

Supporting Social Investment in the Western Balkans: European Enlargement Monitoring Report 2014



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IRIS Network brings together national networks of CSOs from Bosnia and Herzegovina, Croatia, Serbia, Montenegro and Kosovo. Main and most important goal of this project is better social care of most vulnerable people, who do not have a proper services provided by local or national government. This briefing has been constructed in the framework of the project „Improving the provision of Social Service Delivery in South Eastern Europe through the empowerment of national and regional CSO networks” funded by the EU started implementing in the December of 2012.

SOLIDAR is a European network of 60 NGOs working to advance social justice in Europe and worldwide. SOLIDAR lobbies the EU and international institutions in three primary areas: social affairs, international cooperation and education.

For more information see: www.solidar.org

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Foreword

The European Commission's 2014 Enlargement Progress Reports indicates a number of positive developments in the accession countries over the past year, but it also recognises the challenges at hand. Like in the European Union, the impact of the economic crisis is being felt throughout the region, with the Western Balkans falling back into recession with dramatic consequences for people living and working in the region.

The protracted depression has most visibly aggravated the already difficult social conditions. In recent past, social welfare reforms in the Western Balkans have tended to be a series of crisis-oriented solutions rarely forming a coherent strategy for the whole policy field. This "lack of coherence" in social policies shows that a new institutional framework is needed to create enabling environment that coordinates the supply of services and entitlements at every level. Such a system could be reached through the social investment policy principle strengthened by using the Instrument for Pre-Accession to support the initiatives run by civil society - particularly, community-based initiatives and community-based activities envisaged to counteract the exclusion from economic life, social services, and social networks and civic participation that can affect all members of society, not just those who are already disadvantaged or marginalised.

Within that framework, SOLIDAR and partners propose in this briefing paper five benchmarks to strengthen the social investment angle within the EU enlargement approach. These five benchmarks have been taken into account by our members and partners in the Western Balkans to provide inputs to the European Commission consultation on the Enlargement Progress Report 2014.

Since 1948 SOLIDAR's members have been contributing to a social Europe through their daily work as civil society organisations and social service providers. These organisations work together on both European and international level to answer current challenge: how to reconcile the move towards economically competitive societies in a globalised world whilst also providing adequate social protection for citizens.

In 2015, SOLIDAR will continue to work with civil society, think tanks and independent academics from the Western Balkans to refine the social investment benchmarks to monitor the accession process with the ambition of contributing to promoting progress and prosperity for all in the region.

Conny Reuter

SOLIDAR Secretary General

Summary

At the time when four of six Western Balkans countries are the EU candidate countries, and remaining two are shaping their European way, the whole region is still facing a lack of capacities regarding the social, economic and political rights protection. Therefore, the social investment approach - designed to strengthen people's skills and capacities and support them to participate fully in employment and social life - should be enhanced within the EU Enlargement policy in order to build up cohesive societies in which every person has the opportunity to fully participate in economic, social and cultural life and to be fully involved in the democratic decision making process related to his or her own living and working conditions.

On the occasion of publication of this briefing paper SOLIDAR presents policy recommendations on how to foster social inclusion and support social investment in the Western Balkans region, in response to the European Commission's Progress reports on the Enlargement strategy and challenges 2014 - 2015 on October 8.

The recommendations are based on the findings of an extensive consultation carried out by SOLIDAR and members and partners in the Western Balkans as well as on the on Comparative Analysis of the Role of Civil Society in Providing Social Welfare Services, developed by SOLIDAR with its partners from the IRIS network in April 2014.

Our main recommendations are:

- A universal and inextricable approach to social, economic and political rights should be put in place to guarantee equal opportunities, fight discrimination and build cohesive societies.
- Accession Countries should provide assistance for those who can work to enter or re-enter and stay in employment that best relates to their capacity to work.
- Access to social services for all should be supported as a way to implement human rights and to provide adequate resources to individuals as part of consistent and comprehensive efforts to fight social exclusion.
- Accession Countries should ensure that proper social support is given to those that require it, in order to promote social and economic inclusion.
- Accession Countries should strengthen national lifelong learning programs aimed at personal, social and professional fulfillment, whilst promoting democratic values, active citizenship and intercultural dialogue.

EU Enlargement: Supporting Social Investment

In 2012 the European Parliament Report on Enlargement expressed concerns about the inattention to the social dimension of the EU enlargement process. Indeed in recent years, unemployment and social inequalities have significantly increased in the Western Balkans affecting in particular the situation of young and disadvantaged people. It should be emphasized that the socio-economic dimension of the Enlargement policy cannot be separated from the political one. Therefore, strengthening the active inclusion angle within the EU enlargement approach is a challenge of reinforcing the integration process and contributing to the fundamental aim of the European project, which is to realise simultaneously economic and social progress by promoting convergence amongst Member States.

In order to promote the social investment approach and to support the European Parliament's perspective by, last year SOLIDAR and its partner organisations have developed five benchmarks based on the EU Active Inclusion strategy to evaluate the European Commission's Enlargement package.

These benchmarks include:

- 1. Social, economic and political rights**
A universal and inextricable approach to social, economic and political rights should be put in place to guarantee equal opportunities, fight discrimination and build cohesive societies.
- 2. Inclusive labour markets and decent work**
EU Member States and Accession Countries should provide assistance for those who can work in order to enter, re-enter and stay in employment, that matches/best relates to their skills / capacity to work. In this framework, abuses and discriminating treatments should be fought.
- 3. Sufficient income support and minimum living wage**
EU Member States and Accession Countries should recognise and implement the rights of individuals to adequate resources as part of consistent, comprehensive and preventive efforts to fight social exclusion.
- 4. Access to quality services**
EU Member States and Accession Countries should ensure that proper social support and universal access to high quality social services are provided, in order to promote social and economic inclusion.
- 5. Participation and lifelong learning**
EU Member States and Accession Countries should strengthen national lifelong learning programs aimed at personal, social and professional fulfillment, whilst promoting democratic values, active citizenship and intercultural dialogue.

Ongoing Initiatives

In relation to the specific thematic of this briefing paper, the following project implemented by partner organisations and supported by SOLIDAR is at the point of finalizing its first phase.

1. Improving the Provision of Social Service Delivery in South Eastern Europe through the Empowerment of National and Regional CSO Networks¹

Objectives

Following the objective “To achieve a more dynamic civil society actively participating in public debate on democracy, human rights, social inclusion and the rule of law and with capacity to influence policy and decision making processes”, project stakeholders will continue to have a key role. They will strengthen the monitoring and policy making capacities of line ministries in order to support the development of the entire social protection system. They will follow-up CSOs providing social services and represent interests of non-for-profit social and health services providers at the national, regional and EU level.

Expected results

Social protection and social welfare services in the Western Balkans and South Eastern Europe are implemented in complex and differentiated systems, although they emerged from the same legal and institutional foundations. Their development in the recent year poses different challenges for each of the countries in the region. The Continuation of the action will be focused on:

- Establishing of more efficient and effective social protection system focused primarily on the users of social services;
- Raising the interest for greater volunteer engagement in the social and health field;
- Building national systems of financing that can help define the priorities for the development of the civil sector and its interactions with the public service sector in the field of interest of the IRIS network;
- Establishing national and regional networks and clusters of civic providers of social and health services in order to enable best quality of services for the users;
- Establishing systems of support for the civil sector in this field, coordinated with the work of the line ministries in order to enable greater efficiency and long-term sustainability of the civil sector.

¹ Financed by the Civil Society Facility as part of the Instrument for Pre-Accession.

Framing the Social Investment within the EU Enlargement Package

Social investment implies policies designed to empower individuals and strengthen their capacities in order to prevent them falling into exclusion and to support them in participating fully in employment and social life. The focus and ultimate goal of such an approach is to build up cohesive societies in which every person has the opportunity to fully participate in economic, social and cultural life and to be fully involved in the democratic decision making process related to his or her own living and working conditions. Therefore the policy guidance for the Member States in the area of social protection and Social Investment Package² is setting the following objectives:

- Spending more effectively and efficiently to ensure adequate and sustainable social protection;
- Investing in people's skills and capacities to improve people's opportunities to integrate in society and the labour market;
- Ensuring that social protection systems respond to people's needs at critical moments during their lives;³

Through its Enlargement policy, the European Union also should encourage the Accession Countries to support the social investment approach in their policy goals. This includes boosting initiatives and projects related to social protection enforcement and additionally engaging

both citizens and institutions to jointly participate in this process.

Additionally, the social investment principle can be strengthened by using the Instrument for Pre-Accession to support the initiatives run by civil society. In that sense a great step forward is done by a novelty introduced in the IPA II and its strategic focus for every specific country. This is expressed in the Country Strategy Papers⁴ for every particular Accession Country. This tailor-made country approach could help in responding to the specific needs of every society, and in the anticipation of the future individuals' skills and capacities in order to achieve higher employment rates and to develop better matching between skills and labour market demands.

Hence, a creation of the most favorable environment to enhance people's well-being and protect them from social exclusion and discrimination should be set as the vital social policy goals. In order to achieve this objective, the role of social dialogue has to be strengthened among all relevant stakeholders, and capacities of social partners have to be improved.

²

<http://ec.europa.eu/social/main.jsp?langId=en&catId=1044&newsId=1807&furtherNews=yes>

³ Citizens' summary Social Investment Package for Growth and Cohesion - Available at <http://ec.europa.eu/social/main.jsp?catId=1044>

⁴ http://ec.europa.eu/enlargement/news_corner/key-documents/index_en.htm?key_document=080126248ca659ce

Assessing Progress on Social Investment in the Western Balkans

For the purpose of this briefing paper, SOLIDAR together with partners launched consultations among civil society organisations in the Western Balkans in order to evaluate the implementation of European Commission's Enlargement package. These five benchmarks correspond to the fronts along which we think progress should be made in order to achieve social cohesion as well as fight poverty and social exclusion. The benchmarks focus on:

- Guaranteeing equal opportunities to fight discrimination and build cohesive societies through enhancing a universal and inextricable approach to social, economic and political rights;
- Providing the assistance for those who can work to enter or re-enter and stay in employment that best relates to their capacities/skills to work;
- Recognizing and implementing the right of individuals to adequate resources as part of consistent and comprehensive efforts to fight social exclusion;
- Ensure that proper social support is given to those that require it, in order to promote social and economic inclusion;
- Strengthening national lifelong learning programs aimed at personal, social and professional fulfillment.

Within this section a summary is presented following the identified five benchmarks based on the EU Active Inclusion strategy. The detailed feedback received is annexed to this briefing paper.

