



United Nations Development Programme  
Country: Serbia

## Support to the Implementation of Anti-discrimination Legislation and Mediation in Serbia

**UNDAF Outcome:**

Strengthened rule of law and equal access to justice

**Expected CP Outcome:**

Effective and independent judicial systems with increased access to justice for marginalized groups  
(Those that are linked to the project and extracted from the CPAP)

**Expected CPAP Output:**

Reform judiciaries and government institutions, alignment of laws with Constitutional requirements compatible with European norms; (Those that will result from the project and extracted from the CPAP)

**Implementing partner:**

**Ministry of Labour and Social Policy**

**Responsible Parties:**

MOLSP, UNDP

**Brief Description**

As part of the wide-ranging effort being undertaken primarily by the Government and civil society to fulfill the criteria for closer integration with the European Union, a key component has been devoted to the introduction of legislation seeking to more effectively prevent and combat discrimination of minorities and vulnerable groups in Serbia. The legislative framework of Serbia was perceived by international observers (such as the Human Rights Committee of the UN) as incomplete in respect to discrimination of vulnerable groups.

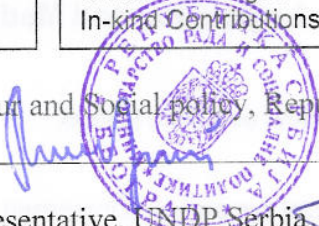
UNDP has, in partnership with the Agency for Human and Minority Rights and the European Agency for Reconstruction, supported the preparation of a comprehensive Draft Antidiscrimination Act elaborated with governmental support and in cooperation with international agencies. This Draft Act substantiates the policy statements of the government and confirms a trend which was already initiated in sector legislation. In order to increase the impact of the legislative work undertaken until now, and to guarantee the effectiveness of present and forthcoming provisions, it appears necessary to carry out a project composed of the following components:

- Institutional support to the agencies and bodies involved in the implementation of current and future antidiscrimination legislation;
- Enhancing and mainstreaming further legislative developments in the field of antidiscrimination;
- Strengthening the role of alternative dispute resolution mechanisms in the overall implementation of antidiscrimination provisions;
- Awareness raising within key groups and the society at large on the importance of equal treatment and the relevance of new antidiscrimination rules;

Programme Period: 2008-9  
 CPAP Programme Component:  
 Fostering Democratic Governance  
 Project Title: Support to the Implementation of Anti-discrimination legislation and mediation in Serbia  
 Atlas Award ID: 00048668  
 Start date: 15/01/2008  
 End Date: 15/01/2010  
 PAC Meeting Date: 27/12/2007

2008 AWP budget:	1 million Euro
(\$1.475 million)	
Total resources required	2 million Euro
(\$ 2.95 million)	
Total allocated resources:	2 million Euro
(\$ 2.95 million)	
• Donor	2 million Euro (\$ 2.95 million)
Unfunded budget:	
In-kind Contributions	

Agreed by H.E. Rasim Ljajic, Minister of Labour and Social policy, Republic of Serbia  
 (Implementing Partner):



Agreed by UNDP: Lance Clark, Resident Representative, UNDP Serbia

*ch*

*[Signature]*  
 27/12/07  
 ARR, ACTING RR



## I. ANNUAL WORK PLAN

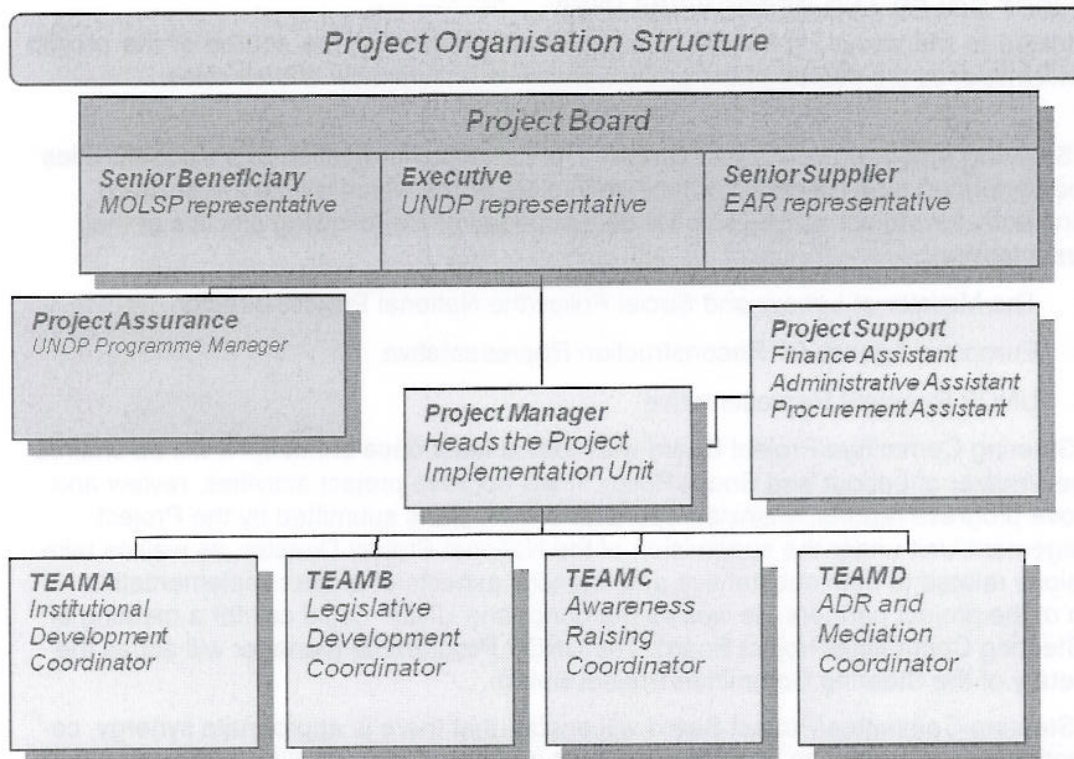
Year:

