



GOVERNMENT OF THE REPUBLIC OF SERBIA

Negotiation Group for Chapter 23 „Judiciary and Fundamental Rights“

***FIRST BI-ANNUAL REPORT ON IMPLEMENTATION OF ACTION PLAN
FOR CHAPTER 23***

as of 31. December 2016

January, 2017.

Monitoring system and constructive dialog

The Government of the Republic of Serbia established the Council for the implementation of the Action Plan for Chapter 23 (hereinafter: Council) on 11th December 2015, as a special working body of the Government for the expert support to the Negotiating Group for Chapter 23. The Council monitors the implementation of the activities envisaged in the Action Plan on a daily basis, anticipate and instigate early warning mechanism in case of delays and other problems in the implementation of the Action Plan and coordinate the reporting process. The Council subsequently organized training on reporting and evaluation for focal points from all institutions responsible for implementation of the AP Chapter 23. For the purposes of the first reporting cycle, following the training session, the Council developed and delivered to all institutions the following documents: Guidelines for development of the reports, forms for reporting in Serbian and English language, as well as the final text of the Action Plan for Ch23 which was adopted by the RS Government on 27th April 2016. Council for monitoring the implementation of the Action Plan for Chapter 23 prepares quarterly reports on implementation of AP for CH 23. Reports of the Council include the following: 1. Detailed report on implementation of the activities due for the reporting cycle (Serbian/English version); 2. Action plan for Ch23 with a special column including brief description of the status of implementation (Serbian/English version); 3. Statistical review of the status of implementation of the Action plan for Ch23 (Serbian/English version) on several levels (implementation of the activities in entire Chapter; implementation of the activities in each Subchapter; implementation of the activities per each institution). All reports are available on the MoJ website (<http://www.mpravde.gov.rs/tekst/2986/pregovori-sa-eu.php>). The Council also organizes two by annual public presentations of the Report on implementation of Action Plan for Chapter 23 for representatives of all stakeholders, media, civil society and international organizations.

Judiciary

Serbia continued to implement reform activities in accordance with its national Judicial Reform Strategy (2013 – 2018) and the Action Plan and ensured their full alignment with the Action Plan for Chapter 23 through the revision of the Action Plan for NJRS in early 2016 and the adoption of the revised text by the Government in December 2016.

Serbia has prepared an in-depth analysis of the relevant Constitutional provisions. The analysis conducted by respectable professors of constitutional law has been presented to the representatives of the Venice Commission, as well as at the round table organized by the Supreme Court of Cassation and OSCE Mission to Serbia. Representatives of all relevant stakeholders, professional associations and CSOs took part in the debate on possible amendments.

In order to establish a fair and transparent merit-based career system for judges and prosecutors, the HJC and SPC adopted the rulebooks for the appointment of judges and prosecutors of all ranks

and continued to implement evaluation rules in accordance with the rulebooks which had been adopted in the previous period.

Through the IPA 2013 Twinning project, the HJC and SPC continued to strengthen their administrative capacities for strategic and budget planning, as well as for statistical and analytical work, ICT use and communication skills. The HJC adopted the amendments of its Rules of Procedure and established an effective mechanism allowing the Council to react against political interference. The SPC has prepared similar amendments of the Rules of Procedure for adoption.

In cooperation with the Judicial Academy, the councils periodically organize trainings on ethics and integrity for judges and public prosecutors. The communication between the ACA and the councils has been improved. Data on the appointment and termination of a mandate of judicial office holders are being sent to the ACA in a timely manner, enabling the efficient functioning of the asset declaration system.

With the support of the OSCE Mission to Serbia, the HJC has prepared an in-depth analysis of the disciplinary system for judges including explicit recommendations for its improvement. The disciplinary commissions of both councils are continuously conducting disciplinary proceedings and publishing all relevant data on their websites. Both councils have improved the transparency of their work by publishing all relevant decisions, reports, vacancies and data on their websites.

The Judicial Academy adopted a multi-annual strategy for the development of the work program and capacities of the Academy. The Academy also adopted and implemented the annual training program for 2016. The Judicial Academy continued to conduct preparation activities for renovation of the appropriate facilities, which will be ready for use by the end of 2017.

In the second half of 2016, the working group comprised of representatives of all relevant stakeholders conducted a comprehensive assessment of the court and prosecution network with a focus on costs and allocated resources, efficiency, workload and access to justice prior to taking any further steps in the development of the court and prosecution network. The analysis includes a list of recommendations that should be followed in order to improve the efficiency of the court and prosecution network and has been sent to the NJRS Commission for adoption.

Serbia has made significant progress in backlog reduction during the second half of 2016. The adopted legal framework for enforcement procedure has contributed to exceeding of the three-year target value for court backlog reduction during the first two quarters of the application of the Law on Enforcement and Security ("Official Gazette of the Republic of Serbia", Nos. 106/15, 106/16 - authentic interpretation - hereinafter: the Law), i.e. it's Article 547. The total number of dismissed enforcement cases pursuant to Article 547 of the Law in basic courts on December 30, 2016 amounts to **813,564**. The total number of adjourned enforcement cases in commercial courts pursuant to Article 547 of the Act on December 30, 2016 is **14.898**. Therefore, in the first two quarters of implementing the new law, starting from the basic value of **1,793,187** unresolved enforcement cases on December 31, 2015, the number of enforcement cases resolved in basic and commercial courts by suspension pursuant to Article 547 of the Law on December 30, 2016 is **8,462**, contributing to the reduction of backlogged enforcement cases by 46%. **On December 14, 2016 there are 234 enforcement agents and 29 deputy enforcement agents conducting activities on the territory of the Republic of Serbia.** The Supreme Court of Cassation adopted the amendments of the Backlog Reduction Program in accordance with the

experiences in its initial implementation. On the other hand, regarding the transferral of non-judicial non-contentious cases to notaries, a trend of increased transferral of inheritance procedures was noted in the last two quarters of 2016. Namely, in the period from July 15, 2016 until December 30, 2016, the **basic courts have entrusted notaries with a total of 29,722 cases** (16,980 cases entrusted for the compilation of death certificates, 501 cases entrusted for the listing and evaluation of assets and 12,241 cases entrusted in order to carry out inheritance proceedings). In parallel, Serbia continued with the promotion of various alternative dispute resolution mechanisms. The MoJ keeps a register of mediators as a central public electronic database, available on the website of the Ministry. **A total number of 419 mediators have been registered by December 12, 2016 compared to the 268 registered in 2015.** In the second half of 2016, several training sessions for mediators have been held in cooperation between the National Association of Mediators (NUMS) and the Judicial Academy.