1. *Social, economic and political rights*

At the time when four of six Western Balkans countries are the EU candidate countries, and remaining two are shaping their European way, the whole region is still facing a lack of capacities regarding the social, economic and political rights protection. The economic crisis severely hit all countries in the region, and as a result of it there is insufficiency in funds earmarked for a stronger approach in guaranteeing equal opportunities, fight discrimination and building cohesive societies. These issues are echoed in the Progress report in the following countries:

- **Albania:** Legal framework for minorities protection remains fragmented while the implementation of the legal package for persons with disabilities and the Law on Protection from Discrimination needs to be ensured. The number of reported serious offences and cases of domestic violence against women increased, and Albania is still a source country for forced child labor.
- **Bosnia and Herzegovina:** Existence of ethnic-based divided schools is still an obstacle for a multi-cultural society development. Political and financial pressure on media increased which reduces freedom of expression. Women's political participation remains low.
- **Macedonia:** Further improvement needs to be done in the area of policy implementation strategies. This particularly means that the lack of financial and human resources are slowing the progress and development in the area of minorities' protection, social inclusion and anti-discrimination policies.

- **Kosovo:** The fragmented institutional and legislative framework with inadequate cooperation is clearly ineffective. There are problems related to the non-existence of anti-discrimination laws, gender equality and the institution of Ombudsman. Human rights protection in general has to be set as a policy priority.
- **Montenegro:** Women's political participation is still limited. Inter-institutional cooperation in the field of women's rights protection needs to be improved. Persons with disabilities are facing severe difficulties in the access to public services due to physical obstacles. Additionally, financial support paid to employers for employing people with disabilities is insufficiently protected against misuse.
- **Serbia:** Regarding human rights protection – especially in the area of minority language usage – a consistent implementation of existing a legal framework needs to be secured. Freedom of expression is not fully enforced considering the lack of transparency over media ownership. Serbia was affected with severe floods recently which resulted with additional issues related to the most discriminated group – Roma children.

2. Inclusive labour market and decent work

Considering that unemployment and social inequalities have significantly increased in the Western Balkans affecting in particular the situation of young people, it should be emphasised that the socio-economic dimension cannot be separated from the political one. The need to reinforce laws and legal systems, including the capacities of labour inspectorates, to promote labour

and socio-economic rights, to tackle the growing informal economy and informal labour employment should be high on the list of political priorities. These concerns are echoed in the Progress report in the following countries:

- **Albania:** No measures were taken to address the gender pay gap or access to entrepreneurship while the representation of women in the labour market still remains very low.
- **Bosnia and Herzegovina:** Participation of women in the workforce is low and there is still maternity-related discrimination in employment
- **Macedonia:** Cooperation between the relevant institutions charged with the enforcement of employment law has not been improved.
- **Kosovo:** The Law on Labour needs to be amended, notably with regard to working contracts, maternity leave, medical leave and inspectorate oversight. Participation of women in the workforce is low and there continues to be maternity-related discrimination.
- **Montenegro:** Implementation and enforcement of the legislation in this area remains at very low level.
- **Serbia:** Since the Labour Law was adopted in an urgent procedure consultation with the social partners and public debate could not be fully respected.

3. Sufficient income support and minimum living wages

Accession Countries should recognise and implement the right of individuals to adequate resources as part of consistent and comprehensive efforts to fight social exclusion. Therefore it is needed to create legal frameworks for civil society

organisations providing social services to empower people, and to support and further develop community-based initiatives fighting social exclusion. The following developments have been highlighted in the Progress report in the following countries:

- **Albania:** In the area of social protection, delays in disability and pension payments were addressed. Pension reform is still ongoing.
- **Bosnia and Herzegovina:** Social protection remains fragmented and consequently inefficient. Social protection is predominantly determined based on status as opposed to need, and there are still inequalities in the provision of rights in different areas.
- **Macedonia:** The real impact of the government action on inclusive employment raises questions about adequate preparation of this measure and about the principle of merit.
- **Kosovo:** The decentralization of social services is still not fully or effectively implemented by the municipalities. In order to provide effective social services coordination of actions and allocation of resources is required.
- **Montenegro:** Poverty reduction and improving the inclusion of the minorities, people with disabilities and other vulnerable groups needs to be ensured.
- **Serbia:** The availability of community-based services across the country remains limited while the at-risk-of-poverty rate in Serbia is 24.6%.

4. Access to quality services

In order to ensure proper social protection it is necessary to improve the quality of relevant institutions. Their functionality should be based upon the partnership

principle (i.e. social and civil dialogue). Moreover, to improve access and availability of high quality social services for vulnerable people the capacity of civil society based on social services providers should be supported by the national institutions.

- **Albania:** Although some improvements due to the adoption of the framework law on inclusion and accessibility, people with disabilities continue to face difficulties in accessing education, employment, healthcare and social services. Implementation of the new framework law will require significant improvements to existing infrastructure and access to services.
- **Bosnia and Herzegovina:** A system of quality control for social protection services in the public and NGO sector needs to be developed in order to improve the quality of services and to support the NGO sector.
- **Macedonia:** Limited progress was made in implementing the 2010-18 national strategy on equal rights for people with disabilities. The administrative capacity of the institutions in charge of implementing the Law on Social Protection has not been improved.
- **Kosovo:** Regarding social protection, licensing of individual social and family service providers have continued and preparations for licensing of legal subjects/organisations have started.
- **Montenegro:** Intensive efforts have been made in order to fight undeclared work especially on the coast and in Podgorica. In the area of social inclusion, implementing legislation for the law on social and child protection has been adopted.
- **Serbia:** The 2014 budget earmarked for active labour market measures is

insufficient to address the high level of unemployment and of long-term unemployment and to face future challenges. Social inclusion of people with disabilities needs significant improvement.

5. Participation and lifelong learning

The availability and affordability of quality training and lifelong learning opportunities should also be considered as a key aspect to foster the active inclusion and provide life and work opportunities for all. There was some progress in the areas of education, training, youth and culture (i.e. All the countries mentioned in the analysis signed in June an agreement with the EU for partial participation in the new 'Erasmus+' programme). However, the following concerns have been reported.

- **Albania:** Regarding vocational education and training (VET), a draft 2014-20 national strategy for jobs and skills and a related action plan were finalised and are awaiting adoption, while a monitoring plan still needs to be prepared.
- **Bosnia and Herzegovina:** The country actively participates in the Western Balkans Platform on Education and Training.
- **Macedonia:** The Youth in Action programme involved an increased number of young people from the country in international activities. The implementation of the 2013-20 strategy for vocational education and training has progressed slowly, but with increasing dynamism. Steps were taken to establish the institutional setting for the National Qualifications Framework for lifelong learning.
- **Kosovo:** The Youth in Action programme continued involving young people from Kosovo in international youth activities and offered youth workers the opportunity to cooperate within training and networking activities. The current VET system does not properly meet the labour market needs in Kosovo/
- **Montenegro:** The Youth in Action programme saw an increased number of young people involved in international youth activities. Regarding the reform of vocational education, attractiveness, in particular of the -year VET programmes, is decreasing.
- **Serbia:** Participation in the Tempus, Erasmus Mundus, and Youth in Action can be considered successful. These activities are offering youth workers the opportunity to cooperate within training and networking activities.

As a result of analysis of every national example, one general observation can be made: in the Western Balkans – where poverty and socio-economic inequalities are dramatically high – the EU Enlargement Strategy should further prioritise support for building social and human capacities – following the social investment approach - the local level, for consolidating democratic participation and strengthening civil and social dialogue. These are pre-requisites of active inclusion and can be considered key aspects for the promotion of local ownership of the European accession process.⁵

⁵ SOLIDAR briefing #41, Promoting community based initiatives for social inclusion in the Western Balkans, October 2011

Policy Recommendations

These five benchmarks have been taken into account by our members and partners in the Western Balkans to provide inputs to the European Commission consultation on the Enlargement Progress Report 2014.

The feedback received in this consultation clearly highlights the need to strengthen comprehensive rights-based strategies that promote active inclusion and social investment. Furthermore it underlines the need to involve a wide range of stakeholders – including civil society - during the design and implementation of policies. This integrative approach will help to tackle the key challenges for within the active inclusion measures in the region.

On this basis the EU Enlargement strategy can contribute to the creation of legal frameworks for civil society organisations that are empowered to provide social services to people. Additionally, they will support and further develop community-based initiatives fighting social exclusion of vulnerable groups and promoting civic engagement.

For the creation of the best environment to improve social investment, the following needs can be extracted – amongst others – from the feedback received:

- The need to create institutional frameworks to guarantee universal access to quality services and foster social services reforms;
- The need to improve the quality of institutions, based upon the partnership principle (i.e. social and civil dialogue), and reinforcing the capacity building for civil society initiatives in this field;
- The need to fight discrimination and reduce barriers to access and guarantee equal opportunities;
- The need to reinforce laws and legal systems, including the capacities of labour inspectorates, to promote labor and socio-economic rights, tackle the growing informal economy and informal labor employment;
- The need to develop efficient implementation mechanisms for the existing regulation;
- The need to gear the Civil Society Facility, under the Instrument for Pre-Accession, to strengthen community-based initiatives aiming at fighting social exclusion, reducing inequalities, and promoting active citizenship and social investment.

Although there have been some improvements in the area of stated benchmarks and in answering to the identified needs, yet the frequency of social, economic and political rights infringements is still alarming. This includes particularly a lack of funds and political willingness to set social inclusion and social reforms as a political agenda priority. This briefing paper aims to underline the importance of enhancing the social dimension within the EU Enlargement policy and to promote concept of social investment as a substantial element of the future Enlargement package's policies.

a Special Case

The humanitarian disaster provoked by the floods in Bosnia and Herzegovina, Croatia and Serbia

It would be impossible to do any assessment of the social progress in the Western Balkans countries in the recent months without taking into consideration the disasters provoked by multiple floods that affected a large area of South East Europe in third week of May 2014. This cyclone called "Tamara" in Bosnia and Herzegovina, Croatia and Serbia brought the heaviest rainfall in 120 years of recorded weather measurements. Three months' worth of rain fell on the region in just a few days, causing rivers to burst their banks and sweep into people's properties and establishments. This caused termination of providing public services, such as water, electricity, transport etc, and also it was severe attack on the weak public infrastructure. Official counts indicate that over 1.6 million people were affected in Bosnia and Serbia, after only a week of flooding. Floodwaters caused over 2,000 landslides across Western Balkan region, spreading damage across many towns and villages.

This natural disaster resulted with humanitarian disaster - tens of thousands of people have fled their homes from the flood-hit regions, many finding shelter in schools and sports halls. Great number of families in flooded areas, even weeks after the floods, weren't able to return to their homes.

Civil society organisations (CSOs), individually or in the cooperation with national authorities, provided on the spot quick and targeted reaction by helping affected people. Additionally, a high number of volunteers were engaged in various numbers of actions. Mainly they were mobilized via social networks but with a strong support of the relevant local and international CSOs operating in the affected area.

Additional activities related to the revitalization of the floods affected area are vitally important in the long term projections. After urgent logistical help that was given immediately after the flood, special priority now has to be given to the reactivation of the economic capacities and social protection services in order to prevent people.

