

**Standard Summary Project Fiche – IPA centralised programmes**  
**Project Number 02: Implementation of Anti-Discrimination Policies**

**1. BASIC INFORMATION**

- 1.1 CRIS Number** 2011/022-585
- 1.2 Title:** Implementation of Anti-Discrimination Policies
- 1.3 ELARG statcode** 01.23 Political criteria. Judiciary and fundamental rights
- 1.4 Location** Republic of Serbia

**Implementing arrangements:**

- 1.5 Contracting Authority:** EU Delegation to the Republic of Serbia
- 1.6 Implementing Agency:** EU Delegation to the Republic of Serbia

**1.7 Beneficiary (including details of project manager)**

Ministry: Ministry of Human and Minority Rights

Department: Sector for International Relations and Integration

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Steering committee: A Project Steering Committee will be established to monitor project progress and ensure overall coordination in the project implementation. It will review project progress, at least, every three months and give opinions and guidance.

The Steering Committee members shall include the Contractor, the Contracting authority, and beneficiary, Ministry of Human and Minority Rights. The Steering Committee may decide to invite other partners (the Ministry of Justice, the Ministry of Interior, etc) to participate. Representatives from international donor agencies may be invited to attend as observers. The Steering Committee will be chaired by the Ministry of Human and Minority Rights.

## **Financing:**

- 1.8 Overall cost (VAT Excluded):** EUR 2.2 million
- 1.9 EU contribution:** EUR 2.2 million
- 1.10 Final date for contracting:** 2 years after the signature of the Financing Agreement (FA).
- 1.11 Final date for execution of contracts:** 4 years after the signature of the FA.
- 1.12 Final date for disbursements:** 5 years after the signature of the FA.

## **2. OVERALL OBJECTIVE AND PROJECT PURPOSE**

### **2.1 Overall Objective:**

To contribute to the respect of human rights and minority protection in the Republic of Serbia

### **2.2 Project purpose:**

Effective and efficient implementation of anti-discrimination policies in line with EU standards and best practice.

### **2.3 Link with AP/NPAA / EP/ SAA**

The **European Partnership** (3.2. Medium term priorities - Implement the anti-discrimination legislation) – This Project is linked to stated criteria by the development of procedures, tools and guidelines for the implementation of anti-discrimination policies and through piloting preventive measures in communities with high number of recorded cases of intolerance.

The **Stabilization and Association Agreement** stipulates in Article 5 that ‘human rights and the respect and protection of minorities are central to the Stabilization and Association Process’.

The **EC Progress Report 2010** points out that the legislative framework prohibiting any kind of *discrimination* and establishing a mechanism for protection against discrimination is in place. The equality protection commissioner mandated to ensure full implementation of the law on the prohibition of discrimination was elected by parliament in May 2010 but is not fully operational yet. In practice, discrimination continues, particularly against the Roma, the LGBT community, women, national minorities, and persons with disabilities. These groups, but also human rights defenders and journalists, are exposed to hate speech and threats that are rarely followed up by the authorities.

**National Program for Integration** of the Republic of Serbia to the European Union (NPI) from December 2009 has indicated that the Republic of Serbia should ‘be engaged in the creation of mechanism for the monitoring of the Anti-Discrimination Law since Article 47 of the Law regulates that the Ministry in charge of human and minority rights shall monitor the

implementation of this Law'. This Law has introduced the institution of the Commissioner for the Protection of Equality and this Project will support the enhancement of its capacities as an instrument for the protection of victims of discrimination.

#### **2.4 Link with 2011-2013 MIPD<sup>1</sup>**

The implementation of anti-discrimination policies falls under the Justice and Home Affairs sector, which is of crucial importance for Serbia's EU integration and a sector in which serious gaps still remain. Further, the project applies to one of the sector specific objectives of strengthening of the rule of law by reinforcement of the relevant legislative framework and improving alignment with European standards.

#### **2.5 Link with National Development Plan (where applicable) N/A**

#### **2.6 Link with national / sectoral plans**

The **Strategy for the Accession** of SCG to the European Union indicated that it has been 'necessary to adopt a general law on anti-discrimination with efficient legal remedies for the victims of discrimination'. By stating that 'the Ministry in charge of human and minority rights shall monitor the implementation of this Law', the capacities of the Ministry of Human and Minority Rights in terms of the prevention of discrimination has been defined.

The **Poverty Reduction Strategy** emphasizes 'elimination of all acts of discrimination affecting Roma'. Activities on capacity building, strengthening and promoting institutions for the protection of national minorities at local communities, namely, the Committees for Inter-Ethnic Relations, are components of this Project.

The **Strategy for the Improvement of the Status of Roma** in the Republic of Serbia (adopted in April 2009) envisaged 'the establishment of mechanism for the promotion of tolerance and respect of diversity' and that the Republic of Serbia must act upon 'following of the implementation of the Law on the Prohibition of Discrimination and the set up of institution for the implementation and the protection of victims in accordance with the Recommendations of the European Commission for Combating Racism and Intolerance'. Activities on increasing of institutional support to the victims of discrimination on national and local level, which will be provided through this Project, would also address Roma individuals, who have been discriminated.

In the **Needs Assessment of the Republic of Serbia for the International Assistance 2009-2011**, the priorities of the MoHMR are stated in terms of strengthening of the capacities of the MoHMR, build up of the efficient system of protection of human rights before the European Court of Human Rights, the development of the Strategy for the Implementation of Human Rights, as well as improvement of cooperation with the civil society.

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<sup>1</sup> Multi-Annual Indicative Planning Document

### **3. DESCRIPTION OF PROJECT**

#### **3.1 Background and justification:**

International law condemns discrimination based on race, gender, religion, nation, ethnicity, social and political orientations. International and European human rights standards demand wide and cogent respect of persons and their rights through the process of national implementation, which has been followed by the Republic of Serbia so far. As a result, the Republic of Serbia is bound by all universal and European human rights treaties ratified by the former SFRY, the FRY and Serbia and Montenegro. As a potential candidate for EU membership Serbia is working intensively on the further harmonization of its legislation with the *acquis*. However, practical implementation and creation of national institutions dedicated to the prevention of discrimination and promotion of equality and tolerance have been lagging behind, threatening to become an unexpected burden for the protection of human and minority rights in the Republic of Serbia in the near future. The latest official reports, together with NGO reports, have indicated that prosecutions, legal procedures and courts decision, concerning discrimination cases are not treated promptly and effectively. One of the reasons is related to the on-going general reorganization and reformation of the judiciary system in the Republic of Serbia. However, it is expected that the situation of anti-discrimination would not be improved by the reformation of the courts exclusively. Thus, additional efforts of all institutions should be invested to meet the ultimate goal of achieving the highest possible standards in the respect of human and minority rights in the Republic of Serbia through implementation of the anti-discrimination policies.

