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 **TOGETHER FOR
SOCIAL EUROPE**

SOCIAL RIGHTS MONITOR 2020

COUNTRY MONITOR: SERBIA



In recent years, Serbia's economic growth has been robust. Annual real GDP growth accelerated significantly to 4.3% in 2018 and remained stable between 2019 and the beginning of 2020. Per capita GDP in purchasing power terms increased – albeit slightly – between 2009 and 2019. Nevertheless, the income gap with the EU has remained broadly unchanged over the last decade. As with all countries in Europe, the Covid-19 pandemic is expected to slow down the pace of GDP growth.¹ The level of people at risk of poverty and social exclusion has been decreasing slowly but steadily over the past few years. However, the level remains much higher than the EU average.² Similarly, a positive trend can be observed in youth unemployment, which has been decreasing over the past decade but is still more than double the EU average.³ Youth unemployment is one of the major socio-economic issues in the country and among the root causes of Serbia's brain drain. Precariousness, especially in the

form of agency employment, is another major issue affecting the labour market.

The National Strategy Group points out that the inclusion of migrants, asylum seekers and refugees is still a prominent topic in the country. They face various kinds of obstacles to complete and adequate inclusion in Serbian society. The NSG points out that Covid-19 has complicated the matter and mentions some alarming episodes. There were parliamentary elections in 2020, which were initially planned for April but were moved to June because of the state of emergency. The Serbian Progressive Party won over 60% of the vote in one of the most controversial elections in the Republic of Serbia. The opposition boycotted the elections, claiming they would not be free and fair amid President Aleksandar Vučić's grip on power.⁴ Strong concerns were raised by CSOs over the state of civic space and fundamental freedoms.

1 European Commission (2020) Commission Staff Working Document Serbia 2020 Report https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/serbia_report_2020.pdf

2 Eurostat (2020) People at risk of poverty or social exclusion https://ec.europa.eu/eurostat/databrowser/view/t2020_50/default/table?lang=en

3 Eurostat (2020) Youth unemployment rate by sex, age and country of birth https://appsso.eurostat.ec.europa.eu/nui/show.do?-dataset=yth_empl_100&lang=en

4 Euro news (2020) Serbia election: President Vucic declares landslide win in controversial parliamentary vote <https://www.euronews.com/2020/06/19/serbia-votes-all-you-need-to-know-about-europe-s-first-national-election-since-covid-19-lo>

	2018	2019	EU-28 2019
Gini index ⁵	35.6	33.3	30.1
Unemployment ⁶	12.8%	10.5%	6.3%
Gender Equality Index ⁷	N/A	N/A	67.9 (2020)
In-work poverty ⁸	9.9%	9.1%	9.2%
Housing Overcrowding ⁹	53.3%	53.3%	15.6%
CIVICUS Civic Space Monitor ¹⁰		OBSTRUCTED	N/A

Selected indicators on the state of social rights

EQUAL OPPORTUNITIES AND ACCESS TO THE LABOUR MARKET

INCLUSION OF MIGRANTS

Migration into and out of the Republic of Serbia has been turbulent over recent decades. During the 1990s, migration consisted mainly of refugees from the former Yugoslavia or Kosovo, as well as Serbs moving to Western Europe and North America. More recently, a new type of migration has emerged, as people from Asia and Africa arrive in the country. In the light of such developments, the government realised that the fragmentation of migration management was an issue. It therefore adopted the Migration Management Strategy (RS Official Gazette, No. 59/09) in 2009 and the Law on Migration Management (Official Gazette of RS, No. 107/12), which were intended to increase the coordination of migration management and establish comprehensive and continuous monitoring of migration flows.¹¹

The Serbian legal framework for migration foresees assistance for the inclusion of migrants in society and access to basic services such as education, housing and employment. Nevertheless, the National Strategy Group for Serbia points out a series of issues around the regulation of migration. In 2018, a new Law on Foreigners (Official Gazette of RS no. 24/2018) was approved. The law makes it possible for undocumented immigrants or those whose documents do not meet the requirements defined by Serbian law to be granted a temporary residence permit if this is in accordance with the interests of the Republic of Serbia or for humanitarian reasons.¹² Although the National Strategy Group welcomes this introduction, it underlines that Serbia does not have a clear definition of a tolerated, informal stay and that this regulatory hole can lead to uneven treatment of certain categories of undocumented

5 Eurostat (2020). Gini coefficient of equivalised disposable income: http://appsso.eurostat.ec.europa.eu/nui/show.do?lang=en&-dataset=ilc_di12

6 Eurostat (2020). Unemployment by sex and age: annual data: https://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=une_rt_a&lang=en

7 European Institute for Gender Equality (2020). Gender Equality Index: <https://eige.europa.eu/publications/gender-equality-index-2020-key-findings-eu>

