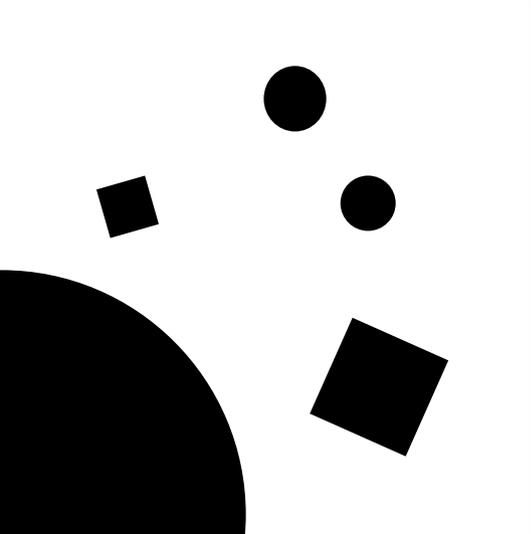
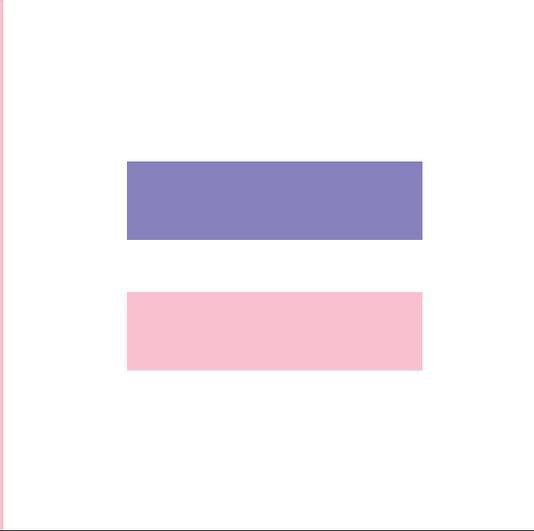
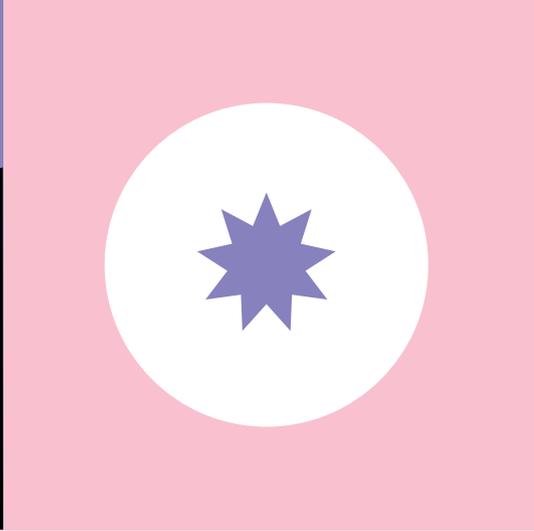
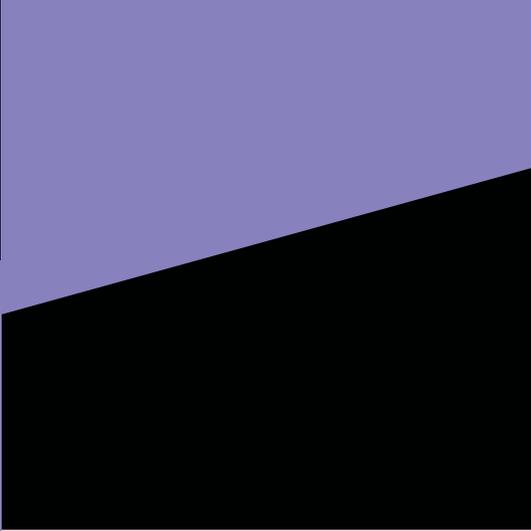


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**Analysis of the Effects of the
Strategy and the Accompanying
Action Plan on Prevention and
Protection against Discriminatio**

LABRIS

Organisation for Lesbian Human Rights LABRIS was founded in Belgrade in 1995 and, through its consistent commitment to equal opportunities through affirmative action, has launched and implemented numerous projects that are essential not only for promoting the position of the LGBT population, but also for respecting universal human rights and diversity in our country.

Most importantly, we highlight the first lesbian website, the first Pride Parade in FR Yugoslavia, the proposal for amendments to the Family Law, participation in the development of a three-year National Action Plan for Improving the Position of Women and Promoting Gender Equality. We initiated activities that led to a change in the voluntary blood donor questionnaire, which allowed persons of different sexual orientation to donate blood.

In 2008, LABRIS finally received a response from the Serbian Medical Association (SLD) to a request submitted back in 2005, by which SLD confirms the World Health Organisation's official stand - that same-sex orientation is not a disease.

LABRIS initiated the gathering of a PFLAG group consisting of parents, family members and friends of lesbians and gays, dedicated to promoting the position and social acceptance of LGBT people, as well as a campaign on registered same-sex partnerships, **“Ljubav je zakon” (Love is the Law)**.

Belgrade, 2019.



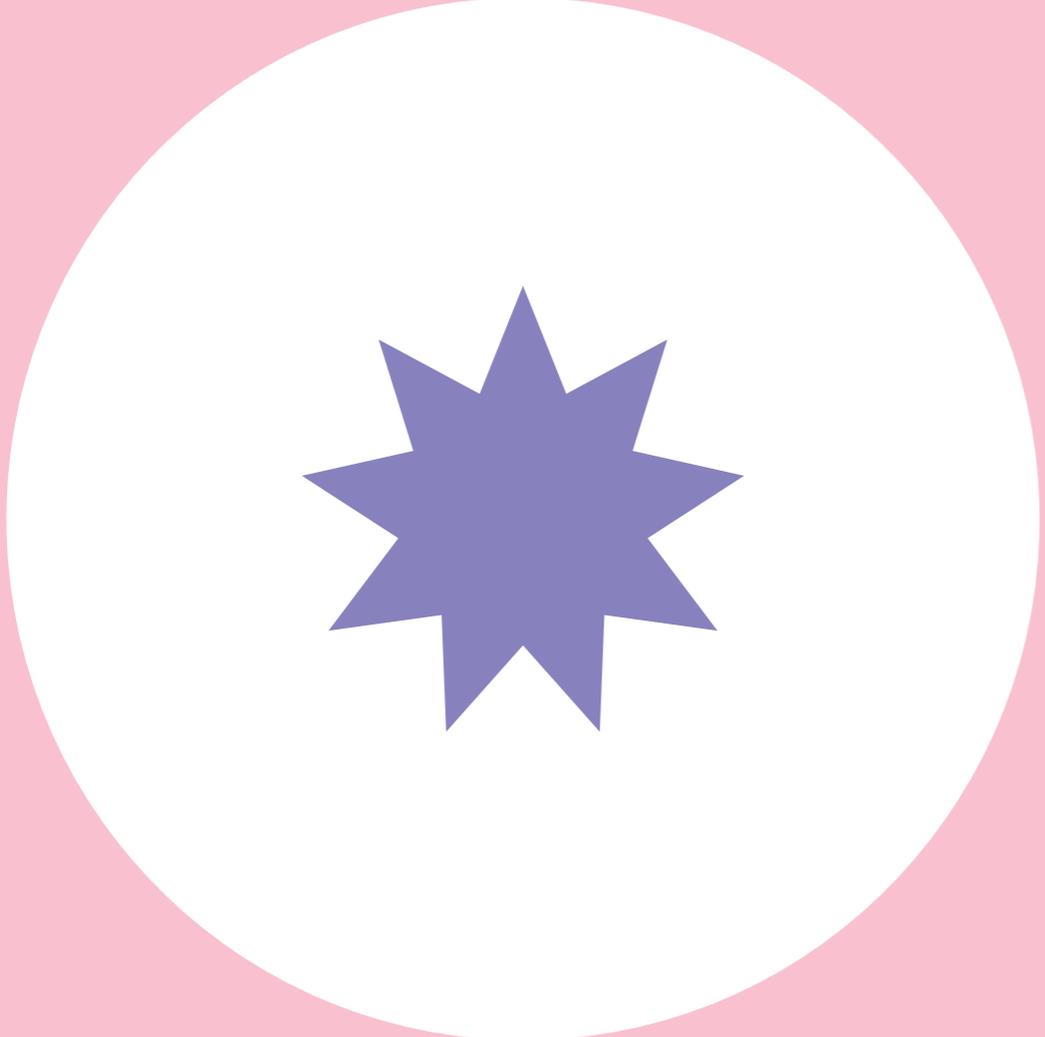
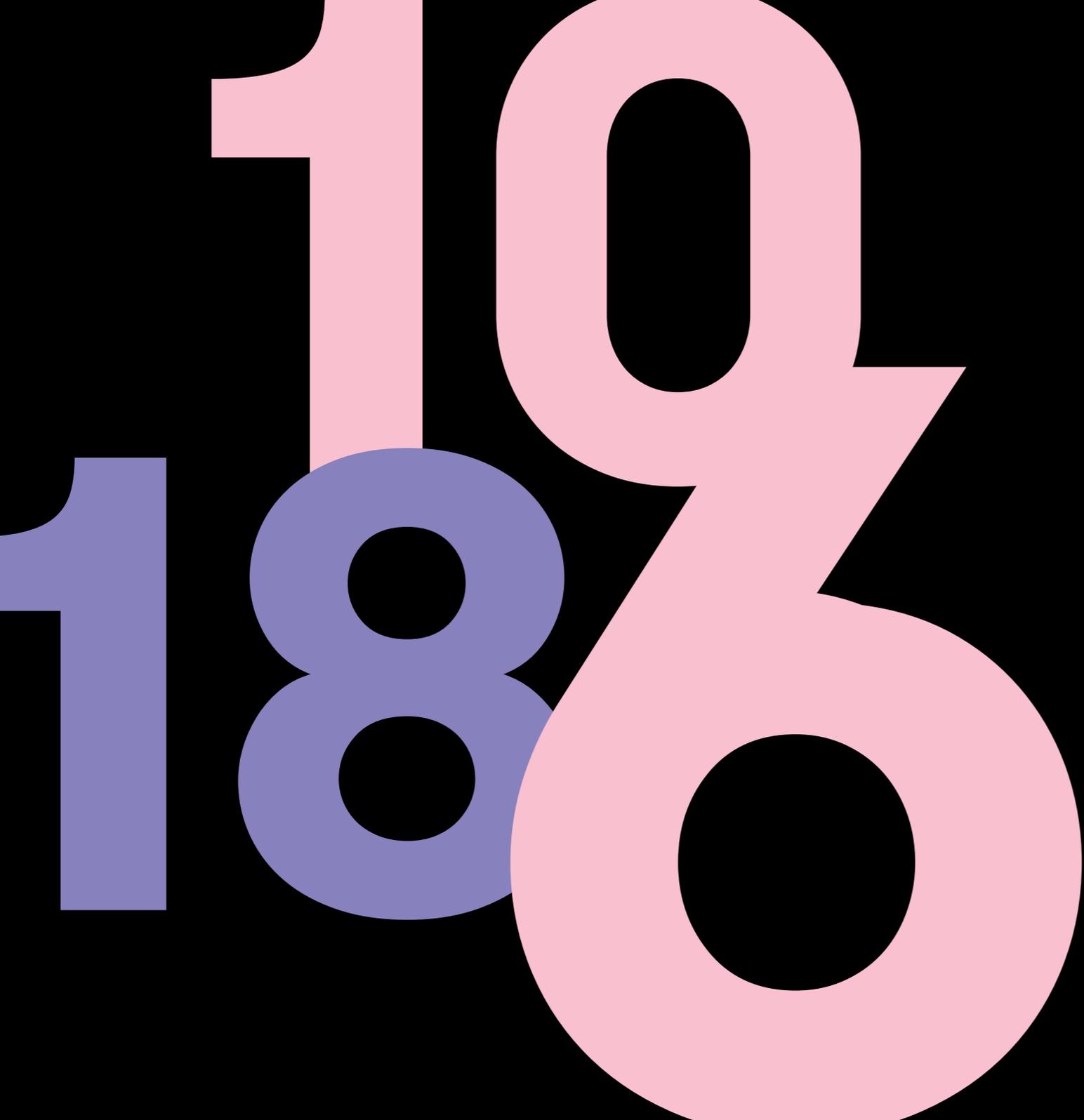


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01.

