent action to combat climate change and its impacts

Igor Jezdimirović
Environmental Engineering Group

1. Review of the National Policy, Legal and Legislative Framework

1.1 Brief introduction

An estimated material damage, caused by extreme climate and weather conditions in Serbia from the year 2000 till present-day, exceeds 5 billion euros. The main cause of the damage, in approximately 70% of all the cases, is drought and high temperatures, while the second biggest reason is floods²⁴⁷.

Considering estimates²⁴⁸ that in the territory of Serbia, until the end of the century, there is an expected increase in the annual temperature up to 4 degrees Celsius, along with a decrease in summer precipitation up to 20%, it is evident that some urgent measures of climate change adaptation are necessary.

Extreme index analysis led to a conclusion that there has been an increase in strong precipitation episodes on the territory of Serbia, even though the change in a total amount of precipitation has been small. The most significant change comes as a trend of warming, followed by a decrease in extremely high temperatures and an extension of thermal periods. In addition to this, we have a change in precipitation division in favour of heavy rains and more days with no precipitation²⁴⁹.

Past adaptation investments are disproportionately small in comparison to needs and losses which occur. A small amount of assets being invested in climate change adaptation is directly linked to a small amount of assets, assigned by the budget of the Republic of Serbia to the whole environmental protection. The Fiscal Council has made an assessment in its report²⁵⁰ that a strong decrease in environmental protection investments is a budget priority in 2019 and years to come, but this was not the case because of a lack of the political will and understanding of the significance which this issue holds for the lives of all citizens.

The official strategic goal of the Republic of Serbia is the European Union accession and all of reforms should be conducted with the aim of establishing a compatible functioning system. At the operational level, this means that both implementation activities in fighting climate change and

²⁴⁷ Serbia and Agenda 2030, Government of the Republic of Serbia, Public Policies Secretariat

²⁴⁸ Tihomir Popović; Elizabeta Radulović; Milenko Jovanović: "How much is our climate changing, what will our climate be like in the future?" Ministry of Science and Environmental Protection, Environmental Protection Agency

²⁴⁹ Second Report of the Republic of Serbia under the United Nations Framework Convention on Climate Change, August 2017

²⁵⁰ The Fiscal Council: Investments on environmental protection: Social and fiscal priority-June, 2018.

adaptation to its consequences is being conducted through the EU integration process. Hence, prioritizing and a conduction of goals in the field of climate changes is vastly conditioned by negotiation dynamics, processes and projects which follow it.

The main jurisdiction in the environmental protection and climate changes is held by the Ministry of Environmental Protection, even though some important segments, which influence this field, are under the authority of some other ministries.

When it comes to fighting climate changes, it is important to observe energy transformation processes, industrial pollution control, air quality, waste management, water quality, nature and soil protection, risk management, civil protection quality and efficiency. For all of this, fulfilling goals set in SDG 13 and chapter 27 are strongly connected and demand some long-term processes, a political will and interested parties from all society segments getting involved.

Alongside with the complicated process, high expenses following fulfilment of set goals are presenting the basic obstacle. Investment expenses²⁵¹ for air quality and climate changes combat alignment with the EU requirements are being estimated to 294 million euros, while for the entire chapter 27 an estimate is 10.6 billion euros.

Dynamic of passing regulations significant for climate changes in Serbia is mainly conditioned by development aid projects and bilateral cooperation, through which they are being prepared.

1.2 Assessment of framework

The government of the Republic of Serbia and the United Nations Team have signed the Development Partnership Framework 2016-2020 (DPF) in May 2017, as a strategic document which is in an alignment with both European integrations priorities and the Sustainable Development Goals (SDG).

The fourth pillar of the Development Partnership Framework 2016-2020 predicts that until the year 2020, capacities for combating climate changes and natural resources management, along with communities more resistant to catastrophes caused by both nature and human factor, should exist.

Serbia has, as an EU membership candidate country, achieved a certain progress when it comes to harmonizing policies and laws in the field of environmental protection, climate changes and civil protection, but in the period to come, it must consolidate its strategic planning and administrative capacities. Efficiency in conduction of existing laws is the main priority of the further development²⁵².

Regular planning and following legislative activities and their alignment with domestic legislation is being conducted through the National Programme for the Adoption of the EU Acquis (NPAA). The third, latest revised NPAA, was adopted in March 2018 and contains a revision of alignment of EU directives and regulations in the field of climate changes. EU legislation on climate changes which has not yet been implemented into National legislation

²⁵¹ National Strategy of the Republic of Serbia for environmental approximation

²⁵² UN-Serbia Development Partnership Programme, Government of the Republic of Serbia and the UN Team in Serbia, May 2017.

system:

- Directive EC/2003/87-The EU emissions trading system (EU ETS)
- Directive 1999/94/EC on availability of consumer information on fuel economy and CO2 emissions in respect of the marketing of new passenger cars

EU legislation on climate changes which has not yet been aligned with the National legislation:

- Regulation EU/525/2013 on monitoring and reporting greenhouse gas emissions and for reporting other information at national and Union level relevant to climate change (MMR)-Monitoring mechanism Regulation
- Decision on the effort of Member States to reduce their greenhouse gas emissions EC/406/2009-Effort sharing decision
- Directives EC/443/2009 and EU/510/2011 on CO2 emissions on passenger cars and light commercial cars

EU legislation on climate changes which has partially been implemented into the National legislation:

- Directive EC/98/70 on the quality of petrol and diesel fuels
- Directive EC/2009/31 on the geological storage of carbon dioxide
- Regulation EC/1005/2009 and Regulation EC/744/2010-Substances damaging the ozone layer
- Regulation EU/517/2017-fluorinated greenhouse gases²⁵³

Serbia has submitted two reports so far, according to the United Nations Framework Convention on Climate Change (UNFCCC), while the third one is currently being done. In November 2015, a study “Gender and climate changes in the Republic of Serbia” has also been done and it has made a specific analysis of issues of gender equality and climate changes and some recommendations were made, considering integration of these two significant segments, for the sake of general welfare. Nevertheless, strategic documents considering climate changes still do not integrate the gender equality aspect.