Serbian judiciary continued with the development and roll-out of the coherent e-Justice system by starting with the implementation of the infrastructure platform for data exchange across judiciary (a pilot solution for e-filing in administrative courts), as well as the implementation of the centralized solution for registries, evidence and master data. Also, the development and implementation of the software solution for central and advanced statistical reporting on courts work has been launched; establishment and improvement of the hardware infrastructure by implementation of identity management in courts of general jurisdiction with all the necessary options, consolidation and structure; development of the information system for the supervision of judicial professions – a single centralized IT system for case management and reporting, with the ability to generate various kinds of reports, visualize data and enable users to analyze data from a graphical environment. In that period of pioneer work, centralized records of criminal proceedings for legal and natural persons and case flow for misdemeanor courts has been developed and implemented through a web portal for citizens. The preparatory work for the establishment of disaster recovery location has started and it will be able to take over the functioning of information systems without losing data and uninterrupted use of the service information systems without delay in cases of unforeseen circumstances (natural disasters, seismic shifts, etc.). Deserved attention needs to be paid to the pilot implementation of a new central case management system for State Attorney's Office, as well as the development of a new and modern centralized case management solution for commercial courts, along with the procurement of modern and sophisticated computer equipment and necessary software for the new generation of paper and case digitalization. With the continuous support of EU funded projects, the justice sector was able to analyze measure and start the improvement of the quality of data in all case management systems. With presented activities by the end of 2017, Serbian judiciary will have solid ground for sustainable further improvement of all aspects of ICT systems by emphasizing transparency and efficiency in the judiciary.

Serbia has made a significant progress regarding the accessibility of data bases of laws and court practice, directly resulting in the unification of court practice. The SCC has drafted new rules for the anonymization of court decisions prior to their publishing, in line with the EU standards. Also, the SCC has drafted guidelines for the anonymization of court decisions and distributed them via the HJC to all courts. In parallel, pursuant to the Law on Publishing of Laws and Other Regulations (Official Gazette of the Republic of Serbia, No. 45/13), **the electronic database register and texts of regulations and other acts in force in the Legal and Information System of the Republic of Serbia, which is available free of charge to all citizens, is being continuously**

updated by publishing the basic and consolidated versions of the regulations' texts with links to PDF files of the official gazettes, in which the basic texts of the regulations, amendments and addenda, corrigenda and decisions of the Constitutional Court impacting the regulations' texts are published. The database also includes legal acts in the database in English. At the moment of reporting, this database contained 125 translations of the laws of the Republic of Serbia into English. Also, through the database of case law, 2,500-3,500 of court decisions containing all the relevant pieces of metadata (type and name of the court, field of law, legal matter, type of decision, date when the decision is passed, publishing method, regulation of relevance for the decision and relevant law) are published annually. **Currently, the database of case law is comprised of about 19,500 court decisions. The connection with the legal acts of the European Union was established by linking the Legal and Information System to the relevant databases of the European Union**, which provided access to the legal regulations of the European Union. In addition, the access to the European Union law contains the link to the EUR-Lex website (www.eur-lex.europa.eu), which provides free of charge access to the European Union law and other documents which are considered to be of public nature and, within this web site, the access to the Official Journal of the European Union, which is the most important source of information on the activities of all the institutions and bodies of the European Union. Access to the European case law contains useful links to the websites of the European judicial authorities, such as: the Court of Justice of the European Union (www.curia.europa.eu) and the European Court of Human Rights (<http://hudoc.echr.coe.int>), as well as to the portals and databases of the case law, such as: the European e-Justice Portal (<https://e-justice.europa.eu/>) and database of the European Judicial Network (www.ejncrimjust.europa.eu). **In papallel, the redesigned website of the Supreme Court of Cassation has a comprehensive case-law database, which contains decisions of current courts, as well as the decision of former Supreme Court of Serbia. The database contains approximately 4,500 decisions which are all anonymized in accordance with the Court Decisions Anonymization Act.**

Serbia has started implementing the National Strategy for the Prosecution of War Crimes. Among other measures, the WCP Office fulfilled the goal no. 2 from the Strategy, which deals with raising the efficiency of war crime proceedings. In the previous months, the WCP office has registered and taken over cases of potential war crimes from the regular prosecutor offices. In addition, the War Crimes Investigation Service will use these cases received from the WCP Office to add them to the database of all mass crimes committed during the armed conflict in the former Yugoslavia. As the first election procedure for appointment of the WC Prosecutor was unsuccessful, the State Prosecutorial Council has initiated and conducted a new one. After the evaluation procedure, the SPC sent the lists of WCP candidates to the Government of the Republic of Serbia on September 26, 2016. The SPC also conducted an evaluation procedure for the election of one deputy WC prosecutor. The working group established by the WCPO has drafted the prosecutorial strategy for the investigation and prosecution of war crimes, which is to be adopted following the election of a new WC Prosecutor. In cooperation between the EUD to Serbia, the OSCE Mission to Serbia and the MoJ, a new two-years project has been prepared for implementation supporting the sustainability of the monitoring system for war crimes proceedings, as well as the sustainability of training in several fields of crucial importance for efficient work of judges, prosecutors and police officers who deal with war crimes cases. Serbia made important steps in order to improve its witness protection and victim support system and to ensure victims' rights and access to justice without discrimination. An in-depth analysis has been conducted of the current normative and institutional framework, along with its alignment with the relevant EU standards, and the list of

recommendations for its improvement has been given. In parallel, in cooperation between the MoJ, the EUD to Serbia and the OSCE Mission to Serbia, an IPA 2016 project has been prepared for implementation, aimed at establishing a nation-wide network for support to victims and witnesses, based on the recommendations from the Analysis, as well as on the results of pilot activities in several prosecution offices. Serbian judiciary continued its work on investigation and prosecution of war crimes, regardless of the nationality or rank of either offenders or victims. **In 2016, there have been 8 indictments against 15 defendants, all of Serbian ethnicity** (including Srebrenica against 8 persons, confirmed by the Court in 2016). **In 2016, there have been 4 first instance judgments, three guilty verdicts** (8 years, 8 years, 9 years) and one acquittal (there was also one plea agreement with a 10-year sentence). **In 2016, there have been five second instance judgments against 7 persons (5 guilty verdicts and two acquittals), all of which referred to defendants of Serbian ethnicity.**¹

The statistical data on Serbia's cooperation with the ICTY and IRMCT, in the period from January 1, 2015 to December 2016, show that the Republic of Serbia has received: 14 requests of the ICTY Prosecution to obtain and deliver documents and data for their use in proceedings before the ICTY; 7 requests of the ICTY Prosecution to obtain and deliver documents and data for their use in proceedings before the IRMCT; 9 orders of the ICTY Trial Chamber to call for testimony and ensure the presence of witnesses in proceedings before the ICTY; 2 requests to surrender persons accused of committing serious violations of international humanitarian law; 22 requests to defend the accused before the ICTY.