Introduction

After 10 years since the Law on the Prohibition of Discrimination was passed, 6 years since the adoption of the first Strategy for Prevention and Protection against Discrimination and 18 years since the first Pride Parade in Belgrade, we continue to deal with pronounced hate speech in public discourse, with covert and often overt discrimination in all social areas. Serbia remains a deeply divided society in terms of freedom of choice of partners, gender identity and sexual orientation. Research¹ shows that citizens see LGBT people as one of the most discriminated groups, but nonetheless, more than 25% of citizens do not want an LGBT person as a colleague, almost half do not want their children to be educated by LGBT persons, while as many as 63% oppose marriage to an LGBT person.

However, in the public arena, one event makes a difference, at least for a week.

Pride Parade.

In 2017, the headline – “*Belgrade Pride parade*” held without incidents, dominated in the press. Under the slogan “For Change”, the “Pride parade” was held in Belgrade in a festive atmosphere and without any incidents. The difference with regard to previous years is marked by the participation of the Prime

¹ The research “Odnos medija u Srbiji prema diskriminaciji” (“Media attitudes to discrimination in Serbia”), Commissioner for the Protection of Equality, Belgrade 2018 – available on the website: <http://ravnopravnost.gov.rs/odnos-medija-u-srbiji-prema-diskriminaciji-cir/>

Minister of the Government of the Republic of Serbia, Ana Brnabić, who said that Serbia respects diversity and that the Government will be there for all citizens. Pride 2017 ended with a speech held by the Ambassador of the Amsterdam Pride, Hans Van Hoven, who said that Serbia was making progress in the rights of the LGBT community and particularly praised the fact that the Prime Minister was present at the parade, and that she was very brave for taking that step. Shortly before the walk, Serbian Prime Minister Ana Brnabić said that Serbia respects diversity and that this is what contributes to strengthening society, and that the Government will not tolerate hate speech and hate crime and will consistently sanction them.

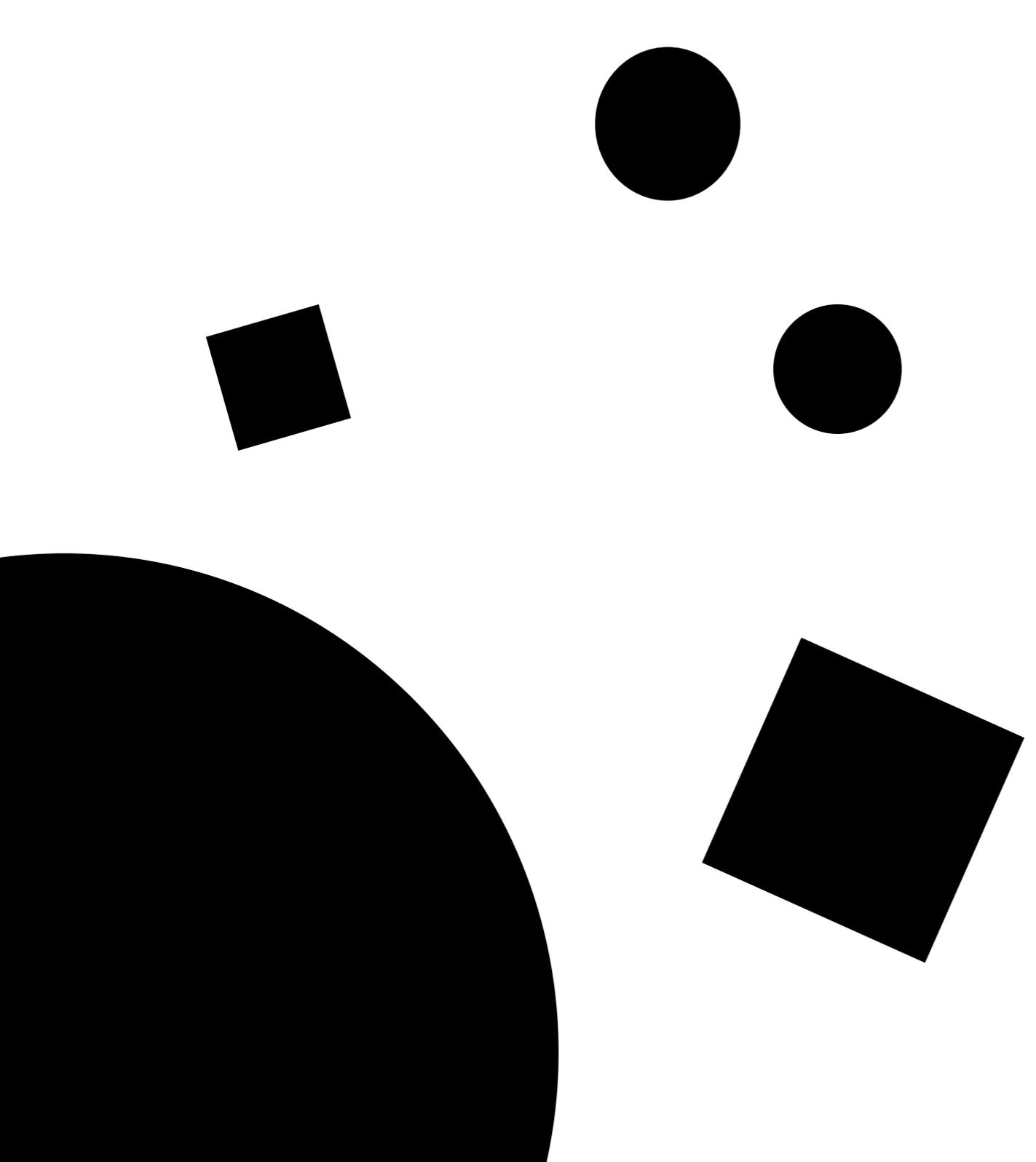
The 2018 Pride will be remembered for having more participants than police officers for the first time in Serbia. In the march of 1,500 people, besides the Prime Minister, there were several ministers, the Mayor of Belgrade, as well as representatives of opposition parties and the diplomatic corps. However, the European Commission's statement in the 2018 Serbia Progress Report is not negligible:

„Freedom of assembly and association are guaranteed by the Constitution and generally respected. Legislation is also generally in line with European standards, but has yet to be aligned with the Guidelines on Freedom of Peaceful Assembly of ODIHR. Secondary legislation necessary for full implementation of the law on freedom of assembly has not been adopted. Cases of excessive use of force by law enforcement bodies have been reported. Violent counter-assemblies are often not prosecuted, while penalties are often not proportionate or perpetrators not sanctioned at all“.

The 2019 Parade was characterized by the fact that the Prime Minister, who was participating in the event for the third time in a row, responded to Pride's demands: a law on partnership and gender identity registration is being drafted and discussions with non-governmental organisations are in progress. Still, the Prime Minister cannot say exactly when the law will be passed, but stresses it is a work in progress.

The European Commission's 2019 Progress Report for Serbia states that the normative area forbidding discrimination is "generally in line with the European standards, although further alignment with the acquis is still needed". This Report also states that the social groups most discriminated against are women, persons with disabilities, Roma, LGBTI persons, persons with HIV/AIDS and the elderly.

Significantly, this document recognised that human rights defenders, together with LGBTI persons "often face hate speech, threats and violence. These abuses should be promptly and properly investigated, prosecuted and sanctioned".



02. From Reports of Independent Bodies

In her 2018 Annual Report², the Commissioner for the Equality of Citizens notes that hate speech, sensationalism, discriminatory attitudes and offensive reporting, especially about women and members of the LGBT population, are still present in the media and public space and that attention should also be paid to responsible reporting on domestic violence and partnerships.

Most discrimination complaints in 2018 to the Commissioner were filed on grounds of disability (26.4%), age (16.5%), gender (10.7%), birth (10.6%), health status (6.1%), followed by complaints of discrimination based on nationality and ethnic origin (6%), marital and family status (4.9%), **sexual orientation (4.2%)**, while other grounds of discrimination were cited in lesser percentages. Regarding sexual orientation as a ground of discrimination, as in previous years, there is a trend that most complaints on these grounds, as well as on the grounds of gender identity, are filed in the area of public information and media, as well as that complaints are mostly filed by civil society organisations. An analysis of these complaints indicates that hate speech, sensationalism, discriminatory attitudes and offensive reporting, especially about women and members of the LGBT population, continue to be present in the media and public space. Discrimination on the grounds of sexual orientation is the eighth ground in the frequency of complaints filed with the Commissioner in 2018, with 42 complaints, representing 4.2% of the total number of complaints filed. The total number of complaints filed on these grounds in 2018

² 2018 Annual Report, Commissioner for the Protection of Equality, Belgrade, 2018 – available at: <http://ravnopravnost.gov.rs/izvestaji/>

did not change compared to 2017. As in previous years, most discrimination complaints on the grounds of sexual orientation were filed by civil society organisations (31), while 11 were filed by individuals. In terms of discrimination, as many as 26 complaints on these grounds refer to discrimination in the area of public information and media, which is close to half of the total number of complaints filed in this area. This is followed by areas related to the public sphere as well as to the actions of public authorities, in which this ground is stated in five complaints.



Discrimination on the grounds of sexual orientation is the eighth ground in the frequency of complaints filed with the Commissioner in 2018.

The Commissioner instituted a civil proceeding in 2017 for discrimination against women and LGBT persons. In 2018, the Higher Court gave rise to the judgment fully upholding the Commissioner's claim, but the Court of Appeal reversed the judgment in favour of the respondent. The review procedure is pending. The complaints were filed primarily to encourage and inspire victims of discrimination to institute anti-discrimination litigation, as well as to make the public aware of the problem of discrimination and to understand more closely that this is an unlawful social phenomenon. Also, during 2018, one criminal charge was filed for public defamation of LGBTI people. What is challenging is that when it comes to acting on the recommendations of the Commissioner on these grounds of discrimination, the highest level of non-compliance with the recommendations is noticeable, which is especially worrying when it comes to persons exercising public service function. Compared to the previous year, it can be noted that the number of complaints in which gender identity was stated as a personal characteristic in ad-

dition to sexual orientation as a ground for discrimination was reduced. In the course of 2018, a total of six complaints were filed stating gender identity as a personal characteristic, representing 0.6% of the total number of grounds stated.

The Protector of Citizens, who reports annually, notes that laws governing same-sex partnerships and the legal consequences of sex reassignment (change) and gender identity change have not yet been adopted, and that LGBTI persons are still often victims of discrimination, prejudice and stereotyping. The rights of LGBT persons, especially to the protection of physical and mental integrity, are insufficiently protected, services have not been developed to support young LGBT persons in discovering their sexual orientation and gender identity, or for young people who had to leave their homes because their families rejected them after finding out about their sexual orientation or gender identity. The Protector of Citizens states that young people in Serbia are intolerant of LGBT persons, which is a clear indicator that additional efforts should be made to introduce and/or further explore topics on tolerance, non-discrimination, acceptance of diversity and non-violence at all levels of education, but that discriminatory contents in textbooks and teaching materials remain unchanged, whereas the contents to cover these topics in an acceptable and professional manner have not been introduced.

LGBT

03.

4. The Issue of LGBT Freedoms in Research

The research Media Attitudes to Discrimination in Serbia, conducted by the Commissioner for the Protection of Equality³, shows that representatives of public authorities, compared to the views of citizens, consider that Roma and LGBT persons are discriminated against (28.3%) in a smaller percentage. The same can be concluded with regard to national and religious minorities. Representatives of public authorities most frequently cited religious or political beliefs (43.8%), sex, gender identity or sexual orientation (20.6%) as the grounds of discrimination for which they were exposed to unequal treatment. According to the respondents, the highest degree of prejudice is present towards Roma, LGBTI population, persons with HIV/AIDS and members of small religious communities.

In the research Discrimination Against Sexual Minorities in Education and Housing: Evidence from Two Field Experiments in Serbia,⁴ it is stated that most countries, including Serbia, do not have reliable and detailed quantitative data on the nature and degree of discrimination against LGBTI citizens, and that experimental evidence on discrimination against LGBTI persons with regard to access to education and housing in the Republic of Serbia are documented for the first time in this report. These two areas were selected because they represent significant steps in the cycle of exclusion faced by LGBTI persons. The experiment sampled 184 primary schools in 37 urban areas. Also, data

³ Belgrade, 2018, <http://ravnopravnost.gov.rs/odnos-medija-u-srbiji-prema-diskriminaciji-cir/>

⁴ World Bank Group (IPSOS, ERA, the Williams Institute, 2018, <http://documents.worldbank.org/curated/en/509141526660806689/Discrimination-against-sexual-minorities-in-education-and-housing-evidence-from-two-field-experiments-in-Serbia>

from this survey show that 35% of feminized boys are accepted without hesitation, as are 74% of same-sex couples. Ideally, there would be no discrimination at all, but the responses show that there are citizens who do not discriminate against LGBTI persons, and such positive opinions should be used as an opportunity to influence the views of the rest of the population.

