

Standard Summary Project Fiche – IPA centralised programmes
(Regional / Horizontal programmes ; centralised National programmes)

1. Basic information

1.1 CRIS Number: 2007/19322

**1.2 Title: Implementation of priorities in the area of human rights
and protection of national minority groups**

1.3 ELARG Statistical code: 01.23

1.4 Location: Serbia

Implementing arrangements:

1.5 Contracting Authority (EC): EC Delegation

1.6 Implementing Agency: N/A

1.7 Beneficiary (including details of project manager):
Agency for Human and Minority Rights

Financing:

1.8 Overall cost: 1.5 million Euros

1.9 EU contribution: 1.5 million Euros

1.10 Final date for contracting: 3 years after the signature of the Financing Agreement

1.11 Final date for execution of contracts: 5 years after the signature of the Financing Agreement

1.12 Final date for disbursements: 6 years after the signature of the Financing Agreement

2. Overall Objective and Project Purpose

2.1 Overall Objective:

Support of human rights standards and minority protection in Serbia and aligning them to EU standards

2.2 Project purpose:

- Implement European Partnership priorities in the field of human and minority rights
- Realize all obligations deriving from membership to the CoE, particularly with regard to the European Convention on Human Rights and Civic Freedoms and the Convention on the Prevention of Torture and Other Inhuman or Degrading Punishment or Treatment

2.3 Link with AP/NPAA / EP/ SAA

Among others, the *Report on the Preparedness of Serbia to negotiate the Stabilisation and Association Agreement with the EU*, the so called Feasibility Study, points to the need for the future achievement of diverse human rights standards and improvement of interethnic relations.

According to European Partnership priorities it is necessary to fulfill all remaining obligations arising out of membership of the Council of Europe and ensure uniform effective implementation of these obligations, throughout the country, notably with regard to the

European Convention on Human Rights and Fundamental Freedoms and the European Convention for the Prevention of Torture.

2.4 Link with MIPD

- Fighting discrimination and promoting human and minority rights, including Roma.
- Creating conditions for inter-ethnic tolerance, growth and sustainable development of all communities.
- Supporting transitional justice actions, i.e. regarding domestic war crimes trials, reparations, restitution, etc.
- Supporting Commissariat for Refugees, Minority National Councils, Agency for Human and Minority Rights and NGOs in order to support vulnerable groups' rights.
- Promoting participation of minorities in the institutions of society in particular in the judiciary and law enforcement bodies.
- Increasing general, society-wide culture of tolerance towards national minorities as a basis for coherent and meaningful inclusion policies.

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

2.6 Link with national/ sectoral investment plans (where applicable)

The Revised *Plan of the Government of Serbia for the Implementation of European Partnership Priorities* (Implementation Plan) (05 no: 018-721/2006-6 from 14 September 2006) in the section listing specific priorities in this area (point 3. Human rights and minority protection) follows strongly the Strategy of the Republic of Serbia for the Integration of Serbia into the EU as well as relevant SAA documents. Revisions to the Implementation Plan follow the monitoring process of the European Commission and the conclusions of the Enhanced Permanent Dialogue meetings. European Partnership priorities further guide the priorities set out by the MIPD. The priorities of the European Partnership are divided into short term and mid-term priorities, listed according to sectors and in the Implementation Plan, according to institutions, with defined activities and resources available or required. The present document strictly follows the priorities listed in the Implementation Plan. The priorities are clearly in line with the PRS (Poverty Reduction Strategy) and sector strategies, including the Draft Strategy for the Integration and Empowerment of Roma, the Draft Strategy for the Reintegration of Returnees, the Strategy for Police Reform, Draft National Action Plan for Gender Equality, and others.

