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Article 3 paragraph 1 items (1) and (5)

The education and pedagogy system must provide all children, students and adults with:

1) Equality and accessibility of education and pedagogy without discrimination and segregation based on gender, social, cultural, ethnic, religious or other background, place of residence or domicile, financial or health status, developmental difficulties and impairments and disabilities, as well as other grounds;

5) Equal opportunities for education and pedagogy at all levels and types of education, in keeping with the needs and interests of children, students and adults, without any obstacles to change, continuation and completion of education and lifelong education;

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Article 6

Every person shall have the right to education.

The citizens of the Republic of Serbia shall be equal in exercising their right to education and pedagogy, regardless of their gender, race, national, religious and language background, social and cultural background, financial status, age, physical and psychological constitution, developmental impairments or disabilities, political opinion or another personal trait.

Persons with developmental impairments and disabilities shall be entitled to education and pedagogy which takes into consideration their educational needs within the regular education and pedagogy system, within the regular system with individual or group additional assistance or in a special preschool group or school, in accordance with this and the pertaining law.

Persons with exceptional abilities shall be entitled to education which takes into consideration their special educational needs, within the regular system, within special classes or within a special school, in accordance with this and the pertaining law.

Foreign citizens and persons without citizenship shall be entitled to education under same conditions and in the same manner as envisaged for the citizens of the Republic of Serbia.

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Article 44

Prohibition of Discrimination

Activities aimed at threatening, belittling, discriminating or singling out groups or individuals on the basis of their racial, national, ethnic, linguistic, religious background or gender, physical and psychological characteristics, developmental impairments and disabilities, health condition, age, social and cultural origin, financial status or political views as well as encouraging or not preventing such activities, and other types of activities stipulated by the law prescribing the prohibition of discrimination, shall be prohibited in an institution.

Discrimination of a group or an individual shall imply each and every direct or indirect, covert or overt exclusion or limitation of rights and freedoms, unequal treatment or failure to act or unjustified differentiation through lax discipline or giving precedence.

Special measures introduced for the purpose of achieving full equality, protection and progress of disadvantaged persons or groups shall not be considered as discrimination.

More detailed criteria enabling an employee, student or another person in an institution to detect different forms of discrimination shall jointly be prescribed by the minister and the minister in charge of human rights.

Article 45 **Prohibition of Violence, Abuse and Neglect**

Physical, psychological and social violence, abuse and neglect of children and students, corporal punishment and insults, sexual abuse of children, students and employees shall be prohibited in an institution.

Violence and abuse shall imply all forms of once or repeatedly inflicted verbal or nonverbal conduct which results in real or potential hazard to health, development and dignity of a child, student or an employee.

Neglect or careless treatment shall imply the omission on behalf of the institution or an employee to provide conditions for a child's or student's proper development.

The institution shall be obliged to immediately file a complaint with a competent authority if signs of violence, abuse or neglect are perceived.

The physical violence for the purpose of paragraph 1 of this Article shall imply: corporal punishment of children and students by employees and other adults, conduct which can lead to real or potential bodily harm being inflicted on a child, student or an employee, violent behavior of an employee towards children, students or other employees as well as violent behavior of a student towards other students or employees.

The psychological violence, for the purpose of paragraph 1 of this Article, shall imply conduct resulting in temporary or permanent impairment of psychological and emotional health and dignity of a child, student or employee.

The social violence, for the purpose of paragraph 1 of this Article, shall imply the exclusion of a child or student from a peer group and different forms of social activities in the institution.

Each and every form of violence and abuse, as stated in paragraph 2 of this

Article, on behalf of a student or parent or guardian or an adult against a teacher, preschool teacher, psychologist/pedagogue and other employee shall be prohibited in an institution.

Criminal procedure shall be launched against a parent or child's guardian or a student for the violation of the prohibition as stated in paragraph 8 of this Article.

The minister shall prescribe the violence and abuse response protocol, content and manner of implementation of preemptive and intervention activities, the conditions, manner and mode of risk analysis, protection against violence, abuse and neglect.

More detailed criteria enabling the detection of non-verbal forms of child and student abuse by an employee during caretaking activities, recess and recreation and other forms of educational and pedagogical work and activities shall be prescribed by the minister.