The publication 2018 Human Rights in Serbia - Law, Practice and International Human Rights Standards⁵, referring to the normative framework concerning the rights of LGBTI persons, states that the LGBTI community has for several years called on state authorities to adopt the Declaration against Homophobia, a national strategy against violence that will recognise violence against LGBTI persons and peer violence over perceived sexual orientation in schools, as well as laws that will regulate all legal consequences of sex reassignment, but have not yet been adopted. The report also states that trans persons are not recognised by the legal system, while the health system only recognises transexuality, which is classified as a mental disorder.

The publication 2017-18 Annual Report by the Lawyers' Committee for Human Rights (YUCOM)⁶ outlines, among other things, the first case won in court for hate crime pursuant to Article 54a of the Criminal Code. This case is very important because it sent a message to the public that these crimes are being punished for and that it is not useless to file criminal charges. This was a case of long-term domestic violence caused by a son's confession to family members that he is gay, which received a court epilogue five years after the court proceedings were instituted. YUCOM's legal team instituted parallel civil and criminal proceedings for protection against domestic violence. The civil proceedings were closed by a final judgment in less than two years. Among other things, the decision ordered the eviction of the father from the common household, as well as a prohibition on further violence and harassment of petitioners. All materials collected during the proceedings were submitted successively also to the acting prosecutor, which was very significant. The First Basic Court in Belgrade sentenced the defendant for the criminal offence of Domestic Violence committed out of hate because of the sexual orientation of his son, making this the first judgment in Serbia in which Article 54a of the Criminal Code has been taken into account in the sentencing.

5 World Bank Group (IPSOS, ERA, the Williams Institute, 2018, <http://documents.worldbank.org/curated/en/509141526660806689/Discrimination-against-sexual-minorities-in-education-and-housing-evidence-from-two-field-experiments-in-Serbia>)

6 2017-18 Annual Report, Lawyers' Committee for Human Rights (YUCOM), Belgrade, 2019, <http://www.yucom.org.rs/wp-content/uploads/2019/02/YUCOM-izvestaj-o-rad-u-2017-18..pdf>

The publication We Vote, Too!⁷ of the Association "Da se zna!" states that the LGBT community makes up about 10% of the population and as such represents a significant segment of the constituency; the main idea and desire of this publication is to motivate political actors to define their views about problems faced by the LGBT community, but also to be informed that those views will be taken into account by the community when voting, as well as by the general public that cares about the improvement of the position of this marginalized group.

The position of the LGBT community has also been tackled in the publication entitled Research on the Position of the LGBT Community in Novi Sad⁸ with the aim of exploring the status the LGBT community and the exercise of their fundamental rights in Novi Sad. The information obtained indicate that the majority of the Novi Sad population believe that homosexuality is a disease, whereas less than a third of citizens believe that members of the LGBT population are exposed to physical, psychological or verbal violence because of their sexual orientation or gender identity. Furthermore, as many as 43% of parents are not at all aware of the sexual orientation or gender identity of their LGBTI children. Apart from family, a negative attitude is also evident in the sphere of social relations. Thus, 25% of respondents would cast off their friend, acquaintance, or colleague by not communicating with them after finding out that they are members of the LGBTI population. When it comes to the perceptions of the LGBT population, 14% see themselves as the most discriminated social group, half of the LGBT persons surveyed were exposed to physical violence, while 4 out of 5 LGBT persons were exposed to psychological and verbal violence. This research states the concern that two-thirds of cases of violence are experienced in the public sphere, committed by hooligans and passers-by on the street, while a third of cases are experienced within educational institutions and work collectives, committed by colleagues or family members. Also, more than half of the members of the LGBTI population in Novi Sad state that they have experienced some form of discrimination, mostly in the areas of social and police protection and labour relations and rights.

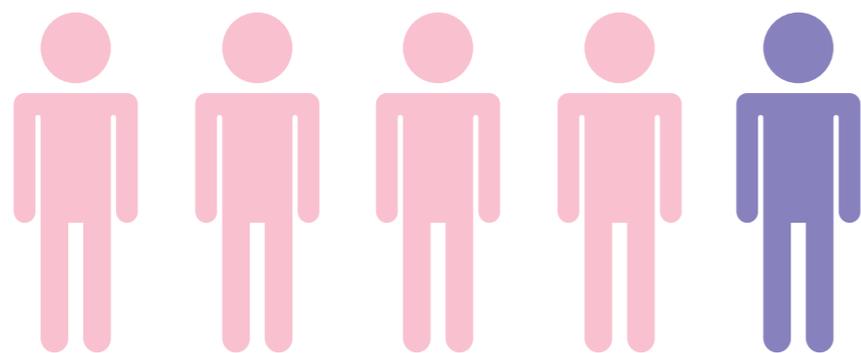
According to the report entitled Bring Out the Data, Not Empty Drums and Trumpets⁹, which addresses discriminatory incidents and crimes motivated by homophobia and transphobia in the Republic of

7 We Vote, Too!, Association "Da se zna!", Belgrade, 2018, https://dasezna.lgbt/attachments/1_MI_GLASAMOfinal2.pdf

8 "Istraživanje položaja LGBT zajednice u Novom Sadu" (Research on the position of the LGBT community in Novi Sad), Centre for Development of a Democratic Society "Europolis", Group "COME OUT" and Protector of Citizens of the City of Novi Sad, 2018 http://zastitnikgradjana.novisad.rs/sites/default/files/istrazivanje_lgbti.pdf

9 Bring Out the Data, Not Empty Drums and Trumpets, Association Da se zna!, Belgrade 2018, <https://dasezna.lgbt/attachments/Podaci-a-ne-zvona-i-praporci%20FINAL2.pdf>

Serbia in the observed period, out of 27 cases of hate crime and related incidents analysed, 24 were collected directly from persons who were subject to hate crime, three from LGBTI organisations, whereas no cases were reported by witnesses. When it comes to reporting hate crime or related incidents to competent authorities, 29% of persons did not report a case. A campaign dedicated to promoting the portal “Da se zna!” and the possibility of online reporting of hate crime through a social network was launched in October 2015 to raise awareness about homophobic and transphobic violence and discrimination and to enable the LGBTI community to report crimes in a safe environment and without fear of secondary victimization.



4 out of 5 LGBT persons were exposed to psychological and verbal violence

Research on the Position of LGBT+ Persons in the Labour Market¹⁰ was conducted with the aim of collecting data that would serve to create measures to help integrate and better exercise the labour rights of LGBT persons. This research states that factors that most influence workplace positions of LGBT persons are: the type of industry they are employed in, the ownership structure of the company, the positions of workers in the hierarchy, the corporate culture, and the existence and quality of protection mechanisms. Collected data indicate that 38% of LGBT persons believe that they have been discriminated against in the workplace in the last five years, 46% have experienced emotional abuse, 19% have been threatened with termination of employment, 18% have been threatened with violence, 15% have experienced sexual harassment due to actual or perceived sexual orientation, and 9% have experienced physical violence. Also, 92.6% of respondents believe that Serbia does not have good mechanisms

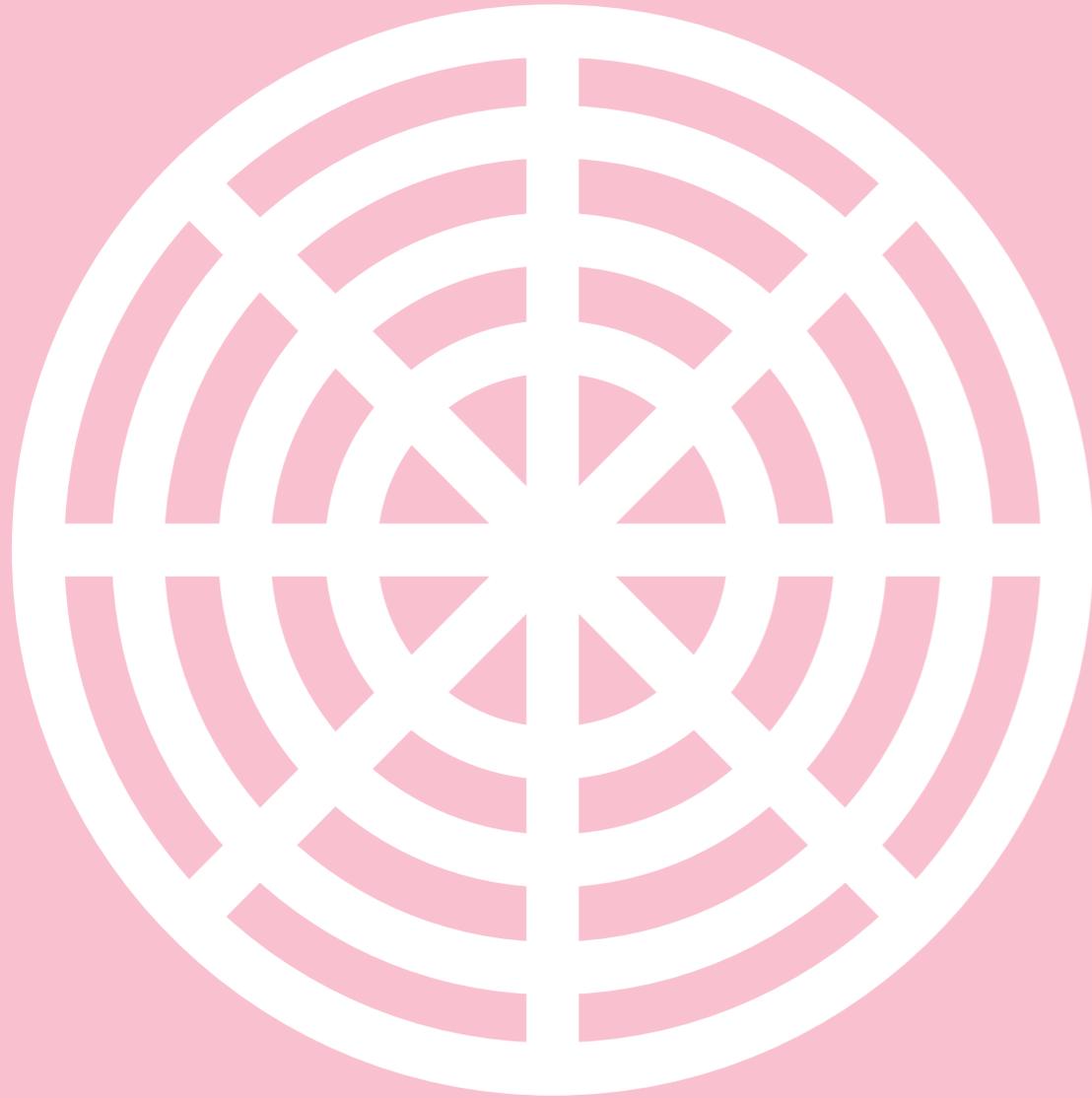
¹⁰ Istraživanje o položaju LGBT + osoba na tržištu rada” (Research on the Position of LGBT+ Persons in the La

for protection against discrimination in the workplace. Likewise, interviews with LGBT+ persons indicate that they do not recognise discrimination in the workplace, nor do they seem to have the support, either from the state or civil society, to counter discrimination in the world of work. In addition, as many as 77% of LGBT+ persons reported hiding their sexual orientation from all employees in the workplace.

The results of the study Media Attitudes to Discrimination in Serbia¹¹ conducted by the Commissioner in 2018, showed that, although journalists recognise that there is pronounced discrimination against the LGBT population, they themselves have a certain degree of social distance to this minority group. Thus, 21% of respondents agree with the statement “I have nothing against LGBT people, but let them be what they are at home and not in public”, while 15% remained ambivalent. Also, an analysis of another study conducted by the Commissioner during the year on attitudes of representatives of public authorities on discrimination in Serbia, showed that 25% of respondents believe that employees in institutions would agree with the statement “Homosexuality is a disease to be treated”.