8 Eurostat (2020). In-work at-risk-of-poverty-rate: <https://ec.europa.eu/eurostat/databrowser/view/tespm070/default/table?lang=en>

9 Eurostat (2020). Overcrowding rate by age, sex and poverty status – total population: https://ec.europa.eu/eurostat/databrowser/view/ilc_lvho05a/default/table?lang=en

10 CIVICUS (2020). Civic space monitor - Serbia: <https://monitor.civicus.org/country/serbia/>

11 Commissariat for Refugees and Migration Republic of Serbia (n.a.) About Migrations http://www.kirs.gov.rs/wb-page.php?kat_id=216

12 Law on Foreigners, Official Gazette of RS no. 24/2018 <http://www.mup.gov.rs/wps/wcm/connect/004ebee-f0a9-4116-9797-e24889136d03/law+on+foreigners+Official+Gazette+of+the+RS++no+24+2018.pdf?MOD=AJPERES&CVID=mpkHoAB>

immigrants and the risk of violating human rights. Furthermore, the NSG highlights that, even though the Law on Asylum and Temporary Protection (Official Gazette of RS, No. 24/18) obliges the Republic of Serbia to provide the right to asylum and to enable the naturalization of refugees, it does not provide specific guidance in this direction.

The Ministry of Education, Science and Technological Development has established the ENIC / NARIC Centre, a specific unit in the Agency for Qualification that is in charge of recognizing foreign certificates for education and other qualifications. This is of fundamental importance to the inclusion of migrants in the educational system and labour market.¹³ However, the NSG notices that asylum seekers and refugees very often do not hold the original versions of their diplomas, which causes problems in the recognition process and for job searches. To assist migrants in accessing the labour market as an integral part of the integration process, Serbian authorities in December 2016 enacted a Decree on the Integration of Foreigners Granted Asylum in Social, Cultural and Economic Life (Integration Decree).¹⁴ Persons under subsidiary protection and asylum seekers who have been waiting for a decision on their asylum request for at least nine months have the right to obtain a temporary work permit.¹⁵ The National Strategy Group stresses that the administrative fees for work permits represent an obstacle for people who find themselves in a precarious economic situation.

The Ministry of Labour, Employment, Veteran and Social Affairs oversees the regulations on social welfare for persons seeking or granted

asylum and has elaborated a Rulebook on Social Welfare for Persons Seeking or Granted Asylum (RSW).¹⁶ According to this rulebook, people seeking or granted asylum may receive monthly financial aid if they are not housed in an asylum centre and if they and their family members either do not receive an income or their income is lower than the threshold required by the rulebook. Therefore, this rulebook only allows social welfare to be provided to persons residing in private accommodation. This could be considered counterintuitive, as people staying in such accommodation usually enjoy a better financial situation.¹⁷

The National Strategy Group reports that some worrying episodes concerning the management of refugees and asylum seekers have taken place since the beginning of the Covid-19 emergency. On 6 May 2020, the Health Ministry adopted the Order Restricting Movement on Roads Leading to Asylum and Reception Centre Facilities and Grounds.¹⁸ This prohibits refugees, asylum seekers and irregular migrants from leaving asylum and reception centres. A number of CSOs filed an appeal with the Serbian Constitutional Court to review the constitutionality and legality of the order, as they claimed that it does not respect the proportionality principle and that it constitutes an unwarranted restriction of people's right to liberty and security. These CSOs specified that the state of emergency in Serbia had already been lifted before the order was introduced and that no medical explanation had been given by authorities to justify the new rule. Furthermore, the CSOs noted that many of the centres affected by the order were overcrowded and had substandard hygiene.¹⁹

13 Enic-Naric.net (n.a.) Serbia <https://www.enic-naric.net/serbia.aspx>

14 Decree on the Integration of Foreigners Granted Asylum in Social, Cultural and Economic Life, Official Gazette, no. 101/16 and 56/18

15 Employment of Foreigners Act, Official Gazette of the RS, no. 128/2014.

16 Rulebook on Social Welfare for Persons Seeking or Granted Asylum, Official Gazette no. 44/2008.

17 AID; ECRE (2020) Social Welfare – Serbia https://www.asylumineurope.org/reports/country/serbia/social-welfare#_ftnref9

18 Official Gazette of the RS, No. 66/2020, "Order on the restriction of movement at the entry points to the open space and the facilities of the reception centres for migrants and asylum centres"

19 Belgrade Centre for Human Rights (2020) Initiative Filed with the Constitutional Court to review the Constitutionality and Legality of the Order Restricting Movement on Roads Leading to Asylum and Reception Centre Facilities and Grounds <http://www.bgcentar.org.rs/bgcentar/eng-lat/initiative-filed-with-the-constitutional-court-to-review-the-constitutionality-and-legality-of-the-order-restricting-movement-on-roads-leading-to-asylum-and-reception-centre-facilities-and-grounds/>

