



YUCOM

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Human Rights and Democracy Violation Early Warning *Weekly Newsletter* No. 30

1. The *Politika* daily published in six daily installments (from Dec. 23rd to 28th) a 228 newspaper pages long supplement containing a list with full names, a parent's name and personal identification numbers of **169,411** persons supplied by the *Privatization Agency* of the Republic of Serbia. These persons did not qualify to participate in the distribution of free shares to be awarded to those who -- pursuant to the *Law on Free Shares Distribution*¹ -- have not participated in the privatization of state-owned enterprises.

By doing so, the *Agency* committed a serious breach of the basic provisions of the *Data Protection Law*, adopted in October 2008, and ignored a warning issued in early December by the *Commissioner for Free Access to Information and Data Protection*. Moreover, it violated the citizens' right to protection of data pertaining to their privacy enshrined in the Constitution and protected by the said Law.

Pursuant to the *Law on Free Access to Information*, YUCOM addressed to the *Privatization Agency* a request to make public a document which contains information on who had determined the kind and scope of data on citizens on the list published in *Politika*.

2. Ministry of labor and Social Policy has allocated funds to finance public soup kitchens for the needy in 58 towns and municipalities in the period between January and March 2009. Due to budget restrictions, the affected towns and municipalities have not been able to set aside funds to subsidize public soup kitchens for the poorest inhabitants.

The Ministry earmarked 50,047,303 dinars (€580,000) to finance meals for 21,725 registered beneficiaries. It is estimated that the number of beneficiaries would increase considerably, since there already are waiting lists in several cities. Should the number of the poor increase as a consequence of the mounting financial and

¹ This Law defines conditions to be fulfilled by persons -- around 4.5 million inhabitants of Serbia -- who should be awarded free shares, as opposed to those who have participated in the privatization of their enterprises by virtue of employment.





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economic crisis, it would be difficult to ensure such assistance to them, the Ministry announced.

In its announcement of its assistance to public soup kitchens the Ministry made no reference as to what measures it intended to take after the expiration of the said three-month period.

In the Autonomous Province of Vojvodina -- known as Serbia's bread basket -- public soup kitchens are run in 13 municipalities and cater daily to 4,200 neediest citizens.

3. Labor and Social Policy Minister **Rasim Ljajić** said in a statement that 155,000 children (out of a total of 1.4 million) in Serbia suffer from grave poverty, whereas additional 150,000 are on the brink of extreme misery. Data on the condition of Roma children is even more dramatic: 60% of them live without basic hygienic facilities, 46% can not afford daily nutrition, and the development of another 20% is arrested or seriously hampered. "What all these children have in common is the fact that they are victims of violence", Minister **Ljajić** says -- 1,640 cases of violence against children have been reported 2007".

While the Education Ministry claims that "all children in Serbia have access to quality education", data collected by UNICEF challenge that statement: only 4% of Roma children attend day care centers. "There is evidence that children suffering from development disorders are almost completely left outside the education system. As far as Roma children are concerned, we know that a small percentage attend school", Judita Rajhenberg, UNICEF Director for Serbia, says.

Minister **Ljajić** stated that the Government would submit a draft *Law on Children's Ombudsman* and an *Antidiscrimination Law* to Parliament for adoption in October. So far that has not happened. A new Law on Social Care will be debated 2009, the Minister promised.

4. *Dah Theatre* -- an independent alternative theatre group working for social change and respect of human rights and basic values² -- was a victim of vandalizing assaults on their office in the night between 16th and 17th of November 2008: their offices

² *Dah Theatre* is a professional theatre group that has worked very closely with *Women in Black* for the past fifteen years. Together they have crafted street performances and theatrical plays protesting against militarism, nationalism, gender inequality, and the clericalization of the Serbian society.





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were broken into and robbed of computers and other equipment vital for their work. In addition to that fire broke out in one of these offices on December 11th.

The Belgrade Police Department has been notified in both cases, whereupon a thorough inspection of the site was carried out. To date, it is not known who the burglars and looters are, and how the fire broke out.

5. Private security agencies employ the third largest armed force in Serbia. Independent research indicates that 3,800 such agencies employ some 50,000 highly trained security personnel who carry 47,000 firearms and are in possession of 15,000 bulletproof vests and hundreds of armored vehicles, as well as sophisticated audio, video and other related surveillance equipment. It should be noted that most of these agencies' owners and employees are veterans of the 1990s wars waged on the territory of ex-Yugoslavia, two thirds of them recruited from the ranks of retired police and army officers and forced to work outside the social security system. It is especially dangerous that the establishment and conditions and rules of operation for such agencies are still not regulated by law.

6. Since Serbia's admission to the Council of Europe, the Strasbourg-based *European Court for Human Rights* has deliberated 105 cases from Serbia, 22 of which have been resolved - 21 in favor of plaintiffs and against the Republic of Serbia. The Court has dismissed 20 cases, whereas there have been "several cases of amicable settlement" between the State and citizens, Serbia's State Agent **Slavoljub Carić** said in a statement. He went on to say that the number of suits filed by Serbian citizens constantly increases, and warned that "citizens should realize that the European Human Rights Court cannot substitute domestic courts".

7. *World Bank* representatives in Serbia warn that slowness of Serbian institutions seriously hamper the implementation of jointly agreed projects. **Vesna Kostić**, a WB representative, said the Bank had spent more than a year waiting for Serbian authorities to act, so that a total of \$200 million could be invested in four important projects in Serbia: "Four projects were approved already in June and July 2007, to be ratified in Serbian Parliament as late as September 2008", **Ms. Kostić** said, adding that it took "a whole year to bring the Serbian Parliament to ratify projects that are of vital importance to the citizens of Serbia". Had these projects been ratified earlier, Serbia would have received monies necessary to repair local roads and improve irrigation and sewage facilities, whereas Bor would have received funds for the development of private enterprises and solve environmental problems. These projects include energy savings, especially in schools, hospitals and public institutions. **Ms. Kostić** said that additional projects -- including improvement of services at the local community level: schools, health care and social institutions -- still await ratification.





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Outlook:

Increasingly aggravated social problems have represented a dramatic feature of the transition process in Serbia even before the escalation of the current world financial and economic crisis. Serbian authorities' failure to elaborate a viable system of protection of and assistance to the most vulnerable segments of the population -- notably children and minorities and other marginalized groups -- testify not only to an impermissible lack of social sensitivity and responsibility, but also to an absence of a clear vision of the country's future.