92,6% of respondents believe that Serbia does not have good mechanisms for protection against discrimination in the workplace

¹¹ Study “Odnos medija u Srbiji prema diskriminaciji” (Media Attitudes to Discrimination in Serbia”), Commissioner for the Protection of Equality, Belgrade, 2018 – available on the website: <http://ravnopravnost.gov.rs/odnos-medija-u-srbiji-prema-diskriminaciji-cir/>



03.

LGBT in the Reports of UN Human Rights Mechanisms

United Nations human rights mechanisms also point to certain shortcomings and challenges in the implementation of anti-discrimination legislation in Serbia. Thus, the Concluding Observations of the Human Rights Committee on the third periodic report of Serbia on the implementation of the International Covenant on Civil and Political Rights “expresses concern about the practical implementation of the anti-discrimination legal framework, the prevalence of hate speech against LGBT persons”.

The Concluding Observations of the Committee against Torture on the Second Periodic Report of the Republic of Serbia on the Implementation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment contain some observations and recommendations that are relevant to certain discriminated groups - women in situations of violence, persons with intellectual and psychosocial disabilities, the LGBT population and the Roma community. This international mechanism also indicated that human rights defenders, journalists, LGBTI persons and members of the Roma community continue to be attacked, intimidated and threatened, and investigations and procedures are not effective enough. Therefore, Serbia is urged to provide effective, urgent and thorough investigations and to ensure that perpetrators are adequately punished, to take action to counter prejudice and stereotypes and policies to combat hate crime and discrimination, especially on the basis of sexual orientation, gender identity or ethnic origin.

04.

Strategy Scope

By adopting the Strategy for Prevention and Protection against Discrimination in 2013, Serbia showed an extent of a political will to regulate this area more closely and thus meet several requirements at that time. One of the requirements was a 2011 recommendation of the Commissioner for the Protection of Equality, but also a part of the Action Plan for Chapter 23, a document essential for the Republic of Serbia in the process of accession to the European Union.

The importance of the Strategy for Prevention and Protection against Discrimination and the accompanying Action Plan for its implementation (2014-2018) was also reflected in the comprehensive coverage of target groups – as many as nine.

The Strategy for Prevention and Protection against Discrimination refers to vulnerable social groups, especially exposed to discrimination:

- affiliation to a national minority;
- women;
- LGBT persons;
- persons with disabilities;
- the elderly;
- children;
- refugees, internally displaced persons and other vulnerable migrant groups;
- religious affiliation;
- persons whose health status may give rise to discrimination

The goal of the Strategy for the Prevention and Protection against Discrimination was to respect the constitutional principle of non-discrimination, especially in relation to vulnerable social groups, namely: national minorities, women, LGBT persons, persons with disabilities, the elderly, children, refugees, internally displaced persons and other vulnerable migrant groups, religious affiliation and persons whose health status may give rise to discrimination.

The operational document accompanying the Strategy, the Action Plan for its implementation, was adopted a year after the Strategy (2014) and the measures were designed according to relevant areas and competencies of the institutions. The Action Plan defined integrative-general and specific areas. Integrative-general areas included a number of measures, activities and indicators that corresponded to the so-called general administration:

- Public Administration
- Security, Home Affairs and Judiciary, as the second specific integrative area.

Specific areas were recognised as those of particular importance from the perspective of particular vulnerable social groups:

- Education and Professional Education and Training;
- Labour and Employment;
- Marriage, Family Relations and Inheritance;
- Health Care, Health Protection, Social Welfare and Housing;
- Youth, Sports, Culture and Media;
- Regional Development and Local Self-Government.

This strategic document introduced a mechanism for monitoring the implementation of measures prescribed by the Action Plan - the Council for Monitoring the Implementation of the Action Plan. It was formed by the Government of the Republic of Serbia in 2015, stating its tasks to monitor progress in the implementation of measures, implementation of activities, adherence to the stipulated deadlines and to timely warn about the challenges in the implementation of measures within the implementation of

the Action Plan. The Council is part of the mechanism for managing the implementation of the Action Plan and the Strategy, and the other parts of the mechanism are:

- monitoring the implementation of planned measures and activities;
- periodic reporting on the implementation of planned measures;
- contact persons and their deputies designated in ministries and other institutions - implementers of concrete measures;
- trainings created and implemented for contact persons and their deputies, representatives of civil society organisations and representatives of local self-government units.

It is composed of representatives of line ministries and institutions that are the responsible for the measures, but also representatives of civil society. Quarterly reporting on the implementation of the Action Plan measures for the implementation of the Strategy for Prevention and Protection against Discrimination and the presentation of these reports to the Council, as well as their availability on the website of the Office for Human and Minority Rights, are certainly good practices that should be continued with other strategic documents.

By encompassing a large number of social groups and aiming to improve their position in society, actions under the Strategy and the accompanying Action Plan significantly contributed to imposing the phenomenon of discrimination as an important challenge for a society in transition like ours.

05.

Results of the Implementation of the Action Plan for the Implementation of the Strategy for Prevention and Protection Against Discrimination

The Action Plan for the Implementation of the Strategy for Prevention and Protection against Discrimination determined a number of measures for each of the identified target groups. A total of 17 measures address LGBT persons.

Measures aimed at improving the LGBT normative framework:

Measure

3.1.4.

Ensure the implementation of the decisions adopted by the Constitutional Court and other courts pertaining to the work of the public authorities in relation to prevention and protection against discrimination of certain vulnerable groups through preparation and adoption of the new laws and amendments and supplements to the existing ones.

Special measures pertaining to vulnerable groups: LGBTI - ensuring the implementation of the Decision of the Constitutional Court of the Republic of Serbia no. Už-3238/2011 of 8 March 2012 and the guidelines set out in the Decision.

Activities: Prepare a special law to regulate sex reassignment and thus create prerequisites to amend or supplement specific laws that regulate certain issues concerning this vulnerable group.

The measure implemented by: Ministry of Health and Ministry of Labour, Employment, Veteran and Social Policy. Deadline for implementation of the measure: fourth quarter of 2017.

In 2018, the legal framework for gender marker change when issuing IDs to transgender persons has been improved, however, same-sex partnerships are still not legally regulated. According to reports and surveys, examples of discriminatory incidents and crimes motivated by homophobia and transphobia still exist. Although the first hate crime court case was won in 2018 pursuant to Article 54a of the Criminal Code, there is still work to be done when it comes to providing training for the police, prosecutors and judges to ensure the full application of this Article and the sentencing of hate crime.

The Law on Amendments to the Law on Registry Books, among other things, regulates the possibility of data entry on nationality, as well as data on sex reassignment in the registry of births. Data on sex reassignment are entered in the registry based on the decision of the competent authority to be issued on the basis of the certificate of the competent health institution (implementing regulation on the method of issuing and the certificate form was adopted in early 2019 and is very important for the implementation of the law itself).



Measure 4.3.2.

Develop a working text of the law to open a public debate on sensitive social issues related to the envisaging the same-sex union, with the previously carried out analysis of certain provisions of the Constitution and the provisions of the Family Law

Special measures pertaining to vulnerable groups: LGBTI - Drafting a working text (model) of the Law on Registered Same-Sex Unions, and opening of the public debate in order to strengthen awareness of the general public on the need of legal regulation of the same-sex partnerships.

Implementing parties: Ministry of Labour, Employment, Veteran and Social Policy (MLEVSP).

Participants: Ministry of Justice (MoJ), Office for Human and Minority Rights (OHMR), civil society organisations (CSOs), international organisations (IOs), the media.

Deadline for implementation of the measure: 36 months.

Not only was the Model Law on Same-Sex Unions not drafted, but no activity was initiated by the competent authorities that would result in raising public awareness of the need to regulate this issue.



Measure 4.3.3.

Create a working text of the Law to open a public debate on sensitive social issues related to legal inheritance of same-sex partners

Special measures pertaining to vulnerable groups: LGBTI - Creation of the working text (model) of the Law on Amendments and Supplements of the Law on Inheritance, in terms of providing equal status to marital and non-marital unions, i.e. recognising the right of the same-sex partners to inheritance as first-degree heirs.

Implementing parties: Ministry of Labour, Employment, Veteran and Social Policy (MLEVSP),

Participants: Ministry of Justice (MoJ), Office for Human and Minority Rights (OHMR), civil society organisations (CSOs), international organisations (IOs), the media.

Deadline for implementation of the measure: 36 months



Measure 4.3.4.

Create by-laws in order to prevent discriminatory practices related to marriage and family (Connection to the measure 3.1.9)

Special measures pertaining to vulnerable groups: LGBTI (transsexual persons) and health condition - Keeping in mind the child's best interest, Centres for Social Work should avoid discriminatory practices in situations when one of the parents is a transsexual person or has a certain health condition; Centres for Social Work shall enable those persons to maintain contact with their children, and in the case of divorce CSWs must not declare a sick or transsexual parent as ill-suited with regard to guardianship.

Activities: 1. Creation and implementation of the mandatory Instruction.

Implementing parties: Ministry of Labour, Employment, Veteran and Social Policy (MLEVSP),

Participants: Office for Human and Minority Rights (OHMR), Ministry of Health (MH), civil society organisations (CSOs), local self-government units (LSUs).

Deadline for implementation of the measure: not set.



Measure 4.4.2.

Create the Draft Law on Amendments and Supplements to the Law on Social Protection in parts pertaining to the special measures related to certain vulnerable social groups

Special measures pertaining to vulnerable groups: LGBTI – a more effective protection of LGBTI persons, i.e. covering gender identity as a discrimination ground in the area of provision of social protection.

Activities: Creation of the Draft Law on Amendments and Supplements to the Law, in accordance with the results of the analysis.

Implementing parties: Ministry of Labour, Employment, Veteran and Social Policy (MLEVSP),

Participants: Office for Human and Minority Rights (OHMR), civil society organisations (CSOs).

Deadline for implementation of the measure: not set..



Measure 4.4.5.

Revoking certain discriminatory practices in the area of health care

Special measures pertaining to vulnerable groups: Revoke the practice of the discriminatory hindering of blood donation of LGBTI persons. Activities: Creation of a mandatory Instruction in relation to blood donation of LGBTI persons.

Implementing parties: Ministry of Health.

Deadline for implementation of the measure: Starting from the fourth quarter of 2015.



Measure 4.1.4.

Advance laws and by-laws – create and adopt laws and by-laws i.e. amend and supplement the existing ones preventing discriminatory treatment and practices in the area of education. Connection to the measure 3.1.9.

Activities: 3. Provide education and training for education inspectors and advisors on the modalities of implementation of the Rules of Procedure, upon its adoption.

Implementing parties: Ministry of Education, Science and Technological

Development (MESTD).

Participants: For activities 2 and 3 – civil society organisations (CSOs).

Deadline for implementation of the measure: Fourth quarter of 2014-2016.

For the purpose of improving the legislation in the area of recognition and response to discrimination in educational institutions, within the framework of amendments to the Law on Foundations of Education System (Official Gazette of the RS, 88/2017) of 7 October 2017, Articles that more closely regulate the prohibition of discrimination, the prohibition of conduct that offends the reputation, honour and dignity and obligations of authorities and individuals in responding to situations of discriminatory behaviour have been adopted. Article 110, the Prohibition of Discrimination has been amended to read as follows: *“Discrimination and discriminatory treatment that directly or indirectly, overtly or covertly leads to any unwarranted discrimination or unequal treatment, that is to say, omission (exclusion, limitation or preferential treatment) in relation to individuals or groups, as well as members of their families or persons close to them, be it overt or covert, on the grounds of race, skin colour, ancestors, citizenship, status of migrant or displaced person, national affiliation or ethnic origin, language, religious or political beliefs, gender, **gender identity, sexual orientation**, financial position, social and cultural background, birth, genetic characteristics, health, disability, marital and family status, previous convictions, age, appearance, membership in political, trade union and other organisations and other real or presumed personal characteristics, as well as other grounds determined by law that prohibits discrimination, shall be prohibited in institutions.”*

As part of the project Support to the Implementation of Regulations in the Area of Non-Discrimination in Education implemented by the Ministry of Education, Science and Technological Development (MSTTD) in partnership with UNICEF and the Commissioner for the Equality of Citizens, a by-law was prepared and adopted to regulate the conduct of an institution in the event of a discriminatory situation - the Rulebook on the Conduct of the Institution in the Event of Suspected or Discriminatory Behaviour and Insult to the Reputation, Honour or Dignity of a Person (Official Gazette of the RS 65/2018), signed by the Minister of Education, Science and Technological Development at the end of August 2018, which entered into force at the beginning of the 2018/19 academic year. This document was created in order to operationalise the Rulebook on Detailed Criteria on Identifying Forms of Discrimination by Employees, Children, Students or Third Parties in Educational Institutions, adopted in February 2016.