Another episode concerned a public tender to purchase 2.5 tons of razor wire to construct fences around migrant reception centres and accommodation centres for asylum seekers. The request for quotations was published on the Ministry of Defence website on 15 May 2020. Based on the information on the official website, iron posts and galvanised tying wire were also procured. In addition, the Ministry disclosed that the Serbian armed forces had been given a task not typically performed in times of peace, which was to secure the migrant centres.²⁰ In response, Info Park, the Initiative for Economic and Social Rights A11 and the Psychosocial Innovations Network PIN issued a joint statement²¹ calling on the Ministry of Defence to withdraw the procurement tender for the razor wire and other materials.

EDUCATION AND YOUTH UNEMPLOYMENT

Education in Serbia shows some improvements, but the skills mismatch is still high. Public expenditure on education was around 3.1% of GDP in 2018, while the EU average was around 5%. The 2018 PISA assessment showed that Serbian students' performance was below the OECD average in all areas assessed.²² The rate of early school leavers in Serbia has been decreasing since 2010, when it was 8.3%, and it stood at 6.6% in 2019. This was below the EU-28 average of 10.3%. In addition, there are no gender imbalances, as both sexes register the same percentage of early leavers.²³ Furthermore, enrolment and

attainment rates in pre-university education remain high.

However, this is not the case for early childhood education and care, as still only half of children aged between six months and 6.5 years attend this type of service. The educational (and employment) situation in Serbia is characterised by a brain drain, which is, together with a negative demographic trend, among the causes of the reduction in the student population.²⁴ According to research conducted by the cabinet of the minister without portfolio responsible for demography and population policy, the share of university students planning to seek a job in Germany is 24.2% (of 2,700 university students). The next most popular countries include Switzerland, Austria, and the United States. However, more than half of students (51.6%) would not leave Serbia if they were provided with a job opportunity linked to their field of study. Furthermore, about 15% would stay in the country if they were provided with resources to start their own business.²⁵ This trend was confirmed by the Alternative Report on the Position and Needs of Youth in Serbia, conducted by the National Youth Council of Serbia (KOMS). According to this report, the majority of the young and educated workers interviewed go abroad because their knowledge is more valued outside their country.²⁶ The National Strategy Group also comments that, due to corruption in the educational system (e.g., fake diplomas), young people do not feel incentivised to study. It adds that, as a consequence of the skills mismatch in the labour market, young people decide to leave school

20 EURACTIV (2020) BELGRADE – Ministry buys 2.5 tons of razor-wire to fence off migrant centers https://www.euractiv.com/section/politics/short_news/belgrade-ministry-buys-2-5-tons-of-razor-wire-to-fence-off-migrant-centers/

21 Info Park (2020) Razor wire for refugees and migrants - an end of the humanitarian approach <https://www.facebook.com/infoparkserbia/posts/razor-wire-for-refugees-and-migrants-an-end-of-the-humanitarian-approachbelgrade/2895253903862188/>

22 European Commission (2020) Commission Staff Working Document Serbia 2020 Report https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/serbia_report_2020.pdf

23 Eurostat (2020) Early leavers from education and training by sex and labour status https://ec.europa.eu/eurostat/databrowser/view/edat_lfse_14/default/table?lang=en

24 European Commission (2020) Commission Staff Working Document Serbia 2020 Report https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/serbia_report_2020.pdf

25 Pavlović, D., Bjelica, D., & Domazet, I. (2019). What Characteristics in the Youth Labour Market of Serbia Are Likely to Result in Employment? <http://idn.org.rs/ojs3/stanovnistvo/index.php/STNV/article/view/350>

26 KOMS (2019) Alternative Report on the Position and Needs of Youth in the Republic of Serbia <https://koms.dpmedia.rs/baza/2020/09/24/alternative-report-about-the-position-and-needs-of-the-youth-in-republic-of-serbia-2020-summary/>

earlier than they had planned, as they believe they will not be able to pursue the career they studied for.

Unfortunately, youth unemployment is also a major issue in Serbia. The rate of youngsters aged 15-29 who are unemployed has been steadily decreasing since 2011: it has almost halved since then, from 42.0% to 21.6% in 2019. But it is still more than twice the average rate in the EU-28 (10.7%).²⁷ The inactivity rate for the same age group was over 70% in 2019.²⁸ Moreover, young people not in education, employment or training (NEETs) represented 15.3% of the population aged 15-24 in 2019, more than 5 percentage points above the averages for the EU-27, EU-28 and euro area.²⁹ It is therefore not surprising that one of the main reasons why six out of 10 young people wish to move out of the country is the situation

in the labour market. Based on the KOMS survey, young people are also penalised by doing undeclared work, which leaves them with no social or economic guarantees and is among the reasons why they decide to build their futures abroad.³⁰

The National Strategy Group mentions the National Youth Strategy 2015-2025 as one of the main policies put in place in the last years to combat youth unemployment. The focus of the strategy is to increase youth entrepreneurship and strengthen youths' skills to help them access the labour market more successfully.³¹ Nevertheless, the National Strategy Group notices that the policy has yielded results in terms of increased flexibility on the part of young people to work outside their area of choice, but it has not improved the situation of youth employment structurally.