The Republic of Serbia adopted the Law on the Prohibition of Discrimination in 2009, which paved the way for more profound, multi-functional and nation wide actions for prevention of discrimination and promotion of tolerance. The Law stipulates that the ‘Ministry in charge of human and minority rights shall monitor the implementation of this Law’. According to the Law on the Ministries of the Republic of Serbia (2008), the Ministry of Human and Minority Rights (hereinafter: MoHMR) was established and mandated to monitor and co-ordinate other governmental Ministries within the scope of human and minority rights. Furthermore, the MoHMR is responsible for drafting legislation on human and minority rights; monitoring of the harmonization of national legislation with international agreements and other international documents on human and minority rights; representation of the Republic of Serbia before the European Court of Human Rights; and implementation of the anti-discrimination policy. The MoHMR, in cooperation with other relevant ministries in accordance with the UN and Council of Europe procedures, is in charge of preparing national reports on the status of human and minority rights,

Consequently, one of the most significant current objectives of the MoHMR is the adoption of the Serbian National Action Plan on Human Rights that should cover major human rights issues in accordance with Vienna Declaration and Programme of Action accepted at the Vienna World Conference of Human Rights in 1993. The Declaration is a crucial international legal document, binding all countries and the international community to establish an institutional framework for the protection of human rights. It led to the adoption of the Law on Prohibition of Discrimination in 2009 in the Republic of Serbia and prompted activities of the MoHMR to develop Serbian Action Plan.

In order to achieve this, the Ministry will benefit from the project ‘Implementation of Priorities in the Areas of Human Rights and the Protection of National Minority Groups’, financed by the EU within the framework of IPA 2007 currently being implemented. This project will provide the basis for drafting the Serbian Action Plan and will strengthen administrative capacities at

central level in respect of human and minority rights. The main goal is to improve the MoHMR capabilities, as well as to create efficient links with other institutions, indicators for monitoring the H&MR, manuals and training for civil servants and a Handbook with guidelines for implementation of minority rights.

Thus, the IPA 2007 Project establishes the basis for the MoHMR and line ministries to coordinate and monitor the overall implementation of human and minority rights standards. It will enhance the capacity of the National Minority Councils and local governments to implement minority rights standards. The proposed IPA 2011 project will establish the institutional capacity for implementation of anti-discrimination policies within the MoHMR, which has to be achieved through development of additional procedures, tools and guidelines for implementation of preventive anti-discrimination measures, as well as trainings of relevant public institutions/administration representatives (Ministry of Justice, Interior, Education, Labour and Social Welfare Policy, Health). Based on the MoHMR data base and information collected through the IPA 2007 project, criteria will be defined for the selection of local communities, targeting those with the highest/increased numbers of recorded discrimination cases. The aim is to develop and pilot preventive measures addressed to local community, institutions, schools, media etc. The most challenging activity will be the establishment of a cooperation mechanism with civil society organizations to support monitoring of the anti-discrimination policy implementation through utilization of data base. In addition, some basic technical equipment should be provided to ensure the efficient functioning of Commissioner for Protection of Equality and local Committees for Inter-Ethnic Relations. Thus, through the IPA 2007 Project technical specification for procurement of the equipment will be developed.

The MoHMR signed a Memorandum of Cooperation with more than 160 Civil Society Organizations in 2009. In general, the Memorandum recognizes mutual interest for collaboration on the improvement of human and minority rights situation in the Republic of Serbia. Moreover, it aims to create a more coherent human and minority rights alliance of member organizations, both at local and national level. The Memorandum commits parties to take more responsibilities in terms of anti-discrimination. They become acknowledged as relevant partners and thus, reliable stakeholders in this project.

By adopting the Law on the Prohibition of Discrimination, the Republic of Serbia has introduced a national Commissioner for the Protection of Equality as an institution, responsible for providing assistance to the victims of discrimination, for 'receiving and reviewing complaints pertaining to violations of provisions of this law, providing opinions and recommendations in specific cases, filing charges on behalf of the person discriminated against, submitting misdemeanour notices on account of discrimination, warning the public of the most frequent, typical and severe cases of discrimination. The Commissioner for the Protection of Equality has been appointed in May 2010. For the establishment of the Commissioner's Office, funds have been allocated from the National Budget for 2010. According to initial plans, the Commissioner will have 11 staff members, and since the Parliament approved the internal job systematisation act in November 2010 it can be expected that the Commissionaire will be fully operational soon.

Furthermore, since the Republic of Serbia is a multi-ethnic country (15% of the whole population belongs to ethnic minorities), the Law on Local Self-Government (2007) regulates the establishment of Committees for Inter-Ethnic Relations as a local mechanism for the protection of national minorities. According to the Law the Committees for Inter-Ethnic Relations are to be established in multiethnic municipalities, and they are composed of representatives of all national and ethnic communities with competencies to review issues related to the achievement, protection and promotion of ethnic equality. Multiethnic municipalities are municipalities in which one ethnic minority community accounts for over 5

per cent of the total population, or in which all the minority communities account for over 10 per cent of the total population according to the latest census in the Republic of Serbia. The minority communities accounting for over 1 per cent of the total population of the Municipality are entitled to representatives in the Committee for Inter-Ethnic Relations. While the National Councils of National Minorities are legal entities, established in accordance with the Law on the Protection of Rights and Freedoms of National Minorities and representing individual national minorities, the Committees for Inter-Ethnic Relations are representing all minorities in one municipality and are established in line with the Law on Local Self-Government.

However, situation from the field does not show positive trends about the Committees and indicates hesitations of the local self-governments to facilitate their functioning. According to the Law on Local Self-Government, the nomination and election of the Committees members are regulated by the decision of the local government, taking into account present national minorities. National Councils of National Minorities are entitled to nominate members of the Committees. With regards to cases of discrimination, the Committee for Inter-Ethnic Relations is an important mechanism for the protection of human and minority rights of the national minorities on the local/municipality level. As per census data from 2002 a total of 72 municipalities were eligible and obliged to establish Committees for Inter-Ethnic Relations. So far, in total, less than 40 Committees have been established, with various degree of success, but many of them are inactive or inoperable. Overall, less than 30 Committees are operational, but do not have a clear line of communication and cooperation with the national level structures and institutions. Additionally, census to be held in Serbia in 2011 will provide ground for new insight into the ethnic composition of municipalities, which will be included in the project.

A round table held at Vojvodina Secretariat for Local Self-Government and Inter-Municipalities Cooperation in October 2009 indicated that out of 45 municipalities in the Vojvodina Province only 27 have established Committees in the past 5 years.