The Rulebook on the Conduct of the Institution defines discrimination under the Law on the Prohibition of Discrimination and Law on Foundations of Education System (ZOSOV) of 2017, adding to the list the gro-

unds of discrimination - gender identity and sexual orientation. It is important to note that this by-law, as one of examples of the most serious form of discrimination, cites “invoking violence against members of the LGBTI population through social networks (homophobia)”. Also, according to the Rulebook: “The institution shall intervene in the events of suspected or established insult to the reputation, honour or dignity of a person and discriminatory behaviour from racist, sexist, homophobic, xenophobic, Islamophobic, anti-Semitic, antiziganistic or other forms of discriminatory behaviour against an individual, especially a younger, weaker one, with developmental and other disabilities, on the grounds of **gender identity, sex, sexual orientation**, race, skin colour, religious and national affiliation, language, wealth status, social and cultural background and other real or presumed personal characteristics.”

Likewise, “When discriminatory behaviour is repeated or prolonged with the same person, or persons with similar or identical personal characteristics (race, skin colour, national and religious affiliation or ethnic origin, **sex, gender identity, sexual orientation**, wealth status, genetic characteristics, health status, developmental disabilities and other disabilities) **the protection team qualifies it as the next, more serious form of discrimination.**”

Within this project, a total of 6 focus groups were held, 3 with teachers and 3 focus groups with parents in primary and secondary schools in three cities of the Republic of Serbia.

Focus groups with parents were held in Odžaci, Belgrade and Gadžin Han. In all three groups, parents actively participated and shared their views and understanding of discrimination. When they were expected to express an opinion on what discrimination was, they kept saying that it meant making a difference or separating a person from the group because of some personal characteristics. However, when they were asked to provide specific examples of discrimination from their experience or examples they heard had occurred, they generally presented examples of various forms of peer violence, most commonly verbal and social. Parents generally expressed great trust in teachers and the school principal, emphasized good cooperation with the teaching staff, and cited poor upbringing of abusive children as a reason for discrimination. Most parents were of the opinion that children with disabilities should attend special schools because it was “better for them”. Focus groups with teachers were held in Novi Sad, Belgrade and Niš. On average, there were 15 teachers per group. Same as with the parents, the collaboration was great with teachers as well and they actively participated in the conversation. Like parents, some teachers have been able to define the term discrimination, but most did not make a distinction between discrimination and violence. Views were very diverse - from extremely sensitive and empowered teachers who are willing and able to work with children from marginalized groups, to teachers who lack understanding and knowledge of inclusive education. Both focus groups had equal number of participants which leads to

the conclusion that the environments teachers come from offer neither advantages nor limitations for teachers to be trained. Some teachers have shown a sharp resistance to the inclusive education of children with disabilities, expressing their views through a medical approach to disability. Some teachers showed a complete misunderstanding of inclusive education, while one secondary school teacher stated that she gives passing grades to all those who are part of the Individual Education Plan (IEP) because the IEP is designed so that children cannot “achieve it”. In all groups, the reasons for discriminatory and violent behaviour of children are recognised in the poor upbringing and parents’ behaviour.

Within the MADAD 2 project and the activities regarding improving the capacity of educational institutions to integrate migrant students into the education system in the Republic of Serbia, Ministry of Education, Science and Technological Development (MESTD) included information on the new Rulebook, structure, novelties that were proposed, including implementation in practice as one of the topics in the two-day training. As part of the MADAD project, 1800 educators, primary and secondary school teachers were trained during December 2018, January and February 2019. A wider range of interested school employees was included in the online training.

The Rulebook on the Conduct of the Institution in the Event of Suspected or Discriminatory Behaviour and Insult to the Reputation, Honour or Dignity of a Person was presented on the occasion of the completion of the second year of the project Together in Transition – Support to Children from Vulnerable Groups in Transition to Secondary Education, implemented by the Centre for Education Policy with the support of the “Pestalozzi” Children’s Foundation. Representatives of 10 primary schools participated. Teachers and expert associates actively participated in the discussion, sharing their experiences regarding the implementation of the Rulebook.

The Ministry of Education, Science and Technological Development (MESTD) points out that a joint project called “Improvement of competencies of institutions for prevention and treatment of discrimination cases”, funded by the German Society for International Cooperation (GIZ), responds in its first phase to the current needs of the education system, which is why a two-day training was organised for 30 educational advisors and inspectors who will train 300 participants by the end of 2019. In the second phase of the Project we plan to continue the training of employees in education through the development of a Guide for the implementation of the Rulebook on the Conduct of the Institution in the Event of Suspected or Discriminatory Behaviour and Insult to the Reputation, Honour or Dignity of a Person, as well as a Guide for parents, which will be posted on the official website of the Ministry.



Measure 3.2.2.

Suppress acts of violence, intolerance and threats against vulnerable social groups by conducting effective investigations and taking measures of criminal law protection and other forms of protection, and record keeping

Special measures pertaining to vulnerable groups: LGBTI – implementation of the efficient investigation and sanctioning of discriminatory treatment of LGBTI persons.

Activities: 2. Legally introduce a single database (record) of criminal charges filed against acts of violence (and threats) motivated by personal characteristics, number of persons convicted and sentencing range for the criminal offences committed, as well as other sanctions in relation to acts of violence and intolerance against vulnerable social groups following the previously obtained freely expressed consent of the person, for the purpose of prevention and suppression of acts of violence, intolerance and threats against vulnerable social groups, in accordance with the principle of proportionality.

Implementing parties: Ministry of Justice (MoJ), Ministry of the Interior (MI).
Participants: High Judicial Council (HJC), Supreme Court of Cassation (SCC), courts, State Prosecutorial Council (SPC), Republic Public Prosecutor’s Office (RPPO), associations of judges and prosecutors, civil society organisations (CSOs)

The Ministry of Justice established a Working Group that developed the ICT System Development Guidelines in Justice Sector, which is the basis for the full development of the ICT system in the judiciary and will enable the use of all data necessary for monitoring statistical parameters relevant for the prevention and suppression of acts of violence, intolerance and threats to vulnerable social groups in accordance with the principle of proportionality of processing.

Also, within the project Improving Judicial Efficiency, a Judicial Performance Management Report was prepared with a Manual, which was presented to competent institutions including the Supreme Court of Cassation and the Courts of Appeal on 22 February 2017. The aim of the report is to strengthen the ability of the courts and the prosecution to accurately and uniformly monitor and report on the work of the judiciary. As part of the activity in question, an analysis of the existing method of reporting on the work of judicial bodies was conducted, and it was concluded that it deviates from the reporting stan-

dards applied by the European Commission for the Efficiency of Justice (CEPEJ). Recommendations were also made to improve the quality of reporting. Furthermore, in order for the future reporting to contain all relevant data, a catalogue of requirements was drawn up regarding different types of data that are regularly requested from the EU and international organisations, that are also needed for good governance of the justice system. The collection of relevant data on the work of the judiciary alone is not sufficient to carry out the necessary analyses on problems, trends and phenomena in the judiciary, but it is also necessary to use relevant indicators. The Report proposes to use a series of indicators that show the functioning of the justice system as a whole, in its individual units (by types and levels), at the level of the individual judicial body, and by certain specific thematic aspects.

Also, in order to increase the efficiency of public prosecutor's offices in criminal proceedings against perpetrators of criminal offenses against journalists, the Republic Public Prosecutor issued an instruction on 22 December 2015, which anticipates that appellate, higher and basic public prosecutor's offices shall keep separate records for offenses against persons carrying out activities of public interest in the area of information, in relation to the actions taken and in connection with attacks on media websites, in cases where emergency treatment is prescribed.

Also, basic public prosecutor's offices have established and keep separate records on proposals for further emergency measures and requirements for determining measures of protection against domestic violence, as well as records on the work of the group for coordination and cooperation according to the Rules of Procedure of the group.



Measure 4.3.1. Analyse, amend and supplement the Family Law for the purpose of prevention of discrimination against certain vulnerable social groups

Special measures pertaining to vulnerable groups: 1. LGBTI - Ensure the implementation of the provision on prevention of discrimination against LGBTI persons in terms of recognition of same-sex non-marital unions (i.e. the right to a registered partnership – civil union) through amendments and supplements to the Family Law

Activities: 1. Prepare the analysis of the existing Law; 2. Draft the model of the Law on Amendments and Supplements to the Law in line with the Analysis related to the problems of the vulnerable groups.

Implementing parties: Ministry of Justice.

Deadline for implementation of the measure: Fourth quarter of 2017.



Measures aimed at improving the professional competencies of measure implementers in the area of prevention and protection of LGBT persons from discrimination

Measure 3.2.1. Ensure effective prevention in order to prevent acts of violence and intolerance against vulnerable social groups

Special measures pertaining to vulnerable groups: LGBTI/transgender persons – affirmation of culture of tolerance with a wide range of citizens towards LGBTI/transgender persons; promotion of the dialogue on the necessity of achieving full equality in order to realise principles of equality and equal rights; and preventive action for exercising the right to freedom of peaceful assembly.

Activities: 1. Conducting a media campaign and supporting production of media contents for the purpose of achieving the principle of equality and equal rights for LGBTI – transgender persons; 2. Active promotion of cooperation, communication and collaborative work with the LGBTI community; 3. Implementation of the prevention projects with an aim of promoting and respecting diversity; 4. Taking preventive measures, as well as identifying potential security threats and their elimination to ensure efficient realisation of the right to freedom of peaceful assembly, ensuring safety of participants in the LGBTI gatherings and preventing acts of violence

and related forms of human rights violations based on sexual orientation and gender identity; 5. Regular meetings with the organisers of the Pride Parade.

Implementing parties: Ministry of the Interior (MI).

Participants: Ministry of Culture and Information (MCI), Office for Cooperation with Civil Society (OCCS), civil society organisations (CSOs), experts, the media, international organisations (IOs), local self-government units (LSUs).

Deadline for implementation of the measure: continuously.

The Ministry of the Interior states that effective prevention and suppression of acts of violence and intolerance towards vulnerable social groups has been ensured through cooperation with representatives of LGBT organisations, with whom several meetings have been held. The result is a Pride Parade a few years back without violence. Also, representatives of the Ministry of the Interior regularly take part in a series of public events, roundtables, public forums and conferences focusing on LGBT rights.



Measure 3.2.1. Ensure effective prevention in order to prevent acts of violence and intolerance against vulnerable social groups

Special measures pertaining to vulnerable groups: LGBTI/transgender persons – affirmation of culture of tolerance with a wide range of citizens towards LGBTI/transgender persons; promotion of the dialogue on the necessity of achieving full equality in order to realise principles of equality and equal rights; and preventive action for exercising the right to freedom of peaceful assembly.

Activities: 1. Conducting a media campaign and supporting production of media contents for the purpose of achieving the principle of equality and equal rights for LGBTI – transgender persons

Implementing parties: Office for Human and Minority Rights (OHMR), Ministry of Culture and Information (MCI)-activity 1. **Participants:** Ministry of Culture and

Information (MCI), Office for Cooperation with Civil Society (OCCS), civil society organisations (CSOs), experts, the media, international organisations (IOs), local self-government units (LSUs).

Deadline for implementation of the measure: continuously.

Within the Call for Proposals for Associations for the Promotion and Protection of Human Rights in the Republic of Serbia, a part of the Programme “Implementation of Anti-Discrimination Policies in the Republic of Serbia”, Office for Human and Minority Rights (OHMR) supported one project aimed at promoting the rights and position of members of the LGBTI population, in the amount of 250,000 dinars.



Measure 3.2.3. Prevent the spreading, promoting and encouraging of hatred and intolerance at public gatherings, through the media and internet, through hate graffiti and in other ways

Activities: 1. Taking effective measures and procedures in order to prevent hate speech

Implementing parties: Ministry of the Interior (MI), Ministry of Justice (MoJ). **Participants:** High Judicial Council (HJC), Supreme Court of Cassation (SCC), courts, State Prosecutorial Council (SPC), Republic Public Prosecutor’s Office (RPPO), associations of judges and prosecutors, civil society organisations (CSOs).