Two requests are currently in the process, in which the ICTY Prosecution is expected to deliver written guarantees of confidentiality in line with the Agreement on the practical modalities of access to the archives of the competent authorities of the Republic of Serbia, while the other requirements were positively met. In the same period, the Government of the Republic of Serbia delivered guarantees for the provisional release of 8 persons (4 accused and 4 convicted persons), and the provisional release was granted to 5 persons (3 accused and 2 convicted). Two persons died while on their provisional release, 1 was returned to the ICTY Detention Unit in line with the decision of the panel of judges, and 2 persons who were granted provisional release while pending trial are currently being monitored in the territory of the Republic of Serbia. All decisions of the panel of judges of the ICTY regarding transfer of and control over such persons during their stay in the territory of the Republic of Serbia were respected, and in all cases the accused were returned to the Detention Unit in line with the decisions of the panels of judges of the ICTY. Also, the ICTY received 3 requests of national courts to obtain information and documentation necessary for conducting criminal proceedings in the Republic of Serbia. Two requests were positively met, while the third request has not yet been answered.

When it comes to the request from the ICTY prosecutor office to the WCP office, in 2016 the WCPO has replied on all 4 received requests, while the ICTY has replied on 18 out of 20 requests. In 2015, the WCPO has positively replied on all 57 requests. In addition, Serbia continues its dedication to cooperating with neighboring states in the handling of war crimes. This is evident

¹ 1. guilty verdict (12 years of prison) war crimes against civilian population; 2. guilty verdict (20 years of prison) war crimes against civilian population; 3. guilty verdict (10 years of prison) war crimes against civilian population; 4. guilty verdict (5 years of prison) war crimes against civilian population; 5. guilty verdict (6 years of prison) war crimes against civilian population; 6. acquittal, war crimes against civilian population; 7. acquittal, war crimes against civilian population.

from the data given below, referring to cooperation in accordance with mutual legal assistance (tables 1 and 2), as well as in accordance with protocols on cooperation (tables 3 and 4):²

table 1

- NUMBER OF REQUESTS FOR COOPERATION FROM NEIGHBORING COUNTRIES -				
	Total	Positive answers	Partially met	Negative answers
Croatia	164	132	5	5 ³
Bosnia and Herzegovina	97	57	1	1
Montenegro	3	3	0	0

table 2

- NUMBER OF REQUESTS FOR COOPERATION TO NEIGHBORING COUNTRIES -				
State	Total	Positive answers	Partially met	Negative answers
Croatia	24	13	4	0
Bosnia and Herzegovina	30	18	1	1
Montenegro	7	4	0	1

table 3

- NUMBER OF REQUESTS FOR COOPERATION FROM NEIGHBORING COUNTRIES -								
State	Total		Replied		In progress		Not replied	
	2015	2016	2015	2016	2015	2016	2015	2016
Croatia	71	71	65	44	/	22	/	5
Bosnia and Herzegovina	50	52	38	38	12	5	/	9

table 4

- NUMBER OF REQUESTS FOR COOPERATION TO NEIGHBORING COUNTRIES -
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² It should be noted that in the data concerning the number of cases in the Ministry of Justice of the Republic of Serbia, which usually refer to one person or one event, there may be instances of numerous requests referring to one case - both input (from other countries to Serbia) and output (from Serbia to other countries) and their status may vary - granted, partially met or unmet.

³ In 4 extradition cases, the competent court decided that the conditions for extradition were not met, and in one case the defendant passed away.

State	Total		Replied		In progress		Not replied	
	2015	2016	2015	2016	2015	2016	2015	2016
Croatia	25	27	14	10	/	/	11	17
Bosnia and Herzegovina	23	22	14	10	/	/	9	12

Fight Against Corruption

On June 30, 2016, the Government adopted the Revised Action Plan for the Implementation of the National Strategy for Fight Against Corruption for the period from 2013 to 2018. The measures and activities which have been implemented are deleted, and they are no longer part of the Action Plan. Some measures and activities are reformulated or modified for the purpose of their successful implementation. The deadlines for the implementation of the activities are defined in the quarters, and new, realistic deadlines are set for the activities for which the deadline for implementation has expired. Where it was necessary, indicators have been reformulated at certain points in order to facilitate monitoring of the implementation of measures and activities. Finally, the responsible entities are changed due to separation of ministries. The Anti-Corruption Agency monitors the implementation of the Action Plan and publishes annual implementation reports.

A comprehensive analysis of the compatibility of anti-corruption legislation with the EU Acquis and international standards with the view to identifying deficiencies of the legal framework of fight against corruption is set for IV quarter of 2017, while the amendments and supplements to the legal framework are set for II quarter of 2018 (Action Plan for Chapter 23).

Regarding the GRECO III Evaluation Round (Incriminations and Political Party Financing), fourteen and a half out of fifteen GRECO recommendations have been successfully implemented. The IV Round Evaluation Report on Serbia's compliance is expected to be published in June 2017.

Amendments to the Decision which establishes the Coordination Body in order to prescribe quarterly meetings between the Deputy President of the Coordination body and members of the Anti-Corruption Council are expected in I quarter of 2017, with the aim of the qualitative analysis of the Council's reports. Amendments to the Rules of Procedure of the Government prescribing that the Government should include all reports of the Anti-Corruption Council in its agenda within three months from the date of submission of the report, as well as the obligation of competent authorities of the public administration to give prior opinion on the report and recommendations of the Council, are set for I quarter of 2017. The inclusion of the Anti-Corruption Council in the legislative procedure concerning regulations which, according to the Council's assessment, bear a risk of corruption is partially implemented: the Ministry of Justice included the Anti-Corruption Council representatives in working groups, but there is no information about whether the other state authorities have done the same. The strengthening of the budgetary and staff capacities of the Anti-Corruption Council, as well as the appointment of the Council members who have not yet been appointed, is set for I quarter of 2017.

The Public Attorney's Office continuously performs the analysis of the Anti-Corruption Council's reports, forwards them to competent Prosecutor's Offices, monitors proceedings and reports back to the Council.

The preparation of a draft of the new Law on the Anti-Corruption Agency has been finalized. The public debate is currently in the progress. Upon its closure, the legislation procedure will be continued in accordance with the Rules of Procedure of the Government. The Rulebook on Systematization of the Anti-Corruption Agency shall be amended after the adoption of the new Law on the Anti-Corruption Agency. The implementation of specialized trainings for the ACA employees is preconditioned by the defined timeline of the Twinning Contract implementation, as well as the adoption of the new Law on the ACA.

The software for reporting on the National Anti-Corruption Strategy and the Action plan for its implementation is developed and operational. Trainings on application for reporting on implementation of the National Anti-Corruption Strategy and its Action Plan have been finalized, the application is operational and has currently been tested with users.

Track record table on conflict on interest cases is developed and it is expected to be presented with relevant data in the following period.