The law on climate changes has passed the public debate, and should be adopted during 2019.

Floods, which occurred in May 2014, taking a scale which has not been noted during the last 120 years in the Republic of Serbia, have initiated a proposal of the set of laws in order to restore the floods aftermath. At the same time, the “Programme for financing risks in cases of natural disasters for the Republic of Serbia until 2019” has been brought along with the “National programme for managing natural disaster risks” with the Action plan for the 2017-2020 period.

Strategies which have been adopted and should have had a significant influence on SDG 13 realization are: the National strategy for protection and rescue in emergency situations, the Strategy for protection from fires for the 2012-2017 period and the Strategy for sustainable development up to year 2018. Unfortunately, as a result of action plans and progress reports lacking, it is not possible to assess effects which have been made.

²⁵³ National Programme for the Adoption of the Acquis – NPAA-Third revision, Ministry of European Integration of the Republic of Serbia, February 2018

When it comes to SDG 13-target 13.1. “Strengthen resilience and adaptive capacity to climate-related hazards and natural disasters”, key strategic documents have not yet been adopted. The Strategy for climate changes combat with an action plan, as the umbrella document and the Strategy for changed climate conditions adaptation are still being prepared.

Along with key strategic documents, the significant contribution to SDG 13-target 13.1 goals fulfilment should be made by the Strategy of air protection, the Strategy NIGP-National Infrastructure of Geospatial data, the Strategy for waste management for the 2019-2024 period, the Strategy for managing waste sludge and the National plan for alleviating aftermaths of drought and soil degradation. All of these have not yet been adopted and are at different preparation levels.

When it comes to the goal 13.2. Integrating climate change measures into national policies, strategies and planning, it is being covered mostly by the National environmental protection programme as an umbrella document, adopted in 2010. for a ten-year period to 2019. The whole chapter covers the air quality and climate changes, and also sets some short-term (2010-2014), mid-term (2015-2019) and continuing goals (2010-2019). In order to achieve the 13.2. goal, the Strategy for sustainable development should also have had its impact, but this influence is hard to assess because of lack of its conduction progress monitoring. A great significance for fulfilling the 13.2 goal lies within the field of energetics and its strategic documents.

The greatest contribution to the emission of greenhouse effect gases (80%) is being made by the energetics sector²⁵⁴. Energetic transformation is the key goal of the EU energetic policy²⁵⁵, through which most of climate Acquis is being carried out.

Serbia is getting some guidelines for conducting energetic efficiency and using renewable energy resources via the Energy Community of South East Europe, hereby making a contribution to a fulfilment of targeted SDG 13 values and execution of obligations from the “United Nations Framework Convention on Climate Change”.

The 2030 EU policy framework for climate and energy defines both a direction and some targeted values: Improvement on energetic efficiency by 27%, Renewable energy resources share by 27%, Decrease in CO₂ emission by at least 40% in comparison to 1990. Goals which are defined by the Strategy for energetic development of the Republic of Serbia to the year 2025 with projections to 2030, should lead to a fulfilment of these requirements. Three main priorities by the Strategy²⁵⁶ are: an overall transition toward sustainable energy, through advancement in an energetic efficiency, increase of the share of energy coming from renewable resources and advancement in both state and system of environmental protection in all fields of energetics. The National action plan for renewable energy resources usage of the Republic of Serbia is a strategic document which stimulates investments in the renewable energy resources section and it should bring to life the fulfilment of set up goals, but when it comes to implementation, many challenges occurred.

Even though SDG 13 is directly in a correlation with SDG 6, SDG 7, SDG 11, SDG 12 and SDG 15, it is not always the case that strategic documents considering these goals, are actually recognising

²⁵⁴The Second report of the Republic of Serbia according to the United Nations Framework Directive on Climate Changes, August 2017.

²⁵⁵Basic documents: EU climate and energy package (Legal package), 2030 Framework, Roadmap 2050 (strategy)-Emission reduction by 80% in comparison to 1990, EU Strategy on adaptation to climate change -2013.

²⁵⁶Energetics development strategy of the Republic of Serbia to 2025. with projections to 2030. (Official Gazette of the Republic of Serbia, no.101/15)

the climate change problematic and adaptation to it.

1.3 Challenges and recommendations

- Consolidation of strategic documents and their clear linking and harmonization is necessary, in order to prevent overlapping jurisdictions and direct development of capacities for monitoring and execution of adopted regulations.
- Adopt the Law on climate changes, finish and adopt in the shortest possible period the Strategy for fighting climate changes with the action plan and the Strategy for adaptation to changed climate conditions.
- A great dynamics in new strategic documents adoption throughout 2019 and 2020 is expected. Therefore, it is necessary that it includes the climate changes aspect and adaptation to it, with a specific emphasis on vulnerable groups and the impact which climate changes have on women and children.
- It is needed to create preconditions for inclusion of local experts both from industrial and civil sectors into the process of regulations adoption, because a somewhat specific knowledge of local circumstances and situation on the filed in cases of natural disasters, which may create a difference between life and death.
- It is necessary to operationalize set up goals down to the local level and develop strong educational mechanisms and capacities in all segments of the society, when it comes to climate changes adaptation, in order to minimize climate changes consequences.
- Support further adoption and harmonization with the EU regulations in this field as well as introducing gender perspective and the “leave no one behind” principle to it.

