

The fight for the respect of the human equality principle

"Open forum – Public support of Reforms within the Rule of Law"

The text before you represents the resume of the project of the Committees for Human Rights Network in Serbia – CHRIS titled ***"Open forum –Public Support of Reforms within the Rule of Law "***, with the aims being public advocacy for the general antidiscriminatory law passing and public debate dealing with the basic antidiscriminatory subjects. At public meetings organized by the Network in the six cities: Novi Sad, Negotin, Vranje, Novi Pazar, Valjevo and Niš and media campaign, modern antidiscriminatory legal standards were presented to local public servants (municipal and district courts, municipal and district prosecution offices, police, centre for social work, offices of national employment service), media and citizens associations. *Project realization was supported by Freedom House, the funds of the USA agency for international development within the project „Democratic transition and reintegration in Serbia“.*

Discrimination in Serbia has finally reached the status of publicly accepted issue. It seems that today in the country there are no nongovernment organizations which do not deal with human rights and which did not include fight against discrimination in its program activities. People, as well as public newspapers, care about the principle of equality and they do not publish pornographic pictures on the covers, media tries to see to the end the whole procedure of legal responsibility settlement of those who speak for the blood and honour, and incidents such as fascistic act at Novi Sad university are publicly attacked. The reaction of the state on the discrimination issue is equally important – Higher court of Serbia resolved the first case of discrimination, the authority in Novi Sad and Vojvodina undertook the steps to prevent organized fascistic groups by the mechanisms of legal protection. In People's parliament of the Serbian Republic there are two special antidiscriminatory laws in the procedure of adoption – The proposal of the law on preventing discrimination of the disabled and the proposal of the law on gender equality. Finally, before the Constitutional court of Serbia there is a proposal of the Belgrade centre for human rights to evaluate the constitution of the legal definition of illegal marriage union of the opposite sex people.

Undoubtedly, things are improving and it would really be devastating if this country was totally immune of the effort made by the people who live in it. However, it should not be forgotten that those of advanced understanding were always a minority in this society, i.e. there are more of those who pull us backwards, not towards the traditional values, which could be seen as a legitimate strive, but towards simple mud: crime, hatred, intolerance and omnipresent powerful stupidity. Due to that, it shouldn't be considered that the fight for equality is getting to an end since the issue of discrimination was opened only a few decades before and it still has not been solved. In the United States of America and the European countries the fight for recognising

the right to marry a person of the same gender is current. The European Union initiates procedures before the European court of justice against the member states which did not undertake measures for the implementation of the highest standard directives on discrimination of the European Council. Namely, in the countries of the European Union there are cases of discrimination of individuals or groups based on race, skin, ancestors, national or ethnic origin, language, religious or political beliefs, gender, gender identity, sexual orientation, property ownership, birth, genetic peculiarities, health condition, disability, marital status and other personal characteristics. Consequently, the European Union undertakes active measures on suppressing or removing all the forms of discrimination.

In the region, things are similar as with us. In Montenegro, Albania and Macedonia, nongovernment organizations have created drafts of laws against discrimination, whereas nongovernment organizations in Bosnia and Herzegovina and Croatia are preparing to start the work on the creation of the draft of the law against discrimination.

As usual, we are where the ones around us are; however, we could be one step ahead in this case. Nothing is on the way of the Republic of Serbia Government and People's Parliament to adopt the General Law Against Discrimination alongside with the two separate antidiscriminatory laws which are planned for adoption this year. The model proposal of antidiscriminatory law was done at the Institute for Comparative Law from Belgrade four years ago, and real problems in the sphere of discrimination are present, so a chance should be given to those who are aggravated and their representatives to fight for their equality in the society through legal mechanisms.

Adopting antidiscriminatory law is the obligation of our state. Fulfilment of this obligation was so far demanded by the United Nations and the officials of the Council of Europe and the European Union. But more than that, our state, obliged itself while adopting the strategy of joining the European Union to bring the laws against discrimination. It should be pointed out that this obligation is not only for protecting special groups of individuals, but for adopting the law that would *provide legal protection against discrimination to everyone regardless of their personal characteristics*.

It is not to be doubted that the civil society will remind the state of this obligation on a daily basis. Already organized as permanent or *ad hoc* coalitions, nongovernment organizations are carrying out a campaign for the law against discrimination adoption, following discriminatory practice and preparing to add up to the implementation of antidiscriminatory regulations after their adoption.

The Network of the Committees for Human Rights in Serbia - CHRIS

The Coalition Against Discrimination

Permanent Coalition Against Discrimination was founded in March 2005 with the aim to advocate the adoption of antidiscriminatory law and monitoring discriminatory practice. The Coalition is comprised of the Centre for Advancing Legal Studies, the Network of the Committees for Human Rights in Serbia - CHRIS, the Human Rights Initiative of the Young , Labris, Gayten LGBT, Big and Small, The Voice of Difference, the Union of the Disabled Students and Swedish Helsinki Committee for Human Rights. More data on the activities of the coalition is available at: www.cups.org.yu/kpd

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