The continuous specialized training of employees in the Anti-Corruption Agency is preconditioned by the defined timeline of the Twinning Contract implementation, as well as the adoption of the new Law on the Anti-Corruption Agency. The feasibility study on regulation of the legal framework on prevention of conflicts of interest regarding civil servants is currently in the progress. Professional education of employees in public administration in connection to the issues of prevention of conflict of interests is being successfully implemented: the Human Resources Management Service organizes professional development of civil servants in accordance with the adopted general professional training programs.

The track record table on the implementation of the asset declaration and verification system has been developed and it is expected to be presented with the relevant data in the following period.

The qualitative and quantitative analysis of the implementation of the Law on Financing Political Activities has been developed and presented, as well as the recommendations for improvement of the legislative framework in this area. Amendments to the Law on Financing Political Activities are expected in the following period.

Activities concerning the strengthening of the capacities of all entities responsible for implementation of the Law on Financing Political Activities are budgeted within the IPA 2013 project, which has been delayed. These activities have also been envisaged by the Twinning Contract and they will be implemented in accordance with its timeline.

The technical capacities of the Anti-Corruption Agency for monitoring the financing of political activities have been strengthened by developing and establishing the application related to proceedings in the area of financing political activities, thus enabling monitoring of all the relevant phases, ranging from submitting a request for initiation of misdemeanor proceedings or criminal charge to issuing a decision on the loss of public funds.

The track record table on the control of financing political parties has been developed and it is expected to be presented with the relevant data in the following period.

The Special Working Group on Preparation of the Draft Law amending the Law on Free Access to Information of Public Importance has been formed. Adoption of the amendments in question is planned in IV quarter of 2017, as stated in the National Programme for Adoption of the EU Acquis. Strengthening of the staff capacity in the Office of the Commissioner for Information of Public Importance and Personal Data Protection is set for I quarter of 2017. Trainings on handling access to information requests are being successfully implemented.

The track record table on access to information, including with regard to privatization deals, activities of state-owned enterprises, public procurement processes, public expenditures and donations from abroad to political parties has been developed and it is expected to be presented with the relevant data in the following period.

The objective and precise criteria for employment and promotion in state authorities, local and provincial government have been established in accordance with the principles of transparency and competitiveness and are being successfully implemented (Activity 2.2.6.1. of the Action Plan for Chapter 23). Transparent recruitment procedures through open competition for all civil servants holding position in the state administration are being successfully implemented (Activity 2.2.6.2. of the Action Plan for Chapter 23). Mechanisms for monitoring the implementation of the Code of Conduct of Civil Servants have been developed: Decision amending the Code of Conduct of Civil Servants was adopted on March 16, 2015 and a mechanism was established for monitoring the implementation of the Code. Deadlines and manner of reporting were also determined.

The track record tables on violations of the Code of Conduct, as well as on fair and transparent merit-based HR system have been developed and they are expected to be presented with the relevant data in the following period.

Regarding the internal control system, program budgeting has been introduced on all government levels, analysis of the program budgeting process has been conducted and recommendations for improvement identified, methodology for program budgeting has been improved and new instructions prepared in accordance with the recommendations. In order to increase the number of Certified Internal Auditors in the public sector, basic trainings in Finance Management and Control have been conducted, along with relevant exams.

The Law on Protection of Whistleblowers is being effectively implemented. The Ministry of Justice has prepared an annual report based on periodic reports of the competent authorities on cases of acting in relation to whistleblowers. According to the data of the Supreme Court of Cassation, after a year of implementation of the Law on Protection of Whistleblowers, 178 cases of disputes under this law were received, while 71 cases were received in the first six months. Of the 178 cases received, 113 cases are resolved, while 91 cases are unresolved. If we compare these results with the results after six months of implementation of the law, it can be concluded that the number of resolved cases increased from 45 to 113, and the backlog increased from 26 to 91. Of the total number of cases received, after one year, 63.5% are resolved. After half a year of implementation of the Law, the administrative inspection conducted 5 inspections, as well as a total of 20 inspections a year after. After half a year of the implementation of the Law, the labor

inspection conducted 282 inspections, as well as a total of 949 inspections a year after the implementation of the Law.

Vulnerable areas:

a. health: the Ministry of Health established working groups to amend the systemic laws in health care, namely the Law on Health Care, Law on Health Insurance, Law on Medicines and Law on Medical Devices. For that purpose, the following analyses have been conducted: the analysis of the legislative framework in the field of health care system in terms of risk of corruption, analysis of the existing control mechanisms in the health system, analysis of the staff capacity in the inspection bodies in the health sector and the analysis of the conflict of interest in the health system. The National Health Account has been introduced into the health system and international obligations towards the World Health Organization are regularly being met.

b. taxation: the established system of corruption risk management is being continuously monitored by implementing procedures of internal control, administrative supervision and determination of disciplinary responsibility. Other activities prescribed in the AP for Chapter 23 in the field of taxation are set for 2018.

c. customs: a comprehensive analysis of the risk of corruption in the normative framework of the system of customs is currently in the progress.

d. education: the Draft Action Plan for the Implementation of the National Anti-Corruption Strategy in the Field of Education, prepared in accordance with the recommendations from the OECD report “Strengthening the Integrity and Fight Against Corruption in Education” and the Action Plan for the Implementation of the Strategy for Education Development in Serbia until 2020, has been reviewed following the change of management of the bodies and set for further elaboration. Analysis of the criteria necessary for a successful process of accreditation and inspection of work in higher education has been conducted. New standards for accreditations have been set and will be applied starting from March 2017. The transparency of the process of registration, exams, assessment and evaluation of knowledge has been improved. The legal framework improvement in the field of inspection in education is currently in the drafting stage.

e. local authorities: the draft analysis of the normative framework regulating local self-government in relation to corruption risks was finalized in November 2016 and distributed to the Standing Conference of Towns and Municipalities for a peer review. In accordance with the defined indicator and deadline, the analysis is expected to be finalized and published until IV quarter of 2016.

f. privatization process: the Law on Amendments to the Law on Privatization was adopted at the National Assembly session on December 29, 2015. Following the aforementioned law, four by-laws were adopted. The new Law on Public Companies and Law on Amendments to the Law on Public Private Partnership and Concession were adopted in February 2016. The Government submitted the Proposal of the Law on Amendments to the Law on Public Private Partnership and Concession on December 6, 2016, proposing that it should be adopted by urgent procedure. The Law on Amendments to the Law on Bankruptcy has been drafted.

g. public procurement: the Law on Amendments and Supplements to the Law on Public Procurement was adopted on July 31, 2015 following alignment with relevant European Union

directives. Implementation of the measures of supervision and control in public procurement is being continuously monitored. Trainings for police officers, prosecutors and judges in this area are being continuously conducted by the Judicial Academy and Public Procurement Office. The Public Procurement Portal has been upgraded by means of introducing new content and by upgrading the search system.

e. police: the Law on Police was adopted on January 26, 2016. The European Commission opinion was obtained and the suggestions were embedded into the subject text. The analysis of the operations and actions and analysis of the legal framework regulating the work of the Internal Control has been conducted. The draft versions of the new by-laws have been drafted by the Internal Affairs Sector. Mechanisms for strengthening the integrity of police officers are currently being developed. Trainings of the employees of the Ministry of Internal Affairs in relation to the integrity are being conducted. The establishment of specialized departments for combating corruption is stipulated by the Law on Organization and Jurisdiction of Government Authorities in Suppression of Organised Crime, Terrorism and Corruption, which was adopted in November 2016.