Institutionally, the *Plan of the Government of Serbia for the Implementation of European Partnership Priorities* (Implementation Plan) defines the Agency for Human and Minority Rights (AHMR) as the institution vested with the responsibility of achieving a number of priorities in this area. AHMR was created in June 2006, based on the institutional structure of the former Serbia and Montenegro Ministry for Human and Minority Rights. The AHMR is the National Human Rights Institution of Serbia, and its mandate, in accordance with the *Paris Principles of National Human Rights Institutions*, stipulates that it is an independent organisation within the Prime Ministers office, with competencies to monitor, oversee and coordinate joint governmental policy and strategy efforts in this area. The mandate also includes reporting to international monitoring mechanisms linked to bilateral or multilateral treaties in this area. The AHMR is the body responsible for achievement of EU standards and fulfillment of CoE obligations related to human and minority rights. It has a branched organisational chart, and hosts the Roma National Strategy Secretariat RNSS (the principal

body in charge for integration and empowerment of the Roma national minority and the process of the Decade for Roma Integration implementation in Serbia); the Center for Integration of Returnees CIR (active integration and mechanisms for facilitation of the readmission process); the Office of the State Agent before the European Court for Human Rights (EcourtHR), that is in charge of representing the state before the EcourtHR on all legal matters and the Republic of Serbia Council of National Minorities (an umbrella institution assuring representation to national minority groups on the governmental level).

3. Description of project

3.1 Background and justification:

Up-to-date legislation in the Republic of Serbia is broadly harmonized with international standards of protection of human rights, and standards of rule of law work toward the effective impeding of systematic forms of human rights violations. However, there are still problems that affect primarily the most vulnerable groups in society. The most substantial issues concern the possibility of effective and efficient implementation of the adopted laws. Besides this, there is the need for the removal of the accent from policies that promote civil and political rights to policies that promote social, economic and cultural rights. Stronger actions are necessary in the direction of fulfilling those rights, including through legislative activities, trainings, education and awareness raising campaigns, as well as through the adoption of strategic documents and action plans in the field. The Republic of Serbia is successor state to the State Union of Serbia and Montenegro, and thus of a number of international legal obligations in the field of human rights.

Since March 2002, the European Commission has reported regularly to the Council and the Parliament on progress made by the countries of the Western Balkans region. For Serbia, it is pointed out, based on the findings of the Committee for the Prevention of Torture, linked to the Convention against Torture, in their May 2006 report, that “a number of shortcomings concerning ill-treatment by the police, pre-trial detention and prison conditions. Moreover, there continues to be reports of cases of ill-treatment by the police. Serbian has not yet fully complied with UNCAT recommendations on individual cases of torture”. Efforts have been taken to improve the conditions in the prison system. There has been progress in the implementation of the legislation on execution of penal sentences and on juvenile offenders, and the improvement and reconstruction of prison facilities is ongoing.

According to the European Commission reports, there have also been improvements concerning representation of minorities in public administration through a number of measures: publication of competitions in minority languages, vocational training in minority languages, proportional representation in multi-ethnic regions and continuous monitoring of representation of minority groups in public services. Improvements have also been registered concerning education in minorities’ languages. However, it has been noted that there has been no progress in the adoption of new legislation needed to better regulate the status, work and election of the National Councils for the minority groups. Problems persisted in the area of information in minority languages.

The State Department regular report on the situation of human right sin Serbia for 2006 also provides key insights, pointing to the need for furthering minority integration into several fields, building of institutional capacities and activities related to monitoring of torture / ill

treatment. Particular attention is given to vulnerable groups, including IDP, Roma, returnees and refugees.

Regarding institutional / administrative capacity, the AHMR (previous Ministry for Human and Minority Rights) has secured substantive achievements in the field of human rights protection and promotion of social cohesion and inter-ethnic relations. However, relevant sectors still require particular capacity building. According to the Implementation Plan, a key activity is the elaboration of a plan of institutional development of the Sector for international cooperation and finalizing all obligations that derive from the membership in the Council of Europe. The AHMR already has a sector dedicated to this activity. The sector is systematized according to the *Act of Systematization of the AHMR (August 2006)*, including six working positions for civil servants. The ToR for the positions demand 5 to 8 years of experience in the sector, specific knowledge in the relevant field of occupation (international cooperation, project management, Roma rights, regional integrations, EU integrations, *acquis communautaire*) and mandatory knowledge of English language. However, only one position is specifically systematized for European Integration. As currently defined, the system is not capable of performing the overall coordination and cooperation effort in the field of human rights and minority protection, and is particularly not capable of replying to all inquiries and demands made by EU structures and institutions.