2. Review of implementation

2.1 Brief introduction

A significant advancement in achieving SDG 13 has mostly been undermined by a lack of functional and complete legal framework. Key regulations have not yet been adopted and identified restrictions within administrative capacities, as well as an inclusion of measures for the climate changes adaptation and the fight against climate changes into other sectors and intersectional cooperation, have not yet been solved.

There is a serious discrepancy between the legislative development and some real dedication on the field of preventing emissions of greenhouse effect gases and climate changes adaptation. Many processes, which have been initiated, are developing slowly, with some questionable transparency and data reliability.

When it comes to implementation, the energetics sector stays away from goals predicted for the climate changes field, even though it has a key impact on the emission of greenhouse effect gases, managing successfully to resist energetic transformation, as a result of lack of the political will and understanding problems of climate changes.

Data accuracy on the greenhouse effect gases inventory demands a significant advancement and a decrease in reliability and transparency, but however shifts in this field are rather modest, which brings into question the whole planning and process.

2.2 Assessment of framework

Serbia has not yet fully developed the monitoring and reporting on greenhouse effect gases emissions system, in accordance to the EU regulations.

A disproportionate relation between a support provided for fossil fuels related projects and the one provided for renewable energy resources projects, shows a lack of will to perceive obligations and the future price of carbon, which Serbia will have to pay after the EU admission. This also indicates a complete absence of understanding of the significance of climate contributions and changes they bring both to the field of energetics and the whole economy itself.

Energetic efficiency is still at a low level and building systems for exploiting renewable energy resources is out of reach for most civil and industrial subjects, due to insufficiently approachable procedures and the closed system.

Construction of small hydropower plants is often linked to controversial businessmen and leads to a significant ecosystem degradation, which then puts local population's survival into a direct danger, especially vulnerable groups.

Adaptation to climate changes is not yet being integrated enough into programmes for supporting agriculture and rural regions, which suffer great consequences. This should especially be perceived through the aspect of water supply and oscillations in water availability throughout different periods of the year.

The sector of agriculture along with agricultural service related industries and food companies, employs the largest number of people in the whole industry and it is significantly impacted by climate changes.

Measures for alleviating consequences and adaptation to climate changes, are not being sufficiently financed, even though we may see certain shifts in the year 2018, when it comes to supporting the project "Local development resistant to climate changes" and some assets being invested into afforestation. However, there still has not been established a stable and functional resource of finance for these measures considering alleviation of and adaptation to climate changes.

The National climate changes council is not being used sufficiently and has been experiencing some difficulties in establishing work continuity.

Investments into natural disasters prevention are not sufficient enough and need to be advanced, with some special emphasis on vulnerable groups being endangered by natural disasters and the early warning system improvement.

Systematic and continued capacity building is non-existent and they are mainly linked to projects and ad hoc activities, such as workshops.

Serbian goals are not in a sufficient accordance to the EU goals for the year 2030 and the decarbonisation plan to 2050, which may cause significant problems in the EU admission process fulfilment of goals provided by SDG 13.

2.3 Challenges and recommendations

- In the shortest term possible, energetic efficiency ought to be advanced and stimulation measures ought to be introduced.
- Bring to a halt small hydropower plant constructions in protected areas and prevent any further building without a local community consent and a respect of the guaranteed biological minimum, based on climate change predictions.
- Support local communities' development and building of infrastructure for climate changes adaptation and for a response to natural disasters.
- Support building and reconstruction of draining and irrigation systems in agriculture and investing into a safe food production system in relation to climate changes.
- Bring to a halt subsidies for fossil fuels energy production and redirecting those assets toward climate changes adaptation measures and subsidies in the field of renewable energy resources and energy efficiency.
- Establish correct values for greenhouse effect gases emissions for the year 2014 and the following years and make them publicly available, in accordance to article 50, the Law on Air Protection.
- When executing alleviation and climate changes adaptation measures in the agricultural sector, some special care ought to be provided for the gender dimension and an additional support should be prepared for vulnerable population groups, mostly struck by climate changes.

3. Civil Society participation in SDG Implementation

3.1 Assessment of civil society space around the relevant SDG

Existing capacities of civil society organizations, for inclusion into processes linked to SDG 13, are insufficient. There are several organizations which have climate changes as their primary activity and are actively involved in processes whenever this is enabled.

A good example of an organization connection and a perception of problems within the environmental protection field, along with climate changes, is the Coalition 27, which represents a group of profiled and dedicated organizations, providing a shadow report on the progress of Serbia in negotiations with the EU, considering chapter 27, on regular basis. A part of the report is dedicated to climate changes as well as key recommendations and progress monitoring in-between reports.

Building capacities of civil society organizations (CSO) is mostly depending upon assets available

for supporting their work in this field. This was one of the reasons for starting an initiative to allow direct applications for supporting CSO activities by the Global Environment Fund.

Work and stability of CSOs within the environmental protection field have suffered a great shock when the support of the Sweden International Development Agency (SIDA) stopped, as a result of embezzlement of assets made by the Regional Environmental Centre (REC), which was implementation partner for the CSOconnect programme, with a purpose to strengthen CSO capacities in following chapter 27 negotiations.