27 Eurostat (2020) Youth unemployment rate by sex, age and country of birth https://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=yth_empl_100&lang=en

28 Eurostat (2020) Activity rate by age https://ec.europa.eu/eurostat/databrowser/view/tepsr_wc160/default/table?lang=en

29 Eurostat (2020) Young people aged 15-24 neither in employment nor in education and training (NEET), by sex - annual data https://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=lfsl_neet_a&lang=en

30 KOMS (2019) Alternative Report on the Position and Needs of Youth in the Republic of Serbia <https://koms.dpmedia.rs/baza/2020/09/24/alternative-report-about-the-position-and-needs-of-the-youth-in-republic-of-serbia-2020-summary/>

31 Ministry of Youth and Sports (2014) National Youth Strategy 2015-2025 <http://www.mos.gov.rs/wp-content/uploads/download-manager-files/Nacionalna%20strategija%20za%20mlade%20-%20ENG.pdf>

FAIR WORKING CONDITIONS

COVID-19

Working conditions in Serbia, like in many other European countries, have been greatly impacted by the Covid-19 pandemic. Employers have been required to guarantee safe working conditions to their employees and to activate teleworking whenever possible. In all other cases alternative solutions have been encouraged, such as working in shifts and night work.³² After the state of emergency was lifted, the Crisis Headquarters for the suppression of Infectious Disease Covid-19 held its 20th session in April 2020. This issued a conclusion recommending that all business entities continue to operate at full capacity, while applying preventive measures to ensure the safety of employees and service users.³³ Yet, the National Strategy Group specifies that it is still necessary to monitor whether everyone is adhering to the general safety and hygiene measures in the workspace and whether the rights of the workers are being respected in full.

During these unprecedented times, a particularly serious episode was been reported in the media. Workers employed in the South Korean cable and harnessing manufacturing company Yura Corporation reported that health and safety measures in the workplace were not respected, as the work environment was overcrowded. Nevertheless, the Ministry of Labour, Employment, Veteran and Social Affairs conducted three inspections and concluded that Yura Corporation had respected all the measures required.³⁴ The NSG reports that the situation escalated when the Yura plant in

Leskovac became a coronavirus hotspot. The Ministry of Labour, Employment, Veteran and Social Affairs published an analysis of work during the state of emergency, from which it emerged that the Labour Inspection performed 1,572 inspections, of which 644 were requested by employees, or 41% of the total number of inspections.³⁵

GOOD PRACTICE

PIN – PSYCHOSOCIAL INNOVATION NETWORK

The Psychosocial Innovation Network³⁶ is a Serbian NGO that strives to establish and promote a multisector, evidence-based, comprehensive, and efficient model of psychosocial support. It engages beneficiaries, service providers, local communities, and policy-makers in the creation of systemic and sustainable solutions for mental health protection and improvement. During the Covid-19 pandemic, the organization carried out its activities online, including its psychosocial support for migrants. In this way, it was able to keep delivering its projects during the crisis, while protecting its staff against infection. Since the Covid-19 outbreak, PIN – in collaboration with UNFPA Serbia and with the support of the German Embassy in Belgrade – has been offering psychosocial support for Covid-19 patients and care workers to overcome psychological difficulties caused by the coronavirus pandemic.

32 PROPISI.NET (2020) VAŽNO: Detaljno objašnjenje prava i obaveza radnika i poslodavaca u toku vanrednog stanja <https://www.propisi.net/vazno-detaljno-objasnjenje-prava-i-obaveza-radnika-i-poslodavaca-u-toku-vanrednog-stanja/>

33 Amcham Serbia (2020) Covid-19 in Serbia <http://www.amcham.rs/combating-covid-19/covid-19-in-serbia.1100.html>

34 Ministry of Labour, Employment, Veteran and Social Affairs (2020) "YURA Corporation" complied with all measures within the competence of the labour inspection <https://www.minrzs.gov.rs/srb-lat/aktuelnosti/vesti/%E2%80%9Cyura-corporation%E2%80%9C-ispostovala-sve-mere-koje-su-u-nadleznosti-inspekcije-rada>

