



Support to the advancement of human rights and zero tolerance to discrimination (SR 13 IB JH 01)



Kick-off event EU Twinning project “Support to the advancement of human rights and zero tolerance to discrimination”

Welcome to the kick-off event and thank you for the interest in our project aiming at the promotion of human rights and protection against discrimination. We have already started with the implementation of some of the activities and I am happy that we have the opportunity today to give more visibility to the activities within this project. The right to non-discrimination is the core element of the human rights system, which contributes to promoting other human rights but can also be in conflict with the protection of other human rights. How to delimit the border between hate speech and freedom of expression? How to balance non-discrimination with health and safety issues at work?

It is an equally challenging task all over Europe to not only strengthen the individual protection against discrimination, but at the same time push forward with structural improvements guaranteeing prevention of and protection against discrimination. Our EU Twinning project targets the pivotal authorities in the system responsible for strengthening and implementing the relevant legislative framework concerning human rights and the protection of minorities. It takes into account that the system of human rights protection has to be decentralised in order to be capable of reaching out to the local context, which means raising awareness in close cooperation with those most affected, making access to justice easier by way of accommodating to the needs of victims of human rights violations including discrimination and extending the network of those capable of supporting victims and awareness raising to the local context.

Our project team will be able to build on the results and lessons learnt from previous projects – such as the IPA 2011 project “Implementation of Anti-Discrimination Policies in Serbia”, and will be able to join forces with currently ongoing projects such as “Building tolerance and understanding towards LGBT population in Serbian society” funded by the Norwegian embassy and “Promoting Human Rights and Minority Protection in South East Europe” supported by the CoE and the EU. We have only been able to map out and meet some of the external stakeholders working in similar fields such as the team of European Progress and the Social Inclusion and Poverty Reduction Unit (SIPRU), but we will in the next couple of weeks try to reach out to as many stakeholders as possible to also tailor the activities of the project to the needs of those implementing relevant strategies and policies.

We see 4 different elements within the project that contribute to strengthening the framework for human rights protection and prevention of discrimination as well as enhancing capacities of our



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partner institutions, the Office for Human and Minority Rights (OHMR) and the Commissioner for Protection of Equality (CPE), and other relevant stakeholders.

Element no 1 is the **analysis of legislation** – of legal provisions prohibiting discrimination, protecting the rights of national minorities and protecting human rights defenders in their support of vulnerable groups. Serbia has a very comprehensive legal framework both on national minorities and non-discrimination. The analysis will be done in close cooperation with those implementing the respective laws as well as those affected by the legal provisions (e.g. CSO). It will take into account challenges faced and improvements suggested by EU progress reports. The framework for the analysis will be relevant EU Directives as well as European and international human rights conventions ratified by Serbia, judgments by the CJEU, the ECtHR as well as aims set by various strategies and action plans either already in place or currently under development (e.g. Action Plan for the Implementation of the Strategy for Prevention and Protection against Discrimination 2014-2018, Action Plan for Chapter 23, Multi-Annual Strategy and Action Plan for Improving the Living Conditions of Roma as well as the Action Plan for Exercise of the Rights of National Minorities, etc.).

We all know that legal provisions, strategies and action plans have to become living instruments in order to really improve the situation of the most vulnerable groups in society. So the next two elements within our project support capacity building among stakeholders responsible for implementing laws and strategic documents.

The **second element** covers **awareness raising** among a range of stakeholders at different levels of government and **promotional work** targeting the **general public**. These activities shall contribute to the development of a culture of rights encouraging the reporting of human rights violations and in particular incidents of discrimination. The MS experts will work with the OHMR and the CPE in order to see what kind of campaigns have already been implemented and to find out what issues are currently at stake and are in special need of promotion. A valuable source of information will be the survey on the implementation of anti-discrimination legislation, which will shed light on how attitudes towards various vulnerable groups, perceptions of discrimination and the readiness to report incidents of discrimination have developed since 2013, when the last survey was implemented on behalf of the CPE.

Element no 3 is the promotion of **access to justice**, which is guaranteed by many different actors in the human rights and discrimination protection system. This element will involve working with the



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CPE, NCNMs, towns/municipalities, human rights defenders from CSOs, the police and the judiciary. All these institutions and organisations play a relevant role in guiding potential victims of discrimination towards institutions being able to resolve conflicts, stopping discrimination and changing discriminatory structures. By way of trainings awareness for human rights and the protection of minorities will be raised and the participants will get the opportunity to develop approaches and strategies how these aspects can be even better integrated into their daily work. These trainings always form good points of contact for establishing loose networks for exchanging experiences and supporting each other in dealing with challenges. Trainings will be carried out by a team of two trainers working with inter-active methods and flexible concepts that meet the needs of the respective participants. The experiences gained during these trainings will be used to support such institutions as the Judicial Academy or the Directorate for Police Education, Professional Training, Development and Science within the Ministry of Interior in order to further develop their train-the-trainers curricular.

The CPE plays a central role in promoting access to justice for persons that have been discriminated. Guaranteeing access to justice does not only demand continuous and systematic outreach work, but also the development of structures allowing for the systematic **follow-up on recommendations** targeting discriminators. These recommendations typically ask for measures aiming at the achievement of short-term and medium-term goals – e.g. stopping discriminatory behaviour towards the individual complainant and suggestions for measures that prevent future discrimination. It is especially crucial to formulate recommendations in such a way that their implementation can be easily monitored, i.e. they have to contain clear objectives and indicators to assess when a recommendation is successfully implemented or not. MS experts from different equality bodies in the EU will support these activities and will be able to provide insights into a broad range of practices in order to develop approaches most suitable for the context of the Republic of Serbia.

The **final element** of the project is **monitoring and reporting**, which has a strong focus on data collection pertaining to national minorities. This data is first of all used to determine the disbursement of funds to the NCNM and to report on the implementation of the Framework Convention for the Protection of National Minorities and the European Charter for Regional or Minority Languages. Data are necessary to assess the implementation of various national strategies, to measure changes in the awareness for human rights and discrimination issues as well as to evidence that discrimination has not happened (e.g. adequate data on education of Roma children). The MS experts will support the institutions in analysing their current systems of data collection, in gaining access to relevant part-



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ners which can promote their efforts and in developing a loose network among relevant stakeholders that can work on improving the collection and exchange of data. Monitoring and reporting gives institutions the opportunity to reflect on their own procedures and their impact and thus leads us back to the first element – the analysis of the implementation of legal provisions.

Our project team based here in Belgrade as well as the short term experts we are cooperating with are reaching out to a wide range of stakeholders who are relevant actors in the field of human rights, minority protection and protection against discrimination. We want to learn from you and aim at exchanging experiences, knowledge and skills through training events, on the job trainings, developing legal and institutional analyses and drafting recommendations. We see interactive approaches and peer-to-peer learning within the partner institutions in Serbia and the member states as the baseline for a successful implementation of this project.

Finally, I would like to thank our partner institutions, the OHMR and CPE, for supporting the implementation of and participating in this kick-off event and my local team for preparing, organizing and facilitating the smooth implementation of this kick-off event today. I am looking forward to cooperating with our partner institutions and all stakeholders working on human and minority rights In order to further contribute to the establishment of a culture of human rights, which we are all part of and can promote by respecting and integrating human rights in our everyday routines.

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