Through this project, further establishment of Committees will be facilitated.

Both the Office of the Commissioner for the Protection of Equality and the Committees for Inter-Ethnic Relations are at an initial stage of operation. They will need further support in order to become more efficient and fully functional institutions. Incorporating best practices from relevant EU institutions as well as tailor-made trainings aimed at capacity building of the Commissioner and local Inter-Ethnic Committees staff will be relevant for the implementation of anti-discrimination policy both on local and national level. It is expected that development of an internet presentation for the Commissioner and local Committees in order to establish their clear visibility will contribute additionally to the promotion and accessibility of institutions dedicated to the prevention of discrimination in the Republic of Serbia This project will build upon the results of the IPA 07 project and provide further support to the network of institutions responsible for protection of human and minority rights. The IPA 07 project supported national level institutions, the Ministry of Human and Minority Rights and National Councils of National Minorities and establishment of national system for monitoring and evaluation of human and minority rights status, while this project will focus specifically on the implementation of anti-discrimination policy and support the Commissioner for Protection of Equality and Committees for Inter-Ethnic Relations.

Furthermore, the general public is not fully aware of the newly established anti-discrimination institutions.

It is pivotal to bring these institutions closer to the people/general public and to promote their role and competencies in protecting victims of discrimination. The necessity to address this issue is even stronger considering that prevention is an essential step in combating

discrimination. An objective is to draw attention on discriminatory behaviour and practice. In that sense, the MoHMR has to promote anti-discrimination policy relying on all available capacities, such as the Committees for Inter-Ethnic Relations, media, CSOs and other stakeholders. In that respect measures for prevention of discrimination need to be applied in certain municipalities. A database, which is currently under preparation, but will be operational by the time of the implementation of this project, will be used as a tool for the selection of municipalities. This database, containing relevant information on cases of human and minority rights violations, missing persons, cases with elements of discrimination, returnees etc. will enable the Ministry to make evidence based decisions.

### **3.2 Assessment of project impact, catalytic effect, sustainability and cross border impact (where applicable)**

#### **Impact:**

The project will streamline the anti discrimination policy, thus contributing to the human rights standards and minority protection in Serbia and the further alignment with EU standards in the area. By developing institutional support to the victims of discrimination, both on national and local level the project will also complement the efforts to reform public administration, decentralisation and improve governance at the local level. The project will raise awareness of the importance of anti discrimination policy and contribute to the further democratisation of Serbian society.

By facilitating the establishments of Committees of Inter-Ethnic Relations, the project will contribute towards long-term protection of national minorities and development of stable ethnical relations at municipal and national level. It will also address victims of discrimination, who will be able to rely upon more effective services of the Commissioner for the Protection of Equality. Training of the administrative staff, in particular at local level, will incorporate anti-discrimination issues in the activities of civil servants, and consequently enhance the efficiency of the services provided to vulnerable population.

Hence, exchange of best practices, drafting and adoption of codes of conducts for institutions aimed at protection from discrimination or the organization of meetings for promotion of human and minority rights should be welcome in further strengthening of national and local administrative capacities in the Republic of Serbia. That should take into account not only the Strategy for the Reduction of Poverty, the Strategy for the Improvement of the Status of Roma in the Republic of Serbia (adopted in April 2009), National Strategy for the Improvement of Women Status and Improvement of Gender Equality and the Strategy for the Improvement of the Status of Disabled Persons, but also the Strategy for the Reform of Administration as well as Strategy for the Regional Development since the supported institutes through this project would be mostly situated out of capital and major political centres.

#### **Sustainability:**

The MoHMR will continue its progress regarding implementation of the Law on the Prohibition of Discrimination. This project presents additional support to the activities which will be realised and financed from the national budget. Commitment of the Government to EU integration together with development of institution framework as well as cooperation with line ministries and local self governments on implementation of anti discrimination policy will assure sustainability in the future.

### **3.3 Results and measurable indicators Need to improve this section to make results more specific to the objectives**

**Result 1:** Enhanced capacity of the MoHMR to implement and monitor anti-discrimination policy, promote tolerance, equality and diversity and prevent discrimination.

Indicators 1:

- 1.1. Procedures, tools and guideline for implementation of the National Action Plan measures developed.
- 1.2. Number of trainings delivered /Number of trainees.
- 1.3. Anti-discrimination preventive and promotion measures developed and piloted in local communities.
- 1.4. Cooperation mechanism with civil society organizations to monitor implementation of the Law on the Prohibition of Discrimination.

**Result 2:** Enhanced implementation of anti-discrimination policy through strengthening of institutional support to the victims of discrimination on national and local level.

Indicators 2:

- 2.1 Identified shortcomings and gaps in Commissioner for protection of equality and Local Committees for Inter-Ethnic Relation existing organisation and propose measures to improve their organisation structure .
- 2.2 standardised procedures, manuals and tools for efficient work of Commissionaire and local Committees developed.
- 2.3 Equipment for local Committees and the Commissioner installed and operational.
- 2.4 Training needs for efficient performance identified and tailored training programme developed.
- 2.5 Number of trainings delivered / Number of trainees.
- 2.6 Number of study visits organised / Number of study visits participants.
- 2.7 User friendly and interactive web presentation of Commissionaire and local Committees.

**Result 3:** Raised awareness of general public and specific target group on the key aspect of anti-discrimination policy.

Indicators 3:

- 3.1 MoHMR communication strategy for the promotion of human and minority rights.
- 3.2 Number of media or other public awareness raising campaigns.
- 3.3 Number of round tables organised with local self-government and civil society organizations representatives / Number of participants.
- 3.4 Number of realised training for media representatives / Number of participants.

### **3.4 Activities:**

**Activity 1:**

- 1.1 Develop procedures, tools and guidelines for implementation of measures to promote tolerance, equality and diversity and prevent discrimination (National Action Plan for Human and Minority Rights).

- 1.2 Organise training for representatives of relevant public institutions/ administration on implementation of NAP and promotion of tolerance, equality and diversity and prevention of discrimination.
- 1.3 Pilot preventive measures in targeted communities with high number of recorded cases of discrimination.
- 1.4 Develop, in consultative process, cooperation mechanism with civil society organizations to monitor implementation of the Law on the Prohibition of Discrimination.

