

Universal Periodic Review – Serbia – July , 2012

COC Netherlands and Labris

Delivered by Joyce Hamilton

Dear Madam/Sir,

I am making this statement also on behalf of Labris in Serbia.

We welcome the commitment made by the Serbian Government to the realization of human rights including those of lesbian, gay, bisexual and transgender people. We commend the Government for accepting recommendations to respond effectively to discrimination and violence against LGBT persons and ensure their safety during public events; to establish a more effective mechanism of dialogue with human rights defenders in the area of sexual minorities, and to take concrete steps to protect its LGBTI citizens and their freedom of assembly and expression.

Despite improvements, the situation for LGBT people in Serbia remains difficult.

The law on amendments and addenda of the Criminal Code was adopted by legislators in December 2012, and it now treats the homophobic and/or transphobic motive of the crime as an aggravating feature. The government has started working on a National Strategy against discrimination and a discussion on the rights of trans people has started.

At the same time, however, the right to freedom of assembly of LGBT people was violated again in October 2012 as Belgrade Pride was banned by authorities. The risk of physical attacks and threats against members of the LGBT community also continued to be high. During 2012, 14 cases of brutal attacks have occurred and these are only the cases reported.

Therefore, we urge the Serbian government:

- To launch a public debate on legislative proposals of interest to the LGBT community and an immediate adoption of new laws that are not disputed in the public, such as the Law on Recognition of Legal Consequences of Sex Change.
- To investigate and sanction all individuals whose threats and preparing for violence caused the ban of Belgrade Pride 2011.
- To adopt the National Strategy against Violence and the Action Plan, which will contain sections relating to the suppression of specific forms of violence that members of the LGBT community are exposed to, or the attackers believe that they belong to the LGBT community.
- To establish a cooperation of government agencies and their openness to trainings on human rights of the LGBT community, including in police forces and the judiciary.

We call on the government to continue its commitment to non-discrimination and equality of LGBT persons by providing the legal protection against human rights violations, discrimination and violence that LGBTI people face and make human rights a reality for all people regardless of their sexual orientation or gender identity.

Thank you