ALBANIA

Subjects	Enlargement Progress Report 2014	Comments for follow up in 2015
Social, economic and political rights		
<ul style="list-style-type: none"> • Promotion and enforcement of human rights • Respect for and protection of minorities, cultural rights • Access to justice • Freedom of expression • Women's rights and gender equality • Children's rights 	<p>While inter-ethnic relations have remained good overall, comprehensive legislation on minorities has not been adopted and the legal framework for the protection of minorities remains fragmented. Living conditions, access to education, employment, health and social care for the Roma population need to be improved, following up on the seminar on Roma and Egyptians in February.</p> <p>As regards access to justice, the functioning of the State Commission for Legal Aid should be improved and recent provisions on Legal Aid providing for the establishment of regional legal aid offices implemented. Judicial fees deter many citizens and application procedures are too cumbersome. Free legal aid continues to be provided mainly by non-governmental organisations with donor funding.</p> <p>The National Council on Gender Equality began its work and coordinators on gender issues were appointed in all line ministries. The number of reported serious offences and cases of domestic violence against women increased. An online system to report cases of gender violence has been launched, but is operational in only 29 municipalities. Other measures have not yet been implemented, such as an extension of the referral mechanism for domestic violence and mainstreaming women's employment in the strategies of all municipalities.</p> <p>Albania remains a source country for forced child labour.</p> <p>The legal framework for persons with disabilities was revised; its</p>	<p><i>Roma and Egyptians inclusion has to become a national priority enhanced through the sector policy. The authorities have to consult and ensure participation of the Roma and the Egyptians civil society organisations in preparations of a new Social Inclusion and Social Protection Strategy as well as other relevant sector strategies and in its later implementation.</i></p> <p><i>Donor-funding oriented free legal aid provision needs to be complemented with the institutional support.</i></p> <p><i>No progress to be reported for the period under children's rights, especially regarding forced child labour.</i></p> <p><i>Prejudices against disabled persons are still strong and the community is not aware of the harsh problems disabled people face. There is a little interest about disability needs. Therefore, revised legislation has to be implemented and supported by the CSOs social provision.</i></p> <p><i>The authorities should act more decisively on the protection of human rights and anti-discrimination policies when it comes to the implementation of the adopted legislation.</i></p>

<ul style="list-style-type: none"> • Socially vulnerable and/or persons with disabilities • Anti-discrimination policies • Labour rights and trade unions 	<p>implementation needs to be ensured.</p> <p>Regarding the area of anti-discrimination policies, the number of cases examined and inspections initiated by the Commissioner for Protection against Discrimination has increased. The Law on Protection from Discrimination is largely in line with the EU acquis; however, its implementation is insufficient and a solid anti-discrimination case-law needs to be built.</p>	
Inclusive labour market and decent work		
<ul style="list-style-type: none"> • Labour law enforcement mechanisms • Undeclared work exploitation • Social dialogue • Women's participation in the labour market 	<p>In the field of labour law, amendments to the labour code to align it with the acquis have not been adopted yet.</p> <p>A new 2014-20 strategy for youth, covering education, employment, social inclusion and health, is under preparation.</p> <p>Labour market participation is declining, as is the employment rate and substantial gender gaps remain.</p> <p>The informal economy remained a significant source of jobs, accounting for around 40% of employment in the non-agriculture sector. A comprehensive approach to inspection of informal employment activity is not in place.</p> <p>In the field of social dialogue, the new National Labour Council held meetings in December, April and June. However, work is still needed to make collective bargaining possible at all levels and to increase social</p>	<p><i>To ensure good protection of workers' rights, it is necessary to build a strong legislative foundation. In this sense, the first step is the adoption of the legislation in the field of labor law. Thereafter, enforcement and continuation of the cooperation with other authorities, such as courts and Labour Inspectorate have to be efficient enough to prevent violation of labours' rights.</i></p> <p><i>Poor representation in public leadership and political structures and high unemployment rate amongst women still remains significant issue.</i></p> <p><i>To promote opportunities for women to obtain decent and productive work joint action of the government and the social partners has to be achieved</i></p>

	<p>partners' autonomy and capacity to negotiate collective agreements.</p> <p>In the area of equal opportunities, the National Council on Gender Equality held its first meeting in March. No measures were taken to address the gender pay gap or access to entrepreneurship and credit. The representation of women in the labour market needs to be increased, including through mainstreaming women's employment in the strategies of all municipalities.</p>	
Sufficient income support and minimum living wages		
<ul style="list-style-type: none"> • Social security measures • Social assistance schemes • Social benefits • Pension reforms 	<p>Key reforms in the area of social protection have not started yet!</p> <p>As regard social inclusion, the 2014-20 strategy on social inclusion and social protection is under preparation.</p> <p>In the area of social protection, delays in disability and pension payments were addressed.</p> <p>Preparations for pension reform have advanced, with basic legislation amended accordingly in July.</p>	<p><i>Further action is needed towards reforming social protection services. This includes affirmative political approach regarding social inclusion of all disadvantaged groups.</i></p> <p><i>Comprehensive data analysis and statistics on poverty rates needs to be carried out.</i></p> <p><i>No progress to be reported regarding the social security measures and social assistance schemes.</i></p>
Access to quality services		
<ul style="list-style-type: none"> • Legal framework for social service provision 	<p>As regards people with disabilities, the framework law on inclusion of and accessibility for people with disabilities was adopted in July. The new law covers all groups of people with disabilities and provides for the establishment of a multidisciplinary commission responsible for examining and evaluating the disability of each applicant.</p>	<p><i>Prejudices against disabled persons are still strong and discriminating. The very difficult socio-economic context does not encourage the social solidarity for vulnerable persons. Raising the public awareness on the disability problems and needs and, sharing the information concerning the positive action is the right step forward.</i></p>

<ul style="list-style-type: none"> • Registration of non-profit /CSO service provider • Accessibility, affordability of services for disadvantaged groups 	<p>It also foresees the set-up of a State Committee for Persons with Disabilities to be composed of representatives of different ministries and civil society organisations. Implementation of the new framework law will require significant improvements in infrastructure and access to services. Training was provided to school and kindergarten teachers to promote the inclusion of children with disabilities. However, people with disabilities continue to face difficulties in accessing education, employment, healthcare and social services.</p> <p>The state social service launched a pilot project to provide financial benefits for vulnerable groups and poor families electronically, to reduce abuse of these funds. Its country-wide deployment would require significant improvements to existing infrastructure and cooperation between central and local authorities.</p>	<p><i>They go together with advocacy campaigns for promoting the disabled people's rights.</i></p> <p><i>No progress to be reported regarding the registration of the non-profit/ CSO service provider.</i></p>
Participation and lifelong learning		
<ul style="list-style-type: none"> • Education and training reforms • Non formal and informal learning • Legal framework for volunteering • Vocational education 	<p>Albania increased its participation in the Tempus programme and, for the first time, a Albanian university was selected for a Jean Monnet Chair. An agreement was signed with the EU in June 2014 for Albania's partial participation in the new 'Erasmus+' programme.</p> <p>Regarding vocational education and training (VET), a draft 2014-20 national strategy for jobs and skills and a related action plan were finalised and are awaiting adoption, while a monitoring plan still needs to be prepared. All responsibilities for VET have been brought under the responsibility of the Ministry of Social Welfare and Youth.</p>	<p><i>No progress to be reported on the recognition on non-formal and informal learning.</i></p> <p><i>Still the only recognized ways of volunteering are through the Civil Society Organisations, and there is no organised volunteering infrastructure.</i></p> <p><i>Common volunteering scheme and legal framework needs to be established to strengthen individuals' skills and capacities as well as to provide the opportunity for the citizens to fully participate in economic, social and cultural life.</i></p>

and training		
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BOSNIA AND HERZEGOVINA

Subjects	Enlargement Progress Report 2014	Comments for follow up in 2015
Social, economic and political rights		
<ul style="list-style-type: none"> • Promotion and enforcement of human rights • Respect for and protection of minorities, cultural rights • Access to justice • Freedom of expression • Women's rights and gender 	<p>The continued existence of divided schools ('two schools under one roof') in some Cantons of the Federation and mono-ethnic schools across the country do not foster the development of an inclusive multi-cultural society. In October 2013, the Travnik Municipal Court rejected on procedural grounds a lawsuit filed by a non-governmental organisation that claimed that the existence of 'two schools under one roof' was discriminatory. De facto ethnic-based separation and discrimination in some public schools in the Federation remain of concern.</p> <p>Access to justice has moderately improved, but equality in relation to rights, criteria and procedures is not uniformly guaranteed. Concerning free legal aid, the risk of discrimination continues to be of serious concern as a consequence of a fragmented and non-harmonised system.</p> <p>Legal provisions guaranteeing freedom of expression are in place. However, political and financial pressure on the media has increased. Intimidation and threats against journalists and editors and polarization of the media along political and ethnic lines intensified prior to the October general elections. There were a number of attacks on the media by politicians, mostly from the Republika Srpska, as well as alleged</p>	<p><i>Violation of the children rights and segregation based on the existence of divided schools in the Federation requires urgent action in order to protect their rights.</i></p> <p><i>Investigated journalism is under pressure and it strongly affects freedom of expression and public opinion. Undeveloped institutions for protecting the freedom of electronic media are still obstacle in developing free media space.</i></p> <p><i>The necessary reforms in the area of anti-discrimination policies need to be addressed in a comprehensive manner.</i></p> <p><i>The process of harmonisation of the relevant women's rights legislation is much too slow. However, in the municipalities, commissions for the human rights monitors the protection and fulfilment of women's rights. All levels of BiH legislature have commissions for the gender equality.</i></p> <p><i>After the parliamentary elections in October 2014,</i></p>