#### **Activity 2:**

- 2.1 Analysis, based upon the best practice of the similar EU institutions, Commissionaire's for the Protection of Equality and local Committees for Inter-Ethnic Relations institutional, capacity and organisational settings.
- 2.2 Develop standardised procedures, manuals and tools for efficient work of Commissionaire and local Committees
- 2.3 Procure technical equipment necessary for the efficient functioning of the Commissionaire for Protection of Equality and local Committees for Inter-Ethnic Relations
- 2.4 Analyze training needs for efficient work of Commissionaire's and local Committees staff and develop training programme
- 2.5 Deliver training for Commissionaire's and local Committees staff
- 2.6 Organise study visit to a sister organisation in EU countries for Commissionaire's and local Committees staff
- 2.7 Develop an internet presentation for Commissionaire and local Committees

#### **Activity 3:**

- 3.1 Develop the MoHMR Communication strategy for promotion of anti-discrimination policies
- 3.2 Organise public awareness campaign to promote tolerance, equality and diversity and prevent discrimination
- 3.3 Organise round tables with local self-government and civil society organizations representatives on preventing discrimination and implementation of anti-discrimination policies in identified communities
- 3.4 Organise training for media representatives on ethical reporting

### **3.5 Conditionality and sequencing:**

#### **Conditionality:**

The success of this project depends on the adoption of the National Action Plan for H&MR before the project starts. The MoHMR is currently developing NAP, with the support of IPA 07 project. Also, it is necessary that the Commissionaire for protection of equality is staffed and operational. The Commissionaire was appointed in May 2010, and national Budget for 2010 allocated funds for initial 11 staff members. In November 2010 the Parliament approved internal job systematisation act of the Commissionaire so it can be expected that it will soon be fully operational.

The government is committed to improve the anti discrimination policy in Serbia. In order for this to be realised, the MoHMR must work closely with other key institutions such as Commissioner for the Protection of Equality and Committees for Inter-Ethnic Relations. The partnership structures required for this collaboration must be established during the project and the participating institutions must be committed to the achievement of project objectives.

### **Sequencing:**

In terms of contract sequencing, the service and supply contract will run in parallel. Tender for the both contract will be launched in the first quarter after signature of the financial agreement. Under the service contract the first priority task will be to develop procedures, tools and guidelines for implementation of measures for the promotion of tolerance, equality and diversity and prevention of discrimination. The supplied equipment is necessary for development of a web presentation and promotion of the Commissionaire and Committees.

### **3.6 Linked activities**

The MoHMR has been beneficiary of the project 'Implementation of Priorities in the Areas of Human Rights and the Protection of National Minority Groups' financed by the EU within the IPA 2007. The project aims to strengthen administrative capacity in respect of human and minority rights on central level and to improve the MoHMR capacity, including more efficient cooperation with other institutions. Beside the overall improvement of coordination and monitoring of human rights protection in the Republic of Serbia, this project will contribute to the development of a data base of the MoHMR. This data base will be used for collecting, reviewing and reporting individual and other cases of violation of human and minority rights. Models for efficient cooperation between line Ministries and other institutions within the scope of human and minority rights will be developed as well as for monitoring of human rights together with indicators, manuals and trainings for civil servants. A handbook containing guidelines for implementation of minority rights, a manual for National Councils of National Minorities will be produced and a national media campaign for the promotion of elections for the National Councils of National Minorities will be conducted.

In contrast to the IPA 07 project general approach; this Project will focus more specifically on enhancing the monitoring of the implementation of the Law on Anti-Discrimination. Through strengthening the capacities of Serbian Commissioner for the Protection of Equality and local Councils for Interethnic Relations, the Project will support the provision of an adequate assistance to victims of discrimination in Republic of Serbia and the increase of public awareness in terms of tolerance, equality and diversity. This will be implemented in cooperation with civil society organizations. On the other side, the activities supported by the IPA 2007, targeted mainly public authorities. Besides national institutions, the Project is also oriented towards local institutions, focusing on the promotion of minority rights standards and prevention of discrimination.

Roma Assistance Programme CARDS 2006 aimed to empower Roma minority and to break the cycle of poverty and exclusion. The Project has been implemented by the OSCE in cooperation with Roma National Strategy Secretariat and addressed enhancement of national and municipal level capacities and policy frameworks, through Support to the State Structures and Policies: National Action Plan for Roma Inclusion and Local Action Plans and Roma Municipal Coordinators and Implementation of National Action Plans: Roma teacher Assistant, Roma health Mediators and Legislation on informal Roma settlements.

The Support to the Implementation of Anti-Discrimination Legislation and Mediation in Serbia, funded by the European Commission was implemented by UNDP. The project's objective has been to support the Government of the Republic of Serbia in building a society ruled by laws and institutions ensuring equal treatment for all, as well as to fulfil the criteria for closer integration into the European Union, through the development of legislation aimed at combating and preventing discrimination and protecting vulnerable groups. After the adoption of the Law on the Prohibition of Discrimination in March 2009, the first phase of the project was followed by a comprehensive program that aimed to increase the impact of the legislative

work undertaken until now and to guarantee the effectiveness of its provisions. It aimed to address the more complex aspects of discrimination, including the existence of prejudices and stereotypes about vulnerable groups. The project ended in June 2009.

The Swedish International Agency for Development and Cooperation (SIDA) has supported through UNDP-Bratislava Regional Centre the project 'Improving Institutional Capacity and Monitoring Capabilities at Central and Local Level for Decreasing Vulnerability of Roma in Western Balkans'. The aim is to decrease vulnerability and human security risks of Roma through improving their access to social services in order to develop opportunities at local level. The project has two major priority areas: (a) supporting institutional capacity and policy support at national level and (b) improving infrastructure for social assistance through expansion and redefinition of the existing support frameworks. The project will last until 2013.

The proposed project takes into account achievements and objectives of the above mentioned projects in order to avoid duplication and provide for continuity.

### **3.7 Lessons learned**

The reviewing of the project 'Support to the Implementation of Anti-Discrimination Legislation and Mediation in Serbia' by the UNDP has shown key components for more effective prevention of discrimination and the way to combat discrimination of minorities and vulnerable groups in Serbia, namely, 'the project has pointed out so far necessities for institutional support to the bodies involved in the implementation of current and future anti-discrimination legislation; enhancing and mainstreaming further developments in the field of anti-discrimination; strengthening the role of alternative dispute resolution mechanisms in the overall implementation of anti-discrimination provisions; awareness raising within key groups and the society at large on the importance of equal treatment and the relevance of new anti-discrimination rules.'

With regards to the projects for the Roma minority, it has been clearly indicated that through 'decreasing of Roma poverty and exclusion, strategic objectives are seen as intrinsically linked to the Governments' commitments to meet the Millennium Development Goals and to make efforts to move closer to EU membership criteria and standards as well as to their commitments within the Decade of Roma Inclusion.'