The track record table on vulnerable areas has been developed and it is expected to be presented with the relevant data in the following period.

The analysis of the organizational structure, capacity and powers of state bodies in the fight against organized crime and corruption has been conducted. Following the aforementioned analysis, on November 23, 2016, the National Assembly adopted a new Law on Organization and Jurisdiction of State Authorities in Suppression of Organised crime, Terrorism and Corruption, which addresses issues of normative and organizational character necessary for an efficient fight against corruption, organized, financial, economic and crime against official duty: the organizational structure of public prosecutor's offices, courts and police has been redefined, an effective cooperation between the police, prosecutors, courts and other state agencies through liaison officers has been established, resolving of particularly complex cases has been improved, the capacities of judicial office holders and members of the police in the field of financial investigations have been strengthened, and the continuous training of judges, judicial officials and police officers in the field of financial investigations has been provided. The Judicial Academy is continuously conducting education activities for police officers, prosecutors and judges. Provision of mutual database connectivity for criminal investigation and a safe system of electronic information exchange is set for I quarter of 2018.

The track record table has been developed regarding efficient and effective investigations (incl. financial investigations), prosecution, convictions and asset confiscations in corruption cases, including high level cases. It is expected to be presented with the relevant data in the following period.

The analysis of normative, organizational and functional framework, with particular emphasis on measures to prevent information leaks and repressive measures to suppress unauthorized communication of data relating to criminal proceedings has been conducted. An "ideal model" for the detection of offenders and proving criminal offence of disclosing official secrets has been developed. The model applies not only to pieces of information which are considered an official secret, but also to any other piece of information, the disclosure of which is not allowed or which could endanger or disable the conducting of criminal procedure.

On November 23, 2016, the National Assembly adopted the Law on Amendments to the Criminal Code. These amendments, inter alia, include changes of the CC chapters related to crimes against commerce, in accordance with the analysis of the necessary harmonization of the Criminal Code with the EU standards and a case study of the implementation of the chapter on criminal offenses against commerce. As regards the criminal offense of "abuse of position of a responsible person", the element prescribing a responsible person as the perpetrator has been deleted. The aforementioned criminal offense is prescribed by the so-called legal subsidiarity. This means that the application of this incrimination, in case the elements of another criminal offense have not been fulfilled, is coming into consideration.

Fundamental rights

The Ministry for public administration and local self-government established the Special Working Group for preparation of the Law amending the Law on Ombudsman in November 2016, aimed at strengthening its independence in line with international standards. Concurrently, the process of strengthening institutional capacity of the **Ombudsman** successfully continued in 2016, through hiring 20 new employees. During the same period, one independent advisor was hired for an indefinite period in the Secretariat of the National Preventive Mechanism for Torture, which was established in February 2016 as a separate organizational unit with four employees.

Construction, renovation and equipping of facilities for police detention in accordance with the **recommendations of the CPT** and the reports of the National Mechanism for the Prevention of Torture is in progress. The repair and adaptation of detention premises has been completed at several Police Directorates (Novi Pazar - 2 police stations; in Kikinda and police station in Kanjiža; in Jagodina – 1 police station). In November 2016, based on assessment of current state of police detention in all regional police departments, the Police Directorate has submitted a proposal for the adaptation priorities for 2017, including 13 police stations in 5 Police Departments.

Works on the construction of a new prison in Pancevo are performed in line with the planned dynamics, whereas the finalization of the conceptual design of the project for building the new prison in Kragujevac is in progress. Reconstruction of existing accommodation capacities of the current institutions in accordance with EU standards is actively performed in accordance with the established plan. The Draft Strategy for Overcrowding and its accompanying Action plan are currently submitted to relevant ministries for opinions and will be subsequently in the process of adoption.

Ministry of Interior continued to organize training of police officers for the treatment of detainees and for dealing with high risk situations, which was attended by 263 police officers in second half of 2016. Administration for Enforcement of Criminal Sanctions organized training of employees for the implementation of specialized programs for juvenile offenders and developed training manuals. Through implementation of IPA 2013 "Capacity building for training, education and employment of prisoners", training service staff for the implementation of specialized treatment programs for prisoners and particularly vulnerable categories of prisoners is provided. The Draft methodology for the prosecution and the police to investigate cases of abuse and torture in order to conduct effective investigations into allegations of ill-treatment and torture by police is developed.

Ministry of Health monitors the implementation of the Rulebook on detailed conditions for the use of physical restraint and isolation of people with mental disabilities who are undergoing treatment in psychiatric institutions. In the period May – December 2016, there were eight inspection controls which refer to the implementation of the aforementioned rulebook.

Republic Public Prosecutor issued an Instruction which stipulates that the appellate, higher and basic public prosecutors' offices maintain separate records in respect of offenses committed against persons performing activities of public interest in the field of information, in relation to the tasks performed and attacks on the website of the media, designating priority in acting upon these criminal offenses. Subsequently, cooperation agreement of the Republic Public Prosecutor's Office and the Ministry of Interior was signed, stipulating a priority acting in the investigation of **threats and violence against journalists** in order to improve the efficiency of the investigation of the attacks on journalists and prosecution of the perpetrators.

In order to improve the system of preventive measures undertaken for the purpose of protection of journalists from threats of violence, the Criminal Police Directorate has a proactive approach in determining threats to the safety of journalists, both through information obtained in operational activities or through continuous monitoring of the situation in written or electronic media.

The Cooperation Agreement among the Public Prosecutors' Office, Ministry of Interior and relevant associations of journalists was signed in December 2016, aimed at improving the communication between journalists and state bodies which are responsible for addressing threats of violence and attacks against journalists. The Agreement prescribes the establishment of a permanent working group whose members are representatives of associations of journalists and state bodies. The permanent working group shall: a) analyze the methods of communication so far and the level of openness of state institutions towards the media, b) organize training of journalists about information safety and implementation of protective measures, as well as the right to criminal law protection related to their work and c) organize training for the prosecutors and police to increase understanding and effectively resolve problems experienced by journalists. "Commission for consideration of the facts that were obtained in the investigations that were conducted on the killings of journalists" had progress in revealing the killing of journalist Milan Pantic. Gathered evidence point to the fact that the murder of Milan Pantic was ordered and executed by the organized criminal group, so the participation of the Prosecutor's Office for Organized Crime in resolving this case is expected. Six operational officers of the Ministry of Interior are involved in investigating this case, as well as members of Security Information Agency that are members of the Commission. The trial in case of the killing of journalist Slavko Curuvija is underway. Up till now, all the testimonies had confirmed indictment. In case of the murder of Dada Vujasinovic, super-expertise of the traces pertaining to her death is finalized, and final decision from prosecutor's office is expected.

