



REPUBLIC OF SERBIA

**OSCE Human Dimension Implementation Meeting
Working Session 2 – Combating intolerance and discrimination and promoting
mutual respect and understanding – implementation of commitments**

**Statement by
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Delegation of the Republic of Serbia**

Warsaw, 24 September - 5 October 2007

Mr. Chairman,
Distinguished Ladies and Gentlemen,

Equality and anti-discrimination are guaranteed, within the legal system of the Republic of Serbia, firstly, through the Constitution of the Republic of Serbia, which in article 21 states the prohibition of all direct or indirect discrimination, based on any grounds, particularly on race, sex, national origin, social origin, birth, religion, political or other opinion, property status, culture, language, age, mental or physical disability. Gender equality is enshrined in article 15 as a Constitutional principle. Furthermore, article 48 states that the Republic of Serbia shall promote understanding, recognition and respect of diversity arising from specific ethnic, cultural, linguistic or religious identity of its citizens through measures applied in education, culture and public information.

Furthermore, anti-discrimination provisions are contained in the Criminal Code of the Republic of Serbia, but also in a number of specific laws, of which the main are the Labor Law, Law on Health Protection, education laws, language and script laws and the Law on the Prohibition of Discrimination against Persons with Disabilities.

In the field of the protection and promotion of national minority rights, the Law on the Rights and Freedoms of National Minorities provides full protection for members of minority groups in Serbia. Further legislation on the competencies and elections of National Councils of National Minorities is being discussed, in cooperation with the Council of Europe and the Office of the High Commissioner for National Minorities. The National Councils are the main institutions that provide autonomy to national minority groups in the field of education, official use of language, information, media and culture, and have an advisory role to the Government, through the Republic of Serbia Council for National Minorities.

Mr. Chairman,

One of the main priorities of the European Partnership Document for the Republic of Serbia is the consolidation of its anti-discrimination legislation and the adoption of a general Anti-Discrimination Law. Based on the Feasibility Study on Anti-Discrimination legislation in Serbia, which has been elaborated by the Agency for Human and Minority Rights in 2006, a Draft Anti-Discrimination Law has been prepared. The Draft Law contains provisions which assure full equality of all persons within the Republic of Serbia, but also foresees measures of affirmative action for particularly vulnerable groups of the population, which are at most risk of suffering discrimination, mainly the Roma national minority. Furthermore, the Draft Law pays particular attention to measures of enforcement of the foreseen provisions, and on monitoring the situation in Serbia, through the establishment of the Committee for Prevention of Discrimination, which would be composed of members nominated by the Government, the Parliament and the Civil Society. The Committee would also answer to individual claims, and be able to act in a legal procedure with regard to

these. The Draft Law is currently being prepared for adoption through parliamentary procedure.

The draft Law on Gender Equality is likewise foreseen to enter parliamentary procedure for adoption by the end of the current year, providing further guarantees in this area.

Institutionally, the Ministry of Labor and Social Policy has established two new sectors with the aim of increasing administrative capacities for the promotion of anti-discrimination, equality and tolerance: Sector for Population Policy, which is in charge of general anti-discrimination matters, as well as for the promotion of the access to rights of particularly vulnerable groups of the population, and the Sector for Gender Equality.

Thank you Mr. Chairman.