<p>equality</p> <ul style="list-style-type: none"> • Children's rights • Socially vulnerable and/or persons with disabilities • Anti-discrimination policies • Labour rights and trade unions 	<p>wiretapping of journalists.</p> <p>Legal provisions guaranteeing women's rights and gender equality are in place. A new Action Plan for the Implementation of the UN Security Council Resolution 1325 for the period 2014-2016 was adopted in July. Women's political participation across the country remains low. A study on the prevalence of violence against women in Bosnia and Herzegovina carried out by the Gender Equality Agency, the Entity Gender Centres and the Institutes for Statistics, concludes that almost half of the women surveyed have experienced at least one form of violence from the age of 15. There is no data collection mechanism for monitoring domestic violence. A strategy for the implementation of the Council of Europe's Convention on preventing and combating violence against women and domestic violence has still to be adopted.</p> <p>Domestic violence against children continues to be widespread.</p> <p>The adoption of the first report on the guidelines for the identification of socially excluded children has brought some improvements in data collection.</p> <p>The number of children with disabilities in institutions remains high. Use of foster care needs to be further promoted</p> <p>As regards the socially vulnerable and/or persons with disabilities, entitlement to rights and benefits for the disabled is based on status and not on needs. As a result, some categories of persons with disabilities do not receive adequate benefits. Implementation of the social protection legislative framework needs to be stepped up</p> <p>An anti-discrimination law is in place, but the exclusion of age and disability as categories on the grounds of which there should not be</p>	<p><i>participation of the female Members of the Parliament remains low, only 22% elected members are women.</i></p> <p><i>No progress to be reported on the reduction of the domestic violence against children.</i></p>
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	<p>discrimination has not been addressed. Other legislation, such as labour law and laws on higher education, need to be harmonised with the anti-discrimination law.</p> <p>The technical capacity of the Ombudsman to contribute to effective implementation of the anti-discrimination law needs to be strengthened. An anti-discrimination strategy at State level has yet to be adopted. There is no comprehensive collection of data on discrimination</p>	
Inclusive labour market and decent work		
<ul style="list-style-type: none"> • Labour law enforcement mechanisms • Undeclared work exploitation • Social dialogue • Women's participation in the labour market 	<p>The labour laws are still not harmonised between the Entities and within the Federation. A State-level Economic and Social Council has yet to be established.</p> <p>Job creation remained modest.</p> <p>The Entity governments and public employment services lack both administrative and financial capacity to implement active labour market measures. Passive labour market measures prevail over active labour market measures.</p> <p>Labour legislation at the level of Entities, Brčko District, and Cantons are not harmonised and not aligned with the EU acquis.</p> <p>Employees' social contributions remain non-harmonised and their percentages differ between Entities and the Brčko District, as well as among Cantons in the Federation. Labour inspectorates remained</p>	<p><i>Fragmented regulations remain the main challenge in the enforcement of the labour rights.</i></p> <p><i>No progress to be reported on the undeclared work exploitation.</i></p> <p><i>Youth unemployment is still alarmingly high.</i></p> <p><i>Women still have far to go to gain a full equality both in the private and public sector. Women's participation in the labour market remains low.</i></p> <p><i>Monitoring of the women's labor rights needs to be introduced at every level.</i></p>

	<p>understaffed and are unable to perform their tasks properly.</p> <p>In the field of social dialogue, the State Economic and Social Council have not been established, due to the lack of a legal framework for the recognition of social partners at the State level.</p> <p>There are Economic and Social Councils at Entity level, as well as in some Cantons in the Federation. The Councils at Entity level perform their work satisfactorily.</p> <p>There is a negative impact on the internal mobility of the labour force, due to fragmented labour legislation and social security systems. The Agreement on exercise of rights to unemployment benefits between the Federation Employment Institute, the Republika Srpska Employment Institute and the Brčko District Employment Institute remains to be fully implemented.</p> <p>Participation of women in the workforce is low and there is still maternity-related discrimination in employment</p>	
Sufficient income support and minimum living wages		
<ul style="list-style-type: none"> • Social security measures • Social assistance schemes • Social benefits 	<p>Social protection in Bosnia and Herzegovina remains fragmented.</p> <p>Social protection is predominantly determined based on status as opposed to need, and there are still inequalities in the provision of rights in different areas. This means that social protection systems remain largely inefficient, despite a relatively high level of public expenditure compared to neighbouring countries.</p> <p>Pension systems have been facing financial difficulties, as they were coping with privileged pensions for persons based on status (mostly war</p>	<p><i>Non adequate social protection strategy and the legislation require urgent proactive approach from the relevant authorities.</i></p> <p><i>The state level of the social services providers is characterized by the lack of competences and institutional capacities.</i></p> <p><i>The public social protection system is composed of a network of the social work centers and institutions for the accommodation of beneficiaries. The centers are</i></p>

<ul style="list-style-type: none"> • Pension reforms 	<p>veterans).</p> <p>The legal framework for social benefits and pension rights remains fragmented.</p> <p>Permanent social assistance benefits continued to be below the poverty line as determined by the World Bank.</p>	<p><i>overloaded with a large number of service users, they lack professionals and very often they are not technically equipped.</i></p>
<p>Access to quality services</p>		
<ul style="list-style-type: none"> • Legal framework for social service provision • Registration of non-profit /CSO service provider • Accessibility, affordability of services for disadvantaged groups 	<p>Serious financial limitations at all levels of government also hinder the application of social protection rights currently prescribed by already limited social protection laws. In some</p> <p>Cantons in the Federation and some municipalities of Republika Srpska, due to financial constraints, some rights are not paid, or not paid in full.</p> <p>Policies for social inclusion are not harmonised across Entities and neither are provisions for citizens.</p>	<p><i>Civil society organisations are still facing administrative restrictions during the registration process.</i></p> <p><i>Transparency in the allocation of the funds for civil society organisations needs to be improved.</i></p> <p><i>There are still problems on access to public premises, justice, employment and educational institutions.</i></p> <p><i>Access to justice has improved slightly.</i></p> <p><i>Free legal aid agency has been established in one more Canton of the Federation.</i></p> <p><i>The adoption of a State level law on free legal aid is still pending. Civil society organisations actively continue to provide free legal aid, particularly in civil cases, but their role is not consistently recognised or even regulated in the country.</i></p>

Participation and lifelong learning		
<ul style="list-style-type: none"> • Education and training reforms • Non formal and informal learning • Legal framework for volunteering • Vocational education and training 	<p>As regards education, Bosnia and Herzegovina signed an agreement with the EU in June 2014 establishing its partial participation in Erasmus+. The country actively participates in the Western Balkans Platform on Education and Training.</p> <p>The Conference of Ministers of Education, to be held every other month, met only once in the reporting period. In the Federation there are still two coordination bodies acting in parallel, with the Federation Coordination of Ministers of Education coordinating ministries in only six Cantons. The inter-sectoral commission for the preparation of the action plan for the implementation of the Baseline Qualifications Framework submitted the document to the Council of Ministers. The mandate of the Commission expired in February.</p> <p>There are still three Cantons (Central-Bosnia, West-Herzegovina and Herzegovina-Neretva) that have not aligned their legislation on pre-school education with the framework law. The legislation for vocational education and training has yet to be adopted by four Cantons.</p> <p>The agencies for statistics in Bosnia and Herzegovina have started to report on statistics in education according to the requirements set by OECD/ILO and Eurostat, using the ISCED 2011 classification.</p>	<p><i>Volunteering activities are just partly regulated by law. As a concept volunteering has to be accepted as a positive model of gaining experience and developing skills that are needed in the practical field of work. It is still not connected as a method of participation in a cultural and political sphere of the society.</i></p> <p><i>Further efforts are needed to support VET policy.</i></p>

KOSOVO

Subjects	Enlargement Progress Report 2014	Comments for follow up in 2015
Social, economic and political rights		
<ul style="list-style-type: none"> • Promotion and enforcement of human rights • Respect for and protection of minorities, cultural rights • Access to justice • Freedom of expression • Women's rights and gender equality • Children's rights 	<p>Kosovo needs to simplify the institutional framework, strengthen its capacities and clarify the roles of various civil and public service actors, to reinforce the Ombudsperson Institution and ensure effective, consistent monitoring and reporting mechanisms, including with civil society.</p> <p>Kosovo needs to adopt the laws on anti-discrimination, Ombudsperson and gender equality as a package, so as to ensure coherence and complementarity in human rights legislation.</p> <p>The human rights strategy needs to be updated, including implementing mechanisms as set out in the human rights law package, to provide for a sustainable, long-term strategic approach.</p> <p>Human rights issues at all levels need to be put higher on the political agenda, in particular as concerns enforcement. The government needs to become less donor-dependent in this sector.</p> <p>Kosovo has a good legal framework for safeguarding and protecting its minorities but implementation needs to improve. The security situation for non-majority communities has remained stable. However, the majority of ethnically-motivated incidents targeted Kosovo Serbs. Theft and damage to properties were reported as the most frequent types of incidents, while those directly involving persons decreased. In Kosovo Serb return areas, the perceived or real threat to security remains an</p>	<p><i>Kosovo held elections at municipal level at the end of 2013 and for the first time the Serbian community from all over Kosovo participated in these elections. The new municipal assembly was established. These are clear indications that the municipal political leaders have taken over to govern at municipal level and will promote the political rights of their communities, in particular the protection- and promotion of the cultural- and the political rights.</i></p> <p><i>There are still difficulties with attaining Justice even after the new reforms within the judicial system. For example SOLIDAR members still experience non-functionality of the court in the basic court in Mitrovica. There are still confusions on how and when this court will become completely functional.</i></p> <p><i>Regarding the freedom of expression, Kosovo is still facing difficulties. Public Media house 'RTK' is completely controlled by the government.</i></p> <p><i>There is some progress with issues of women's rights and gender equality, however women are still encountering problems such as being victims of domestic violence , problems- regarding discrimination, cultural- and political rights in connection with</i></p>