CSOs are mainly project based, which may become a great problem when it comes to focusing and dedication to a certain issue and without being directly connected to one big donor or some institution. This may become a special problem when certain stands are opposing the official policy of system institutions.

CSOs are sensibilized to a certain extent to gender issues and in most cases projects which are being realized, contain a gender component and an adapted approach.

3.2 Challenges and recommendations

- A long-term financial support for environmental civil society organizations ought to be provided, for both their climate changes activities and their further capacity development.
- Demanding a larger scale of transparency and making data significant for climate changes available to public.
- Ensuring both equal and regular inclusion of CSO representatives in the processes of adoption and execution monitoring of regulations.
- Promoting the positive effect created by some constructive criticism, coming from CSO and providing conditions for a dialogue and a conclusion creation, based on some real facts and a long-term benefit for the society.
- Providing a better connection for CSO in Serbia with international institutions, organizations and networks in the field of climate changes, in order to coordinate the work and create a synergetic effect.

Literature:

- Basic documents: EU climate and energy package (Legal package), 2030 Framework, Roadmap 2050 (strategy)-Emission reduction by 80% in comparison to 1990, EU Strategy on adaptation to climate change -2013.https://ec.europa.eu/clima/policies/strategies/2020_en
- Coalition 27 (2017): Chapter 27 in Serbia: Still Under Construction https://rs.boell.org/sites/default/files/izvestaj_k27_2018_eng_web.pdf
- Energetic development strategy of the Republic of Serbia to 2025. with projections to 2030. (Official Gazette of the Republic of Serbia, no.101/15)
- National Programme for the Adoption of the Acquis – NPAA-Third revision, Ministry of European Integration of the Republic of Serbia, February 2018 http://www.mei.gov.rs/upload/documents/nacionalna_dokumenta/npaa/npaa_2018_2021.pdf
- National Strategy of the Republic of Serbia for environmental approximation <http://www.misp-serbia.rs/wp-content/uploads/2010/05/EAS-Strategija-SRP-FINAL.pdf>
- Second Report of the Republic of Serbia under the United Nations Framework Convention on Climate Change, August 2017 <http://civilnodrustvo.gov.rs/vest/drugi-izve%C5%A1taj-republike-srbije-prema-okvirnoj-konvenciji-ujedinjenih-nacija-o-promeni-klime.37.html?newsId=796>
- Serbia and Agenda 2030, Government of the Republic of Serbia, https://rsjp.gov.rs/EN/wp-content/uploads/2018/07/Agenda_2030_i_Srbija_-_Report_ENGLISH_2802.pdf
- The Fiscal Council: Investments on environmental protection: Social and fiscal priority-June, 2018.<http://www.fiskalniasavet.rs/doc/analize-stavovi-predlozi/FS-Investicije-u-zastitu-zivotne-sredine.pdf>
- Tihomir Popović; Elizabeta Radulović; Milenko Jovanović: “How much is our climate changing, what will our climate be like in the future?” Ministry of Science and Environmental Protection, Environmental Protection Agency
- UN-Serbia Development Partnership Programme, Government of the Republic of Serbia and the UN Team in Serbia, May 2017. https://www.undp.org/content/dam/unct/serbia/docs/Publications/DPF_SRB_30_May_2017_FINAL_SIGNED.pdf

2019

SR



**Sustainable Development
Goal 16**

Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels

SRH Serbia

LIST OF ACRONYMS

SDG – sustainable development goal

IAEG - Inter-agency and Expert Group

CEDAW Convention on the Elimination of all Forms of Discrimination Against Women

GBV – Gender-Based Violence

SGBV – Sexual Gender-Based Violence

Sustainable development is hard to imagine without peace and justice and much of the sustainable development goal 16 is focused at reducing violence, security, the rule of law, and creating strong, inclusive and effective institutions to deliver justice and public services. SDG 16 is both an end in itself, and a crucial part of delivering sustainable development in all countries. It has in fact been seen by many commentators as being the transformational goal and key to ensuring that the Agenda can be accomplished²⁵⁷.

Due to this Shadow Report having strong focus on sensitive, marginalized groups and sexual and reproductive health and rights, the section on SDG16 shall cover target 16.1 – significantly reduce all forms of violence and related death rates everywhere. In the aforementioned target, special attention will be devoted to violence against women, violence against other marginalized groups, their access to services designed for survivors of violence, normative framework, (non)existence of institutional discrimination and various other factors significant for systematic addressing of this/these topic/s. All women and other groups facing systematic discrimination need to be able to turn to fair, effective institutions to access justice and essential services. Without these, instability and injustice spread, and discrimination is perpetuated²⁵⁸.

There is no available data on this target for the Republic of Serbia (except for two indicators, one in each target – this will be elaborated on later) and this is a certain impediment for the research, however, alternative data and alternative indicators for which data can be extracted will be used to overcome it, deliver research and additionally answer the questions, whether there was a progress made by the state, is it noticeable, were there (and are there now) any drawbacks, what are the downsides regarding normative framework and implementation of the existing legal regu-

²⁵⁷ “UN Sustainable Development Goal (SDG) 16 - Importance of Participatory Institutions & Policymaking,” FDSD, accessed April 18, 2019, <http://www.fdsd.org/ideas/sustainable-development-goal-sdg-16-democratic-institutions/>.

²⁵⁸ “Sustainable Development Goal 16: Peace, Justice and Strong Institutions,” UN Women, accessed April 18, 2019, <http://www.unwomen.org/en/news/in-focus/women-and-the-sdgs/sdg-16-peace-justice-strong-institutions>.

lations and policies. In addition, the report on SDG16 will provide recommendations in the end.