Deadline for implementation of the measure: continuously.

The Ministry of Justice states that in order to take more effective measures and procedures to prevent hate speech, the topic of hate crime was included in the Judicial Academy’s continuing training program for 2016, as well as for 2017 (European Convention on Human Rights and Criminal Code 54a), in order to acquire specific knowledge related to familiarisation with the concept of hate crime and familiarisation with the practice of the European Court of Human Rights and the UN Committee.

- Concept, elements and international legal framework;
- Legal framework and judicial criminal justice protection in cases of hate crime;
- Prosecution for hate crime cases;
- Hate crime in the Republic of Serbia, reporting obligation.

Issues related to standards for hate crime prosecution are an integral part of specialised criminal law training in the context of continuous and initial training programs. In cooperation with the Office for Human and Minority Rights and the Organisation for Security and Co-operation in Europe (OSCE), the Judicial Academy organised a total of 6 seminars on the topic: Hate Crime. 2 one-day seminars were organised in 2015, and 4 in 2016. The main objective of this training was to acquire specific knowledge related to getting familiar with the specifics of the concept of hate crime and with the relevant international legal provisions and practices of the European Court and the UN Committee. Participants who attended these seminars were judges, prosecutors and their assistants from the High and Basic Courts and Prosecutor's Offices, as well as representatives of the Ministry of the Interior, from those areas, who were assigned to work on hate crime cases. The total number of participants during 2016 was 70.

In December 2017, the Office for Human and Minority Rights, with the support of the OSCE Mission to Serbia, held the seventh coordination meeting of representatives of competent state bodies and civil society organisations in order to establish a mechanism for the fight against hate crime in the Republic of Serbia. The purpose of the meeting was to continue cooperation, share experiences, as well as to explore possibilities and mechanisms for establishing cooperation between competent state bodies, primarily the Ministry of Justice, Ministry of the Interior, Supreme Court of Cassation, Republic Public Prosecutor's Office, Judicial Academy, Commissioner for the Protection of Equality, the Centre for Basic Police Training and the Office for Human and Minority Rights, as well as civil society organisations, which have played a significant role in the fight against hate crime so far. Representatives of the OSCE Mission to Serbia also attended the meeting.

Criminal offenses that contain elements of discrimination, incitement to violence and hate speech, such as the offense of inciting national, racial and religious hatred and intolerance from Article 317 of the Criminal Code represent criminal offenses for which prosecution is undertaken *ex officio*, which means that the public prosecutor is obliged to prosecute whenever they have grounds for suspecting

that a criminal offense has been committed, in accordance with the principle of legality laid down in Article 6 (1) of the Criminal Procedure Code. Accordingly, public prosecutor's offices continued to investigate and prosecute criminal offenses related to interethnic incidents.

In addition, the Program and Work Plan of the Republic Public Prosecutor's Office stipulates that this Prosecutor's Office will supervise the conduct of competent public prosecutor's offices in cases of general public interest or for which the public is interested, including cases related to violations of human rights and all forms of discrimination. In order to supervise the handling of these cases, appellate public prosecutor's offices are obliged to submit quarterly reports regarding the above-mentioned areas to the Public Prosecutor's Office.

In order to conduct an effective investigation of inter-ethnic incidents, and in particular those acquiring the characteristics of a criminal offense, inciting racial, national and religious hatred and intolerance, the Republic Public Prosecutor's Office continued the professional training of public prosecutors and deputy public prosecutors on this topic. In this regard, at the invitation of the US Embassy in Belgrade, in August 2016, the Public Prosecutor's Office undertook preparatory activities to ensure the participation of 5 representatives of the Public Prosecutor's Office at the seminar "Hate Crime" held from 3 to 7 October 2016 at the International Law Enforcement Academy (ILEA) in Budapest.

Representative of the Republic Public Prosecutor's Office participated in the seventh coordination meeting to establish a mechanism for combating hate crime in the Republic of Serbia, held on 1 and 2 December 2016, organised by the Office for Human and Minority Rights of the Government of the Republic of Serbia and the OSCE Mission to Serbia.

The eighth coordination meeting of representatives of competent state bodies and civil society organisations was held in Belgrade on 10 April 2017 with the aim of establishing a future mechanism for combating hate crime in the Republic of Serbia, organised by the Office for Human and Minority Rights and the OSCE Mission to Serbia. They presented realised activities, most of which are related to judicial training conducted in cooperation with the Academy. Also, the working group (Tamara Mirović, Jasmina Kiurski and Milan Antonijević) started drafting Guidelines for Criminal Prosecution of Hate Crime. The Guidelines are planned to be shared as a working material in seminars. In the process of drafting the Guidelines for Criminal Prosecution of Hate Crime, on 15 June 2017, a meeting of the working group members was held with representatives of civil society organisations, at which civil society representatives presented their experiences in the area of hate crime and made proposals that will help draft the Guidelines. The working group members drafted the Guidelines, i.e. the

Manual for Criminal Prosecution of Hate Crimes.

In addition, on 3 March 2017, a representative of the Public Prosecutor's Office participated in a roundtable: Space for Human Rights Defenders - Roundtable on Threats in Cyberspace and the Public, organised under the IPA 2013 twinning project "Support to the advancement of human rights and zero tolerance to discrimination."

Also, a representative of the Republic Public Prosecutor's Office participated in the presentation of the Third Periodic Report on the Implementation of the International Covenant on Civil and Political Rights by the United Nations Human Rights Committee from 7 to 8 March 2017 in Geneva.



Measure 4.1.6. Provide professional training for public servants on the implementation of anti-discrimination regulations regarding vulnerable social groups

Special measures pertaining to vulnerable groups: LGBTI persons – training on implementation of AD regulations on sexual orientation and gender identity.

Implementing parties: Human Resources Management Service (HRMS).

Participants: civil society organisations (CSOs).

Deadline for implementation of the measure: continuously for each calendar year.



Measure 4.1.9.

Provide professional education and training for judges, prosecutors and other staff in the area of judiciary on the prevention of discrimination, on international standards, practice of international supranational mechanisms for the protection of human rights and communication of officials and employees of the judicial administration with members of vulnerable social groups

Activities: 1.1. Creation of a curriculum for professional education and training for judges and prosecutors on international anti-discrimination standards and decisions of the international treaty bodies, in particular with regard to discrimination against vulnerable social groups. 1.2 Implementation of trainings for judges and prosecutors. 1.3. Creation of a manual for the implementation of AD regulations, with special emphasis on judgments and decisions of international bodies and comparative legal systems which particularly pertain to national minorities, LGBTI persons, persons with disabilities (PWD), internally displaced persons (IDPs) and migrants. 1.4. Implementation of training for judicial administration employees.

Implementing parties: Judicial Academy. Participants: High Judicial Council (HJC), State Prosecutorial Council (SPC), civil society organisations (CSOs), Office for Human and Minority Rights (OHMR), Human Resources Management Service (HRMS).

Deadline for implementation of the measure: Continuously for each calendar year from the moment of adoption of the curriculum.

The Judicial Academy states that the curriculum of continuous training for 2017 has been prepared, with issues related to international anti-discrimination standards and decisions of international treaty bodies representing its integral part, especially regarding discrimination against vulnerable social groups (<http://pars.rs/sekcija/78/stalna-obuka.php>). During the third quarter of 2017, in cooperation with the OSCE, a two-day roundtable on the harmonisation of case law in the area of non-discrimination for judges of appellate courts working in case law departments and those dealing with Labour Law was organised in Vršac.

The roundtable was attended by judges of the Supreme Court of Cassation in the role of speakers, raising new issues that judges need to agree on in their plenary sessions, as well as a representative of the Office of the Commissioner for the Protection of Equality. In conclusion, it was stated that it

would be useful that judges of the Constitutional Court attend such gatherings in the future. Also, a second three-day advanced level coaching training was held for future Academy lecturers in the area of non-discrimination. Participants were introduced to the latest case law of the European Court of Human Rights and the EU Court of Justice, as well as recent tendencies in domestic case law. During the fourth quarter of 2017, eight chosen judges who attended advanced coaching training for lecturers in the area of non-discrimination participated in a study visit to the European Court of Justice in Luxembourg in early November, where they had the opportunity to get acquainted with the jurisdictions and case law of this court. A meeting with the European Ombudsman was also organised in Brussels. Also, in cooperation with the OSCE Mission, the Office for Human and Minority Rights organised the ninth coordination meeting of representatives of state bodies and civil society organisations in Šabac on 4 and 5 December 2017, with the aim of establishing a future mechanism for combating hate crime in the Republic of Serbia. The working group is in a final stage of drafting Guidelines for Criminal Prosecution of Hate Crimes. The Ministry of Justice states that a National Strategy for the Exercise of Rights of Victims is planned and should be developed.

The following proposals were adopted at the meeting:

The following proposals were adopted at the meeting:

1. Further training of judges, prosecutors and police in order to become more familiar with Article 54a of the Criminal Code, in particular the verifiability of the subjective element of hate motive, writing the operative part of the indictment, introducing this article in the reasoning of the judgment;
2. Further codification of Article 54a of the Criminal Code and the possibility of drafting a Protocol on the Conduct of State Authorities (courts, Prosecutor's Office, Ministry of Justice and Public Administration, Ministry of the Interior, Non-Governmental Sector and Office for Human and Minority Rights) with regard to hate crime;
3. Seminars for prosecutor judges and police are planned;
4. The Guidelines are planned to be shared as a working material in seminars.

As part of the aforementioned cooperation with the OSCE, which organised training for judges on international instruments and standards in the area of protection from discrimination against national minorities and the Court Practice of the European Court of Human Rights (ESLJP), as well as the effective processing of hate crimes, it is noted that protection of LGBTI rights is an integral part of that education. Education is also continuously provided for users of the Academy's initial training, at theoretical seminars and workshops.



Mere usmerene na unapređivanje i promenu prakse:

Measure

4.6.2.

Take concrete measures to improve the position of vulnerable social groups for the purpose of prevention against discrimination and ensuring the principle of equality

Special measures pertaining to vulnerable groups: LGBTI – organising support groups in municipal Centres for Social Work for LGBTI persons who ended up living in the street, and support groups for parents of LGBTI children and youth.

Activities: 1. Organising support groups in Centres for Social Work (CSWs).

Implementing parties: Ministry of Labour, Employment, Veteran and Social Policy (MLEVSP), Ministry of Public Administration and Local Self-Government (MPALSG).

Participants: Office for Human and Minority Rights (OHMR), civil society organisations (CSOs), local self-government units (LSUs), Centres for Social Work.

Deadline for implementation of the measure: continuously.



Special measures pertaining to vulnerable groups: LGBTI – organising support groups in municipal Centres for Social Work for LGBTI persons who ended up living in the street, and support groups for parents of LGBTI children and youth.

Activities: 1. Organising support groups with centres for social work (CSWs).
Implementing parties: Ministry of Labour, Employment, Veteran and Social Policy (MLEVSP), Ministry of Public Administration and Local Self-Government (MPALSG).
Participants: Office for Human and Minority Rights (OHMR), civil society organisations (CSOs), local self-government units (LSUs), Centres for Social Work (CSWs).
Deadline for implementation of the measure: continuously.

The Ministry of Labour, Employment, Veteran and Social Policy states that the Republic Institute for Social Protection has accredited two training programs for working with LGBT persons, intended for skilled workers employed in the social protection system. These are: 1. Guidelines for Working with Sexual Minorities in the Social Protection System (DUGA) and 2. Advanced Training for Working with Sexual and Gender Minorities in the Social Protection System (DUGA). Following these trainings, case-specific cooperation is often established, and initiatives regarding support programs for parents of LGBT persons have been launched.



Measure 4.1.1. Introduce different contents and modalities of work that promote anti-discriminatory behaviour and values and develop competences for life in a democratic society

Special measures pertaining to vulnerable groups: LGBTI - Acquiring knowledge LGBTI rights through introduced educational contents.

Activities: 1. Introduction into the formal education system of the topics which develop the culture of peace, tolerance, understanding and respect for diversity, intercultural dialogue, gender equality and non-discrimination towards different vulnerable groups.
Implementing parties: Ministry of Education, Science and Technological Development (MESTD).
Deadline for implementation of the measure: Continuously from the moment of introduction.

