

How to reach the Commissioner?

Very simply
by lodging a complaint.

A complaint may be lodged by **anyone** who believes he/she has been discriminated against, or even by a **human rights organisation** or any **other individual on behalf of the discriminated person** and with that person's consent.

The complaint must state the following: **who** has been discriminated against, **how** was he/she discriminated against and **who** was discriminating, as well as what the **available proof** of the discrimination is.

Complaints are to be submitted in a **written form** and they must also be signed.

Complaints may be lodged *via* telefax, e-mail, or, in exceptional cases, orally for the record.

The Commissioner cannot take action on the basis of anonymous complaints.

Complaints are to be sent to the following address:

Commissioner for the Protection of Equality
70 Beogradska St., 11 000 Belgrade
Telephone/Fax: +381 11 24 36 464
e-mail: poverenik@ravnopravnost.gov.rs

Office address for the reception of citizens:

22-26 Nemanjina St., Belgrade
The office is open on Tuesdays and Thursdays.
Appointments are to be made by telephone at +381 11 243 8020 and +381 11 243 6464.



www.ravnopravnost.gov.rs



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Equality our right and our responsibility

Commissioner for the
Protection of Equality
is an independent body
that specialises in fight
against discrimination

What IS discrimination?

Discrimination is **every unjustified differentiation or unequal treatment** (exclusion, restriction or preferential treatment) in relation to **individuals or groups**, be it **overt or covert**, on the grounds of any of their personal characteristics, such as race, colour of skin, citizenship, nationality or ethnical background, language, religious beliefs or political convictions, gender, sexual orientation and other.

Discrimination is unequal treatment of equals and equal treatment of unequals.

Forms of discrimination

- direct discrimination
- indirect discrimination
- violation of the principle of equal rights and obligations
- prohibition of calling to account
- association for the purpose of exercising discrimination
- hate speech
- humiliating treatment and harassment
- severe forms of discrimination (racial, national and religious intolerance, multiple discrimination, discrimination by public authorities, trafficking in human beings)

What is NOT discrimination?

Not all differentiation is discrimination. Cases exist in which differentiation is justified and permitted.

For instance, unequal treatment is allowed in cases of employment in which respective jobs require the hiring of persons who have certain personal traits (higher education, certain psycho-physical abilities and similar).

Grounds of discrimination

- race, colour of skin, ancestry, citizenship, nationality or ethnic background, language, religious beliefs or political convictions,
- gender, gender identity, sexual orientation,
- financial status, birth, genetic characteristics, health condition, disability,
- marital and family status, age, appearance,
- history of convictions,
- membership in a political party, syndicate or other organisations and
- every other real or assumed personal trait.

What can the Commissioner do?

Reconciliation

Before taking any legal action, the Commissioner may propose reconciliation to allow the person who was discriminated against and that who discriminated resolve the issue with the help of a mediator.

Issue opinions and recommendations

Having received a complaint, the Commissioner shall initiate the procedure, establish the facts of the case and give an opinion on whether or not there has been discrimination. If she finds the case to be one of discrimination, the Commissioner shall issue a recommendation to the person against whom the complaint was lodged, suggesting a way of redressing the violation in question. Should that person fail to act in line with the recommendation, the Commissioner shall issue a warning after which, if ignored, she will *inform the public of the situation*.

Filing charges

When deemed necessary, the Commissioner may initiate court proceedings with the consent of the discriminated individual.

Submitting reports on misdemeanour

The Commissioner shall submit reports on misdemeanour on accounts of violations prescribed by the anti-discrimination laws.

The complaints procedure shall not last for more than 90 days and it is entirely free.

With trust in the Commissioner



Prof. Nevena Petrušić Ph.D.

Commissioner for the Protection of Equality

The Commissioner is a full-time professor at the Faculty of Law of the University of Niš. Until becoming elected as Commissioner, she was the Faculty Dean. She has written over 20 textbooks, monographies, studies and handbooks, as well as over 150 academic and expert articles. She is actively involved in the NGO sector, particularly concerning human rights, women's rights and gender equality. She is a recipient of the OSCE award.

Our mission and the purpose of our work is to fight against all forms and aspects of discrimination which is why I can assure you that each and every one of your complaints will be carefully considered. We will use all means available to protect you in every case of discrimination. Discrimination must not be tolerated. That is why you must react and demand protection! Each successfully closed case of discrimination will be an invaluable contribution to the creation of a democratic and tolerant society in which all citizens have equal chances to equally, actively and productively participate in all segments of social life.

Nevena Petrušić Ph.D.