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## Resolution CM/ResCMN(2021)11 on the implementation of the Framework Convention for the Protection of National Minorities by Serbia

*(Adopted by the Committee of Ministers on 15 April 2021  
at the 1401<sup>st</sup> meeting of the Ministers' Deputies)*

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The Committee of Ministers, under the terms of Articles 24 to 26 of the Framework Convention for the Protection of National Minorities (hereinafter referred to as “the Framework Convention”),

Having regard to Resolution CM/Res(2019)49 of 11 December 2019 on the revised monitoring arrangements under Articles 24 to 26 of the Framework Convention;

Having regard to the applicable voting rule;<sup>1</sup>

Having regard to the instrument of ratification deposited by Serbia on 11 May 2001;

Recalling that the Government of Serbia transmitted its State report in respect of the fourth monitoring cycle under the Framework Convention on 18 September 2018;

Having examined the Advisory Committee’s fourth opinion on Serbia adopted on 26 June 2019,

Adopts the following conclusions in respect of Serbia:

The authorities are invited to take account of the observations and recommendations contained in Sections I and II of the Advisory Committee’s fourth opinion. In particular, they should take the following measures to improve further the implementation of the Framework Convention:

Recommendations for immediate action: <sup>2</sup>

- Raise awareness of persons belonging to the Roma minority living in informal settlements as well as relevant community workers about the legislative standards and the remedies available to victims of discrimination; continue and intensify efforts to resolutely address structural discrimination faced by Roma with regard to their citizenship status, as well as housing, healthcare, education and employment, including by taking the necessary affirmative measures to address the root causes of discrimination they face; eliminate all forms of segregation of Roma children and include them in mainstream education; redouble efforts to combat school absenteeism and early dropouts among Roma children, including by expanding and developing the long-term use of pedagogical assistants; step up efforts to improve participation of Roma in the economic and social life, by designing policy measures based on disaggregated data, setting up clear indicators and monitoring them in close co-operation with representatives of the Roma, with a view to adapting and strengthening them on a periodical basis;

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<sup>1</sup> On 17 September 1997, the Committee of Ministers adopted decision CM/Del/Dec(97)601/4.5, which provides: “Decisions pursuant to Articles 24.1 and 25.2 of the Framework Convention shall be considered to be adopted if two-thirds of the representatives of the Contracting Parties casting a vote, including a majority of the representatives of the Contracting Parties entitled to sit on the Committee of Ministers, vote in favour”.

<sup>2</sup> The recommendations below are listed in the order of the corresponding articles of the Framework Convention.

- Set up and operate, as soon as possible and at the latest by the due date of the fifth State report, a sustainable and human rights-based data collection framework on issues pertaining to the access to rights of persons belonging to national minorities as well as promote complementary qualitative and quantitative research in order to assess the situation of persons belonging to national minorities; taking into account such data and research, set up, implement, monitor and periodically review minority policies with the effective participation of persons belonging to national minorities;
- Implement the recommendations of the Protector of Citizens of the Republic of Serbia listed in its Special Report on Councils for Inter-Ethnic Relations and commission an independent qualitative study, as soon as possible and at the latest by the due date of the fifth State report, in order to assess the functionality of the Councils for Inter-Ethnic Relations; strongly support the development of independent qualitative and quantitative research showing the level and nature of inter-ethnic relations, including relations between persons belonging to national minorities and persons belonging to the majority; taking into account such research, set up, implement, monitor and periodically review a comprehensive strategy aimed at revitalising inter-ethnic relations, in consultation with persons belonging to national minorities and local self-government units, taking into account the need to involve the majority in the integration and inclusion of national minorities in Serbian society;
- Promote a multicultural and intercultural perspective in education, including by developing exchange programmes between communities, at every level of education; ensure, as soon as possible and at the latest by the due date of the fifth State report, that through a process including effective participation of persons belonging to national minorities, history curricula and teaching materials promote respect for all groups in society and provide broad knowledge on minorities as forming an integral part of Serbian society thus encouraging multiple perspectives in historical and contemporary research; promote, in consultation with representatives of the national minorities concerned, possible models for bilingual or multilingual education;
- Set up and operate, as soon as possible and at the latest by the due date of the fifth State report, a sustainable and human rights-based data collection framework within the public administration and, on the basis of such data, set up, implement, monitor and review on a periodical basis concrete and effective measures aimed at producing long-term and measurable progress on the representation of national minorities in the public administration, in particular those living in remote areas and the most marginalised.

Further recommendations:

- Launch an information campaign well ahead of the next census, targeting specifically persons belonging to national minorities, raising their awareness about the advantages of their participation in the census and how this may be in their interests, about the possibility of multiple affiliation, and about their respective rights, with a view to successfully combining the protection and promotion of minority rights with the collection of reliable information about the ethnic composition of the population;
- Ensure effective participation of persons belonging to national minorities in the design of the census methodology and in the organisation and operation of such processes, including as enumerators; make all information on the census methodology and the aim of data collection available in the languages of national minorities;
- Ensure that the right of persons belonging to national minorities to establish religious institutions, organisations or associations is effectively guaranteed in law as well as in practice, including by ensuring that legal provisions governing religious communities do not allow for discrimination, including against those of a numerically smaller size, in particular with regard to access to legal personality or tax status;
- Closely monitor the impact of the privatisation process on minority media and commission a comprehensive and independent study on this subject; take the necessary measures to preserve sustainable editorial and financial independence of all minority media, including those linked to national councils of national minorities;

- In areas traditionally inhabited by persons belonging to national minorities or where they live in substantial numbers, collect data on the number of minority languages spoken by civil servants in State, provincial and local administrations and, in light of such data, take the necessary measures including adequate training targeting persons belonging to the national minorities to ensure that the number of minority languages spoken by civil servants in State, provincial and local administrations corresponds to the greatest possible extent to the proportion of the population speaking minority languages; inform all persons belonging to national minorities, in the areas concerned, that they are entitled to use their minority language in contacts with the State, provincial and local administration; commission a study in order to evaluate the level of implementation of the legal provisions on the official use of minority languages and ensure that in all municipalities where the legal requirements are met minority languages are effectively in official use;
- Enhance the availability and quality of State language teaching, including when taught as a second language, through a balanced approach that contains parallel measures safeguarding protection and promotion of minority languages, and continue to further develop teaching materials in minority languages;
- Monitor and periodically review the implementation of the Law on National Councils of National Minorities in consultation with the Councils themselves, and commission an independent qualitative study on the functioning of the Councils, including an evaluation of their inclusivity, independence and representativeness, as well as their capacity to initiate intercultural dialogue and strengthen inter-ethnic relations; design and implement new ways to represent and effectively involve persons belonging to national minorities in the decision-making process at local level, in all areas traditionally inhabited by national minorities or where they live in substantial numbers, including larger cities, further reinforce the resources allocated to the Budget Fund for national minorities in accordance with economic possibilities;
- Prioritise the economic revitalisation of areas where persons belonging to national minorities reside in peripheral and/or economically depressed areas, including improvement of the infrastructure and incentives for more employment opportunities.