



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

Distr.: General  
12 February 2007

Original: English

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## Committee on the Elimination of Discrimination against Women

Pre-session working group

Thirty-ninth session

5-9 February 2007

### List of issues and questions with regard to the consideration of an initial report

#### Serbia

1. The pre-session working group examined the initial report of Serbia (CEDAW/C/SCG/1).

#### General

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

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

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

**Articles 1 and 2**

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

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

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

**Article 3**

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

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

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

**Article 4**

11. In its general recommendation 25, the Committee emphasizes that temporary special measures are part of a necessary strategy to accelerate the achievement of women’s de facto equality and should be distinguished from permanent, general

social policies to improve the situation of women and girls. Bearing this difference in mind, please explain whether the existing legislation provides for introduction of temporary special measures directed towards achievement of de facto gender equality, and what measures have been put in place or are envisaged to accelerate the achievement of substantive equality between women and men in the political, economic, social, cultural, or any other areas covered by the Convention.

#### **Article 5**

12. The report acknowledges that in practice, “the traditional social perception of the role of women and their place in society still persists” (see para. 93). It also acknowledges that “the picture of a woman in media is still stereotyped, misogynous and discriminatory, whereas the government is under no obligation to respond to cases of discrimination against women in media” (see para. 82). Please provide an update on the situation in this area. Please indicate in particular, whether a comprehensive strategy has been put in place, including legislation or/and the development of voluntary codes of conduct for the media, with clear goals and targets to eliminate stereotypes and attitudes that discriminate against women and perpetuate inequality between women and men.

#### **Violence against women**

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

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

#### **Article 6**

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

cooperation efforts undertaken in recent years to curb the phenomenon of trafficking in women in Serbia.

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

#### **Article 7**

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

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

#### **Article 10**

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

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

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

#### **Article 11**

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

information about women's wages, as compared to those of men, in different sectors.

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

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

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

#### **Article 12**

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

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

#### **Article 14**

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

#### **Article 16**

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

30. Kindly provide further information about the situation of women who are former or current refugees or internally displaced women, particularly women with missing husbands, widows and abandoned women. In this regard, indicate what

steps have been taken to facilitate family reunification and repossession of property, as well as provision of reconstruction and reintegration assistance to this vulnerable group of women.

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

**Optional Protocol; and amendment to article 20, paragraph 1, of the Convention**

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

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

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