Serbia is implementing the new set of **media** laws. Registry of the media ownership is operational and available at the Agency for Business Registry. The Registry of media services operated by Regulatory Authority for the Electronic Media is also functional and contains the information required by Article 86 of the Law on Electronic Media along with the data on ownership structure of each media service provider. Media integrity is being monitored by the Press Council as an independent self-regulatory body which monitors the implementation of the Code of Ethics of Journalists. Monitoring reports can be found at <http://www.savetzastampu.rs/>. When controlling the work of media service providers in terms of consistent application of the provisions of laws

and bylaws in terms of respect for human rights, hate speech and the protection of minors in their program content, the Regulatory Authority for the Electronic Media imposed one warning and five warnings to media service providers during 2016.

Monitoring over the **implementation of the Action Plan for prevention and protection from discrimination** is regularly performed, while the Second Report on implementation is available at <http://www.ljudskaprava.gov.rs/sh/node/19996>. Drafting of the amendments to the Law on Prohibition of Discrimination continued, on the basis of expert analysis and the proposals of the Commissioner for the Protection of Equality. The Criminal Code has been amended in November to align with Council of Europe Convention on preventing and combating Violence against women and domestic violence (Istanbul Convention).

Strengthening the capacity of the Commissioner for the Protection of Equality in line with the job classification continued by hiring 10 new employees.

The model of community policing, particularly in multi-ethnic and multicultural communities, is being successfully implemented, including coordination and monitoring of implementation of the nine local action plans for improvement of community policing, as well as a number of preventive and educational activities undertaken by the Ministry of Interior in cooperation with local partners. On 18 September 2016, effective engagement of the police enabled completely safe maintenance of public gathering on the move "Pride Parade 2016", which was attended by about 1000 people, and safe maintenance of "Pride Week", from 12 September to 17 September 2016, at several locations in Belgrade.

The Government of the Republic of Serbia adopted National Strategy for **Gender Equality** 2016-2020 together with its Action Plan and its implementation is in progress. To ensure effective implementation, all responsible authorities have designated contact person in charge for communication with the Coordination body for Gender Equality. In that way a formal network for coordinated monitoring and reporting of the Action plan implementation was formed. Concurrently, the **Law on the Prevention of Domestic Violence** was adopted in November in order to align with Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention). By adopting this law, the Republic of Serbia took the necessary legislative measures for establishment of an instrument for an effective multi-sectoral cooperation, introduction of risk assessment of the direct danger of domestic violence, and imposition and execution of urgent measures against the perpetrator of domestic violence. Within this framework, the Ministry of Justice initiated a public campaign "Switch off violence", aimed at prevention of violence against women in the family and partner relationships.

A number of continuous activities are undertaken with an aim to **improve the rights of the child**. With regard to support services for children, adults and older people with intellectual disabilities and their families, in order to prevent institutionalization, in the autumn 2016, support was provided to project activities aimed at the following: a) organisation of cultural/educational/sport activities contributing to psycho - physical development of children, improvement upbringing and socialisation, especially for children with intellectual difficulties and disabilities, children without parental care and children from socially vulnerable families; b) enhancement of financial and tangible working conditions of associations dealing with protection of families and children, and c) humanitarian/cultural/ educational activities aiming to provide assistance to children with disabilities and children from socially vulnerable families.

Serbia continued tendency of reducing residential institutions capacities for accommodation of children and youth. There are still 765 children in institutions including children with developmental disorders, whereby numbers constantly reduce, while number of children in foster families increases. Acceptance of children of age 0 to 3 into institutions remains prohibited. To continue deinstitutionalisation process, two new services intended for families with children at risk from separation have been developed: Family Outreach Worker, representing a social and educational service, and Respite care.

The Council for the Child's Right in its new composition was established by the Government's Decision in November. Draft Law on Juveniles has been prepared but it is not yet adopted. Nevertheless, **child friendly justice system** is being constantly enhanced, both through increased use of diversion orders, alternative sanctions and training. Data show that proposals for application of diversion orders and alternative sanctioning constantly increase, indicating that professional workers are sensibilised for application of diversion measures and trained for their practical application (numbers increase, shorter deadline for preparation of findings and opinions outlined). Continuous supervisory support has been delivered to all centers for social work and service providers in the four cities where application of diversion orders is piloted, while special attention is given to evaluation of agreements concluded at local level. A special emphasis has been on the part of diversion orders implementation that is directly focused on interventions with a child and family, whereby there is a trend of increasing number of minors and their families involved in different service providers support activities, as well as young persons directed by Centre for social work with increased risk from committing or repeating criminal acts or directed by family outreach workers or children without parental care showing behavioral problems.

Training on dealing with juvenile offenders is successfully performed at the Judicial Academy. All judges and prosecutors who handle juvenile cases are licensed. Beyond those who are licensed, a total of 11 training was organized in 2016, whereby 313 lawyers, 54 law enforcement representatives, 8 deputy public prosecutors, 30 judges and 43 judicial assistants were certified.

The new Draft Strategy on the **Rights of Persons with Disabilities** until 2024 is prepared in line with the basic principles of Europe 2020 Strategy, as well as the European Disability Strategy 2010-2020. The Draft Action plan covers the period until 2020. The opinion of the European Commission was requested in December. The process of monitoring shall be entrusted to the Council for monitoring the rights of persons with disabilities.

In 2016 the report on implementation of the UN Convention on the Rights of Persons with Disabilities was presented before the UN Committee and Serbia received concluding remarks which are subsequently included in the new Draft Strategy. With an aim to further improve the situation of persons with disabilities, Serbia continues to implement activities set in the AP for Ch23 focused on children and adults with disabilities, while detailed data are available in the Report on Implementation of AP for Chapter 23 at: <http://www.mpravde.gov.rs/tekst/14618/izvestaj-br-42016-o-sprovodjenju-akcionog-plana-za-poglavlje-23.php>, published in December 2016.

Draft Law on **Free Legal Aid** is prepared, but has not been adopted yet. The process of negotiations between the Ministry of Justice, the Bar and civil society organizations continues, with representatives of the EU Delegation as observers. Roundtable on the key controversial issues related to free legal aid was organized on 26 January.