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

The project will streamline policies in the field of human and minority rights into overall middle-term and long-term governmental programmes, including police reform, integrated border management system, health care provision for vulnerable groups, and within the reform of the justice system. It links to two wide process and builds on their efforts: decentralization of activities to local self-government and public administration reform, and focuses on the inclusion of issues relevant to marginalized groups into these processes. The project, therefore, mainstreams social and cultural dimensions into the general reform agenda. Cross-cutting issues including cooperation with line ministries and local self-governments on minority integration and vulnerable categories, through the methodology of transfer of skills and knowledge, will both impact policy implementation at ground level and assure sustainability in the long run.

3.3 Results and measurable indicators:

Result 1. Improved knowledge and implementation of policies by key stakeholders through trainings / education.

Result 1.1 Improved knowledge on key aspects of human rights in the process of stabilization and association and on issues related to minority rights (minority consultation mechanism in Europe, cultural autonomy and the EU enlargement, nationalism, xenophobia and racism, right to free speech etc.)

Indicator 1.1: Number of training sessions and trained participants.

Result 1.2. Improved knowledge on activities and strategies for integration of minority groups among key stakeholders (national judiciary institutions, prison / incarceration system institutions, Ministry of Interior outposts, regional and municipal governments, through distribution of Manual containing lessons learned.

Indicator 1.2: Text of the manual, number of manuals distributed, number of institutions included into the activity.

Result 1.3: Improved medical identification of prison torture, mechanisms for prevention, detection and court processing of torture set up, improved conditions for usage of medical statements before judiciary institutions in cases of torture.

Indicator 1.3.: Number of relevant institutions and individuals (prison system institutions, incarceration institutions, medical facilities, prison hospitals, Ministry of Health officials, Ministry of Interior officials) participating in training sessions and joint activities.

Result 1.4. Text of the Law on the Competencies and Elections of National Councils of National Minorities approved and implemented.

Indicator 1.4.: Number of training sessions with members of National Councils of National Minorities.

Result 2. Improved capacities of key institutions to implement human and minority rights obligations through technical assistance

Result 2.1. Improved capacities of the Roma National Strategy Secretariat and the Centre for Reintegration of Returnees

Indicator 2.1. Number of twinning sessions, trainings and institutional support mechanisms implemented.

Result 2.2. Improved capacities of the EcourtHR and judicial system to deal with financial obligations deriving from rulings before the court and improved access to right of fair trial and trial within a reasonable period by citizens.

Indicator 2.2. Number of consultative meetings between AHMR, Ministry of Justice, Ministry of Finance and courts, number of judgements implemented, number of cases against Serbia before the EcourtHR.

Result 2.3. Improved monitoring, reporting and evaluation of ECHR in Serbia through development of specific sets of indicators in cooperation with PRS team. Improved reporting on general HR in Serbia.

Indicator 2.3.: lists of indicators, number of monitoring missions / reports.

Result 2.4 Improved access to prison system in Serbia by representatives of the AHMR through awareness raising campaign.

Indicator 2.4.: number of campaign activities (media / marketing activities) realized, number of participating incarceration / health institutions.

Result 2.5 Awareness of parliamentarians, line ministries, central, regional and local government institutions raised regarding the need for Roma integration and empowerment.

Indicator 2.5.: Number of media / marketing activities performed within awareness raising campaign, number of participating institutions.

Result 2.6. Improved implementation of minority policies by National Councils for National Minorities .

Indicator 2.6. Number of minority language publications supported, language systematization exercises, bi-lingual education systems

Result 3. Increased technical facilities to report / monitor and follow up on implementation of human and minority rights standards through procurement

Result 3.1. Increased technical facilities within AHMR to monitor and report on potential cases of maltreatment.

Indicator 3.1.: Installation of supplied equipment and collected data on cases of maltreatment

Result 3.2. Set up early warning system in four regions in Serbia for feeding information on maltreatments / torture / violations of human and minority rights into data base.

Indicators 3.2. Installation of supplied equipment and data collected from field offices.

Result 3.3. National Councils of National Minorities have increased facilities in field of culture, education, official use of language and information.

Indicator 3.3. Installation of supplied equipment and number of publications and material produced.

3.4 Activities:

Activity 1

Trainings including representatives of the AHMR and the Ministry of Interior, Prison system authorities, Ministry of Health, medical experts in the field of first medical assistance/prison hospitals, prosecutor's offices and NGO sector active in the field. Development of relevant manuals and publications.