#### 4. INDICATIVE BUDGET (amounts in MEUR)

| Title: Implementation of anti-discrimination policies |        |         | TOTAL EXP.RE                 | SOURCES OF FUNDING  |      |                                    |       |                    |                             |                 |                      |       |
|-------------------------------------------------------|--------|---------|------------------------------|---------------------|------|------------------------------------|-------|--------------------|-----------------------------|-----------------|----------------------|-------|
|                                                       |        |         |                              | IPA EU CONTRIBUTION |      | NATIONAL CONTRIBUTION              |       |                    |                             |                 | PRIVATE CONTRIBUTION |       |
| ACTIVITIES                                            | IB (1) | INV (1) | EUR<br>(a) = (b) + (c) + (d) | EUR<br>(b)          | %(2) | Total EUR<br>(c) = (x) + (y) + (z) | % (2) | Central EUR<br>(x) | Regional / Local EUR<br>(y) | IFIs EUR<br>(z) | EUR<br>(d)           | % (2) |
| Service Contract                                      | x      |         | 1.9                          | 1.9                 | 100% |                                    |       |                    |                             |                 |                      |       |
| Supply Contract                                       |        | x       | 0.3                          | 0.3                 | 100% |                                    |       |                    |                             |                 |                      |       |
| TOTAL IB                                              |        |         | 1.9                          | 1.9                 | 100% |                                    |       |                    |                             |                 |                      |       |
| TOTAL INV                                             |        |         | 0.3                          | 0.3                 | 100% |                                    |       |                    |                             |                 |                      |       |
| <b>TOTAL PROJECT</b>                                  |        |         | <b>2.2</b>                   | <b>2.2</b>          | 100% |                                    |       |                    |                             |                 |                      |       |

#### Amount net of VAT

- (1) In the Activity row use “X” to identify whether IB or INV
- (2) Expressed in % of sum of each line of the **Total** Expenditure (column (a))

## 5. INDICATIVE IMPLEMENTATION SCHEDULE

| <b>Contracts</b>   | <b>Start of Tendering</b> | <b>Signature of contract</b> | <b>Project Completion</b> |
|--------------------|---------------------------|------------------------------|---------------------------|
| Service contract 1 | T+1Q                      | T+3Q                         | T+11Q                     |
| Supply contract 2  | T+1Q                      | T+3Q                         | T+6Q                      |

## 6. CROSS CUTTING ISSUES

### 6.1 Equal Opportunity

The whole Project is about equality, tolerance, and promotion of diversity. It is victims-oriented and puts institutional support as a way to achieve nation-wide mechanism for combating discrimination and providing assistance to its victims. 660,000 Serbian citizens covered by social and family-legal protection schemes are potential victims of discrimination. The right to accommodation in institutions was exercised by 14 thousand persons, including children accommodated in 16 homes for children without parental care, elderly accommodated in 38 gerontology centres and homes for the elderly and beneficiaries accommodated in 16 institutions for residential care. Children are extremely vulnerable to discrimination, as well as women. Thus, the proposed Project is mainly dedicated to them. The Republic of Serbia still accommodates over 200 internally displaced persons and nearly 2 thousand closest family members are looking for their relatives, who have disappeared after the armed conflicts before 1999. In fact, the proposed Project addresses them and targets all vulnerable categories in order to prevent discrimination through the strengthening of national institutions. The project should raise their awareness on existing mechanism for protection and introduce them with new modalities such as the Office of the Commissioner for the Protection of Equality and the Committees for Inter-Ethnic Relations.

### 6.2 Environment

There will be a strong local component within the proposed Project. The Project involves civil society organizations and motivates them to be more pro-active in local communities, which have been affected by cases of discrimination in the Republic of Serbia. Through the project, civil society organizations would be encouraged to reduce transportation costs for the beneficiaries of their services, namely, victims of the discrimination and implement the project in a way, which is as environmentally friendly as possible. This project does not relate directly to environmental issues and strengthening environmental aspects of the Serbian legal framework.

### 6.3 Minorities

Minorities, and especially national minorities, are key direct and indirect beneficiaries of this Project. For the Republic of Serbia, this issue has the highest priority. According to the 2002 census, Serbia has an estimated population of 7.5 million and 800 thousand citizens belong to some national minority. The population is predominantly Serb (83%). Remaining part of the population declared themselves as Hungarians (3,91%), Bosniaks (1,82%), Roma (1,44%

although it is estimated that there may be up to 6,2 % Roma living in Serbia), Yugoslavs (1.08%), Croats (0,94%), Montenegrins (0,92%), Albanians (0,82%), Slovaks (0,79%), Vlachs (0,53%), Romanians (0,46%), Macedonians (0,35%), Bulgarians (0,27%), Bunjevac (0,27%), Moslems (0,26%), Ruthenians (0,21%), Slovenes (0,07%), Ukrainians (0,07%), Gorani (0,06%), Germans (0,05%), Russians (0,03%), Czechs (0,03%), others (0,16%) and 1.44% of the total population did not declare themselves at all. Up to now, 20 minority communities have exercised their right according to Law on Protection of Rights and Freedoms of National Minorities (2002) to establish National Minority Councils. In accordance with the Law, all activities regarding the organization and elections of National Councils shall be carried out by the MoHMR. In 2009/10, the MoHMR succeeded to motivate 420,000 members of 19 national minority communities to enlist into the Voter's Register for the Elections of the National Councils of National Minorities, out of 650,000 people with voting right for the Councils, which have a mandate to influence policies in the area of culture, information, education and official usage of the languages of national minorities. The Ministry has Sector for the Improvement and Protection of National Minorities with the Section for the Election of National Councils of National Minorities and for Maintaining the Register, Group for the Improvement of the Rights of the National Minorities and Office for the Implementation of Roma National Strategy. Organizing and conducting elections for National Councils is one of the main preconditions for successful integration and inclusion of national minorities in Serbia. National Councils will be elected either through Electoral Assemblies or through direct elections.