35 Ministry of Labour, Employment, Veteran and Social Affairs (2020) Analysis and results of the work of the Ministry of Labour, Employment, Veteran and Social Affairs <https://www.minrzs.gov.rs/sr/aktuelnosti/vesti/analiza-i-rezultati-rada-ministarstva-za-rad-zaposljavanje-boracka-i-socijalna-pitanja>

36 Psychosocial Innovation Network (2020) About us <https://psychosocialinnovation.net/en/about-us/>

PRECARIOUSNESS

The percentage of precarious workers in the Republic of Serbia increased from 2.2% in 2010 to 8.0% in 2019, after peaking at 10.1% in 2017. Despite the slight decrease since 2017, the rate of precarious workers in 2019 was more than three times that of the EU-27.³⁷ Workers employed through an agency are a category of precarious worker that is quite widespread in Serbia and that has not been regulated for a long time. The first private employment agencies were introduced in 2009 and there were 90 by 2016. These data are in line with the decreasing trend of full-timework on a contract without a fixed term, which went from 89% of jobs in 2009 to 78% in 2015. The lack of regulation has favoured the spread of private employment agencies, and evidence shows that workers rights have been violated in this unregulated environment. Some workers are not adequately paid for overtime work and night shifts, and very often they do not receive maternity or sick leave or compensation in case of occupational accidents or diseases.³⁸ A positive change came on 1 March 2020 with the adoption of the Law on Agency Employment. The positive contribution of the new law is that it clearly defines who can be hired via an agency and under what conditions – for instance, agencies are not allowed to offer temporary contracts. It will also help to monitor the number and the conditions of agency contracts. However, experts claim that risk factors still exist. Specifically, the law does not define a limit for the number of workers that can be hired on agency contracts for companies with more than 50 workers. This can harm both the workers directly involved and the labour market as a whole, as it can dangerously increase the

spread of the practice, destabilising the labour market. The status of agency workers is not in line with that of full-time regular employees in terms of employment rights.³⁹

GENDER EQUALITY

In 2016 Serbia was the first country outside the EU to introduce the Gender Equality Index elaborated by EIGE. This instrument allows gender equality issues to be identified. The latest report was issued in 2018 and used 2016 data. According to that report, Serbia's gender equality that year was 55.8, a 3.4-point improvement on the 2016 report, which used 2014 data. Despite the improvement in Serbia's score, its position in the ranking with all the EU countries did not change: it remained 22nd. Despite a slight increase in the score concerning the work sphere, work segregation became worse than the previous time.⁴⁰ The gender gap in employment was 9.6% in 2018, more than 5 percentage points below the EU average.⁴¹ Nevertheless, the employment rate for men (15-64 years) was 12.8 percentage points higher than that for women, and men's activity rate was 13.6 percentage points higher than women's. Some of the causes of female inactivity in Serbia are unpaid work in the household, the wage gap and employers' discriminatory treatment of young women.⁴²

In principle, equality in the Serbian labour market is granted under the Labour Law, the Law on Equality between Sexes, the Gender Equality Law, and the Law on the Prohibition of Discrimination, which forbids discrimination on any grounds against employees and candidates for employment. Nevertheless, in the

37 Eurostat (2020) Precarious employment by sex, age and NACE Rev. 2 activity https://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=lfsa_qoe_4ax1r2&lang=en

38 ESPN (2017) Gaps in the regulation of private employment agencies in Serbia https://www.siceurope.eu/sites/default/files/field/attachment/espn_-_flash_report_2017-07_-_rs_-_february_2017.pdf

39 Masina (2019) Serbian Agency Employment Law: Will it help workers or put them in a disadvantage? <https://www.masina.rs/eng/serbian-agency-employment-law-will-help-workers-put-disadvantage/>

40 Social Inclusion and Poverty Reduction Unit Government of the Republic of Serbia (2018) Gender Equality Index for the Republic of Serbia http://socijalnoukljucivanje.gov.rs/wp-content/uploads/2018/12/Indeks_rodne_ravnopravnosti_u_Republici_Srbiji_2018_eng.pdf

41 Eurostat (2020) Gender pay gap in unadjusted form <https://ec.europa.eu/eurostat/databrowser/view/tesem180/default/table?lang=en>

42 European Commission (2020) Commission Staff Working Document Serbia 2020 Report https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/serbia_report_2020.pdf