With an aim to align it with the EU acquis on procedural rights and on victim's rights, a package of analyses has been prepared. The package includes the analysis on the alignment of the Serbian legal framework with the Victims Directive, as well as best comparative practices in 5 states; the analysis of the position of victims in the normative system; the analysis of the new EU acquis on procedural safeguards including recommendations for amendments to the Criminal Procedure Code. The package of analyses has been submitted and approved by the Ministry of Justice and shall be further provided to relevant working groups. Application for IPA 2016 has been submitted with an aim to obtain support for the establishment of victim support services network across the state.

Implementation of the dedicated **Action Plan for the Exercise of Rights of National Minorities** is in progress. The first Report on implementation was prepared by the Office for Human and Minority Rights, on the basis of reports of the state bodies and national councils of national minorities. The first report is available at: <http://www.ljudskaprava.gov.rs/sr/press/vest/predstavljen-prvi-izveshtaj-o-sprovodjenju-akcionog-plana-za-ostvarivanje-prava>. Collection of data for preparation of the second report currently takes place.

With an aim to identify adequate model that will ensure financial sustainability of **media in languages of national minorities**, TAIEX workshop was held in January, with participation of representatives of national minorities and state bodies. Concurrently, data on number of programs in languages of national minorities at public service broadcast providers (RTS/RTV) and private media broadcasting specified hours of content in languages of national minorities are available in the Report on Implementation of AP for Chapter 23 at: <http://www.mpravde.gov.rs/tekst/14618/izvestaj-br-42016-o-sprovodjenju-akcionog-plana-za-poglavlje-23.php>, published in December 2016.

Financing media content in languages of national minorities was implemented through co-financing projects in the field of public information in languages of national minorities in 2016. The projects involve funding from state budget in the amount of 40.000.000,00 RSD. Funds were allocated for a total of 86 projects, whereby 71 projects was in 16 languages and 15 multi-language projects. The most of national councils provided their opinions on submitted projects.

Concurrently, through projects of the Provincial Secretariat for information, aimed at financing media in languages of national minorities owned by national councils of national minorities, the total amount allocated funds was RSD 264,805,000.00. The funds were provided to 9 publishers of newspapers founded by national councils of national minorities, including 22 newspapers (one daily newspaper, five weekly, three monthly and seven youth and/or children newspapers).

Progress was made in the field of **education of national minorities**. In March 2016, the Ministry of Education, the Institute for Textbooks, and 7 national councils of national minorities (Bosniak, Slovakian, Croatian, Bulgarian, Hungarian, Romanian and Ruthenian) signed Tripartite Agreements with a view to ensuring the provision of priority missing textbooks for primary school by 1st September 2016. On 9th August 2016, the Ministry also signed the Tripartite Agreement with the National Council of Albanian National Minority with a view to ensuring the provision of priority missing textbooks for primary school. Annex Memorandum related to the provision of missing textbooks (the trilateral agreements) defining the additional textbooks for primary schools was signed in December 2016. Call for proposals for funding and co-funding of activities, programs and projects of national councils of national minorities in the field of primary and

secondary education in the territory of the autonomous province of Vojvodina in 2015 was announced in the period 02 – 16 September, with the total amount of the call 1,615,000.00 RSD.

In September, national councils of national minorities submitted proposals of some curricula to the Institute for the Improvement of Education. By the end of 2016, the Institute received overall 63 manuscripts in the languages of national minorities, for the review, specifically: a) 4 in Romanian language; b) 1 in Slovenian language; c) 7 in Croatian; d) 1 in Hungarian; e) 11 in Bulgarian; f) 2 in Albanian; and g) 37 in Bosnian language. In accordance with the Law on Textbooks, working groups are formed with the task to review the submitted manuscripts and provide their expert evaluation and/or opinion thereon.

Joint working group of the State Prosecutorial Council and High Judicial Council performed two analyses relevant for **national minorities in the field of judiciary**. The first assessment refers to access of persons belonging to national minorities to the judiciary, focusing on number of persons belonging to national minorities as holders of judicial and prosecutorial function. The second involves a comparative legal analysis that refers to the official use of languages of national minorities in court proceedings. Both analyses were presented at the Joint workshop in September and the Round table in December, with participation of state bodies, national councils of national minorities, civil society organizations and international partners.

With regard to **access to religious services in minority languages**, a number of meetings took place: Romania-Serbia Joint Intergovernmental Mixed Commission on National Minorities, two preparatory meetings of the Serbian part of the Hungary-Serbia Intergovernmental Joint Committee on National Minorities and the Fifth session of the Hungary-Serbia Intergovernmental Joint Committee on National Minorities. The discussions involved the jurisdiction and powers of the Directorate for Cooperation with Churches and Religious Communities, whereby certain clarification and guidelines were presented.

With regard to issues raised by **the Romanian Orthodox Church**, a dialogue has been initiated between the Serbian Orthodox Church (SOC) and Romanian Orthodox Church (ROC), as a part of the Pan-Orthodox Council meeting held in June 2016 in Crete. This framework may serve as a benchmark for consideration and resolution of any existing issues. In the case of the request by the Romanian side to be enabled to fully exercise the right to **religious service in their native language** on the whole Serbian territory, the facts from the area of northern Banat with about 25-30 thousand members of the Romanian national minority show that religious service is held in Romanian as well. It should be noted that SOC demonstrates its practical willingness to hold religious service in Romanian and languages of all national minorities and ethnic groups present.

The Government of Serbia has taken important steps towards the adoption of the **Action plan for implementation of the Roma Social Inclusion Strategy 2016 -2025**. Public consultation process took place prior to the preparation of AP 2016 (6 consultative meetings with Roma communities throughout Serbia) and public debates in cooperation with the National Assembly and the Action team of the Roma Regional Cooperation Council, in October. The Draft Action plan is currently being amended to address the EC comments and prepare more detailed budget plan.

In order to ensure effective implementation of the Strategy and the Action plan, the Government of Serbia is in the process of establishment of the **Coordination body for the social inclusion of Roma**. Coordination body shall be tasked to coordinate the activities of state bodies, bodies of local self-government and public companies in the field of social inclusion of Roma, consider all

issues, improve inter-agency cooperation, make recommendations for solving urgent situations. Members of this body are Vice Prime Minister, several ministers and representative of the national council of Roma national minority. The Coordination body also has the Expert group, which shall provide operational support to the Coordination Body in monitoring the work of the coordinators for Roma issues, as well as mobile teams in local self-government units responsible for improving the situation of Roma at the local level. The composition of Coordination Body is designed so as to ensure both political authority in the process of implementation of the Action plan, as well as to provide professional support by staff in relevant institutions who are already engaged in various Roma inclusion activities.

Law on **housing** was adopted in December, containing, *inter alia*, provisions on eviction and relocation procedure, adequate accommodation, basic principles for carrying out eviction and relocation procedure, relocation plan, and monitoring of the eviction and relocation procedure.