EXPECTED OUTPUTS And baseline, associated indicators and annual targets	PLANNED ACTIVITIES <i>List activity results and associated actions</i>	TIMEFRAME								RESPONSIBLE PARTY	PLANNED BUDGET		
		Q1	Q2	Q3	Q4	Q5	Q6	Q7	Q8		Funding Source	Budget Description	Amount in USD
<p><b>Output 1</b>  <b>To support the government of Serbia in the implementation of the Anti-discrimination Act and in building laws and institutions ensuring equal treatment for all</b></p> <p><i>Key indicators:</i></p> <ul style="list-style-type: none"> <li>• <i>Within the first two months of the project, the project team will be fully functioning.</i></li> <li>• <i>Governmental capacities for implementation and monitoring of Anti-discrimination Policy are increased as measured by the Systematic Analysis (Baseline Study) of capacity assessment needs.</i></li> <li>• <i>Commission for the Protection of Equality (CPE) established and its capacities are developed as measured by the Baseline Study of capacity assessment needs;</i></li> <li>• <i>CPE is fully operational and able to discharge its duties, including receive and reply to individual cases.</i></li> <li>• <i>Specific pieces of legislation developed.</i></li> <li>• <i>ADR (e.g. mediation, arbitration, or combination) Strategy in which all levels of government are connected through referral system of checks and balances.</i></li> <li>• <i>Pilot projects in select municipalities where ADR is institutionally incorporated.</i></li> <li>• <i>Public Awareness and Advocacy</i></li> </ul>	<p>1. Project management</p> <p>2. Increase the capacity of government, judiciary, civil society and other key stakeholders to monitor discriminatory practices and lead an effective antidiscrimination policy.</p> <p>3. Equip CPE (upon its establishment) and other institutions involved in the promotion of equal treatment with competencies and resources needed for effective implementation of Anti-Discrimination Act.</p> <p>4. Develop Anti-Discrimination Acts and policies dealing with specific cases of discrimination and harmonise them with European and international standards.</p> <p>5. Establish and strengthen Institutions at</p>	X	X	X	X	X	X	X	X	X	EAR	National staff	715,470
												Travel per diem	24,188
												Nonexpendable equipment	44,248
												Office Supplies	11,681
												Audit & Evaluation	29,500
											EAR	National consultants	90,708
												Printing & Publishing	2,212
												Translation	7,080
												International Consultants	14,750
												Workshops	18,436
											EAR	National consultants	103,540
												Printing & Publishing	14,749
												Translation	7,080
												International Consultants	29,498
												Workshops	5,900
												Travel	72,123
											EAR	National consultants	138,054
												Translation	8,112
												Printing & Publishing	3,687
												Workshops	29,498
											EAR	National consultants	79,646

<p><i>Strategy Developed and Implemented,</i></p> <ul style="list-style-type: none"> <li><i>TV serial (Entertainment Education Serial) produced and broadcast</i></li> </ul>	<p>the local level to resolve disputes focused on discrimination through the use of mediation and ADR</p>												<p>Printing &amp; Publishing Translation</p>	<p>29,498 4,424 14,750 7,374 250,000 184,366 33,185 648,967 22,124 2,644,849 111,083 192,915 2,948,847</p>
	<p>6. Raise awareness and change attitudes of the general public and target groups with regard to discrimination and the importance and role of antidiscrimination reforms.</p>	<p>UNDP</p>	<p>X</p>	<p>X</p>	<p>X</p>	<p>X</p>	<p>X</p>	<p>X</p>	<p>X</p>	<p>X</p>	<p>EAR</p>	<p>Printing &amp; Publishing Contracts Companies -polls Contracts Companies -TV production Workshops</p>		
<p>Programmable amount</p>														
<p>Contingency budget 4.2%</p>														
<p>GMS 7%</p>														
<p><b>TOTAL</b></p>														



## II. MANAGEMENT ARRANGEMENTS



## **PROJECT ROLES AND RESPONSIBILITIES**

In addition to the above, there will be other bodies formed in the course of the project that will influence the course of the project. Below is an overview of their roles:

**The Steering Mechanism/Project Board:** The overall co-ordination of project activities will be performed by a Steering Committee/Project Board which will be the decision making body for project activities. It will be composed of the following officials or their representatives:

- The Minister of Labour and Social Policy/the National Project Director
- European Agency for Reconstruction Representative
- UNDP Resident Representative

The Steering Committee/Project Board will meet at least once annually. It will be chaired by the Minister of Labour and Social Policy. It will approve project activities, review and approve progress reports, financial reports and work plans submitted by the Project Management Unit under the supervision of the National Project Director, as well as take decisions related to both substantive and financial aspects of project implementation. Each of the project partners, as well as the donor and UNDP could call for a meeting of the Steering Committee/Project Board. The UNDP Programme Manager will act as the Secretary of the Steering Committee/Project Board.