Table 1: Target 16.1 and Indicators²⁵⁹

TARGET	INDICATORS
<p style="text-align: center;">16.1 Significantly reduce all forms of violence and related death rates everywhere</p>	<p>16.1.1 Number of victims of intentional homicide per 100,000 population, by sex and age</p>
	<p>16.1.2 Conflict -related deaths per 100,000 population, by sex, age and cause</p>
	<p>16.1.3 Proportion of population subjected to physical, psychological or sexual violence in the previous 12 months</p>
	<p>16.1.4 Proportion of population that feel safe walking alone around the area they live</p>

Out of four different indicators, Statistical Office of the Republic of Serbia only developed statistical data on 16.1.3 using the resources of OSCE - Organization for Security and Co-operation in Europe and it should be mentioned that data is available only for 2018 which currently makes it impracticable since there is no baseline data available to compare it with²⁶⁰.

On the global level IAEG-SDGs, composed of Member States and including regional and international agencies as observers develop and implement the global indicator framework for the Goals and targets of the 2030 Agenda. All indicators are classified by the IAEG-SDGs into three tiers based on their level of methodological development and the availability of data at the global level, as follows:

Tier 1: Indicator is conceptually clear, has an internationally established methodology and standards are available, and data are regularly produced by countries for at least 50 per cent of countries and of the population in every region where the indicator is relevant.

Tier 2: Indicator is conceptually clear, has an internationally established methodology and standards are available, but data are not regularly produced by countries.

Tier 3: No internationally established methodology or standards are yet available for the indica-

²⁵⁹ "Goal 16 :: Sustainable Development Knowledge Platform," accessed April 18, 2019, <https://sustainabledevelopment.un.org/sdg16>.

²⁶⁰ "16.Peace, Justice and Strong Institutions | Sustainable Development Goals Read More," accessed April 18, 2019, <http://sdg.indikator.rs/en-us//area/peace-justice-and-strong-institutions/?subarea=SDGUN160103&indicator=16010301IND01>.

tor, but methodology/standards are being (or will be) developed or tested²⁶¹.

As of 4th April, according to the latest update of the tier classification, approximately 26% SDG16 indicators classifies under Tier 1, around 70% under Tier 2 and roughly 4% under Tier 3²⁶². On contrary, the Republic of Serbia does not follow global progress on indicators data gathering on SDG16 and has publicly available statistical data on only 2 indicators – both of them not being fully developed and most of them being currently considered as Tier 2 or 3.

1. Normative and Legal Framework

Relevant Strategies and laws:

International:

- The Convention on the Elimination of all Forms of Discrimination Against Women
- The Beijing Declaration and the Platform for Action
- The Convention on Preventing and Combating Violence Against Women and Domestic Violence (Istanbul Convention)

Domestic:

- Criminal and penal Law
- Act of 23 November 2016 to supplement the Penal Code
- The Family Act
- The Law on The Prevention of Domestic Violence
- National Gender Equality Strategy 2016 – 2020 with the Action Plan 2016-2018
- National Strategy for Prevention and Elimination of Violence against Women in the Family and in Intimate Partner Relationship
- General Protocol for Action and Cooperation of Institutions, Bodies and Organizations in Situations of Domestic and Intimate Partner Violence against Women
- Special Protocol on Conduct of Police Officers in Cases of Domestic and Intimate Partner Violence against Women
- Special Protocol for Action of Social Welfare Centers – Guardianship Authorities in Cases of Domestic and Intimate Partner Violence against Women
- Special Protocol of the Ministry of Health for the Protection and Treatment of Women Victims of Violence
- Special Protocol for Judicial Bodies in Cases of Domestic and Intimate Partner Violence against Women
- The National Strategy for Prevention and Elimination of Human Trafficking, especially

²⁶¹ "IAEG-SDGs — SDG Indicators," accessed April 18, 2019, <https://unstats.un.org/sdgs/iaeg-sdgs/tier-classification/>.

²⁶² "IAEG-SDGs — SDG Indicators."

- The National Strategy for Prevention and Elimination of Human Trafficking, especially Women and Children, and Protection of Victims (2017-2020) and Action Plan (2017-2019)

The Republic of Serbia has all relevant international legal acts ratified and transposed into its legislation such as CEDAW, The Beijing Declaration and the Platform for Action and Istanbul Convention. In the period from 2015 to 2019 the State has been rapidly working on producing and improving existing relevant legal and institutional framework and in that field achieved certain progress. Although the largest share of international framework found its place in domestic laws, strategies and policies, certain fallacies remain unresolved such as 3b article within Istanbul convention defining domestic violence between current spouses or partners. Since same-sex partnership is not recognized in the Serbian legislation nor can the domestic violence between same-sex partner be recognized as domestic violence²⁶³.

In 2016, the Act was brought to supplement Criminal Code and certain improvements were made by adding criminal acts of female genital mutilation (article 121a), stalking (138a), sexual harassment (182a) and forced marriage (187a)²⁶⁴. However, rather arguable provisions are present within definition of female genital mutilation criminal act where law allows for a possibility of special extenuating circumstances²⁶⁵ despite the Istanbul Convention clearly stating: "Parties shall take the necessary legislative or other measures to ensure that, in criminal proceedings initiated following the commission of any of the acts of violence covered by the scope of this Convention, culture, custom, religion, tradition or so-called "honour" shall not be regarded as justification for such acts."²⁶⁶ Furthermore, the lawmaker omitted to recognize an aggravated form of forced marriages when minors are involved taking into account that many relevant stakeholders recognize forced marriages to be most frequent within youth Roma population and therefore overlapping with child marriages²⁶⁷. These or later amendments to Criminal Code never touched upon definition of rape and sexual violence which is why it still requests the element of use of force or threat to be present in order for an act to be recognized and classified as a rape²⁶⁸ - - all of it happening despite the case of M.C. against Bulgaria in front of The European Court of Human Rights²⁶⁹.