The Social Inclusion and Poverty Reduction Unit organized a meeting with editors of media in July to emphasize the importance of the Action plan for Chapter 23, as well as the role of media in reporting about vulnerable groups, including Roma men and women, which was followed by training for media representatives on 8th and 9th of December 2016. In collaboration with Serbian European Integration Office, OHMR and SIPRU organize coordination meetings on Roma inclusion projects to contribute to optimal use of financial resources for the implementation of activities within the Action plan.

Relevant ministries continue to undertake enhanced efforts to complete the **registration** of "legally invisible" persons, through subsequent registration of the fact of birth in the birth register, citizenship, and declaration of permanent or temporary residence. For instance, in the period of 1st July to 28th November 2016, through implementation of the Rulebook on residence application form at the address of an institution or center for social work, a place of residence was established by the Ministry of Interior for 192 persons, most of which live in informal settlements, and they also obtained personal identity documents. Detailed information is available in the Report on Implementation of AP for Chapter 23 at: <http://www.mpravde.gov.rs/tekst/14618/izvestaj-br-42016-o-sprovodjenju-akcionog-plana-za-poglavlje-23.php>, published in December 2016.

With an aim to facilitate birth registration, under the project "Welcome to the World, Baby", municipalities and city administrations which have maternity units in their territories shift to electronic registration of facts and data in birth registries within the Central System for electronic keeping of registry books.

Working group continues to upgrade the existing Rulebook on training programmes for pedagogical assistants and to create the framework for their work description and quality standards. This will be the basis for the creation of a new bylaw defining the type and level of education and training programme, work quality standards, rationalisation of the network of pedagogical assistants, employment of new assistants and their work status.

Following the adoption of the Rulebook on Criteria and Procedure for Enrolment of Roma Students in Secondary Schools under more Favorable Conditions with a view to Achieving Full Equality ("*Official Gazette of the RS*", no 12/2016), all school administrations were given instructions for acting in accordance with this Rulebook, as a model document for enrolment of students using affirmative action measures. Primary schools submitted collected data on enrolled

students, for the purpose of the affirmative action measure. In 2016, 1512 Roma students have been enrolled.

With regard to the causes of early school dropout, as a part of the project "Preventing student dropout from the education system of the Republic of Serbia" supported by UNICEF, the situation report has been prepared. Data obtained during implementation of the project were presented at the Conference "How to stay in school: Preventing early school leaving from the education system in the Republic of Serbia", indicating that significant results have been achieved in all 10 schools that participated in piloting of this framework, reducing the rate of dropout by 66.1%. The instruments for teachers have been prepared, as well as the Early Warning Indicator System for identification of students under risk of dropout, to assist them in identifying risks from early school dropout. These instruments have been tested in pilot schools and gave good results. Based on the identification of risks by applying these instruments, different individualized support measures have been planned and conducted.

The Working Group for drafting Instructions for implementation of the "Rulebook on Detailed Criteria on Identifying Forms of Discrimination by Employees, Children, Students or Third Parties in Educational Institutions" is established.

Concurrently, systemic models of support to migrant/reintegration returnee children and pupils are being developed. The Project "Support to education of migrant/refugee children and students within the territory of the Republic of Serbia", will be implemented in the period 2016-2017, with participation of the primary schools and pre-school. The project focuses on provision of free textbooks, preparing Individual Education Plan (IEP) primarily to support learning the Serbian language and Cyrillic script, enhancing peer education and involvement in extra-curricular activities of children returnees under the readmission agreement, active involvement of Roma pedagogical assistants etc.

In the first ten months of 2016, 2,412 members of Roma national minority from the register of unemployed persons were employed. Funds amounting up to 338.016.557,90 dinars were approved for co-financing of **97** local action plans for employment, which makes share of 12,07% of budget funds of the Republic of Serbia appropriated for financing active employment policy measures in 2016. According to the data available with National Employment Service, between January and September 2016, financial support in 'starting your own business', in form of subsidies for self-employment, has been provided to 63 Roma, whereof 25 Roma women. In November, National Action Plan for Employment for 2017 was adopted, representing the main strategic document for implementation of active employment policy measures in 2017. It is featured by better targeting of hard-to-employ categories.

Provision of permanent **housing solutions for refugees** through the implementation of the Regional Program for housing refugees and regular national housing programs is ongoing. Public call for financing programs of importance for the population of refugees, internally displaced persons and returnees under the Readmission Agreements for NGOs was announced in September 2016. The total amount of funding is 4.2 million RSD; there are 24 approved projects which are currently being implemented. Given that activities aimed at improving the situation of refugees and IDPs are continuous, detailed information is available in the Report on Implementation of AP for Chapter 23 at: <http://www.mpravde.gov.rs/tekst/14618/izvestaj-br-42016-o-sprovodjenju-akcionog-plana-za-poglavlje-23.php>, published in December 2016.

The Law amending the Criminal Code was adopted in November in order to align with the Framework Decision of the Council 2008/913/JHA, Article 1 (Para. c and d). These changes also included supplements to the provisions regulating the criminal offence of Violation of Equality (Article 128), in order to incriminate limitation or denial of citizen's rights due to sexual orientation or gender identity.

Trainings at the Judicial Academy on hate crime and ensuring effective investigation of cases successfully continued. The standards for efficient suppression of hate crime are integral part of the specialized criminal law training within the continuous and initial education for the judges, prosecutors and deputy prosecutors, as well as within the joint training with the police officers. Office for Human and Minority Rights, Judicial Academy and the OSCE, organized 4 seminars on "hate crime", focused on the specifics of the concept of hate crimes, to meet with the relevant international legal provisions and practices of the European Court and UN Committee. The 7th coordination meeting with representatives of state bodies and CSOs was held in December organized by the Office for Human and Minority Rights and supported by the OSCE Mission to Serbia with a view to introduce a mechanism for combating hate crime in Serbia.

In September, the Council of Europe's European Commission against Racism and Intolerance visited Serbia within the fifth cycle of monitoring. The issues related to the implementation of recommendations from the fourth cycle of monitoring were addressed in the dialogue with the Serbian delegation, and particularly the areas related to legislation in the field of racism, racial discrimination and intolerance, hate speech, violence motivated by racism, homophobia and transphobia, policies for combating discrimination and intolerance against LGBTI persons, integration policies. The first draft report was provided in January and a dialogue between state authorities and ECRI is underway.

The working group of the Ministry of Interior has been formed for the implementation of activities defined by the Action Plan for the National Strategy to combat violence and misbehavior at sports events for the period from 2013 to 2018. The Working Group submits quarterly reports to the Government considering the implementation of the National Strategy.

Drafting of the Law on **Personal Data Protection** is in progress, given that the Working group of the Ministry of Justice holds regular meetings with the support of the expert and actively works on alignment with the *acquis*.