The Steering Committee/Project Board will ensure that there is appropriate synergy, co-ordination and co-operation with other projects and programmes falling in the same field of intervention as those of the project.

**Advisory Panel:** The Advisory Panel will serve as a consultative body to the Ministry of Labour and Social Policy and later (upon its establishment) to the Commission for Protection of Equality. It will advise on the development of anti-discrimination policy in Serbia. It will be comprised of representatives of the key stakeholders in the area of anti-discrimination: relevant Ministries, representatives of the judiciary, human rights institutions such as the Ombudsman, Non-governmental Organisations and others. The Advisory Panel will review planned interventions and offer suggestions to the Ministry and, later, the Commission for Protection of Equality. Its role will primarily focus on guiding the first steps in establishing the system of monitoring and combating discriminatory practice in Serbia and using the experiences of existing stakeholders. The Advisory Panel will also be an intermediary between the main stakeholders in the field of anti-discrimination and the newly formed Commission for Protection of Equality (when it is established) in order to support the first steps of CPE; eventually, as the project progresses and the capacities of the CPE are built, the competences of the Advisory Panel will be adjusted and it will retain only its advisory purpose vis-à-vis the CPE. The work of the Advisory Panel will be supported by three consultants with national expertise and one consultant with international expertise in the field of anti-discrimination and human rights.



**Network of Focal Points:** The Network of Focal Points will be established by the Advisory Panel. It will consist of a number of human rights practitioners currently active across Serbia (CSO members, local ombudsmen, inter-ethnic councils, etc). They will be entrusted with implementing the Mechanism for the Monitoring of Discriminatory Practices, which will be developed by the Advisory Panel. As the Focal Points will be recruited from the ranks of already active practitioners, they will not be remunerated from this project.

**Legislative Development Working Group:** The Legislative Development Working Group, which will be formed by the Ministry of Labour and Social Policy, will be entrusted with developing legislation in the field of antidiscrimination and the priorities of further legislative action. The Working Group will be composed of four experts with national expertise in anti-discrimination and human rights. The work performed in the project, by the Project Management Unit and the Advisory Panel, will be fully coordinated with, and will correspond to the needs of, the Working Group. The development of specific pieces of legislation on anti-discrimination (through the Working Group) that will complement the Draft Antidiscrimination Act will be based on the needs and priorities of various key target groups and stakeholders. These needs shall be ascertained through research and analysis by the Working Group that will include a series of policy seminars at the national level in various fields such as employment, education, health and social care, housing, criminal justice, together with a number of consultation events across Serbia.

**Alternative Dispute Resolution and Mediation Task Force:** The role of the ADR and Mediation Task Force will be to assist the Ministry of Labour and Social Policy and prepare the future activities of the Commission for Protection of Equality in the field of ADR (e.g. mediation, arbitration, or combination). The Task Force will be composed of four experts (three national and one international) with expertise in ADR and mediation with a competence in human rights. The Task Force will serve to support the ADR System Coordinator, the Ministry of Labour and Social Policy and the CPE in creating and implementing an ADR system, certification of ADR providers, creating an ADR referral system. The Task Force will create and carry out a specific training programme for mediators wishing to specialize in the field of anti-discrimination/equality including a manual for mediation in cases of (potential) discrimination which will complement the existing basic mediation training course. Task Force will select and carry out the training for institutions which will primarily be at the local level (Inter-ethnic Councils, provincial and municipal Ombudspersons, municipalities, National Minority Councils, CSOs, judiciary, police), to use ADR and mediation to combat discrimination. The Task Force will also be responsible for the development of an ADR Strategy whose purpose will be to set out the path for the design of an effective, efficient and sustainable ADR and mediation system on the local level in Serbia. In doing so, the Task Force will use the results and lessons learned generated through the pilot projects implemented by the ADR and Mediation Pilot Projects Fund.

**The Project Management Unit:** The Project Management Unit (the 'Unit') will consist of a Project Manager, four Project Coordinators (Legislative Development, Public Awareness, Institutional development and Capacity Building and Alternative Dispute Resolution System), and three Project Assistants (Administrative, Procurement and Logistic and Finance). The Project Manager will head the Unit. **The UNDP Programme Manager** will act as Project Assurance and oversee the work of the PMU and coordinate on all matters pertaining to the project with the Project Manager. The Project