National Strategy Group's view, based on what emerged from the above-mentioned report, Serbia lacks adequate implementation to prevent and address gender-based discrimination at work, and this fight is not among the government's priorities. Goals and measures to promote gender equality in Serbia are defined by the umbrella National Strategy for Gender Equality (2016–2020).⁴³ The National Strategy Group points out that a new gender equality law has been discussed for some time, and it is expected to be introduced soon, according to Deputy Prime Minister Zorana Mihajlovic, who is also President of the Coordination Body for Gender Equality of the Republic of Serbia.⁴⁴ This body, which has been active since 2014, is a national coordination mechanism for gender equality issues with a mandate to coordinate the work of state administration bodies and other institutions to improve gender equality. Since the Covid-19 outbreak, it has also supported regional dialogue over a gender-sensitive response to the crisis. Another instrument that can help Serbia achieve gender equality is the project 'Key Steps towards Gender Equality', which is implemented jointly by the Coordination Body for Gender Equality, the Ministry of European Integration and the United Nations Entity for Gender Equality and the Empowerment of Women (UN Women), with the financial support of the EU Delegation to Serbia. The project aims to help the government effectively implement EU laws on gender equality, as well as the National Strategy for Gender Equality 2016-2020. The project also aims to improve the position of women and support local communities in meeting their

gender equality obligations. The overall objective is to support the government's efforts to comply with national and international obligations and with the EU legislative framework on gender equality.⁴⁵ Although the National Strategy Group considers the measures listed so far to be satisfactory overall, and it states that they are in line with EU law, it also underlines inadequate cross-sectorial cooperation between institutions and ministries, which hinder the implementation of such measures. Furthermore, the lack of obligation to transport national laws and regulations to the local level is also identified as an issue.

WORK-LIFE BALANCE

Based on Eurofound's analyses, Serbia has more problems related to work-life balance than countries in the EU. According to its 2016 survey on the topic, 83% of respondents were too tired from work to do household jobs at least several times a month, which was much higher than the EU-28 average of 59%. Similarly, 66% of respondents in Serbia had difficulties in fulfilling family responsibilities because of work at least several times a month, compared to an EU average of 38%. On the other hand, family life negatively influenced the professional careers of 52% of the respondents in 2016, who reported having difficulties in concentrating on their job due to family problems. In the EU-28, the figure was just 19% of respondents on average. Eurofound reported no big differences between the genders concerning work-life balance.⁴⁶

43 Social Inclusion and Poverty Reduction Unit Government of the Republic of Serbia (2018) Gender Equality Index for the Republic of Serbia http://socijalnoukljucivanje.gov.rs/wp-content/uploads/2018/12/Indeks_rodne_ravnopravnosti_u_Republici_Srbiji_2018_eng.pdf

44 Ministry of Construction, Transport and Infrastructure (n.a.) Coordination Body for Gender Equality <https://www.mgsi.gov.rs/en/coordination-body-gender-equality>

45 Ministry of Construction, Transport and Infrastructure – Gender Equality Coordinating Body <https://www.rodnaravnopravnost.gov.rs/sr/projekti/sazetak-projekta-krucni-koraci-ka-rodnoj-ravnopravnosti-ipa-2016>

46 Eurofound (2018) Living and working in Serbia <https://www.eurofound.europa.eu/country/serbia#worklife-balance>

SOCIAL PROTECTION AND INCLUSION

HOUSING

The housing situation in Serbia presents several challenges. Firstly, 31.3% of the population is overburdened by housing costs: they spend more than 40% of their equivalised disposable income on housing expenses. The Serbian figure is more than three times the EU-27 average of 9.8%.⁴⁷ Severe housing deprivation is another dimension in which Serbia performs significantly worse than EU countries. Although the percentage of the population suffering from severe housing deprivation decreased between 2014 and 2018, it has always been far above the EU average. In 2019 the level increased again and reached 13.9%. In the EU, only Slovakia performed worse, and the EU-27 average for that year was estimated at 3.8%, one-third the level of Serbia.⁴⁸ In addition, more than half the Serbian population lives in overcrowded dwellings, while in the EU the same indicator averages around 4%.⁴⁹ This severe housing situation has led to a high number of evictions, including from social housing, due to rent and utility bills in arrears. The Special Rapporteur of the UN Human Rights Council warned in a 2015 report that the evictions are not accompanied by legal assistance or alternative accommodation. Vulnerable groups, including Roma, refugees and internally displaced people, are the most penalised by this situation.⁵⁰

GOOD PRACTICE

REGIONAL HOUSING PROGRAMME

The Regional Housing Programme⁵¹ is a joint initiative by Bosnia and Herzegovina, Croatia, Montenegro and Serbia, which has been active since 2011. The RHP aims to contribute to the resolution of the protracted displacement situation of the most vulnerable refugees and displaced persons following the 1991-1995 conflicts in former Yugoslavia, including internally displaced persons in Montenegro from 1999. The programme is carried out in a concerted manner by the governments of the countries involved. Each partner country has appointed a lead institution that is in charge of the overall programming of the Country Housing Project (CHP), including coordination with local authorities and other stakeholders as well as the selection of beneficiaries. In addition, each country has established a project implementation unit (PIU) which is in charge of, among other things, contract management and procurement to ensure an efficient CHP implementation. As of end-September 2020, RHP has built 7,544 housing units.

