

Pursuant to Article 8, paragraph 1 of the Law on National Assembly (“Official Gazette”, No. 9/10) and Article 238, paragraph 5 of the Rules of Procedure of the National Assembly (“Official Gazette of RS”, No. 20/12 - consolidated text),

On the Fourth Sitting of the Second Regular Session in 2014 held on 23 October 2014, The National Assembly hereby passes this

**C O N C L U S I O N**  
**BASED ON A REVIEW OF THE REPORT ON ACTIVITIES OF**  
**THE NATIONAL PREVENTIVE MECHANISM**  
**FOR 2013**

1. The National Assembly finds that in his report on the activities of the National Preventive Mechanism for 2013, the Protector of Citizens comprehensively presented the activities of the Protector of Citizens in the capacity of the National Preventive Mechanism in the field of child rights.

2. With regard to the assessment of the Protector of Citizens that many children are still placed in residential social welfare institution because conditions have not been provided for their community care; that those children are excluded from the normal social environment for unacceptably long periods, and thus they do not acquire or over time lose social and other skills necessary for living outside the institutions; that financial and other living conditions in such institutions are not compliant with the applicable standards and that understaffing is a pressing issue; that the number of children placed in those institutions significantly exceeds the statutory maximum and that in many cases, contrary to regulations, children are placed together with adult users; and that the existing shortcomings of the institutional child care system display elements of inhuman or degrading treatment, the National Assembly orders the competent public authorities to intensify activities on deinstitutionalization, i.e. reduction of capacities of the existing residential social welfare institutions and their phasing out, while ensuring full community child care and providing comprehensive support.

3. With regard to the assessment of the Protector of Citizens that in residential social welfare institutions a number of children with mental disorders and/or intellectual disabilities are isolated, and having in mind the position of the UN Committee against Torture that isolation of persons with severe or acute mental disorder is not allowed, as well as the position of the UN Special Rapporteur on Torture that isolation of such persons, regardless of its duration, constitutes cruel, inhuman or degrading treatment, the National Assembly orders the competent public authorities to take all available measures to prevent residential social welfare institutions from isolating children with mental disorders and/or intellectual disabilities.

4. The National Assembly endorses the recommendations the Protector of Citizens gave to the competent authorities in the capacity of the National Preventive Mechanism with the aim of improving the position of convicted persons placed in the Juvenile Correctional Institution Valjevo, as well as users placed in the Centre for Children and Youth with Disabilities "Veternik".

5. This Conclusion shall be published in the "Official Gazette of the Republic of Serbia".

RS No. 74

Done in Belgrade, on 23 October 2014

**NATIONAL ASSEMBLY OF THE REPUBLIC OF SERBIA**

PRESIDENT

Maja Gojković