Activity 2

Technical assistance to the AHMR in order to support activities of National Council of National Minorities, Roma National Strategy Secretariat and Centre for Integration of Returnee through twinning sessions, capacity building exercises, education, joint sessions, institutional support mechanisms.

Activity 3

Develop database, supply associated equipment and supply equipment for field offices and National Councils of National Minorities.

The project will be implemented through a service and supply contract

3.5 Conditionality and sequencing:

- In order to implement project it is necessary that Agency for Human and Minority Rights assure adequate resources and structures to perform activities so as to be able to absorb the assistance, and meet its responsibilities as the main focal point for this project
- Cooperation with central and municipal authorities should be fostered
- Involvement of relevant governmental institutions, key actors and stakeholders in transparent consultation processes is necessary
- Organisation, selection and (gender balanced) appointment of members of working groups, training sessions, seminars and study visits by the beneficiaries as per project workplan

3.6 Linked activities

The AHMR is divided into three main sectors: international cooperation; legislation and reporting and Office of the Agent before the EcourtHR. The Office of the Agent before the EcourtHR monitors and oversees the implementation of recommendations issued by the EcourtHR in the judicial system in Serbia, gearing toward reform and standardization of practices, and the implementation of all sentences of the EcourtHR. It further monitors the implementation of the European Convention on Human Rights (ECHR) in Serbia. The legislation and reporting department monitor and report to all international treaties on human rights, including the International Covenant on Civil and Political (ICCP) Rights, the International Covenant on Social, Economic and Cultural Rights (ICSEC), the Convention against Torture (CAT), the Convention on the Elimination of Racial Discrimination (CERD), the Framework Convention for the Protection of National Minorities of the CoE and the European Charter for Regional or Minority Languages. The department also oversees the implementation of recommendations of the monitoring bodies of these treaties in Serbia, and visits by the members of monitoring bodies (such as regular visits by the Committee for the Prevention of Torture). The sector for international cooperation is currently implementing programmes in three key areas which support the implementation of the European partnership priorities: anti-discrimination, Roma integration and empowerment and readmission. The Roma National Strategy Secretariat RNSS and the Center for Integration of Returnees CIR are located within this sector.

The AHMR further technically supports the Republic of Serbia Council for National Minorities (RSCNM) which is the umbrella institution that includes all national councils of national minorities and the ministers of line ministries in the fields where national minorities enjoy cultural autonomy (Culture, Education and Sports, Religion, Labor, Employment and Social Policy). The Director of the AHMR is at the same time, according to the Regulation of the AHMR, the Secretary of the RSCNM. The AHMR provides premises and handles administrative and other issues of the RSCNM. The AHMR elaborated the Draft Law on the Competences and Election of the National Councils of National Minorities. The Law should be widely distributed and discussed with all stakeholders.

The Implementation Plan points out to other governmental institutions that are responsible for diverse segments of the implementation of the European Partnership priorities, and manners and ways for the networking and increase of coordination among institutions working within similar or in the same field. No two institutions overlap in the priorities, but cooperation and coordination remain vital in order to achieve sustainable results.

3.7 Lessons learned

Activities in the area of development and implementation of human rights standards constitute a part of the promotion of democratic reform and rule of law. The former Ministry for Human and Minority Rights, since its creation in 2003, poured substantial efforts to the creation of such standards, through legislative reform (Law on the Protection of National Minorities, Law on Elections), institutional development (National Councils of National Minorities) and numerous training and awareness raising activities (Tolerance campaign, training of judges). The AHMR follows up and builds on the structure created by the former Ministry, and has taken over broad programmatic areas the Ministry initiated, including human security and readmission.

Key initiatives by the Ministry / AHMR focused on fostering inter-ethnic relations and social integration of national minority groups. Key actors in this field have also conducted major interventions covering specific aspects (World Bank – Roma rights issues, UN agencies – reform of public administration, reform of the judiciary system, capacity building of key institutions, rights of the child, rights to housing, rights of migratory categories; OSCE – police reform and multi-ethnic policing, support to national minority civil and political rights, legislative initiatives). Furthermore, regarding larger activities in this area, in line with CIDA’s Balkans Program Development Framework and the implementation of the Poverty Reduction Strategies, Serbia participates in the regional initiative UNDP Gender Equality Project, which includes targeted gender sensitivity training.