## ANNEXES

- I. Logframe in Standard Format
- II. Indicative amounts contracted and Disbursed per Quarter over the full duration of Programme
- III. Description of Institutional Framework
- IV. Reference to laws, regulations and strategic documents:
  - Reference list of relevant laws and regulations
  - Reference to AP /NPAA / EP / SAA
  - Reference to MIPD
  - Reference to National Development Plan
  - Reference to national / sectoral investment plans
- V. Details per EU funded contract (where applicable)

**ANNEX I: Logical framework matrix**

| <b>LOGFRAME PLANNING MATRIX FOR Project Fiche</b>                                                                 |                                                                                                                                                                                                                                                                                                 |                                                                                                                                                       |                                                                                    |
|-------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|
| <b>Project title:</b> Implementation of anti-discrimination policies                                              |                                                                                                                                                                                                                                                                                                 | Contracting period expires four (2) years after signature of Financing Agreement                                                                      | Disbursement period expires fives (5) years after signature of Financing Agreement |
|                                                                                                                   |                                                                                                                                                                                                                                                                                                 | <b>Total budget :</b><br>EUR 2.2 million                                                                                                              | <b>IPA budget::</b><br>EUR 2.2 million                                             |
| <b>OVERALL OBJECTIVE</b>                                                                                          | <b>Objectively verifiable indicators</b>                                                                                                                                                                                                                                                        | <b>Sources of Verification</b>                                                                                                                        |                                                                                    |
| To contribute to the respect of human rights and minority protection in the Republic of Serbia.                   | Positive assessment of the human rights and minority protection status in Serbia.                                                                                                                                                                                                               | EC Progress Report                                                                                                                                    |                                                                                    |
| <b>SPECIFIC PROJECT PURPOSE</b>                                                                                   | <b>Objectively verifiable indicators</b>                                                                                                                                                                                                                                                        | <b>Sources of Verification</b>                                                                                                                        | <b>Assumptions</b>                                                                 |
| Effective and efficient implementation of anti-discrimination policy in line with EU standards and best practice. | 1.1 Number of recorded discrimination cases<br>1.2 Reduced number of recorded cases of discrimination in targeted communities<br>1.3. Number of provided assistance to the victims of discrimination<br>1.4. Number of affirmative articles/reports on H&MR<br>1.5. Number of web site visitors | 1.1 MoHMR data base<br>1.2. MoHMR Annual Report<br>1.3. Commissionaire / Local Committees Report<br>1.4. Press Clipping<br>1.5. Internet presentation | Continued commitment of Serbian Government to EU integrations                      |

| <b>RESULTS</b>                                                                                                                                                      | <b>Objectively verifiable indicators</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>Sources of Verification</b>                                                                                                                                                                                                                                                          | <b>Assumptions</b>                                                         |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|
| 1 Enhanced capacity of the MoHMR implement and monitor anti-discrimination policy, to promote tolerance, equality and diversity and prevent discrimination          | 1.1 Developed procedures, tools and guideline for implementation of the National Action Plan measures<br>1.2 Number of trainings delivered / Number of trainees<br>1.3 Anti-discrimination preventive and promotion measures developed and piloted in local communities<br>1.4 Cooperation mechanism with CSO to monitor implementation of the Law on the Prohibition of Discrimination                                                                                                                                                                                                                                                                                                                                                                                        | 1.1. Rule book, tools, guidelines<br>1.2. Training materials, list of participants<br>1.3. Project report / Decision of the MoHMR<br>1.4. Protocol / Memorandum                                                                                                                         | 1. Political and economical stability.<br>2. Commitment of line Ministries |
| 2 Enhanced implementation of anti-discrimination policy through strengthening of institutional support to the victims of discrimination on national and local level | 2.1 Identified shortcomings and gaps in Commissioner for protection of equality and Local Committees for Inter-Ethnic Relation existing organisation and propose measures to improve their organisational structure<br>2.2 Developed standardised procedures, manuals and tools for efficient work of Commissionaire and Local Committees.<br>2.3 Equipment for local Committees and the Commissioner installed and operational<br>2.4 Training needs for efficient performance identified and tailored made training programme developed<br>2.5 Number of delivered trainings / Number of trainees<br>2.6 Number of organised study visits / Number of study visits participants<br>2.7 User friendly and interactive web presentation of Commissionaire and Local Committees | 2.1. Analyses, proposal<br>2.2. Internal documents, tools, manuals<br>2.3 Equipment installed and operational<br>2.4. TNA document, Curriculum / Training programme<br>2.5. Training materials, list of participants<br>2.6. Study visit programme, Study visit report<br>2.7. Web site | Operational stability of the Commissionaire                                |
| 3 Raised awareness of general public and                                                                                                                            | 3.1 MoHMR Communication strategy for promotion of H&MR<br>3.2 Number of realised media or other public awareness raising                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 3.1. Strategy<br>3.2. Press clipping                                                                                                                                                                                                                                                    |                                                                            |

| <b>RESULTS</b>                                                        | <b>Objectively verifiable indicators</b>                                                                                                                                                                           | <b>Sources of Verification</b>                                                                     | <b>Assumptions</b> |
|-----------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|--------------------|
| specific target group on the key aspect of anti-discrimination policy | <p>champagnes</p> <p>3.3 Number of organised round tables with LSG and SCO representatives / Number of participants</p> <p>3.4. Number of realised training for media representatives / Number of participants</p> | <p>3.3. Materials / List of participants</p> <p>3.4. Training materials / List of participants</p> |                    |

| <b>Activities</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>Means &amp; Costs</b>                                                                | <b>Assumptions</b>                                                                                                                                                                                                                  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Activities related to result 1:</p> <p>1.1. Develop procedures, tools and guidelines for implementation of measures to promote tolerance, equality and diversity and prevent discrimination (National Action Plan for H&amp;MR).</p> <p>1.2. Organise training for representatives of relevant public institutions/administration on implementation of NAP and promotion of tolerance, equality and diversity and prevention of discrimination.</p> <p>1.3. Pilot preventive measures in targeted communities with high number of recorded cases of discrimination</p> <p>1.4. Develop, in consultative process, cooperation mechanism with CSO to monitor implementation of the law on the prohibition of Discrimination of the implementation of the Anti-Discrimination Law.</p> | <p>Service Contract (TA) - EUR 1.9 million</p> <p>Supply Contract – EUR 0.3 million</p> | <p>1. Line miniseries' committed and willing to support process and their staff available</p> <p>2. Adequate level of Communication between the CSO and MoHMR.</p> <p>3. CSO willing to use created opportunity to participate.</p> |

| Activities                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Means & Costs | Assumptions                                                                                                                                                                                                                         |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Activities related to result 2:</p> <p>2.1 Analyse, based upon the best practice of the similar EU institutions, Commissionaire’s for Protection of Equality and Local Committees for Inter-Ethnic relations institutional, capacity and organisational settings.</p> <p>2.2 Develop standardised procedures, manuals and tools for efficient work of Commissionaire and local Committees</p> <p>2.3 Procure technical equipment necessary for the efficient functioning of the Commissionaire and Local Committees</p> <p>2.4 .Analyse training needs for efficient work of Commissionaire’s and Local Committees staff and develop training programme.</p> <p>2.5 Deliver training for Commissionaire’s and Local Committees staff</p> <p>2.6 Organise study visit to sister organisation in EU countries for Commissionaire’s and local Committees staff</p> <p><b>2.7</b> Develop internet presentation for Commissionaire and Local Committees</p> |               | <p>1. Staff available to participate in project activities</p> <p>2. LSG committed to development of tolerance, equality and prevention of discrimination</p> <p>3. Local infrastructure support technical upgrading (web site)</p> |
| <p>Activities related to result 3:</p> <p>3.1. Develop the MoHMR Communication strategy for promotion of anti-discrimination policy</p> <p>3.2. Organise public awareness campaign to promote tolerance, equality and diversity and prevent discrimination</p> <p>3.3. Organise round tables with LSG and CSO representatives on preventing discrimination and implementation of anti-discrimination policy in identified communities</p> <p>3.4. Organise training for media representatives on ethical reporting</p>                                                                                                                                                                                                                                                                                                                                                                                                                                     |               | <p>Media understand the importance of anti-discrimination issue and willing to cooperate.</p>                                                                                                                                       |

**Preconditions:** Commissionaire for protection of equality staffed and operational. Adopted National Action Plan for H&MR.