The new Law on the Prevention of Domestic Violence adopted in 2016 introduced urgent protection measures, the obligation to report violence, the assessment of security risks, special training for competent professionals, mandatory coordination and cooperation between services, the establishment of a unified central (electronic) data recording on domestic violence, as well as penal provisions (disciplinary measures and misdemeanor) in case of

²⁶³ " Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence," accessed April 19, 2019, https://doi.org/10.1163/2210-7975_HRD-9953-2014005.

²⁶⁴ "-Act of 23 November 2016 to Supplement the Penal Code," accessed April 19, 2019, <http://www.parlament.gov.rs/upload/archive/files/lat/pdf/zakoni/2016/2769-16%20lat.pdf>.

²⁶⁵ NomCentarNGO."Amendments to Criminal Law," June 19, 2017, <http://nomcentarngo.com/izmene-i-dopune-krivicnog-zakonika/>.

²⁶⁶ "Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence."

²⁶⁷ "Child Marriages in Serbia," 38, accessed April 19, 2019, <https://www.unicef.org/serbia/media/3051/file>.

²⁶⁸ Autonomus Women's Center, " Announcement: European Court of Human Rights Supported AZC efforts to amend definition of Criminal Act of Rape.," accessed April 19, 2019, <https://www.womenngo.org.rs/vesti/1339-saopstenje-sudija-evropskog-suda-za-ljudska-prava-podrzala-zahteve-azc-da-se-izmeni-definicija-krivicnog-dela-silovanje>.

²⁶⁹ "Case of M.C. v. Bulgaria," accessed April 19, 2019, https://www.coe.int/t/dg2/equality/domesticviolencecampaign/resources/M.C.v.BULGARIA_en.asp.

non-application or obstruction of application of the law²⁷⁰. The average number of reported and considered cases of domestic violence varies around 4000 per month whereas approximately between 2000 and 2500 impositions of urgent temporary measures per month. Number of created individual protection plans is still not on a satisfying level and victims still rather rarely participate use their legal right to participate in the group for coordination and cooperation meetings²⁷¹

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National gender equality strategy 2016-2020 was brought immediately after the previous expired and defined three priority areas:

1. Changing gender patterns and promoting the culture of gender equality
2. Improving equality of women and men by enforcing policies and measures of equal possibilities
3. Systematic introduction of gender perspective in promulgating, implementing and public policies monitoring

The very process of national strategy creation was rather non-transparent and there was a clear lack of civil society participation in it. The changes foreseen by this document are rarely enforced in practice. The main national mechanism – Coordination Body for Gender Equality does not have sufficient resources and is strongly dependent on foreign donators. Moreover, the action plan 2016-2018 has not developed quantitative indicators and there was only one evaluation report made on the implementation of the strategy²⁷⁴. The report recognizes that the measures aiming to tackle economic inequality between women and men and those aiming at economically empowering women had least success.

The National Strategy on for Prevention and Elimination of Violence against Women in the Family and in Intimate Partner Relationship, Serbia brought into force in 2011 by implementing the Government of the Kingdom of Norway's project "Combating Sexual and Gender Based Violence"²⁷⁵. There were numerous deficiencies in regard to this strategy and its expiry date was the end of 2015. There were also situations when the strategy envisaged things which never happened as for example, creation of a specific software system on a national level for recording cases and information gathering²⁷⁶. The protocols mentioned in the analysis of the normative framework (both general and special protocols) which are now outdated did not serve the purpose which was intended – this being observed in the Protector of Citizens' Report as well. The list of problems these protocols did not solve is rather long, however, some of the most relevant are as it follows: caseworkers were rarely fully informed about the existence and contents of the protocols, violence which occurred for the first time is often interpreted as one not requiring a response from the authorities, relevant authorities do not check the history of violence in cases of femi-

²⁷⁰ "The New Law Is Here, What Are the Effects," Heinrich Böll Stiftung Serbia, Montenegro, Kosovo, accessed April 19, 2019, <https://rs.boell.org/en/2017/09/23/new-law-here-what-are-effects>.

²⁷¹ "Fifth Independent Report on Implementation of the Law on Preventing Domestic Violence - Autonomni Zenski Centar" accessed April 19, 2019, <https://www.womenngo.org.rs/vesti/1206-peti-nezavisni-izvestaj-o-primeni-zakona-o-sprecavanju-nasilja-u-porodici>.

²⁷² "Sixth Independent Report on Implementation of the Law on Preventing Domestic Violence - Autonomus Women's Center." accessed April 19, 2019, <https://www.womenngo.org.rs/vesti/1229-sesti-nezavisni-izvestaj-o-primeni-zakona-o-sprecavanju-nasilja-u-porodici>.

²⁷³ "Seventh Independent Report on Implementation of the Law on Preventing Domestic Violence - Autonomni Zenski Centar" accessed April 19, 2019, <https://www.womenngo.org.rs/vesti/1414-sedmi-nezavisni-izvestaj-o-primeni-zakona-o-sprecavanju-nasilja-u-porodici>.

²⁷⁴ Marija Babovic, "Gender Equality Policies," Monitoring of Social Situation in Serbia - MONS, March 19, 2019, <http://mons.rs/politike-rodne-ravnopravnosti>.