<ul style="list-style-type: none"> • Socially vulnerable and/or persons with disabilities • Anti-discrimination policies • Labour rights and trade unions 	<p>issue of concern, especially in some rural communities. Kosovo authorities need to do more to bring the perpetrators of inter-ethnic incidents to justice.</p> <p>The Municipal Community Safety Councils have been established throughout Kosovo. Their functioning and efficiency differ widely. The councils need to do more to address security concerns and ensure participation of all ethnic and religious communities</p> <p>As regards access to justice, out of a total of thirteen legal aid offices, the eight offices previously sponsored by the United Nations Development Programme (UNDP) have been closed. Kosovo authorities need to step up efforts to improve access to justice for children, women and victims of human trafficking. Implementing legislation related to the certification of court translators and interpreters needs to be adopted.</p> <p>The legislative and institutional framework in this area remains fragmented and ineffective. Issues such as the autonomy of journalists and editors, protection of professional standards in journalism, the right to conscientious objection for journalists, and the right to reply and correction for the public remain unregulated by law. Editorial codes of conduct at individual media outlets would also be helpful in this regard. Threats and attacks, also from the police and public officials, on journalists persist. Instances of hate speech continue, mostly online, including in the social media</p> <p>The issue of sexual violence during the conflict is getting more attention from politics and the public. A petition on sexual violence during the conflict, asking the UN Secretary General to report about these crimes, was signed by more than 100000 people. Challenges remain in the field of domestic violence and gender-based violence. Kosovo needs to establish a system of regular data collection on gender-based violence</p>	<p><i>representations of the gender equality.</i></p> <p><i>Children's rights - during the period of the report SOLIDAR members have faced a lot of violations of children's rights and have encountered violations of the right to proper education of children of the RAE communities. Children are still victims of the forced labour, especially minors, who are victims of improper functionality of the custodial institutions.</i></p> <p><i>Legislation on antidiscrimination is adequate, although its practical enforcement remains a challenge. There is a need for more political will to promote tolerance and anti-discrimination policies</i></p> <p><i>There have been an adequate achievements on the labour rights through the signing of the Contract of Collective Agreement between the government, trade unions, the Kosovo Chamber of Commerce and the Alliance of Kosovar Businesses. These agreements are intended to protect and promote the employment rights. This includes, in particular, the private sector in order to avoid the violations of the employment rights through the "black trade market".</i></p>
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<p>across all institutions. Women’s practical access to inheritance of property remains a challenge, although the law provides for it. Cadastral and registration officers need to register all co-owners of property, including women, to improve protection of their rights. Kosovo needs to develop a long-term reintegration programme to address the needs of women (and children), including relocation, subsidised housing, employment and counselling.</p> <p>Women’s representation remains low, especially in senior positions, both in the public and the private sector. There is also a need for further training and awareness-raising, notably in rural areas. The law on gender equality needs to be adopted as part of the human rights laws package</p> <p>Child protection case management roundtables and coordination mechanisms need to be scaled up.</p> <p>The Ministry of Education, Science and Technology needs to ensure the availability of personal assistants for children with disabilities, in line with the commitment made in its strategy.</p> <p>The government should not delay payments for social schemes dedicated to children in foster care and children with permanent disabilities.</p> <p>Kosovo has improved its legal framework for the socially vulnerable and/or persons with disabilities. In December, the government adopted a programme on the provision of sign language (2013-16). A law on paraplegics and tetraplegics is to be adopted. Equal access to quality education for persons with disabilities and persons from the Roma, Ashkali and Egyptian communities remains very limited, despite the commitment to inclusive education. In the absence of adequate medical</p>	
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	<p>facilities, health care and rehabilitation services for persons of very low income, in particular persons with disabilities and elderly persons living in poverty are inadequate. Implementing legislation for a law for blind persons is still to be adopted.</p> <p>The Law on Anti-discrimination needs to be adopted and aligned with the laws on the Ombudsperson and gender equality.</p> <p>Cases of hate speech, targeting mainly members of sexual minorities and ethnic minorities, are rarely investigated. Preventive measures such as awareness raising remain scarce. Kosovo's political leaders need to do more to promote tolerance</p> <p>In the area of labour and trade union rights, the government and the Social Economic Council signed a General Collective Agreement that lays down rights and obligations of employers and employees.</p> <p>The implementation of the Law on Labour remains unsatisfactory.</p> <p>Implementation of the Law on Strikes also remains unsatisfactory, due to the lack of communication between strike organisers and authorities. The representation of employees within the Social Economic Council does not have the support of the vast majority of trade unions and is therefore not representative.</p>	
Inclusive labour market and decent work		
<p>• Labour law enforcement mechanisms</p>	<p>On social policies, implementation of the Law on Labour remains unsatisfactory. The law needs to be amended, notably with regard to working contracts, maternity leave, medical leave and inspectorate</p>	<p><i>The signing of the Contract of Collective Agreement is a step forward towards improving and enforcing labour rights. This contract will be enforced in January 2015 as agreed upon, however the process in the court</i></p>

<ul style="list-style-type: none"> • Undeclared work exploitation • Social dialogue • Women's participation in the labour market 	<p>oversight</p> <p>On social dialogue, the government and the Social and Economic Council (SEC) have signed the General Collective Agreement of Kosovo, which lays down rights and obligations of employers and employees. No concrete plans or timelines for its implementation are included. The representation of employees within the SEC does not have the support of the majority of trade unions. Election and membership criteria need to be modified and the capacity and the functioning of the SEC need strengthening to improve the quality of the social dialogue</p> <p>Participation of women in the workforce is low and there continues to be maternity-related discrimination.</p> <p>On equal opportunities, maternity leave provisions in the Labour Law need to be enforced to eliminate discrimination of women at the workplace. This is considered as having a negative impact on the employment of women, especially in the private sector.</p> <p>The Agency for Gender Equality needs to produce a report on the implementation of the programme on gender equality (2008-13) before drafting a new programme for 2014 and beyond.</p> <p>The Law on Gender Equality needs to be amended and adopted as part of the so-called human rights law package.</p>	<p><i>proceedings on protecting the labour rights have already taken over a year, which means that this is a direct violation of the labour rights. Labour Inspectorate as a responsible institution that deals directly with protecting labour rights, still lacks human recourses.</i></p> <p><i>The latest results have shown that over 50 % of women who are seeking employment have been victims of sexual harassment, this shows that the issue of women's employment is a big problem. The institutions within the private sector should take gender equality standards into deeper consideration.</i></p>
Sufficient income support and minimum living wages		
<ul style="list-style-type: none"> • Social security measures 	<p>The decentralisation of social services is still not fully or effectively implemented by the municipalities, and the budget formula for decentralisation developed in 2012 is not yet operational. Dedicated grants earmarked for all social services in municipal budgets need to be</p>	<p><i>Around 50 % of the population is still living in poverty and more than 30 % receive social assistance or benefit from the pensions or the disabilities funding. The government has increased the social income bracket in regard to the</i></p>

<ul style="list-style-type: none"> • Social assistance schemes • Social benefits • Pension reforms 	<p>allocated to ensure means for effective decentralisation of social services. Better inter-ministerial coordination of actions and allocation of resources is required to provide effective social services</p> <p>The Law on Pension Schemes funded by the State was adopted.</p>	<p><i>social assistance and pension funds, but in line with the income assessment, the general cost of living has also been increased.</i></p>
Access to quality services		
<ul style="list-style-type: none"> • Legal framework for social service provision • Registration of non-profit /CSO service provider • Accessibility, affordability of services for disadvantaged groups 	<p>On social protection, licencing of individual social and family service providers have continued and preparations for licencing of legal subjects/organisations have started.</p>	<p><i>The legal framework is more or less well established, but the responsible institutions lack human recourses, premises, as well as funding. There has been only one case of a CSO and the government (in particular Ministry of Labor and Social Welfare) forming a partnership. This partnership provides security, safety and shelter to women and child victims, through the aid of NGOs who are qualified to offer these services, with the aid of a small support grants from the ministry. NGOs are facing a lot of difficulties with the funding and there is also a crucial need to enforce appropriate laws regarding the licencing of social providers and NGOs.</i></p>

Participation and lifelong learning		
<ul style="list-style-type: none"> • Education and training reforms 	<p>As a result of the dialogue agreement on university diplomas, graduates from Kosovo universities can have their higher education diplomas certified by the European University Association.</p>	<p><i>No progress to be reported on the education and training reforms.</i></p> <p><i>Legal framework for volunteering refers only to the youth volunteering activities.</i></p>
<ul style="list-style-type: none"> • Non formal and informal learning 	<p>Kosovo participates actively in the Western Balkans Platform on Education and Training The Youth in Action programme continued involving young people from Kosovo in international youth activities such as youth exchanges and the European Voluntary Service and offered youth workers the opportunity to cooperate within training and networking activities</p>	
<ul style="list-style-type: none"> • Legal framework for volunteering 	<p>The government adopted a Law on Vocational Education and Training (VET). The current VET system does not properly meet the labour market needs in Kosovo. An action plan and framework for quality assurance for monitoring the quality of vocational education and training schools has been developed.</p>	
<ul style="list-style-type: none"> • Vocational education and training 	<p>The National Qualifications Authority set up procedures for validation and accreditation of vocational training programmes and made progress comparing and approximating the National Qualifications Framework with the European Qualifications Framework during the first half of 2014.</p>	

MACEDONIA

Subjects	Enlargement Progress Report 2014	Subjects
Social, economic and political rights		
<ul style="list-style-type: none"> • Promotion and enforcement of human rights • Respect for and protection of minorities, cultural rights • Access to justice • Freedom of expression • Women's rights and gender equality • Children's rights 	<p>Progress on the protection of minorities continues to be hampered by insufficient financial and human resources and inadequate cooperation between the authorities concerned. A more proactive approach is needed to guarantee the ethnic, cultural and linguistic identities of all communities. Measures to address the underrepresentation of smaller minorities, such as the Roma, Turks and others, remain inadequate.</p> <p>Further improvements are needed to make the work of courts more accessible to the public. No steps have been taken to locate information desks at the entrances of courthouses. Physical access to Skopje II Basic Court, the busiest in the country, is inadequate, as there are no lifts and no provision made for people with special needs.</p> <p>The situation as regards freedom of expression continues to be highly problematic. This is in spite of the introduction of comprehensive new media legislation at the end of 2013, following extensive public consultations and advice from international organisations.</p> <p>Implementation of the 2011-15 anti-discrimination strategic plan is progressing with mostly promotional and publication activities. Implementation of the actions to raise awareness set out in the 2013-15 communication strategy has started with a number of public debates held on selected topics.</p> <p>As regards children's rights, the Law on Child Protection was amended,</p>	<p><i>Minority's rights enforcement remains challenge, especially at the local level.</i></p> <p><i>Strong discrimination against national minorities such as Roma or Turks has to be eradicated with decisive political approach and efficient measures.</i></p> <p><i>Regarding the freedom of expression, the society still faces lack of implementation of the Law on Civil Liability for Insult and Defamation.</i></p> <p><i>Stronger dialogues with the social partners is required in the decision making process.</i></p> <p><i>Gender equality remains an issue. Political participation of women is low.</i></p> <p><i>Domestic violence targeting children needs more comprehensive approach. Supporting groups and prevention have to be enhanced.</i></p> <p><i>Anti-discrimination Strategic Plan is implementing according to the yearly projections.</i></p>