EAR has supported through CARDS funds minority integration, IDP/ refugee integration or sustainable return policies. Among the most substantial projects, for the period 2004 – 2006, is the Roma Assistance Programme, attempting to assure the implementation of the four adopted Action Plans for the integration and empowerment of this most vulnerable minority. EAR further supported through CARDS 2006 the elaboration of the Anti-Discrimination Law, and the creation of an ADR system at local level.

Although these activities are relevant to the creation of a climate of democracy and key conditions for the improvement of human and minority rights standards, expert analysis (EAR cross-cutting monitoring and evaluation process reports) points out that two aspects are relevant to efficient achievement of goals: a) sustainability only occurs with the acceptance of responsibility by the government for the implementation of laws / policies and strategies. B) the principle of subsidiarity must be supported, and regional / local levels must have their capacities built in order to assure that the policies and strategies are implemented locally, where they affect most people.

In that sense, focus must be given to activities that are of the competency of the state institutions, and that must be performed by key state actors. The revised Implementation Plan sets out the main priorities in this field, which need to be achieved by the state, and which are a precondition for the SAA process and for all other efforts to be performed in this area. The achievement of Implementation Plan goals in the time-frame set out by the European Partnership is the only path toward a long-term reform.

4. Indicative Budget (amounts in million €)

Activities	TOTAL COST	SOURCES OF FUNDING										
		EU CONTRIBUTION				NATIONAL PUBLIC CONTRIBUTION				PRIVATE		
		Total	% *	IB	INV	Total	% *	Central	Regional	IFIs	Total	% *
Contract 1.1	1.2			1.2								
Contract 1.2	0.3				0.3							
TOTAL	1.5											

* expressed in % of the Total Cost

5. Indicative Implementation Schedule (periods broken down per quarter)

Contracts	Start of Tendering	Signature of contract	Project Completion
Contract 1.1	T+Q1	T+Q2	T+Q8
Contract 1.2	T+Q1	T+Q2	T+Q8

All projects should in principle be ready for tendering in the 1ST Quarter following the signature of the FA

6. Cross cutting issues (where applicable)

Development Policy Joint Statement by the Council and the European Commission of 10 November 2000 establishes that a number of Cross-cutting Issues shall be mainstreamed into EC development co-operation and assistance.

Cross-cutting issues will be addressed in the project so as to comply with the best EU standards and practice in that area and in a way which demonstrates how they will be dealt with within the project's framework, its activities and outputs.

Cross-cutting issues will be addressed in a proactive manner, and will present a specific component of projects (at all levels of projects' development, starting from the project identification stage). Synergies between the projects and the objectives of will be identified and developed. Also, the projects' objectives and activities need to be screened in order to ensure they won't impact negatively on gender equality, minorities' inclusion and environment.

Finally, the beneficiary will make sure its objectives, policies and interventions have a positive impact on and are in line with the main principles of gender equality, minorities' inclusion and environment.

6.1 Equal Opportunity

The project activities will include a strong component of equal opportunity component and will lead to the creation of conditions for the achievement of standards in a number of areas.

6.2 Environment

The project will also aim to raise awareness on issues such as basic human rights related to environmental rights (right to clean environment and the like).

6.3 Minorities

Human and minority rights are considered in this project in the manner defined by Copenhagen criteria and other EU legal documents, comprising anti-discrimination, rule of law and inclusion, supporting diversity. Rights of vulnerable groups, mainly women, children, elderly and migratory categories, and the rights of national minority / ethnic groups, such as Roma, are the main focus of the project, and the achievement of access to these rights is the main criteria guiding all activities. Rights are only achievable in a supporting environment, governed by the rule of law and standards in a number of fields, including environmental conditions. Achievement of standards in human and minority rights leads to a break in the circle of exclusion, lack of education, disease and poverty. The project activities are, in that sense, both

cross-cutting and multi-sector oriented, and include a strong component of capacity building of public administration (both central and local), and will lead to the creation of conditions for the achievement of standards in a number of areas other than the ones strictly dealt with.