**ANNEX II: Indicative amounts (in M€) Contracted and disbursed by quarter for the project (IPA contribution only)**

| <b>Contracted</b> | <b>Q1</b> | <b>Q2</b> | <b>Q3</b>   | <b>Q4</b>   | <b>Q5</b>   | <b>Q6</b>   | <b>Q7</b>   | <b>Q8</b>   | <b>Q9</b>   | <b>Q10</b>  | <b>Q11</b> | <b>Total</b> |
|-------------------|-----------|-----------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|------------|--------------|
| Contract 1        |           |           | 1.9         |             |             |             |             |             |             |             |            | <b>1.9</b>   |
| Contract 2        |           |           | 0.3         |             |             |             |             |             |             |             |            | <b>0.3</b>   |
| <b>Cumulated</b>  |           |           | <b>2.2</b>  | <b>2.2</b> | <b>2.2</b>   |
| <b>Disbursed</b>  |           |           |             |             |             |             |             |             |             |             |            |              |
| Contract 1        |           |           | 0.57        |             | 0.38        |             | 0.38        |             | 0.38        |             | 0.19       | <b>1.9</b>   |
| Contract 2        |           |           | 0.18        |             |             | 0.12        |             |             |             |             |            | <b>0.3</b>   |
| <b>Cumulated</b>  |           |           | <b>0.75</b> | <b>0.75</b> | <b>1.13</b> | <b>1.25</b> | <b>1.63</b> | <b>1.63</b> | <b>2.01</b> | <b>2.01</b> | <b>2.2</b> | <b>2.2</b>   |

### **ANNEX III: Institutional Framework – legal responsibilities and statutes**

In order to combat discrimination in Serbian society, the Project will involve all the key stakeholders and parties concerned.

According to the Law on Ministries, Ministry for Human and Minority Rights is in charge of general issues of the status of national minorities; keeping record of the National Councils of national minorities; election of the National Councils of National Minorities; protection and improvement of human and minority rights; drafting legislation on human and minority rights; monitoring of the harmonization of national legislation with international agreements and other international documents on human and minority rights; representation of the Republic of Serbia before the European Court of Human Rights; status of national minorities residing on the territory of the Republic of Serbia and achievement of minority rights; achievement of relations of national minorities with keen states; anti-discrimination policy; status and achievement of jurisdiction of the National Councils of National Minorities; harmonization of state administration activities in the field of human rights protection, as well as other duties required by law. The Ministry has 5 sectors and 58 designated posts in accordance with the Systematisation Act of the Ministry. The Sector for the Improvement and Protection of the Rights of National Minorities has Section for the Election of National Councils of National Minorities and for Maintaining the Register, Roma National Strategy Implementation Office and Group for the Improvement of National Minority Rights. The Sector for the Improvement and Protection of Human Rights has Section for Monitoring the Implementation of International Treaties in the Field of Human Rights Protection and Section for Missing Persons. The Sector for International Cooperation and Integrations has Section for EU Integrations and Project Management and Group for Migration Policy. The ECHR sector is in charge for the representation of the Republic of Serbia before the European Court of Human Rights. The Assistant Minister at the same time is responsible for representing the Republic of Serbia as this country's State Agent before the European Court of Human Rights. The Sector for Legal and Administrative Affairs has Section for Legal and Administrative Affairs and Group for Financial and Material Affairs

Respective Ministries: Ministry of Justice and representatives of the Judiciary, Ministry of Interior, Ministry of Public Administration and Local Self-Government, Ministry of Labour and Social Policy, Ministry of Education, Ministry of Religion, Ministry of Health.

- This Project will include all enlisted institutions through activities in terms of training and coordinated development of procedures, tools and guidelines for the promotion of tolerance, equality and diversity.

The Commissioner for the Protection of Equality is elected by the National Assembly for period of five years according to the Law on the Prohibition of Discrimination (2009). The Commissioner is authorized to receive and review complaints pertaining to violations, provide information to the person lodging a complaint concerning his/he rights and the possibility of initiating court proceedings or some other proceedings for the purpose of protection, or recommend reconciliation; file charges pertaining to violations, submit an annual report and special reports to the National Assembly about the situation concerning the protection of equality.

- Since the MoHMR has been mandated to monitor the Law on the Prohibition of Discrimination, the Project will raise capacities of the Commissioner Office in order to enhanced institutional support to the victims of discrimination on national level.

Committees for Inter-Ethnic Relations: According to the Law on Local Self-Government of 2007, The Committee for Inter-Ethnic Relations shall be established in multiethnic municipalities, and shall consist of representatives of all national and ethnic communities. For the purpose of this Law, multiethnic municipalities shall be those in which one ethnic community accounts for over 5 per cent of the total population, or in which all the communities account for over 10 per cent of the total population according to the latest census in the Republic of Serbia. The communities accounting for over 1 per cent of the total population of the Municipality shall be entitled to representatives in the Committee for Interethnic Relations. The Committee shall consider the issues related to the achievement, protection and promotion of ethnic equality, in accordance with the law and the local statutes.

- Through this Project, pilots measures will be launched in up to 10 selected municipalities where severe cases of discrimination were detected based on data base established at the MoHMR through IPA 07 support.

Civil Society Organizations: Selected civil society organizations dealing with improvement of implementation of civil and human rights, rule of law and non-discrimination in the Republic of Serbia regardless of their sex, age, religious or political views, sexual orientation, disability etc. will be a part of training to raise awareness of general public and specific target group on the key aspect of anti-discrimination policy as proposed in this Project. The selection will be conducted in accordance with the Memorandum of Cooperation between the MoHMR and the Civil Society Organizations in 2009.