47 Eurostat (2020) Housing statistics https://ec.europa.eu/eurostat/statistics-explained/index.php/Housing_statistics#Housing_quality

48 Eurostat (2020) Severe housing deprivation rate by age, sex and poverty status - EU-SILC survey https://ec.europa.eu/eurostat/databrowser/view/ilc_mdho06a/default/table?lang=en

49 Eurostat (2020) Overcrowding rate by age, sex and poverty status - total population - EU-SILC survey https://ec.europa.eu/eurostat/databrowser/view/ilc_lvho05a/default/table?lang=en

50 Masina (2017) Housing Policy in Serbia – From Privatization to Eviction <http://www.masina.rs/eng/housing-policy-serbia-privatization-eviction/#easy-footnote-bottom-5-263>

51 Regional Housing Programme (n.a.) Mission and History <http://regionalhousingprogramme.org/mission-and-history/>

HEALTHCARE

Serbia is on a path of aligning its public health system with EU standards. Based on the European Commission's report for 2020, it is making progress in terms of legislative alignment. However, further steps need to be done concerning the sustainability of the public health insurance fund. Moreover, stronger action is needed to limit the number of physicians who leave the country and to implement the national plan for human resources in the health sector.⁵² The outbreak of the pandemic revealed the weaknesses of the Serbian health system. Although the measures introduced by the government in response to the crisis were well devised, there was a lack of personal protection and medical equipment, medical expertise, laboratory testing capacity, data processing and contact tracing. This led to a high infection rate among medical personnel of 9%. In terms of additional funds allocated to combat the health emergency, Serbia is among the countries that allocated the least per person (roughly \$6 at the purchasing-power-parity exchange rate) to its health insurance fund from domestic resources. However, the country received substantial external funding from the European Commission and the World Bank.⁵³ In the last 20 years, the EU has financially supported the health system of the Republic of Serbia, as noted by the National Strategy Group. For instance, the EU donated EUR 8.7 million for medical vehicles (including vehicles with ventilators) and general equipment for hospitals, laboratories, institutes of public health and blood transfusion centres⁵⁴ across the country.

The NSG also points out that the EU financial assistance has helped small communities to benefit from healthcare services, which they had been excluded from due to the wide regional disparities that characterise the national health system.

Access to the national healthcare system for asylum seekers and persons granted asylum should be the same as for Serbian nationals, according to the Health Care Act. In addition, the Asylum Act foresees equal rights to healthcare for asylum seekers, with the costs covered by the state. Mandatory medical examinations are performed on asylum seekers upon arrival at reception facilities.⁵⁵ However, the National Strategy Group reports that, due to a legislative vacuum, asylum seekers and refugees need to rely on CSOs and international organisations to benefit adequately from the right to health services. Under the Health Insurance Act, asylum seekers and persons granted asylum are not entitled to compulsory health insurance or health insurance cards. Furthermore, the NSG reports significant discrepancies between access to health services for asylum seekers living in private accommodation and those living in public accommodation, with the second group experiencing more difficulties, especially in terms of administrative burden. Asylum seekers have been provided with adequate health assistance during the Covid-19 emergency, the NSG reports. Nevertheless, as previously mentioned, although the state of emergency has been lifted, refugees and asylum seekers are still prohibited from leaving the facilities that host them.

52 European Commission (2020) Commission Staff Working Document Serbia 2020 Report https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/serbia_report_2020.pdf

53 Covid-19 Health System Response Monitor (2020) How much additional money are countries allocating to health from their domestic resources? <https://analysis.covid19healthsystem.org/index.php/2020/05/07/how-much-additional-money-are-countries-putting-towards-health/>

54 The Delegation of the European Union to the Republic of Serbia (2020) EU assistance to the Health sector in Serbia – a fundamental effort that modernised the whole Serbian health system <https://europa.rs/eu-assistance-to-health-sector-in-serbia-a-fundamental-effort-that-modernised-the-whole-serbian-health-system/?lang=en>

55 Belgrade Centre for Human Rights (n.a.) Health Care Serbia <http://www.asylumineurope.org/reports/country/serbia/health-care>

In this regard, the National Strategy Group mentions the call by A 11 – Initiative for Economic and Social Rights for the government to amend the order issued by the Health Ministry and enable refugees to enjoy their basic rights to freedom and security.