The Ministry of Education, Science and Technological Development states that, within the compulsory professional training, one of the five priority areas of compulsory teacher training, established by the Rulebook on Continuous Professional Development of Teachers, Pre-School Teachers and Professional Associates (Official Gazette of the RS, 81/17) is: creating a tolerant and non-discriminatory environment for each individual, as well as prevention of violence, prevention of discrimination and inclusion of children from socially marginalized groups. Programs related to education for democracy and civil society are part of the curriculum for primary and secondary schools, and are delivered through the subject *Civic Education*. This subject has the status of a compulsory elective subject to be selected for each academic year. During 2017, in accordance with the Action Plan for the Implementation of the Strategy for Education Development by 2020, the Institute for the Improvement of Education prepared new curricula for primary education. Programs are outcome-oriented and should ensure the development of inter-curricular competencies, one of which is *Responsible Participation in a Democratic Society*, which is recognised in outcomes related to respect for human rights and freedoms. Within the new curriculum for an elective subject *Civic Education*, the goal of teaching and learning is to make students aware of their rights and responsibilities, sensitive to the needs of individuals and the community, and willing to actively participate in the community while respecting democratic values, by learning about the basic principles, values and procedures of civil society. Within other subjects, to the best of their ability, outcomes related to respect for gender equality, diversity and intercultural dialogue are being introduced. Respect for democratic procedures, responsible, humane and tolerant behaviour in society, sensitivity to social injustice, cooperation and teamwork are some of the outcomes related to human rights, that are part of the curriculum.

Measure 4.1.2. Advance the quality of the school curricula, textbooks and other teaching materials at all levels of education for the purpose of elimination of discriminatory contents (in particular those pertaining to national minorities, gender, sexual orientation and gender identity), i.e. contents encouraging stereotypes and prejudice

Activities: 1. Apply in practice the recommendation of the Commissioner for the Protection of Equality in regard to the elimination of discriminatory contents from the textbooks and teaching materials for the purpose of preventing discrimination, promotion of tolerance, respect for differences and respect for human rights.

2. Prepare standards, expert instructions and by-laws preventing the inclusion of discriminatory contents in the approved textbooks.
3. Revise the existing textbooks and teaching aids for the purpose of eliminating discriminatory contents which encourage discrimination from the curricula, i.e. contents which encourage stereotypes and prejudice.
4. Creation of annual report on discriminatory contents in textbooks and other teaching materials which encourage discrimination and intolerance

Implementing parties: Ministry of Education, Science and Technological Development (MESTD).

Participants: Institute for Education Quality and Evaluation (IEQE), National Education Council, Faculty of Political Science Centre for Gender and Politics (BU FPN), civil society organisations (CSOs), Institute for Textbook Publishing and Teaching Aids (ITPTA), Office for Human and Minority Rights (OHMR).

Deadline for implementation of the measure: Continuously for each calendar/academic year.

Following a request by the Ministry of Education, Science and Technological Development in November 2015, a working group of the Institute for the Improvement of Education (IIE) was formed with the task to review the content of approved textbooks for secondary school, including the textbooks “Internal diseases and care 2”; “Healthcare III”; “Psychology for the Second Grade of Grammar School”; “Psychology” for the third and fourth grades of vocational secondary schools for commerce, tourism and catering, and personal services schools; “Neuropsychiatry” and “Children’s neuropsychiatry”. After reviewing the textbooks, the working group stated in the report that certain changes should be made in these textbooks. In reaching their opinion, the working group was guided by the fact that these textbooks were written more than two decades ago, and that there were other shortcomings besides remarks mentioned in the complaints. The working group believes that shortcomings contained in these textbooks are the reason why the textbooks should not be used. Also, it is within the competence of the Institute for the Improvement of Education (IIE) only to give expert judgment on the quality of textbooks, while it is up to the line ministry to act on the expert opinion. Following the opinion of the Commissioner for the Protection of Equality, the Ministry states that mentioned textbooks shall be removed from the Rulebook on the Textbook Plan for the academic year 2016/17 to 2018/19, and a letter shall be sent to all schools through the school administrations stating that textbooks “Internal diseases and care 2”; “Healthcare III”; “Psychology for the Second Grade of Grammar School”; “Psychology” for the third and fourth grades of vocational se-

condary schools for commerce, tourism and catering, and personal services schools; “Neuropsychiatry” and “Children’s neuropsychiatry” will not be used in secondary school teaching. The Ministry also held a meeting with representatives of the publishing house of the Institute for Textbooks regarding these textbooks, and on that occasion it was agreed that the authors of the textbooks “Internal diseases and care 2”, “Psychology”, “Psychology for the Second Grade of Grammar School” and “Healthcare III”, submit complaints to express their views on the content at issue, and that the textbooks “Children’s Neuropsychiatry” and “Neuropsychiatry” are not for sale in the PC Institute for Textbooks.

The Ministry of Education, Science and Technological Development acts in accordance with the provisions of the new Law on Textbooks (Official Gazette of the RS, 27/2018), Article 41. Accordingly, the Ministry is expecting new reasoning from the Institute for the Improvement of Education. If the Institute finds the request for the withdrawal of textbooks justified, since its use does not ensure the achievement of goals and outcomes of education, it shall submit an explanation to the publisher with all the identified shortcomings. If the publisher does not submit a revised textbook manuscript to the Institute within ten working days, the Institute shall propose to the Minister to issue a decision on withdrawal of the textbooks from use. This process is ongoing.

It should also be emphasized that within standard procedures for providing expert evaluation of textbook manuscripts using the Quality Standards for Textbooks, in accordance with Article 11 of the Law on Textbooks (Official Gazette of the RS, 27/2018) concerning the prohibition of discrimination, the Institute for the Improvement of Education (IIE) takes special care that no textbook that receives positive evaluation has content that is in any way discriminatory. If there is doubt, the Institute addresses the Commissioner for the Protection of Equality to submit their reasoning. Also, in accordance with Article 36 of the Law on Textbooks, the Institute monitors the use of approved textbooks. During 2016, the Institute received no complaints concerning suspected presence of discriminatory content in textbooks approved by the implementation of the Quality Standards for Textbooks.

When it comes to measure 4.1.3. from the Action Plan for the Implementation of the Strategy for Prevention and Protection against Discrimination for the period 2014-2018, Transgender Persons - Develop Rules of Procedure on Changes of Name Designation in Terms of Sex in Certificates and Diplomas, in accordance with the law and opinion of the Commissioner for the Protection of Equality (297/2011) according to whom the refusal to change the name is an act of indirect discrimination against transexual persons. The Ministry of Education, Science and Technological Development (MESTD) states that rulebooks regulating the type, name and content of forms and the manner of keeping records, and rulebooks establishing forms of public documents, are not supplemented by provisions that explicitly regulate the modification of data on changes of name and sex designation in certificates and diplomas. However, on several oc-

casions, the Ministry of Education, Science and Technological Development (MESTD) submitted opinions to schools, or individuals who applied for opinion on the change of data in certificates and diplomas for persons who changed their name and sex, stating that the person who changed the civil-personal status in extra-judicial proceedings by determining the sex reassignment from male to female or vice versa in the registry of births and birth certificate, that is, who is granted a name change after the established civil - personal status change in the registry of births, and the Ministry of the Interior annulled the unique registration number and replaced it with a new number for a new identity, that person acquires the rights to new public documents - ID, passport, driver's license, and therefore to public school documents. The Ministry of Education, Science and Technological Development (MESTD) had been submitting the opinion that schools should require withdrawal of the existing original public documents of graduates requiring the issuance of new public documents from the legal transactions, for persons who underwent sex reassignment, since the person with that identity no longer exists. As the identity is changed, this fact shall be entered into records - the registry kept by the school permanently. In the section "Note", the school shall enter data from decision issued by the Court, the Municipal Administration and the Ministry of the Interior even after annulling the original public documents, in order to issue a duplicate in the new name and sex based on records, as determined in other procedures, bearing in mind that otherwise the person who underwent sex reassignment might have a limited or impaired right to work and further education. Also, the Minister of Education, Science and Technological Development of the Republic of Serbia prescribed a list of priority areas of professional development relevant for improvement of education for the period 2016-2018. Some of the priority areas that influence development of tolerance and non-discrimination are:

- Creating a tolerant and non-discriminatory environment for learning and development of each individual, protection against violence, abuse, neglect and discrimination
- Recognising and responding to security risks

In the Catalogue of Continuous Professional Development of Teachers, Educators and Professional Associates for the 2016/2017 and 2017/2018 academic year (<http://katalog2016.zuov.rs>) you can see all approved programs related to the mentioned priority areas. Some of the programs are:

- School of tolerance
- We and them others

- "A wolf or a lamb?" Approach to aggression and assistance to victims and perpetrators of violence
- Peer violence and what about it?
- Non-violence in school using peer support and more interesting teaching
- Labelling as a form of classroom discrimination, Building a culture of equal rights, opportunities and responsibilities, through the educational process
- How to develop student resilience to peer social pressures
- Neither black nor white - a program for working with children/youth, against prejudice, for tolerance and interculturalism
- From prejudice and stereotypes to discrimination and violence
- Support for an abused child
- Preventing discrimination and developing tolerance in students
- Improvement of teachers' competences for the implementation of content in the area of gender equality
- Prevention of violence and abuse of children through ICT

A series of seminars have been held so far with the aim of professional development of employees in the education system, which also covered topics of developing tolerance and anti-discrimination:

- Training for preschool institutions the Centre for Professional Development, Šabac, 3 December 2015.
- Teachers/educators as carriers of quality education for all children, 9 seminars in total;
- Consultative workshop "Increasing the coverage with the preparatory preschool program and the first grade of primary school", Čačak, 31 May 2017, 4 workshops in total;
- Training for preschool institutions at the Regional Centre for Professional Development of Employees in Education, Čačak, 2 December 2015.

**THE MEASURE HAS
BEEN PARTIALLY
IMPLEMENTED**

Measure **3.2.2.**

Suppress acts of violence, intolerance and threats against vulnerable social groups by conducting effective investigations and taking measures of criminal law protection and other forms of protection and record keeping

Special measures pertaining to vulnerable groups: LGBTI – implementation of the efficient investigation and sanctioning of discriminatory treatment of LGBTI persons

Activities: 1. Detecting, finding, arresting and bringing to justice perpetrators of crimes involving violence motivated by personal characteristics against members of vulnerable social groups (especially violence against LGBTI, gender-based violence, violence against national minorities and members of religious communities), following implementation of activities 3.2.2/2. Increased number of prosecuted cases.

Implementing parties: Ministry of the Interior (MI).

Deadline for implementation of the measure: In line with the deadline from the Action Plan in the framework of the Republic of Serbia's EU accession negotiations, for Chapter 23.

The Ministry of the Interior states that in connection with the implementation of this activity, a session of the Anti-Trafficking Council was held and reached conclusions concerning, among other things, the need to improve the system of identification, protection, assistance and support for victims of trafficking in human beings, as well as the need to improve a proactive system for detecting cases of trafficking in human beings and more effectively prosecute perpetrators of the criminal offense of trafficking in human beings. Also, the Inter-ministerial Working Group was formed to adapt existing mechanisms of cooperation between competent authorities and to establish new ones in accordance with a proactive approach in detecting cases of trafficking in human beings. The Inter-ministerial Working Group is composed of representatives of the Ministry of the Interior, the Ministry of Justice, the Ministry of Labour, Employment, Veteran and Social Policy, Labour Inspectorate, the Republic Public Prosecutor's Office, the Prosecutor's Office for Organised Crime and the Criminal Police Academy.



