

**Delegation of the Republic of Serbia
Supplementary Human Dimension Meeting
As prepared by the Office for Human and Minority Rights
Government of the Republic of Serbia
Rule of Law in the Promotion and
Protection of Human Rights
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The Role of Legislative, Regulatory and Institutional Frameworks as well as Governments and Civil Society in the Promotion and Protection and Human Rights

The stakeholders regarding the institutional framework for the protection and promotion of human rights in the Republic of Serbia are the competent authorities on republic and provincial levels, Government Councils (for national minorities, gender equality, combating human trafficking, the rights of a child, improving the status of Roma, people with disabilities) and independent state institutions (Ombudsman of the Republic of Serbia, Provincial Ombudsman, local-level ombudsmen thus far appointed in 11 cities, Commissioner for the Protection of Equality, Commissioner for Information of Public Importance and Personal Data Protection).

Over the last decade, numerous Public Administration institutions have greatly improved their communication and cooperation with the civil society organisations. They have done so by regularly exchanging information about the activities planned for the preparation, adoption and implementation of laws and strategies relating to the respect for human rights and fundamental freedoms, and about the drafting of the report on the compliance with their international obligations. In January 2011, the Government founded the Office for Cooperation with the Civil Society. The importance and the role of the Office is to coordinate the cooperation between Government institutions and civil society organisations in the process of creating and determining clear standards and procedures for including civil society organisations at all levels of the decision-making process.

After parliamentary elections were held on 6 May 2012, the Board for Human and Minority Rights and Gender Equality was formed out of 17 members of the new convocation of the National Assembly. The Board considers bills and other general act and matters concerning the exercise and the protection of human rights, freedoms and the rights of a child, improvement and the achievement of gender equality, implementation of ratified international agreements governing the protection of human rights, exercise of the freedom of religion, status of churches and religious communities, exercise of national minority rights.

The National Assembly also formed the Commission for the Control of the Execution of Criminal Sanctions (with one of its members being the President of the Board for Human and Minority Rights and Gender Equality) and the Commission Monitoring the Execution of the National Action Plan for the Implementation of United Nations Security Council Resolution 1325 “Women, Peace and Security in the Republic of Serbia“. The latter has the task and the competence to control and monitor the work of all institutions and mechanisms for the implementation of the National Action Plan, yet having to report on its own work to the National Assembly at least once a year. The Commission has six members, five of whom are deputies of the National Assembly and one who is an assistant to the Commissioner for Gender Equality. The Commission President is also one of the members of the Board for Human and Minority Rights and Gender Equality.

Moreover, the Office for Human and Minority Rights was established as a result of the Serbian Government Regulation adopted on 2 August 2012. The Office performs professional tasks for the Government and the relevant competent ministries. These tasks refer to the protection and the promotion of human and minority rights, the monitoring of harmonisation of national regulations with international agreements and other international legal documents on human and minority rights, initiations for amendments to national regulations, general issues concerning the status of members of national minorities, monitoring of the status of members of national minorities living on the territory of the Republic of Serbia and exercise of minority rights and the creation of national minorities’ links with their countries of origin.

The Serbian Government Gender Equality Council was formed on 12 April 2013, with the constitutive session of the new convocation held on 29 May 2013. Pursuant to the Government Decision based on which it was formed, the Council shall, *inter alia*, consider and propose measures for the promotion of policy on achieving gender equality from the perspective of inter-ministerial cooperation on the matter and initiate programmes and measures for encouraging and enabling women to participate in the public and political arena.

The Republic of Serbia is a party to eight fundamental international human rights treaties and numerous other relevant international and regional ones. The question of human and minority rights is dealt with in Part Two of the Serbian Constitution. The Constitution not only guarantees individual rights to members of national minorities, but also a set of collective rights. In order for them to exercise their right to self-government in the field of culture, education and information, and to have these officially operate in their language and script, they can choose to have their own national councils, in accordance with the law.

The Republic of Serbia has seen many laws, regulations and strategies passed, dealing with the issue of human rights. These are the Anti-Discrimination Act, Law on the Ombudsman, Gender Equality Act and the recent amendments to the Criminal Code which include the decriminalisation of defamation and the introduction of mandatory aggravating circumstance when imposing sentences for criminal offences committed out of hatred of one's race and religion, national or ethnic background, gender, sexual orientation or gender identity.