Media: Traditional media is still the main source of information in the Republic of Serbia – TV, radio, print media, while rise of the Internet as a source of information has been slow but steady in the country with forecasts to achieve levels close to certain EU countries in the next 5-7 years. National coverage media are taking most of the share of revenues from advertising, leaving regional and local media in a vulnerable position to fight the market with reduced income, pressured for profits from new owners and managers after privatisation and with overworked staff strained to the limits. Position of the minority language media is even more difficult, because their target groups (minority communities) are small, dispersed and already covered by stronger media with national coverage. Losing minority language media would be a great blow to national minority communities in Serbia, seriously undermining right for information in their mother tongue, destroying decades of cultural development and experience, with little chance to be established again anytime soon after closure, since they are not (yet) fully sustainable and require certain support from municipalities or state institutions.

Recognizing the importance of media for anti discrimination policy implementation, significant part of the proposed Project is dedicated to work with media on several levels – as tools for advocating need for tolerance, but also directly educating journalists on important issues in this field. Media and journalists which participate in the Project will have improved ability to deal with discrimination issues, raising their overall capacity as well as contributing to their mission and sustainability through more professional approach to protecting public interest.

General Public: Citizens of Serbia are generally aware of the concept of discrimination, and they perceive discrimination as a negative phenomenon. Majority of citizens think that the public is not sufficiently informed about the problem of discrimination, either if the source of information are the media or the responsible state institutions.

Therefore, one of the activities will be to raise awareness and change attitude of the general public and target groups with regard to discrimination and to promote tolerance, equality and diversity.

## **ANNEX IV: Reference to laws, regulations and strategic documents**

1. The former Yugoslavia ratified all the major international human rights treaties, including:

- International Covenant on Civil and Political Rights (ICCPR),
- International Covenant on Economic, Social and Cultural Rights (ICESCR),
- International Convention on the Elimination of All Forms of Racial Discrimination,
- International Convention on the Elimination of Discrimination Against Women (CEDAW),
- Convention on the Rights of the Child,
- Convention on the Prevention and Punishment of the Crime of Genocide,
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- Revised European Social Charter.

Alongside the European Convention on the Protection of Human Rights and Fundamental Freedoms (ECHR) and Protocol 12 thereto, Serbia is also bound by the following international documents prohibiting discrimination:

- Convention on the Elimination of All Forms of Racial Discrimination,
- the Convention on the Elimination of Discrimination against Women,
- ILO Convention No. 111 Concerning Discrimination (Employment and Occupation),
- UNESCO Convention against Discrimination in Education.

2. Under the **Constitution of Serbia**, the generally accepted rules of international law and ratified international treaties shall be an integral part of the national legal system and applied directly. The direct application of human and minority rights is guaranteed by the generally accepted rules of international law and ratified international treaties. The **Constitution of Serbia** adopted in 2006 prohibits direct and indirect **discrimination** on any grounds. Discrimination is a criminal offence under the Criminal Code. Anti-discriminatory provisions are included in the Act on Churches and Religious Communities, the Labour Act, the Employment and Unemployment Insurance Act, Act on the Basis of the System of Education, the Health Protection Act.

3. Regarding national legislative and for the purpose of the Project, **the Law on Local Self-Government** of 2007 regulates the foundation of local Committees for Inter-Ethnic Relations, which will be one of the most targeted group of this Project.

4. The **Law on the Prohibition of Discrimination** was adopted in March 2009. The Law generally prohibits discrimination, cases of discrimination, forms of discrimination and procedures for the protection of discrimination. It envisages the establishment of a Commissioner for the Protection of Equality. Ministry for Human and Minority Rights shall monitor the implementation of the Law. Adoption of the law is important step forward in Serbia's fight against discrimination. In practice, there is still widespread discrimination,

primarily against national minorities, Roma or women as well as lesbian, gay, bisexual and transgender (LGBT) people. The monitoring of the implementation of the Law has been mandated to 'the Ministry in charge of human and minority rights'. The Project activities are aimed to the development of procedures, tools and guidelines for implementation of anti-discrimination policies, the organization of training sessions for representatives of relevant public institutions/administration on programme for the promotion of tolerance, equality and diversity and prevention of discrimination.

5. The **Law on Prevention of Discrimination against Persons with Disabilities** was adopted in April 2006. The Law, *inter alia*, obliges state bodies to provide persons with disabilities access to public services and facilities and prohibits discrimination in specific areas, such as employment, health and education. It includes significant provisions obliging state and local self-government institutions to undertake special measures to encourage equality of persons with disabilities. The submitted Project proposes activities and adequate preventive measures in communities with high number of recorded cases of discrimination.

## **ANNEX V: Details per EU-funded contract where applicable:**

Project will be implemented through one service and one supply contract.

Activities associated with this Project will be carried out through one service and one supply contract.

Technical assistance service contract - tasks the contractor will be expected to perform:

- develop procedures, tools and guidelines for implementation of measures to promote tolerance, equality and diversity and prevent discrimination,
- organise training for representatives of relevant public institutions/ administration on implementation of national plan and promotion of tolerance, equality and diversity and prevention of discrimination,
- pilot preventive measures in targeted communities with high number of recorded cases of discrimination,
- develop, in consultative process, cooperation mechanism with civil society organizations to monitor implementation of the Law on the Prohibition of Discrimination,
- analyse, based upon the best practice of the similar EU institutions, Commissionaire's for the Protection of Equality and local Committees for Inter-Ethnic Relations institutional, capacity and organisational settings,
- analyse training needs for efficient work of Commissionaire's and local Committees staff and develop training programme,
- develop programme and deliver training for Commissionaire's and local Committees staff,
- organise study visit to sister organisation in EU countries for Commissionaire's and local Committees staff
- develop internet presentation for Commissionaire and local Committees,
- develop the MoHMR Communication strategy for promotion of anti-discrimination policies,
- organise public awareness campaign to promote tolerance, equality and diversity and prevent discrimination,
- organise round tables with local self-government and civil society organizations representatives on preventing discrimination and implementation of anti-discrimination policies in identified communities, and
- organise training for media representatives on ethical reporting.

Through the supply contract technical equipment necessary for the efficient functioning and promotion of the Commissionaire and Local Committees will be procured. The technical specification for the procurement of the equipment will be developed through IPA 07 project.

## **List of Abbreviations**

EU – European Union

FRY – Federal Republic of Yugoslavia

IPA – Instrument for Pre-Accession

LGBT - lesbian, gay, bisexual and transgender people

MoHMR – Ministry of Human and Minority Rights

NAP - National Action Plan for Human and Minority Rights

NGO – Non-Government Organisations

NPI - National Program for Integration

OSCE – Organisation for Security and Co-operation in Europe

SCG – Serbia and Crna Gora

SFRY – Socialist Federal Republic of Yugoslavia

UN – United Nations