Measure **4.5.4.**

Informing a wide range of citizens about cultural specificities of certain vulnerable social groups for the purpose of their inclusion and strengthening of tolerance towards those groups in the wider public through implementation of support programs

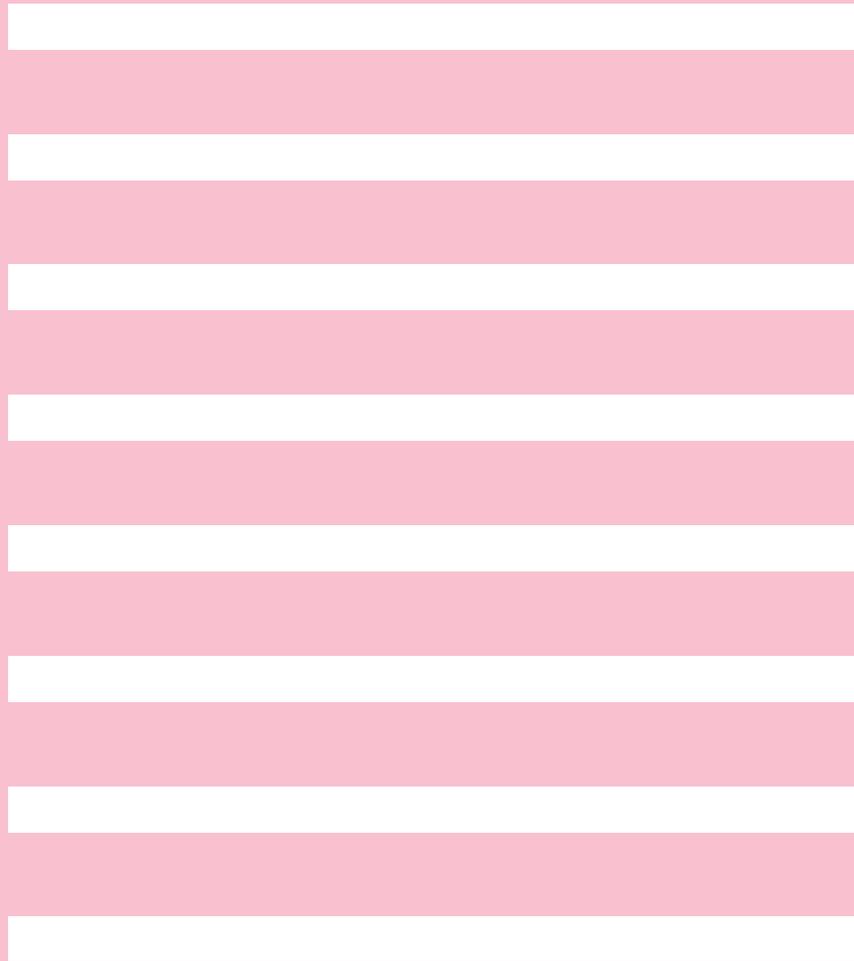
Special measures pertaining to vulnerable groups: LGBTI - Affirming and making available the culture and other characteristics of LGBTI community through identifying and implementation of support programs and projects in the area of culture.

Activities: 1. Supporting programs and projects as well as art, expert and other research carried out (in the role of organisers/participants) by particularly vulnerable social groups.

Implementing parties: Ministry of Culture and Information (MCI).

Participants: Ministry of Finance (MF), Office for Human and Minority Rights (OHMR), civil society organisations (CSOs).

Deadline for implementation of the measure: Continuously.



06.

Conclusion, what has been done, and what is yet to be done

It is noticeable that almost nothing planned has been done in the area of LGBT normative regulation. No regulation was passed enabling the registration of same-sex partnerships, or the law on gender identity; the legal consequences of sex change, that is, reassignment, have not been regulated, including the speedy change of personal documents; and no amendments to the law regulating the issue of inheritance of same-sex partners were passed. Also, no by-law was passed to prevent discriminatory practices regarding marriage and family in relation to LGBTI/transgender persons and their health condition, which would represent clear grounds for centres for social work on the unacceptability of discriminatory practices with regard to maintaining contact with children.

Progress has primarily been made in strengthening the competences of public administration bodies to act in the area of improving the LGBT rights in education, health and partly social protection, and far less in the area of housing and employment. In the area of improving anti-discrimination conduct, holding the Pride Parade for several years without major incidents can be considered a success. This is a positive step forward in exercising the right to public assembly of the LGBT population, which has been contributed to by better cooperation with the police, the establishment of police liaison officers, but since there are still security risks for participants, it cannot be said that this right is fully exercised.

Statistically, of the 17 measures planned for the LGBT as a target group, only 40% have been implemented, while almost 25% of the planned measures remained unrealised.

There has been improvement in regulations since the Criminal Code was amended, so sexual orientation and gender identity were added as grounds for the criminal offense of equality violations. The Law on Foundations of Education now also includes gender identity and sexual orientation as possible gro-

unds of discrimination, and two by-laws addressing recognition and action against discrimination in the education system also recognise these grounds of discrimination. In the domain of sports, the legal framework for the prohibition of discrimination was recognised in the new Law on Sports, which was adopted in February 2016, but the prohibition of discrimination does not explicitly cover discrimination on the grounds of sexual orientation and gender identity.

The European Commission's 2018 Progress Report on Serbia states that training for adequate social protection services for LGBTI persons and their families has been provided for employees of social work centres. However, there is still a need to continue working on more adequate social support programs targeting the LGBT population, as well as on rulebooks setting out the conditions for providing combined services to LGBT persons in the social sphere, so that such programs can be licensed and local governments can allocate funds for their realisation.

Anti-discrimination training has been organised for the police, and efforts to improve communication with the LGBTI community are ongoing. However, the situation is still difficult and there is a delay in activities in the action plan for the national anti-discrimination strategy that are of benefit to LGBTI persons. There has also been a slight increase in violence against LGBTI persons. Investigations, prosecutions and sanctions for hate speech, threats and attacks against members of the LGBTI community are often inadequate. Centralised official data on hate crime are still lacking. Hate speech in the public space is most prevalent in relation to Roma and LGBT persons in the media, as well as on social networks, in the form of graffiti in cities and the like, which certainly contributes to the distance that exists towards the Roma population and creates a hostile and unsafe environment. A number of inappropriate statements, comments and content have been identified regarding the LGBT population and migrants. In addition to government bodies that should prosecute and sanction such cases, the media also have a great deal of responsibility, but very often they write sensationally on topics pertaining to vulnerable groups, reinterpret events to increase circulation, and contribute to discrimination and stigmatization of particular groups. Transgender individuals are particularly vulnerable to discrimination, family rejection, homelessness and violence. The provision of new official identity documents is slow, affecting their democratic rights. There is no law on the legal recognition of sex. Discriminatory content has been removed from two secondary school textbooks and six more need to be revised. A stronger, visible political commitment to promoting social inclusion and respect for the rights of LGBTI persons is needed.

Attention should also be paid to the problem of homelessness. Of the total number of registered homeless persons, the majority are women over 65, about 31% are Roma, while persons with mental disor-

ders, LGBT persons and victims of domestic violence are at particular risk of homelessness. Difficulties are also experienced by young LGBT persons, most of whom live in families who do not approve of their sexual orientation, and more and more young people end up homeless after coming out. In the area of healthcare, estimates are that one in ten LGBT persons are under the impression that healthcare institutions are adequately responsive to their physical and mental health needs, and given previous negative experiences, many LGBTI persons fear that their coming out might lead to stigmatization and secondary victimization, which makes them reluctant to disclose their sexual orientation, even when such information is medically relevant. With regard to trans* persons, the healthcare situation improved by stipulating that 65% of the cost of the sex reassignment process is financed by compulsory health insurance funds, however, there is still room for further improvement. The issues of lifelong hormone therapy funding, as well as frequent hormone shortages on the market have not been resolved, and trans persons undergoing sex reassignment surgery are also required to undergo sterilization. In a proceeding conducted before the Commissioner for the Protection of Equality, it was argued that the Institute for Student Health Care discriminated against LGBT persons by asking students to declare their sexual orientation when conducting a medical clearance¹². Although we can speak of a satisfactory legislative framework that prohibits discrimination in the media because of, among other things, sexual orientation or other personal characteristic, in practice we testify that gender, ethnic, religious and other stereotypes and prejudice are still widely promoted in the media; creating negative image and deepening social distance towards some vulnerable groups, and especially towards Roma and LGBT population, certain national minorities and other response in cases of hate speech. It is worrying that responding to discrimination in the media is usually lacking or inadequate, so measures and sanctions are rare. Even more concerning is the lack of media coverage promoting the principles of human rights and equality. Multiple discrimination is especially marginalized, the consequences of which are almost never clearly emphasized in the media.

12 <http://ravnopravnost.gov.rs/prituzbaudruzenja-ric-protiv-zzss-ns-zbog-diskriminacije-na-osnovu-seksualne-orijentacije-u-oblasti-zdravstvene-zastite/>



07.

The long-awaited law

The Law on Free Legal Aid (2018) regulates free legal aid for citizens as its beneficiaries and the ways of its implementation and provision. Article 10 of this Law stipulates, inter alia, that free legal aid is based on the principle of equal access to this right, without discrimination against providers, claimants and users, as well as on the access to facilities where it is provided. In accordance with the Law on Free Legal Aid, which began to apply on 1 October, the Register of Free Legal Aid and Free Legal Support Providers was published on the website of the Ministry of Justice. In the upcoming period, the Register will be regularly updated so that citizens are fully informed who they can contact to obtain free legal aid and support. According to the Law, the Register is kept by the Ministry of Justice, as a single public electronic database, and citizens in that database can access data on lawyers, local governments, notaries, associations, law faculties and mediators who, according to the Law, provide free legal aid and free support.

The primary objective of the Law on Free Legal Aid is to provide equal access to justice for all citizens.

One of the most important solutions for citizens are the three groups of beneficiaries of free legal aid. The future beneficiaries who will be entitled to free legal aid are: beneficiaries of social assistance and child allowance, persons who end up being beneficiaries of social assistance due to having to pay for legal aid from their own income, as well as members of vulnerable or socially vulnerable groups, including children, victims of domestic violence, asylum seekers, refugees, persons with disabilities, victims of trafficking in human beings.

The law defines free legal aid as providing legal advice, filing, representation and defence, and free legal support as providing general legal information, completing forms, drafting a notarial document and mediating disputes. The law also regulates the way of financing free legal aid and free legal su-

support through the funds of the Budget of the Republic of Serbia, local self-government units, as well as through donations and project funding.

A poor solution is that the backbone of providing free legal aid is provided by lawyers and legal aid services in local self-government units, which still exist in only 1/4 of the municipalities in the Republic of Serbia. Civil society organisations that have vast experience in providing free legal aid are only entitled to provide aid in areas of asylum and discrimination, and even then, only lawyers hired by those organisations can provide such aid.

The Commissioner points out that in the process of drafting and adopting the aforementioned law, a large number of organisations dealing with the protection of human rights have filed complaints regarding the provision stipulating who can be the provider of free legal aid. The Protector of Citizens points out that LGBT persons are not listed in the categories of beneficiaries despite the fact that they face frequent violations of their rights in different spheres of life.

However, it is only after regulating the issue of marriage, inheritance, and adoption of children in laws, that significant systemic improvements can be made that enable equality of LGBT persons and prevention of discrimination in the sphere of private and family life.

08.

Recommendations

- Create a secure environment and enhance tolerance towards vulnerable social groups.
- Provide effective prevention to prevent acts of violence and intolerance towards vulnerable social groups.
- Take measures to prevent the spreading, promotion and incitement to hatred and intolerance at public gatherings, through the media and the Internet, through graffiti or otherwise.
- Suppress acts of violence, intolerance and threats against vulnerable social groups by conducting effective investigations and undertaking criminal, legal, and other forms of protection and record keeping.
- Take appropriate criminal policy measures for hate crime and send a message to the public that prohibited conduct will not be tolerated.
- Suppress hate speech and acts of violence and bring to justice the perpetrators of such acts.
- Development of support systems (institutional, psychological, material, etc.) for victims of violence according to members of vulnerable groups.
- Take measures to increase the security of LGBTI and Roma and promote the concept of security culture.
- Undertake measures to improve social sensitivity and increase the competence of experts in government and public services, with regard to the safety of members of vulnerable social groups.
- Undertake measures to reduce distance, stereotypes and prejudice, increase anti-discrimi-

nation culture and equality in society through education, public campaigns, education at all levels, cultural activities, information activities, as well as targeted training for representatives of all sectors, including the media.

- Adopt regulations allowing registration of same-sex partnerships and regulate the effects, legal consequences and termination of registered partnerships, in line with recommendations of the Council of Europe, as well as taking measures aimed at eliminating discrimination and stigmatization of LGBT persons.
- Pay particular attention to responsible reporting which should not be characterized by hate speech, sensationalism, sexism, misogyny, discriminatory attitudes and offensive reporting that is most often directed at women and members of the LGBT population. Encourage the integration of topics that develop a culture of tolerance, understanding and appreciation of diversity, intergenerational solidarity, mutual respect, gender equality and non-discrimination in the media and social networks.
- Provide social support programs aimed at the LGBT population, especially regarding the prevention of homelessness of young LGBT people and people in transition.

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