

— Serbia and the European Social Charter —

Signatures and ratifications

Serbia ratified the Revised European Social Charter on 14 September 2009 accepting 88 of its 98 paragraphs.

Table of Accepted Provisions

1.1	1.2	1.3	1.4	2.1	2.2	2.3	2.4	2.5	2.6	2.7	3.1
3.2	3.3	3.4	4.1	4.2	4.3	4.4	4.5	5	6.1	6.2	6.3
6.4 ¹	7.1	7.2	7.3	7.4	7.5	7.6	7.7	7.8	7.9	7.10	8.1
8.2	8.3	8.4	8.5	9	10.1	10.2	10.3	10.4	10.5	11.1	11.2
11.3	12.1	12.2	12.3	12.4	13.1	13.2	13.3	13.4	14.1	14.2	15.1
15.2	15.3	16	17.1 ²	17.2	18.1	18.2	18.3	18.4	19.1	19.2	19.3
19.4	19.5	19.6	19.7	19.8	19.9	19.10	19.11	19.12	20	21	22
23	24	25	26.1	26.2	27.1	27.2	27.3	28	29	30	31.1
31.2	31.3										
								Grey = Accepted provisions			

¹ with the exception of professional military personnel of the Serbian Army

² al. 1 b and 1 c are accepted

Reports *

Between 2001 and 2013, Serbia submitted 3 reports on the application of the Revised Social Charter.

The 3rd report, submitted by Serbia on 25/11/2013, covers the accepted provisions relating to Thematic Group 3 "Labour rights" (Articles 2, 4, 5, 6, 21, 22, 26, 28 and 29).

The conclusions in respect of these provisions were published in January 2015.

The 4th report, which should have been submitted on 31 October 2014, should concern the accepted provisions relating to Thematic Group 4 "Children, family, migrants", namely:

- the right of children and young persons to protection (Article 7),
- the right of employed women to protection (Article 8),
- the right of the family to social, legal and economic protection (Article 16),
- the right of mothers and children to social and economic protection (Article 17),
- the right of migrant workers and their families to protection and assistance (Article 19),
- the right of workers with family responsibilities to equal opportunities and equal treatment (Article 27),
- the right to housing (Article 31).

In addition, the report should concern the information required by the European Committee of Social Rights in the framework of Conclusions 2013 (Articles 3, 11, 12, 13, 14, 23 and 30, relating to Thematic group "Health, social security and social protection"), in the event of non-conformity for lack of information.

Conclusions with respect to these provisions will be published in January 2016.

* [Following a decision taken by the Committee of Ministers in 2006](#), the provisions of the Charter have been divided into four thematic groups. States present a report on the provisions relating to one of the four thematic groups on an annual basis.

Situation of Serbia with respect to the application of the Charter

Cases of non-compliance

Thematic Group 1 "Employment, training and equal opportunities"

None

[\(Conclusions 2012\)](#)

Thematic Group 2 "Health, social security and social protection"

► *Article 12§1 – Right to social security – Existence of a social security system*

The duration of the unemployment benefit is too short.

[\(Conclusions 2013\)](#)

► *Article 13§1 – Right to social and medical assistance – Adequate assistance for every person in need*

The level of social assistance is manifestly inadequate.

[\(Conclusions 2013\)](#)

► *Article 23 – Right of elderly persons to social protection*

The level of social assistance for elderly persons with no pension is manifestly inadequate.

[\(Conclusions 2013\)](#)

Thematic Group 3 "Labour rights"

► *Article 4§4 Reasonable notice of termination of employment*

The notice period for dismissal for professional incompetence is not reasonable for employees with more than three years of service.

(Conclusions 2014)

► *Article 5 Right to organise*

The minimum threshold imposed by legislation in order to form an employer's organisation constitutes an obstacle to the freedom to organise.

(Conclusions 2014)

► *Article 6§4 Collective action*

Workers are not involved on the same footing as employers during the procedures that are conducted to determine the "minimum service" required in connection with the restrictions on the right to strike with regard to some "general interest" services.

(Conclusions 2014)

Thematic Group 4 "Children, families, migrants"

Not yet examined

The European Committee of Social Rights has been unable to assess compliance with the following provisions and has invited the Serbian Government to provide more information in the next report:

Thematic Group 1 "Employment, training and equal opportunities"

► Article 1§1-Conclusions 2012

- ▶ Article 1§2-Conclusions 2012
- ▶ Article 1§3-Conclusions 2012
- ▶ Article 1§4-Conclusions 2012
- ▶ Article 9-Conclusions 2012
- ▶ Article 10§1-Conclusions 2012
- ▶ Article 10§2-Conclusions 2012
- ▶ Article 10§3-Conclusions 2012
- ▶ Article 10§4-Conclusions 2012
- ▶ Article 15§-Conclusions 2012
- ▶ Article 15§2-Conclusions 2012
- ▶ Article 15§3-Conclusions 2012
- ▶ Article 18§1-Conclusions 2012
- ▶ Article 18§2-Conclusions 2012
- ▶ Article 18§3-Conclusions 2012
- ▶ Article 18§4-Conclusions 2012
- ▶ Article 20-Conclusions 2012
- ▶ Article 24-Conclusions 2012
- ▶ Article 25-Conclusions 2012

Thematic Group 2 “Health, social security and social protection”

- ▶ Article 3§1-Conclusions 2013
- ▶ Article 3§2-Conclusions 2013
- ▶ Article 3§3-Conclusions 2013
- ▶ Article 3§4-Conclusions 2013
- ▶ Article 11§1-Conclusions 2013
- ▶ Article 11§2-Conclusions 2013
- ▶ Article 11§3-Conclusions 2013
- ▶ Article 12§2-Conclusions 2013
- ▶ Article 12§3-Conclusions 2013
- ▶ Article 13§4-Conclusions 2013
- ▶ Article 14§1-Conclusions 2013
- ▶ Article 14§2-Conclusions 2013

Thematic Group 3 “Labour rights”

- ▶ Article 2§2 - Conclusions 2014
- ▶ Article 4§1 - Conclusions 2014
- ▶ Article 4§3 - Conclusions 2014
- ▶ Article 4§5 - Conclusions 2014
- ▶ Article 6§1 - Conclusions 2014
- ▶ Article 6§2 - Conclusions 2014
- ▶ Article 6§3 - Conclusions 2014
- ▶ Article 21 - Conclusions 2014
- ▶ Article 22 - Conclusions 2014
- ▶ Article 26§1 - Conclusions 2014
- ▶ Article 28 - Conclusions 2014

Thematic Group 4 “Children, families, migrants”

-