ANNEX I: Logical framework matrix in standard format

LOGFRAME PLANNING MATRIX FOR Project Fiche		Programme name and number	
Implementation of priorities in the area of human rights and protection of national minority groups		Contracting period expires 5 years after the signature of the Financing Agreement	Disbursement period expires 6 years after the signature of the Financing Agreement
		Total budget : 1.5 million Euros	IPA budget: 1.5 million Euros
Overall objective	Objectively verifiable indicators	Sources of Verification	
Human rights standards and minority protection in Serbia up to EU standards by 2009	Short-term and middle-term European Partnership priorities in the field of human and minority rights are implemented	Reports for international treaty bodies and reports from EC monitoring mechanisms and CoE monitoring mechanisms. Reports by international NGOs and IOs in this field. OSCE Reporting. State Department Annual Human Rights Report system. UN system reporting and monitoring.	
Project purpose	Objectively verifiable indicators	Sources of Verification	Assumptions
Implementation of European Partnership priorities in this field of human and minority rights	Capacities of structures that deal with EU integrations in this field are strengthened. Realization of obligations deriving from CoE membership particularly with regard to the European Convention on Human Rights and the Convention on the Prevention of Torture. Improved prison conditions, strategies and action plans in the field of Roma integration adopted and implemented capacities of National Councils for National Minorities improved.	Reports by governmental and international monitoring mechanisms, reports by National Councils of National Minorities, reports of UN system and CoE bodies, Roma strategy and action plan texts.	Cooperation by key stakeholders. Stable political situation. Government of Serbia prioritizes integration into the EU and supports cooperation with EU and CoE.
Results	Objectively verifiable indicators	Sources of Verification	Assumptions
Result 1. Improved knowledge and implementation of policies by key stakeholders through trainings / education. Result 2. Improved capacities of key institutions to implement human and minority rights obligations through technical assistance Result 3. Increased technical facilities to report / monitor and follow up on implementation of human and minority rights standards through procurement	Number of training sessions and trained participants. Number of manuals elaborated. Number of institutions involved. Institutions capable of implementing internationally set standards in human and minority rights. Awareness raising campaigns undertaken. Institutions function properly, data base is set up; early warning system is in place.	<ul style="list-style-type: none"> ▪ Training reports, scenarios, meeting minutes, material. Texts of the manuals. ▪ Reports by international monitoring mechanisms, CoE, UN, OSCE systems, international monitoring tools, number r of law / rules/ regulations passed, number r of decisions / projects / activities. Number of awareness raising activities. ▪ - Number of computers / equipment set up and running. Data base inputs. Number of products (publications, material, etc). 	Cooperation with civil servants within local / regional / central institutions, organizational setting of the government stable. Implementation of constitutional provisions adequate.
Activities	Means	Costs	Assumptions
<ul style="list-style-type: none"> ▪ Trainings including representatives of the AHMR and the Ministry of Interior, Prison system authorities, Ministry of Health, medical experts in the field of first medical assistance/prison hospitals, prosecutor's offices and NGO sector active in the field. Development of relevant manuals and publications. ▪ Technical assistance to the AHMR in order to support activities of National Council of National Minorities, Roma National Strategy Secretariat and Centre for Integration of Returnee through twinning sessions, capacity building exercises, education, joint sessions, institutional support mechanisms. ▪ Development of data base and supply of basic equipment for its functioning. Supply of equipment for field offices and National Councils of National Minorities. 	<p>Venues / materials / trainers</p> <p>Experts / education/ capacity building sessions – documentation / manuals / resources</p> <p>Computers / technical equipments / data base system / hardware / software</p>	1.5 million Euros (TA + Supplies)	Adequate resources, structures and motivation by AHMR and partners in the system.

ANNEX II: amounts (in €) Contracted and disbursed by quarter for the project

Contracted	Q1	Q2	Q3	Q4	Q5	Q6	Q7	Q8	Q9	Q10	Q11
Contract 1.1		1.2									
Contract 1.2		0.3									
Contract 1.3											
Contract 1.4											
.....											
Cumulated		1.5									
Disbursed											
Contract 1.1		720,000	76,000	76,000	76,000	76,000	76,000	100,000			
Contract 1.2		180,000		90,000		30,000					
Contract 1.3											
Contract 1.4											
.....											
Cumulated		900,000	976,000	1,142,000	1,218,000	1,324,000	1,400,000	1,500,000			

ANNEX III

Description of Institutional Framework

The Office for Human Rights and Minorities was established by a Government by-law in July 2006. The Office Director is appointed for a period of five years and is directly responsible to the Prime Minister. The Office took over the mandate and competences of the former State Union Ministry for Protection of Human Rights and Minorities.