<ul style="list-style-type: none"> • Socially vulnerable and/or persons with disabilities • Anti-discrimination policies • Labour rights and trade unions 	<p>among other things introducing professional exams for kindergarten staff.</p> <p>More needs to be done to improve the inclusion of disadvantaged children, in particular children with disabilities, in the educational and social systems. Children with disabilities and children from the Roma community suffer the most from stigma, discrimination and segregation.</p> <p>The existing policies for improving labour market access for vulnerable groups, including people with disabilities, are still insufficient.</p> <p>Inclusion of the socially vulnerable and/or persons with disabilities has not improved.</p> <p>Almost one third of the population is facing poverty. The national coordinating body set up to monitor the implementation of the UN Convention on the Rights of Persons with Disabilities has not met in 2014. Communal housing units for people with disabilities, which form part of the de-institutionalisation process, currently accommodate over 70 people. Implementation of the 2010-18 national strategy on equal rights for people with disabilities remains inadequate</p> <p>Data on the reporting, investigation and prosecution of hate speech and hate crime is not collected systematically and training of law enforcement, prosecutors and judges needs to be stepped up. The Law on Prevention and Protection against Discrimination still needs to be aligned with the EU acquis as it does not prohibit discrimination on the grounds of sexual orientation.</p> <p>Implementation of the 2011-15 anti-discrimination strategic plan is progressing with mostly promotional and publication activities.</p> <p>Implementation of the actions to raise awareness set out in the 2013-15</p>	
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	<p>communication strategy has started with a number of public debates held on selected topics.</p> <p>Some trade unions report difficulties in establishing a presence in some companies. Overall, the capacity of social partners remains weak and their participation in the policymaking remains limited</p>	
Inclusive labour market and decent work		
<ul style="list-style-type: none"> • Labour law enforcement mechanisms • Undeclared work exploitation • Social dialogue • Women's participation in the labour market 	<p>There has been limited progress as regards labour law. Cooperation between the relevant institutions charged with the enforcement of employment law has not improved.</p> <p>The Economic and Social Council has continued to lead the tripartite social dialogue between the government, employers and trade unions. Tripartite social dialogue is only modestly developed at local level. General awareness of the importance of the bipartite social dialogue is poor, with both trade unions and employers' organisations struggle to attract new members</p> <p>Labour market participation remains very low, especially among women and Roma. The government adopted the 2014 operational plan for active employment programmes and measures. The national budget for active employment programmes and measures has somewhat decreased in 2014 however, and is not sufficient to meet the needs of the labour market.</p> <p>The Law on Conditions of Employment was amended to give employees additional rights to unpaid leave for childcare.</p> <p>The female participation and employment rates remain very low compared with the EU average, and despite some improvement, the</p>	<p><i>There are minor improvements in the field of labour legislation, but more efforts are still needed to generate economic growth and decrease unemployment rate.</i></p> <p><i>No progress to be reported on the undeclared work exploitation.</i></p> <p><i>Women's participation in the labour market remains low.</i></p>

	Department for Equal Opportunities still lacks appropriate resources.	
Sufficient income support and minimum living wages		
<ul style="list-style-type: none"> • Social security measures • Social assistance schemes • Social benefits • Pension reforms 	<p>The government action on social inclusion included the employment, in the State administration, of 1600 beneficiaries of social assistance and 300 people with disabilities. The real impact of this employment raises questions, however, about adequate preparation, such as training, for their integration in the workplace as well as about the principle of merit</p> <p>Reform of the pension system continued. Legislation was amended to provide for a linear increase in pensions of 5% per annum, starting in March 2014.</p>	<p><i>Civil Society Organisations play a vital role in the social services provision.</i></p> <p><i>High poverty within the Macedonian population results with stronger need for social assistance where authorities do not provide required level of services.</i></p>
Access to quality services		
<ul style="list-style-type: none"> • Legal framework for social service provision • Registration of non-profit /CSO service provider • Accessib- 	<p>Limited progress was made in implementing the 2010-18 national strategy on equal rights for people with disabilities. New communal houses providing social services for people with disabilities were opened, as were new day-care centres for children with disabilities.</p> <p>The amended Law on Social Protection increased benefits by 5% and gave vulnerable groups additional rights to claim benefits. Benefit administration has been simplified and improved. The administrative capacity of the institutions in charge of implementing the Law on Social Protection has not been improved.</p>	<p><i>Limited access to the public funding for the NGOs is reported.</i></p> <p><i>People with disabilities are facing physical obstacle in accessing the services.</i></p> <p><i>No progress to be reported on the affordability of services for disadvantaged groups.</i></p>

ility, affordability of services for disadvantag ed groups		
Participation and lifelong learning		
<ul style="list-style-type: none"> • Education and training reforms • Non formal and informal learning • Legal framework for volunteering • Vocational education and training 	<p>The country signed an agreement with the EU allowing the country to participate fully in the new Erasmus+ programme. The Youth in Action programme involved an increased number of young people from the country in international activities</p> <p>The implementation of the 2013-20 strategy for vocational education and training has progressed slowly, but with increasing dynamism. Steps were taken to establish the institutional setting for the National Qualifications Framework for lifelong learning. The process of referencing to the European Qualifications Framework started in May 2014. Launching of new vocational and educational training programmes based on up – to date labour market information continued in 2014, attracting hundreds of students</p>	<p><i>The project of modernizing schools in Macedonia for better learning outcomes is ongoing and it is leaving its mark.</i></p>

MONTENEGRO

Subjects	Enlargement Progress Report 2014	Comments for follow up in 2015
Social, economic and political rights		
<ul style="list-style-type: none"> • Promotion and enforcement of human rights • Respect for and protection of minorities, cultural rights • Access to justice • Freedom of expression • Women's rights and gender equality • Children's rights 	<p>Some progress was made on fundamental rights; the country is gradually familiarising itself with the international reporting mechanisms stemming from the international convention ratified so far. A gap remains between legal alignment and implementation of human rights standards in the policy framework, and practice.</p> <p>Montenegro continues to ensure respect for and the protection of minorities and cultural rights. Interethnic relations in the country continue to be good and funds continued to be allocated to developing cultural identity and language.</p> <p>Some progress was made in the area of civil registration and education of Roma. In April a new action plan to implement the Strategy for improvement of position of Roma and Egyptians in Montenegro was adopted. Overall, the Roma community faces discrimination, especially in the field of employment, health issues and housing.</p> <p>Attacks against the media are cause for serious concern. Some cases of violence against journalists and attacks on media property have been successfully investigated and processed. In other cases, investigations are pending and both the material perpetrators and those allegedly behind the attacks remain to be identified.</p> <p>An informal network of coordinators for gender equality, composed of representatives of ten municipalities, was established in October. Cooperation with civil society needs to improve. The role of parliament</p>	<p><i>After a delay of two years, Government of Montenegro prepared the Initial Report on the Implementation of the UN Convention on the Rights of Persons with Disabilities.</i></p> <p><i>The Ministry of Human and Minority Rights has initiated anti-discriminatory campaign, whose participants are the members of marginalised communities. This Ministry will coordinate the process of amendments to the Law on the Prohibition of Discrimination of the Disabled, in accordance with the recommendations of the organisations of persons with disabilities and recommendation of the Coalition for Monitoring of Negotiations under Chapter 23.</i></p> <p><i>A new Council for the Care for the Disabled has been founded under Ministry of Labour and Social Welfare, with 5 representatives of the NGO within its constitution.</i></p> <p><i>On 31 March in Podgorica, simulations of the movement of persons using a wheelchair and white cane were held. This simulation was participated by the MPs, representatives of the Ministries of the Government of Montenegro, the international community, the Human Rights and Freedoms and the media in order to learn and overcome obstacles caused by the inaccessibility of</i></p>

<ul style="list-style-type: none"> • Socially vulnerable and/or persons with disabilities • Anti-discrimination policies • Labour rights and trade unions 	<p>and the involvement of MPs in gender-related issues remain limited. At present, only 13% of MPs are women.</p> <p>The hearing revealed that the statistics on domestic violence are unreliable and that inter-institutional cooperation, especially between social services and the law enforcement authorities, needs to be significantly improved. Further efforts are needed to strengthen the capacity of the police and social services dealing with individual cases of violence against women, and to consistently implement the relevant protocol of procedures.</p> <p>The first rehabilitation and re-socialisation centre for drug-addicted women is under construction.</p> <p>Children’s rights continue to be enforced. The Council for the Rights of the Child was re-established in January. The Council is chaired by the Minister of Labour and Social Welfare and is composed of 12 other members, including four representatives of the NGO sector. One of the key tasks of the Council is to monitor the implementation of the 2013-2017 national action plan for children.</p> <p>Concerning people with disabilities, the government adopted an action plan for the strategy for integration of people with disabilities 2014–2015 in March. Overall access to buildings for people with disabilities, including those in the areas of education and medical facilities, remains limited. None of the thirteen priority buildings in public use have so far been adapted.</p> <p>The law prohibiting discrimination against people with disabilities still has shortcomings.</p> <p>Financial support paid to employers for employing people with</p>	<p><i>the physical environment. Minister of Labour and Social Welfare was the only minister who took part in the simulation.</i></p> <p><i>With the amendments to the Criminal Code (adopted in July 2013) in the general part of the Code introduces a mandatory aggravating circumstance for offenses motivated by hatred , which is enhanced legal protection in relation to the certain and particularly vulnerable social group, whose members have been victims of various criminal offenses caused by hate based on belonging to this social group.</i></p> <p><i>Amendments to the Criminal Code (adopted in July 2013) have introduced two new security measures: restraining (Article 77a) and removal from the dwelling or other premises for housing (Article 77b) . This explicitly provides that measures may be imposed against the perpetrator who, among other things, makes felony domestic violence in the family or community.</i></p> <p><i>Child begging remains a large and important problem.</i></p> <p><i>On the basis of the Law on Protection from Domestic Violence Ministry of Interior has issued the Ordinance on stricter content and appearance of the form orders of removal or prohibition of returning to the apartment or</i></p>
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<p>disabilities is insufficiently protected against misuse.</p> <p>Montenegro took some positive steps to improve the situation of the socially vulnerable and/or persons with disabilities.</p> <p>The 2014-2015 strategy and action plan for the integration of people with disabilities were adopted, together with a strategy on inclusive education.</p> <p>A new council for the care of disabled people was set up, which includes NGO representatives. The government allocated €400 000 in 2014 for building ramps to improve access to public.</p> <p>Amendments to the anti-discrimination law were adopted by parliament in March to further align it with the <i>acquis</i>. There are still some shortcomings in its scope (concerning racial discrimination) and provision for penalties.</p> <p>Training on and promotion of anti-discrimination measures have continued, particularly at local level.</p> <p>The administrative capacity of the council for protection against discrimination has increased, but its work still lacks transparency. Judges' and prosecutors' awareness of the anti-discrimination <i>acquis</i> needs to be further improved. Attention should be paid to making sufficiently comprehensive statistical data available in order to allow monitoring of discrimination on the basis of different grounds.</p> <p>Labour and trade union rights are generally respected. The role of the social council was strengthened following the adoption of amendments to the relevant law in December.</p> <p>A new general collective agreement entered into force in March and</p>	<p><i>other living; Ordinance on stricter manner of execution of protective measures from the apartment, restraining and prohibiting harassment and stalking victims, who were with the Law on Protection from Domestic Violence placed in the jurisdiction of Police</i></p> <p><i>The intention of the legislature that the law on free legal aid to citizens/points indigent provides the right to free legal aid, in practice still gives little results. In implementing this law, there are many serious difficulties that legislators will have to solve, as urgent amendments to this law. For example: free legal assistance in accordance with this law , can be used only by the victims of the crime of domestic violence, which means that over 80 % of victims of offenses prosecuted under the Protection from Domestic Violence (which falls within the category of offenses) are not appropriate access to justice. According to the Ministry of Justice during 2013 in 10 of the existing services in the Montenegrin courts only 12 victims of domestic violence received free legal aid.</i></p> <p><i>Existing support services wronged / witnesses in Montenegrin courts are not promoted to the public, but they are not promoted even at the level of the courts and other institutions so that they are completely inaccessible to the potential clients.</i></p>
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	<p>covers a two-year period; the registries of trade unions and information on union representativeness are made public.</p> <p>Bi-partite and autonomous social dialogue remains weak, and the social council still faces staff shortages. Fully transparent representation and the right to form new unions need to be ensured.</p>	<p><i>Ordinance on the implementation of the protective measures mandatory psychosocial treatment of perpetrators of domestic violence was adopted (Official Gazette 50/13 of 30.10.2013 year.) but the program for its implementation is still in the making, and it is not clear in whose jurisdiction it is. Regardless of the situation, imposing compulsory measures of psychosocial treatment, which in practice cannot be implemented, which ridicules the very protective measure and further victimize the victims of domestic violence.</i></p> <p><i>Police Administration is currently in the process of drafting the new Ordinance on internal organization and the Interior Ministry, under which it plans to introduce - systematization of the working places "inspectors of a family violence", which is a big improvement compared to the current situation. So far, the systematic workplaces for this position exist only in the police in Podgorica.</i></p> <p><i>Regarding the underage and forced marriages there are legal mechanisms, but it does not live in practice when such cases are reported. In Montenegro in 2013 only two cases were processed, but prosecutor's office did not have enough evidence to prosecute this process.</i></p>
<p>Inclusive labour market and decent work</p>		
<p>• Labour law enforcement mechanisms</p>	<p>Amendments to the labour law to regulate the rights of employees in the event of bankruptcy were adopted in July. Implementation and enforcement of the legislation in this area remains a challenge.</p>	<p><i>Certain progress has been done in relation to the professional rehabilitation and employment of persons with disability. The Law on Budget for 2014 has no special contribution on the income page for the</i></p>