²⁷⁵ Project: 'Combating Sexual and Gender Based Violence,' <http://evaw-global-database.unwomen.org/en/countries/europe/serbia/2009/combating-sexual-and-gender-based-violence-project-in-collaboration-with-undp-2009-2011>.

²⁷⁶ "National Strategy for Prevention and Elimination of Violence against Women in the Family and in Intimate Partner Relationship," 2011.

cide, the number of trained caseworkers is persistently low, agreements on cooperation among the authorities responsible for the protection of women against violence are rare or not being implemented and the potential of civil society is not fully tapped into combatting violence against women²⁷⁷.

Until this day, no new strategy was adopted and there were no changes in the Special Protocol for Protection and Treating Women Exposed to Violence.

All types of gender-based violence remain to be a huge difficulty for women from multiply disadvantaged groups such as (girls, Roma women, disabled women, women refugees...) and there does not seem to be willingness of the state to systematically approach this issue despite the numerous calls from the civil society, marginalized individuals, protector of citizens and others. According to the UNICEF survey from 2014, 68% of girls in grades 6-8 experienced gender-based violence in school²⁷⁶. Although there is no more recent obtainable data make a comparative analysis, there are no signs of improvement whatsoever. Additionally, materials from high-school programs remain to be overwhelmed with the motives of violence against women while women most often being portrayed as hopeless victims with no alternatives for escaping patriarchal structures oppressing them²⁷⁹.

Regardless of the aforementioned measures, action plans, laws and practices aiming at reducing the rate of violence against women, femicide reports produced by the network of Women Against Violence show that the number of women killed in 2016, 2017 and 2018 remains the same while the latest report even notices slight increase in the number of women killed (in the highest percent by their partners)^{280 281 282}.

However, the Republic of Serbia is the only country outside EU which produced Gender Equality Index. Compared with the EU Member States Serbia's overall score places it in 22nd position. With a score of 40.6 points out of 100 Serbia is almost half way towards gender equality²⁸³.

The Multiple Indicator Cluster Survey in Roma Settlements conducted by UNICEF in 2014 discovered the magnitude of marginalization Roma women are facing. One of the key indicators - attitudes towards domestic violence measured 37% percent of Roma women in comparison to 3.8% in general female population age 15-49 years who state that a husband is justified in hitting or beating his wife in at least one of the following circumstances: (1) she goes out without telling him, (2) she neglects the children, (3) she argues with him, (4) she refuses sex with him, (5) she burns the food²⁸⁴. The Strategy for Social Inclusion of Roma Men and Women in the

²⁷⁷ Protector of Citizens, "Special Report of the Protector of Citizens on the Implementation of the General and Special Protocols on Protection of Women Against Violence", https://www.ombudsman.rs/index.php/lang-sr_YU/izvestaji/posebni-izvestaji/3710-2015-02-24-13-35-38.

²⁷⁸ UNICEF, "Lessons from Serbia - Addressing Gender-Based Violence through the School without Violence Programme" (2016), [http://www.ungei.org/resources/files/Serbia_SWV_GBV_Case_Study_Fin1_\(2\).pdf](http://www.ungei.org/resources/files/Serbia_SWV_GBV_Case_Study_Fin1_(2).pdf).

²⁷⁹ M. M. Stevanović, "School Materials overwhelmed with Violence Against Women," Dnevni list Danas, December 14, 2018, <https://www.danas.emrs/drustvo/skolski-sadrzaji-preplavljeni-nasiljem-nad-zenama/>.

²⁸⁰ Women against violence, "Report on Femicide in Serbia for 2016. - Analysis of the Conduct of Police, Prosecution and Social Work," 2018.

²⁸¹ "Femicide Quantitative-Narrative Report for 2017," accessed April 22, 2019, https://www.zeneprotivnasilja.net/images/pdf/FEMICID_Kvantitativno-narativni_izvestaj_za_2017_godinu.pdf.

²⁸² "Femicide Quantitative-Narrative Report for 2018," accessed April 22, 2019, https://www.zeneprotivnasilja.net/images/pdf/FEMICID_Kvantitativno-narativni_izvestaj_za_2018_godinu.pdf.

²⁸³ "Serbia - the First EU Candidate Country to Produce a Gender Equality Index," European Institute for Gender Equality, accessed April 22, 2019, <https://eige.europa.eu/news/serbia-first-eu-candidate-country-produce-gender-equality-index>.

period 2016 – 2025, adopted in March 2016, presents a progress regarding gender equality provisions in comparison with the previous²⁸⁵. The action plan was developed for the period of 2017-2018²⁸⁶, however no such plan is adopted or made for the current or incoming period. Additionally, the coordination body responsible for the implementation of the aforementioned strategy did not undertake any visible activities or actions despite the worsening situation except for adopting initiative to cancel the affirmative action towards Roma population – quotas for Roma youth admission at Universities²⁸⁷.

In addition, forced marriages as a recognized form of domestic violence or child abuse²⁸⁸ and child marriages remain huge problem within Roma population. Until recently, the problem of child marriage was almost invisible in Serbia. Aside from UNICEF's Multiple Indicator Cluster Survey, and several smaller studies in certain municipalities, there is barely any reliable data on the prevalence of child marriage, however, In Serbia, one in 6 girls from Roma settlements get married before the age of 15²⁸⁹. The Commissioner for Protection of Equality Brankica Jankovic, also stressed out the risk of early and forced marriages on 2019 International Roma Day²⁹⁰. From the research SRH Serbia conducted in two informal Roma settlements for the purposes of “My body, my rights” project – early childbearing was observed as a noteworthy problem since 40% of Roma women and girls in the age range from 15 to 19 began childbearing. This is in a close connection with the previously mentioned violence happening against Roma girls in the form of early forced marriages which finally induces the fact of almost 30% percent of women who had four or more induced abortions of those who had abortion at all reported to SRH Serbia.

