



Statement concerning adoption and entering into the force of the Decree on the Measures of Social Inclusion of the Beneficiaries of Financial Social Support

Belgrade, 24 October 2014

The Lawyers' Committee for Human Rights (YUCOM), Autonomous Women's Center and Regional Centre for Minorities express their deepest concern with the adoption and implementation of the Decree on the Measures of Social Inclusion of the Beneficiaries of Financial Social Support adopted by the Government of the Republic of Serbia. We believe that the Decree does not solve the issues of social isolation of the poorest and most vulnerable citizens of the Republic of Serbia and that some of the solutions prescribed are unlawful and unconstitutional.

The responsibility of the state to take measures to activate beneficiaries of financial social support in order to avoid their social exclusion is not at issue and should be welcomed. Still, certain solutions contained in the Decree are contrary to the achieved level of human rights as well as constitutional guarantees which assure free choice of labor and the right of citizens and families in need of social assistance to social protection based on the principles of social justice, humanity and respect for human dignity. The solutions contained in the Decree are also contrary to the provisions of the Law on Social Protection.

In fact, nowhere does the Law on Social Protection prescribe the obligation of the beneficiaries of financial social support to work, and it especially does not provide for the beneficiaries of financial social support to volunteer or to do public service. Apart from that, the question of the wages of social support beneficiaries should be raised, as well as the possibility of their work being exploited.

Especially worrying are the broad discretionary powers vested in the Social Centers which give them right to a particular punishment of the beneficiaries who for various reasons are not able to work or to be otherwise included in the social inclusion measures envisaged by the Decree of the Government of the Republic of Serbia.

The latest concluding observations of the United Nations Committee on Economic, Social and Cultural Rights, which were adopted after considering the implementation of the provisions of the International Covenant on Economic, Social and Cultural Rights by the Republic of Serbia, recommend the increase of social support in order for the Republic of Serbia to help all vulnerable individuals and families, including people with disabilities, the elderly, children, low

income families and those suffering from long-term unemployment to benefit from an adequate standard of living.

By means of introducing the possibility to decrease the already too low social transfers, the most vulnerable citizens of the Republic of Serbia are to suffer an unjust blow, which will lead to their added marginalization, discrimination and will impede the attainment of basic human rights.

Bearing all of this in mind, we invite the Government of the Republic of Serbia to urgently repeal the contested Decree and to open a public debate in order to reach a new text of the Decree which will be aimed towards real social inclusion of the beneficiaries of financial social support.

Lawyers' Committee for Human Rights (YUCOM)

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