FIGHT AGAINST POVERTY

Poverty is a major issue in Serbia, and the situation is worse than in the European Union. In 2018, 7.1% of the population was living in absolute poverty. According to the Survey on Income and Living Conditions carried out in 2018, 34.3% of the population were at risk of poverty or social exclusion, compared to 21.8% in the EU-28. Of the employed

population, 10% were at risk of poverty and almost 60% were subjectively poor.⁵⁶ When it comes to inequality, the gap between Serbia and the Union is lower, as the Gini index was 33.3 in 2019, 3.2 points below the estimated EU-27 average.⁵⁷ The Economic Reform Program (ERP)⁵⁸ and Reform Program of Employment and Social Policy in the EU Accession Process (ESRP)⁵⁹ are key documents in the field of social policy in Serbia. They set, among other things, priorities in employment and social policy for accession countries. According to the NSG, priorities for Serbia include: improvements in the adequacy, quality and targeting of social protection; more-efficient social benefits for people below the poverty line; and enhanced availability and quality of social services.

56 European Commission (2020) Commission Staff Working Document Serbia 2020 Report https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/serbia_report_2020.pdf

57 Eurostat (2020) Gini coefficient of equivalized disposable income - EU-SILC survey http://appsso.eurostat.ec.europa.eu/nui/show.do?lang=en&dataset=ilc_di12

58 European Commission (2020) Economic Governance https://ec.europa.eu/neighbourhood-enlargement/policy/policy-highlights/economic-governance_en

59 Government of the Republic of Serbia (2016) Employment and Social Reform Programme in the Process of Accession to the European Union <http://sociojahnoukljucivanje.gov.rs/wp-content/uploads/2016/06/SIPRU-ESRP-2016-English.pdf>

CIVIC SPACE

The National Strategy Group expresses great concern about the state of civic space in Serbia. Though some forms of freedom are stated formally in the law, their actual implementation is inadequate or non-existing. This alarming situation led Serbia to lose several points in the CIVICUS Monitor, and the country was downgraded from the category of countries where civic space is narrowed to the group where it is obstructed. In March 2020, Serbia was added to the watch list of countries that have seen a rapid decline in fundamental freedoms.⁶⁰ From March to December 2019, 130 cases of violations of freedom of association, assembly and expression were recorded.⁶¹

FREEDOM OF ASSOCIATION AND PEACEFUL ASSEMBLY

The Ministry of Public Administration and Local Self-Government says the conditions for the establishment of an association have been "considerably liberalized". But attacks against associations, activists and media are more and more frequent: the number of threats, insults and incidents of intimidation is increasing.⁶²

When it comes to freedom of peaceful assembly, the NSG explains that Serbia has a history of violent clashes between demonstrators and

police, as well as of suppressed gatherings, such as political demonstrations or the LGBTQI Pride march. The National Strategy Group also observes that obstacles to peaceful assembly that apply to many groups do not apply for gatherings organized by the ruling party Srpska napredna stranka (SNS). This was demonstrated when SNS supporters gathered during the Covid-19 emergency even though this was strictly forbidden by the emergency rules.

FREEDOM OF PRESS

Serbia's score in the Reporters without Borders World Press Freedom Index has worsened since 2018. In 2020, it occupies 90th place out of 180 countries, losing three positions from the previous year. According to Reporters Without Borders' analysis, since Aleksandar Vučić took over as leader, firstly as prime minister and then as president, the condition of journalists has become more and more dangerous. Many investigations into attacks on journalists have stalled. Fake news is becoming increasingly widespread. Moreover, due to the high concentration of media ownership, journalists who keep writing about dangerous topics such as corruption do this on the Internet.⁶³ The overall picture of freedom of expression in Serbia is greatly concerning.

60 CIVICUS (2020) Civic Space Monitor – Serbia <https://monitor.civicus.org/country/serbia/>

61 Gradanske Inicijative (2019) More than 130 cases of violations of freedom of association, assembly and expression in 2019 <https://www.gradjanske.org/en/more-than-130-cases-of-violations-of-freedom-of-association-assembly-and-expression-in-2019/>

62 Gradanske Inicijative (2019) More than 130 cases of violations of freedom of association, assembly and expression in 2019 <https://www.gradjanske.org/en/more-than-130-cases-of-violations-of-freedom-of-association-assembly-and-expression-in-2019/>

63 Reporters without Borders (2020) Serbia <https://rsf.org/en/serbia>

SOLIDAR's Social Rights Monitor 2020 has been developed in the framework of the Together for Social Europe programme co-funded by the EU Programme for Employment and Social Innovation (EaSI). It provides an insight into the state of social rights in 17 European countries. The Monitor assesses the state of social Europe in terms of equality of opportunities, fair working conditions, social protection, inclusion and civic space based on the observations of Civil Society Organisations working on the ground in combination with statistical data and scientific findings. It does so on the basis of observations of National Strategy Groups set up in each of these countries by a SOLIDAR member or partner. The 2020 Monitor also analyses to what extent these aspects are reflected in the Country Specific Recommendations of the European Semester process towards a socially sustainable recovery after the Covid-19 crisis.

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