<ul style="list-style-type: none"> • Undeclared work exploitation • Social dialogue • Women's participation in the labour market 	<p>In the field of social dialogue, the general collective agreement entered into force in March.</p> <p>Amendments to the law on the social council were adopted by parliament in December, allowing the council's secretariat to be set up. It has been given a budget to build up its technical and administrative capacity.</p> <p>Bipartite and autonomous social dialogue remains weak, especially in the private sector and at corporate level.</p> <p>Social partners still lack capacity.</p>	<p><i>professional rehabilitation and employment of the persons with disabilities, but predicts funds in the amount of 2 million EUR within the item "Program – Fund for Professional Rehabilitation" of the budget of the Employment Agency of Montenegro. The Commission for identifying disability, the assessment of working capacity and employment possibility has been working when necessary.</i></p> <p><i>Regarding the participation of the Roma and the Egyptian women in the labor market, very little progress is evident. According to the data of State Employment Agency (SEA), on the December of 31, 2013, there were 1118 unemployed persons who identified themselves as Roma and Egyptians (471 women - 42.12%). On the same day, only 56 persons (12.5% women) are employed for a specified time - only 5% of the total number of the registered unemployed Roma and Egyptians. The unemployment rate among this population is 3.21% of total unemployment rate.</i></p>
Sufficient income support and minimum living wages		
<ul style="list-style-type: none"> • Social security measures • Social assistance schemes • Social 	<p>In the field of social protection, the process for introducing the Social Card / Social Welfare Information System is continuing smoothly. Implementing legislation related to cash benefits and social welfare procedures was adopted in December with a view to contributing to the reform of social care.</p> <p>The law on contributions for compulsory social insurance and the law on pensions and disability insurance were amended by parliament.</p>	<p><i>Bylaws of the Law on Social and Child Protection are still not developed and adopted which is slowing down the process of its implementation in practice.</i></p> <p><i>In terms of the social protection, the new Law on Social and Child Care from 2013 introduced certain restrictive criteria for access to social services and survival. Specifically, this law for the first time legally recognized category of refugees and internally displaced persons as</i></p>

<p>benefits</p> <ul style="list-style-type: none"> • Pension reforms 	<p>The introduction of standards for service delivery, and professional empowerment of service providers to meet them, is not yet complete. Administrative and fiscal decentralization of social services needs to be improved.</p> <p>Work should be stepped up as regards poverty reduction and improving the inclusion of the Roma and Egyptian population, and people with disabilities and other vulnerable groups.</p> <p>Proper and transparent social dialogue needs to be ensured.</p> <p>Funded pension schemes based on mandatory savings have not yet been introduced. Further measures are needed to make the pension system more adequate and sustainable.</p>	<p><i>persons who are entitled to these rights, in accordance with the regulations governing the status of foreigners.</i></p> <p><i>However, the Roma and Egyptians who are internally displaced persons without regular legal status cannot benefit from these provisions. Although it is too early to assess the impact of this law on the Roma and Egyptian households, it is likely that many of domicile Roma and Egyptians will be denied of access to social benefits, because of the large property, lack of information and time constraints (social subsistence are limited to 9 months).</i></p> <p><i>In addition, the application of this law in practice is still ineffective because of the lack of secondary legislation (six-by-laws should be enacted as soon as possible, in order to better regulate access to social services and facilities)</i></p>
<p>Access to quality services</p>		
<ul style="list-style-type: none"> • Legal framework for social service provision • Registration of non-profit /CSO service 	<p>Montenegro is preparing its first employment and social reform programme, with a view to identifying and addressing key challenges in employment policy and social inclusion.</p> <p>There are still many implicit advantages to take up undeclared work over regular employment. Intensive efforts have been made in order to decrease this phenomenon, especially on the coast and in Podgorica.</p> <p>In general, developing reliable data and statistics remains an outstanding issue in several areas, in particular for labour market analysis.</p>	<p><i>Continuous lack of institutional support for social services.</i></p> <p><i>Lack of registration and identity documents remains an issue of paramount importance for Roma and Egyptians living in Montenegro. Children whose parents are internally displaced; Roma and Egyptians with irregular legal status, as well as children who are born outside of health facilities, are at high risk of statelessness and they have difficulty in accessing the basic rights.</i></p>

<p>provider</p> <ul style="list-style-type: none"> • Accessibility, affordability of services for disadvantaged groups 	<p>In the area of social inclusion, implementing legislation for the law on social and child protection has been adopted; a government decree was adopted in February with a view to setting up an institute for social and child protection.</p>	<p><i>The first Resource Centre for Blind and Visually-Impaired Persons has been opened in Niksic.</i></p> <p><i>Although the AYDM in September 2013 gave to the working group for building confidence in the electoral process, submitted amendments, nor the Working Group, no later of the Collegium and proponents did not accepted and adopted amendments relating to the provision of an undisturbed access to and entering the polling place, access: front booths, ballot box and voting material in accordance with the special regulations, as well as the obligation of providing affordable transportation for voter with disabilities, in case that they claims that with request and wish to vote at the polling station and not by mail. Although these amendments were supported by the Ministry of Human and Minority Rights and the EU Delegation to Montenegro nor the Collegium, not even the proponents and MP's a proposed and adopted these amendments, meaning that people with physical disabilities are discriminated against.</i></p> <p><i>Regardless to the deadline for the adjustment to public buildings to persons with reduced mobility and persons with disabilities remained unchanged with the Law on Amendments to the Law on Spatial Planning and Construction, the state of the practice in terms of access to facilities used by the public is still unchanged. There is no visible progress in the implementation of the Action Plan to adapt buildings. Because of the repeated discrimination against persons with disabilities in</i></p>
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		<p><i>accessing the Parliament of Montenegro, the capital, and other institutions, people with disabilities launched several lawsuits in order to protect against discrimination in these institutions.</i></p> <p><i>There is still no progress in the situation of people with hearing impairments. The institutions of the system do not employ interpreters for persons with hearing impairments, which prevents these people from exercising their rights.</i></p> <p><i>When constructing new facilities, constant mistakes are made and constructors do not care about meeting standards of accessing buildings for persons with disabilities.</i></p> <p><i>There is no systematic support in the funding of organizations of persons with disabilities, and in addition to it, there is no initiative to create Law on these organizations which will enable that.</i></p> <p><i>Proposal of the Communication Strategy to inform the public about the accession of Montenegro to the EU for 2014-2018 adopted by the Government in March, people with disabilities were recognized in the "group sensitive to changes." In this proposal key recommendations of AYDM are included.</i></p>
Participation and lifelong learning		
<ul style="list-style-type: none"> • Education and training 	<p>In June Montenegro signed an agreement to participate in the policy support networks and electronic platforms of the Erasmus+ programme.</p>	<p><i>There is still no initiative to start the re-drafting of the Law on Higher Education, in order to systematically</i></p>

<p>reforms</p> <ul style="list-style-type: none"> • Non formal and informal learning • Legal framework for volunteering • Vocational education and training 	<p>As a candidate country, Montenegro should track statistics on the EU's five education and training indicators.</p> <p>The Youth in Action programme saw an increased number of young people involved in international youth activities.</p> <p>Regarding the reform of vocational education, entrepreneurship centres were established in three secondary vocational education schools in north-east Montenegro. The share of enrolment in upper secondary VET, with roughly two thirds, is relatively high. However, attractiveness, in particular of the VET programmes, is decreasing.</p>	<p><i>address the issue of the education of persons with disabilities, then the issue of funding and other important issues. Because of this problem, some students at certain universities had partially or fully had to pay tuition.</i></p> <p><i>Students with disabilities, all 42 of them in three Montenegrin universities are exempt from tuition fees on request AYDM for study 2013/2014, and 17 students with disabilities with help of AYDM are placed in dormitories. In collaboration with The Montenegrin Universities, AYDM opened the Student Advisory Office for Students with Disabilities.</i></p> <p><i>There is an evident progress when we talk about the inclusion of Roma education, through the provision of free textbooks, free transport and scholarships for high school students and faculty students. Number of Roma and Egyptian children in kindergartens increased over the years. In the 2012/2013 school year, the total number of Roma and Egyptian students was 1853. Coverage of children in primary education is 13.81% (15.02% of girls), which is two times less than the national average (26.65%). Number of high school students was 81 in 2012/2013, 15 students of Roma and Egyptians population were enrolled at the university. Ministry for Human and Minority Rights has taken the preparatory activities for the preparation of the first Romani dictionaries with the aim of fostering Roma literacy and preservation of the linguistic identity of</i></p>
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		<p><i>Roma.</i></p> <p><i>However, there are still no system solutions for Roma educational mediators (they are still engaged through NGO projects). Despite the increased number of enrolled Roma and Egyptian students, their educational achievements are low, particularly among internally displaced Roma and Egyptians. Effective measures for prevention of dropout of Roma and Egyptian girls are missing. However, the Commission for monitoring and combating of dropout of Roma and Egyptian children from schools was created at the initiative of the NGO Institute for Social Inclusion.</i></p> <p><i>People with impaired vision during their schooling face many obstacles and of which only some maladjustment on textbooks as well as the impossibility of adequate access to information. In the 2009 CSOs launched the project "Volunteer service audio library" whose aim primarily scanning and adapting on textbooks for legal, economic and political sciences faculty because they are people with impaired vision from these universities requested assistance. Anyhow the state does not fund or provide other support for this service.</i></p>
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SERBIA