Another vulnerable group largely exposed to all forms of violence is refugee/migrant population emphasizing refugee/migrant women. Overcrowding, lack of privacy and poor hygiene in reception centres altogether do contribute to a rather high rate of violence reported in centres especially in the one in Obrenovac in spite of regular police presence²⁹¹. There is no data available on number of cases involving certain form of violence within reception centres, yet from SRH Serbia's experience, most of the cases remain unreported due to discrimination, lack of staff resources in centres to process reports and very often stigmatization and discrimination migrants/refugees face in their everyday efforts to access their rights or different services – including SRHR services SRH Serbia is providing to them. On a national level, authorities have recognized the need to systematically respond to SGBV in the context of refugee and migrant population. Since September 2017, Ministry of labour, Employment, Veteran and Social Affairs - lead Ministry for the Governmental Working Group for Mixed Migrations, with UNFPA support started chairing

²⁸⁴ UNICEF, “Serbia Roma Settlements - Multiple Indicator Cluster Survey 2014 Key Findings,” July 2014, https://mics-surveys-prod.s3.amazonaws.com/MICS5/Europe%20and%20Central%20Asia/Serbia%20%28Roma%20Settlements%29/2014/Key%20findings/Serbia%20%28National%20and%20Roma%20Settlements%29%202014%20MICS%20KFR_English.pdf.

²⁸⁵ “The Strategy of Social Inclusion of Roma for the Period from 2016 to 2025” (n.d.), http://www.ljudskaprava.gov.rs/sites/default/files/dokument_file/national_strategy_for_roma_inclusion_2016-2025_0.pdf.

²⁸⁶ “Action Plan for the Implementation of the Strategy of Social Inclusion of Roma for the Period from 2016 to 2025” (n.d.).

²⁸⁷ “Mihajlovic: Education is key of the better position of Roma,” N1 Srbija, accessed May 8, 2019, <http://rs.n1info.com/documents/1240127/comments/Vesti/Mihajlovic-Obrazovanje-je-kljuc-boljeg-polozaja-Roma.html>.

²⁸⁸ “Forced Marriage,” Refuge Charity - Domestic Violence Help (blog), accessed May 8, 2019, <https://www.refuge.org.uk/our-work/forms-of-violence-and-abuse/forced-marriage/>.

²⁸⁹ “Happiness Is Not for Sale,” accessed May 8, 2019, <https://www.unicef.org/serbia/en/stories/happiness-not-sale>.

²⁹⁰ “Statement on the Occasion of International Roma Day • The Commissioner for the Protection of Equality,” The Commissioner for the Protection of Equality (blog), April 8, 2019, <http://ravnopravnost.gov.rs/en/statement-on-the-occasion-of-international-roma-day/>.

²⁹¹ “Conditions in Reception Facilities - Serbia | Asylum Information Database,” accessed May 8, 2019, <https://www.asylumineurope.org/reports/country/serbia/conditions-reception-facilities>.

Sexual and Gender Based Violence Sub-Cluster Working Group (SGBV Sub-cluster WG) in the Republic of Serbia²⁹². However, the data on the activities of this working group was rather heavy to obtain. Special concern is that regarding unaccompanied minors, both boys and girls since from SRH Serbia's experience there are serious reasons to suspect existence of sexual exploitation of these children in the reception camps although officials are not showing particular concern for these suspicions.

2. Recommendations:

- Ensuring adequate, accessible, and functioning services for women with disabilities survivors of violence.
- Update and strengthen legal and strategic framework and additionally harmonize it with the ratified international documents and resolutions
- Amend definition of rape in the Criminal Law and adjust it to the one in Istanbul Convention
- Providing capacity building and additional training to the staff in order to ensure adequate police intervention in domestic violence cases and its aftermath
- Increase the number of field-based staff including gender and GBV experts, protection officers, female health workers including gynecologists, female police officers and especially Arabic and Farsi language interpreters in the reception centres
- Create a system which regularly collects information (involve all stakeholders) and disaggregates data by different parameters (i.e. sex and age of victims, form of violence they survived...), process this information and use that analysis for better planning and further development of response mechanisms
- Establish GBV Standard Operating Procedures (SOPs) intended for preventing and responding to sexual violence in emergency situations
- Appoint full-time gender experts in national bodies wherever possible
- Coordinate actions and plans with NGOs and NGO networks
- Establish accessible and confidential GBV prevention and protection services and functioning national and transnational referral pathway
- Providing functional mechanisms for participation of women from vulnerable groups in creation, implementation, and assessment of public policies, and participation in public and political life on an equal basis with others.
- Protection of vulnerable groups needs strengthening, as does the capacity of social services and local women's organizations to play an operational role in the response.
- Establish opportunities for asylum seekers and refugees/migrants, especially including women and girls, to voice their concerns, register complaints and provide feedback about services in a safe and confidential manner
- Carry out media, communication and advocacy campaigns with a focus on the rights and needs of women and girls survivors of GBV

²⁹² Annemarie Sancar, "Gender Sensitive Migration / Refugee Policy for Balkan Route Camps in Serbia" (WIDE Switzerland, 2018), http://wide-switzerland.ch/wp-content/uploads/2018/05/Assessment-GBV-Refugees-Serbia-A_Sancar.pdf.

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