ANNEX IV

Reference to laws, regulations and strategic documents:

Reference list of relevant laws and regulations

Key laws, regulations and strategic documents in the area of support to human and minority rights:

General:

- Constitution of the Republic of Serbia
- Law for the Implementation of the Constitution of the Republic of Serbia
- National Strategy for Serbia and Montenegro's Accession to the European Union
- Action Plan for the Implementation of the European Partnership
- Poverty Reduction Strategy Paper

Protection of human and minority rights:

- Law on Rights and Freedoms of National Minorities
- Draft Law on the Competencies and Elections of National Councils of National Minorities
- Draft Anti-Discrimination Law
- Draft Law on Gender Equality
- Criminal Code of Serbia
- Family Law
- Law on Ombudsman
- Law against discrimination of persons with disabilities
- Law on Prison system
- Law on Ministries
- Law on Police
- Law on Misdemeanours
- Law on Local Self-Government

Reference to AP /NPAA / EP / SAA

Among others, the *Report on the Preparedness of Serbia to negotiate the stabilization and association agreement with the EU*, the so called Feasibility Study, points to the need for the future achievement of diverse human rights standards and improvement of interethnic relations.

According to European Partnership priorities it is necessary to fulfill all remaining obligations arising out of membership of the Council of Europe. Ensure uniform effective implementation of these obligations, throughout the country, notably with regard to the European Convention on Human Rights and Fundamental Freedoms and the European Convention for the Prevention of Torture.

Reference to MIPD

Fighting discrimination and promoting human and minority rights, including Roma. To create the conditions for inter-ethnic tolerance, growth and sustainable development in all communities. Support transitional justice actions, i.e. regarding domestic war crimes trials, reparations, restitution, etc. Supporting Commissariat for Refugees, Minority National Councils, Agency for Human and Minority Rights and NGO in order to support vulnerable groups' rights. Promoting participation of minorities in the institutions of society in particular in the judiciary and law enforcement bodies. Efforts should be devoted to increasing general, society-wide culture of tolerance towards national minorities as a basis for coherent and meaningful inclusion policies.

Reference to National Development Plan

N/A

Reference to national / sectoral investment plans

The Revised *Plan of the Government of Serbia for the Implementation of European Partnership Priorities* (Implementation Plan) (05 no: 018-721/2006-6 from 14 September 2006) in the section listing specific priorities in this area (point 3. Human rights and minority protection) follows strongly the Strategy of the Republic of Serbia for the Integration of Serbia into the EU as well as relevant EU SAA documents. Revisions to the Implementation Plan follow the monitoring process of the European Commission and the conclusions of the Enhanced Permanent Dialogue meetings. European Partnership priorities further guide the priorities set out by the MIPD. The priorities of the European Partnership are divided into short term and mid-term priorities, listed according to sectors and in the Implementation Plan, according to institutions, with defined activities and resources available or required. The present document strictly follows the priorities listed in the Implementation Plan. The priorities are clearly in line with the PRS and sector strategies, including the Draft Strategy for the Integration and Empowerment of Roma, the Draft Strategy for the Reintegration of Returnees, the Strategy for police reform, Draft National Action Plan for Gender Equality, and others.

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ANNEX V

Details per EU funded contract (*) where applicable:

- Trainings including representatives of the AHMR and the Ministry of Interior, Prison system authorities, Ministry of Health, medical experts in the field of first medical assistance/prison hospitals, prosecutor's offices and NGO sector active in the field. Development of relevant manuals and publications.
- Technical assistance to the AHMR in order to support activities of National Council of National Minorities, Roma National Strategy Secretariat and Centre for Integration of Returnee through twinning sessions, capacity building exercises, education, joint sessions, institutional support mechanisms.
- Develop database, supply associated equipment and supply equipment for field offices and National Councils of National Minorities.