Subjects	Enlargement Progress Report 2014	Comments for follow up in 2015
Social, economic and political rights		
<ul style="list-style-type: none"> • Promotion and enforcement of human rights • Respect for and protection of minorities, cultural rights • Access to justice • Freedom of expression • Women's rights and gender equality • Children's rights • Socially vulnerable and/or persons with disabilities • Anti-discrimination policies • Labour rights and 	<p>The legislative and institutional framework for observance of international human rights law is in place. Sustained efforts are needed from Serbian authorities to ensure its implementation.</p> <p>The legal framework for the protection of minorities is broadly in place but its consistent implementation across the country needs to be ensured, e.g. in relation to education, use of languages, and access to the media and to religious services in minority languages.</p> <p>The positive steps taken to improve the situation of the Roma need to be stepped up, particularly when it comes to education, housing and employment. Further sustained efforts and additional financial resources are needed to improve the situation of the Roma and of refugees and displaced persons.</p> <p>The holding of the pride parade in Belgrade on 28 September without major incidents marked a substantial step towards the effective exercise in Serbia of human rights in general and LGBTI (lesbian, gay, bisexual, transgender and intersex) rights in particular.</p> <p>There are concerns about deteriorating conditions for the full exercise of freedom of expression. A continued lack of transparency over media ownership and sources of media</p>	<p><i>By the end of 2013 problems with the media freedoms started and they continue to the present days. First in December 2013, morning radio show "Mental stretching" that was the most listened show in Serbia, just faded away after announcing the divorce of the Serbian PM as subject of the next morning show. This program lasted several years and earned its popularity with satiric humorous critics to the central Government but when actual PM private life came to the subject it was just removed from the broadcasting, as the most listened at the time. As result of this action, none of the Serbian journalists then or later asked PM about that issue or any other "unpopular" question. In January same year every video content that was not in favor of the regime started to be banned and removed. Once again one of the most popular TV shows, "Impression of the week" that lasted for 20 years and hosted all Presidents and PM's for mid-nineties was just removed from the air. Due to the obvious sanctions to all liberate and non-main stream speaking its very noticeable level of the auto-censorship of the media and journalists, even of citizens on the public and social networks.</i></p>

<p>trade unions</p>	<p>advertising and funding was accompanied by a tendency to self-censorship in the media. The authorities have an important responsibility to work to create an enabling environment in which this fundamental freedom can be exercised without hindrance, including by reacting to and publicly condemning threats, physical assaults and cases of incitement to violence and hate speech from extremist groups against civil society organisations (CSOs), human rights defenders, journalists and bloggers.</p> <p>The legal and institutional framework to protect women and children’s rights was further improved. Measures to tackle domestic violence and gender inequality at the workplace remain to yield effective results.</p> <p>The situation of Roma children and children with disabilities, who remain the most discriminated against, further weakened in the aftermath of the severe floods in May.</p> <p>As regards people with disabilities, €12.8 million was allocated to the fund for professional rehabilitation and enhancement of employment of persons with disabilities in 2014. In 2013, approximately 5700 people with disabilities benefited from active measures, down from 6500 in 2012.</p> <p>In the field of anti-discrimination policy, the Equality Protection Commissioner’s office continued its awareness-raising activities on discrimination and mechanisms for protection against discrimination. However, the capacity of the Office still needs to improve. An action plan for the implementation of the strategy for the fight against discrimination was adopted in October 2014. The anti-discrimination law remains to be</p>	<p><i>Unofficial end of enforcing the Law on professional rehabilitation of people with disabilities (PwD). According to this regulation all three public, profit and non-profit sector are obliged to employ PwD in certain number regarding to the total number of employees. Control of these measures was supposed to be performed by the tax administration but it was never enforced (except in case of one single non-controlled weekly paper “Vreme”).</i></p> <p><i>New regulations in the field of access to justice introduced a more expensive procedure and more complicated way of fulfilling citizen’s rights.</i></p> <p><i>The Law on Notaries (Public Notaries) has transferred vast powers to a group of lawyers, of dubious criteria selected, with restriction of enlargement of that group. Large delays in the legal processes, from the entry into force of this law are evident which resulted with a large protest and work stoppage of the Lawyer Commerce across the country.</i></p> <p><i>A various number of projects tackling the issue of gender equality have been launched. Legislation on this topic has good coverage.</i></p> <p><i>Progress is reported on gay and minorities rights – organisation of the gay pride in Belgrade in the</i></p>
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	<p>further aligned with the acquis. The groups most discriminated against remain the Roma, sexual minorities, and persons with HIV/AIDS. Notwithstanding the government's good preparatory work for the pride parade, a more visible political commitment to promoting a culture of respect towards the lesbian, gay, bisexual, transgender and intersex (LGBTI) community and raising awareness is needed.</p> <p>Training has been provided for the police on anti-discrimination and equality issues.</p>	<p><i>autumn 2014 was successful.</i></p>
Inclusive labour market and decent work		
<ul style="list-style-type: none"> • Labour law enforcement mechanisms • Undeclared work exploitation • Social dialogue • Women's participation in the labour market 	<p>The amended Labour Law aiming also at achieving some alignment with the acquis was adopted in July. However, as the law was adopted in an urgent procedure consultation with the social partners and public debate could not be fully respected</p> <p>Tri-partite social dialogue has been at a stalemate since autumn 2013 with the representative of trade unions withdrawing from the Working Group on the Labour Law.</p> <p>The meetings of the Economic and Social Council are not systematic and should be improved according to the relevant rules. No agreement has been reached on the level of the minimum wage.</p> <p>Consultation of the Council on legislative amendments remains limited. The criteria and procedure to establish representativeness of trade unions and employers' organisations need to be agreed in a clear and transparent</p>	<p><i>The new labor law that passed at beginning of the 2014 has introduced a number of innovations. The law was passed without the consent of the social partners.</i></p> <p><i>No progress to be reported on the Labour Inspectorate activity.</i></p> <p><i>According to the World Bank survey 25% of work is undeclared. This presents big social problem that reflects on many spheres of the Serbian society.</i></p> <p><i>Women's participation in the labour market remains at the same level as previously reported.</i></p>

	<p>manner.</p> <p>Bi-partite social dialogue remains under-developed. There are only few sectoral collective agreements, while several have expired and need to be renewed.</p> <p>The law on strike remains to be adopted. The agency for peaceful settlement of labour disputes needs further strengthening.</p>	
<p>Sufficient income support and minimum living wages</p>		
<ul style="list-style-type: none"> • Social security measures • Social assistance schemes • Social benefits • Pension reforms 	<p>In the area of social inclusion, according to preliminary data from the first survey on income and living conditions, the at-risk-of-poverty rate in Serbia is 24.6%. Despite some progress in the overall legislative and regulatory framework, the implementation of the action plan to improve the status of Roma needs to be stepped up. Scarce financial resources were mobilized from the budget.</p> <p>The availability of community-based services across the country remains limited. The efficiency of the licensing process for social services providers introduced by the 2011 Social Welfare law is being discussed</p> <p>In the field of social protection, the pension fund deficit remains large. More than 40% of the revenues of the pension fund come from the budget. Budget transfers to pay pensions continue to be the largest single item on the expenditure side. About 14% of GDP was spent on pensions in 2013.</p> <p>Amendments to the Law on Pension and Disability Insurance were adopted in July. They introduce changes in pension</p>	<p><i>The minimum wage were slightly increased which is little improvement concerning very big disparity between wage and purchasing power.</i></p> <p><i>Wages reduction in public sector and pensions did not reflect on people with lowest incomes (below 220€ per month).</i></p> <p><i>The relevant legislation also have reduced the right to severance pay at retirement and it's no longer three, but two of the average employee's salary.</i></p> <p><i>Reform of the pensions system was realized and additional conditions were made as precondition for the full pension (both full age and full service) which has not been the case in the previous regulation.</i></p>

	calculation and retirement rules, including extending women's retirement age to 65	
Access to quality services		
<ul style="list-style-type: none"> • Legal framework for social service provision • Registration of non-profit /CSO service provider • Accessibility, affordability of services for disadvantaged groups 	<p>The focus of this year's action plan is on youth, unemployed with low qualifications, and workers made redundant from companies in restructuring.</p> <p>Serbia is preparing its first employment and social reform programme, with a view to identifying and addressing its key challenges in employment policy and social policies.</p> <p>The 2014 budget earmarked for active labour market measures is less than 0.1 % of GDP, which is very low but nevertheless an increase from the previous year. This is insufficient to address the high level of unemployment and of long-term unemployment and to face future challenges, notably the forthcoming large redundancies linked to the restructuring of 153 state-owned enterprises.</p> <p>According to Labour Force Survey, informal employment grew significantly, from 17.9% in October 2012 to 21% in June 2014</p> <p>Social inclusion of people with disabilities needs significant improvement.</p>	<p><i>Social services and support for vulnerable groups, specifically for PwDs, is harmonized through a series of the strategic frameworks. The legislation in this field is significantly compromised. The realization of the Law on Social Protection issued in 2011 is a partial, key bylaws laws that governing the financing of services and support in the community were not adopted (contrary to the Law which obliges the Ministry to adopt bylaws within 6 months), hence the arbitrary interpretation of the ordering of social care services in the local government and the majority of it due to this reason just cut funding, particularly services that were implemented by the NGOs.</i></p> <p><i>On the other hand, the line Ministry does nothing to prevent shutting down the social services. Common impression is that the central and local governments have decided to drop the service for the vulnerable groups.</i></p> <p><i>Large financial obligations were imposed for the NGO's as social service providers, in process of complying with the minimum standards for services and the licensing process. Lot of NGO's cannot fulfill very high standards, and there is no financial support is provided on the National or local level with that</i></p>

		<p><i>purpose.</i></p> <p><i>There are many other bureaucratic issues that have no connection with the level of professionalism or benefit of service beneficiaries, as the biggest problems in ordering services</i></p>
Participation and lifelong learning		
<ul style="list-style-type: none"> • Education and training reforms • Non formal and informal learning • Legal framework for volunteering • Vocational education and training 	<p>In the field of education, training and youth, Serbia continued to participate successfully in the Tempus, Erasmus Mundus, and Youth in Action as well as in the centralised actions of the Lifelong Learning programme until 2013. In June, Serbia signed an agreement with the EU establishing its participation in the new Erasmus+ programme, allowing it to take part in policy support measures as well as in electronic platforms for virtual cooperation among schools and adult education providers.</p> <p>In 2013, the Youth in Action programme involved an increased number of young people from Serbia in international youth activities such as youth exchanges and the European Voluntary Service and offered youth workers the opportunity to cooperate within training and networking activities</p>	<p><i>Education Development Strategy is ongoing.</i></p> <p><i>Legal framework for volunteering is satisfactory.</i></p>