



# HORIZONTAL FACILITY FOR WESTERN BALKANS AND TURKEY

## Enhancing human rights protection for detained and sentenced persons in Serbia

As a part of the co-operation framework co-funded by the European Union and the Council of Europe, known as the *Horizontal Facility for the Western Balkans and Turkey* (Horizontal Facility), the Council of Europe will implement, as one of the Actions in Serbia, the Action *Enhancing human rights protection for detained and sentenced persons*, in close partnership with the Ministry of Justice, Ministry of Internal Affairs, Ministry of Health, Ministry of Labour, Employment, Veteran and Social Affairs, Ombudsman and Serbian European Integration Office. The Action will also include a wide spectrum of other national stakeholders, as well as civil society organizations active in the field of protection and promotion of human rights.

Serbia joined the Council of Europe family of 800 million citizens in 2003. Since then, the Council of Europe has been working in close cooperation with Serbian authorities assisting them in their reforms through standard-setting, monitoring and technical cooperation. Serbia has ratified significant number of Council of Europe Conventions and actively participates in different Council of Europe bodies. The key Conventions for this Action are the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment and the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR), as well as the recommendations of the European Committee for the Prevention of Torture (CPT) and the judgments of the European Court of Human Rights (ECtHR). These commitments are part of the Serbia's EU accession negotiations and accomplishment of goals defined in strategic documents and in particular Chapters 23 and 24.

The Action, which started on 1 January 2017 and will be completed on 31 August 2018, has an overall budget of 780,000 euros.

### The objectives and expected results

The **overall objective** of the Action is to strengthen human rights of detained and sentenced persons in Serbia, focusing on issues highlighted in CPT reports and ECtHR judgments. Furthermore, it will provide support to the Serbian authorities in ensuring compliance with benchmark European standards and assist them with advancing further in the process of European integration.





The **Action** will deal with these specific issues in four components:

- **Component I:** Strengthening of the safeguards against ill-treatment of detained and sentenced persons through better compliance with Council of Europe standards;
- **Component II:** Strengthening of human rights protection of persons detained under involuntary psychiatric hospitalization and of persons with mental disabilities detained in social welfare institutions;
- **Component III:** Facilitation of the reintegration and rehabilitation of prisoners in society after release; and
- **Component IV:** Strengthening of the human rights protection of mentally ill patients and facilitation of their reintegration and rehabilitation.

The work under the Action will focus on ensuring ownership and sustainability and providing assistance to the relevant institutions in strategic, legislative and organizational capacity building. It will strive to ensure professionalism of all the services included, guaranteeing full observance of fundamental rights through an efficient regulatory and operational framework and strengthened organisational and management capacity.

### Background information

On 11 April 2016, the Secretary General of the Council of Europe, Thorbjørn Jagland, and the European Union's Commissioner for European Neighbourhood Policy and Enlargement Negotiations, Johannes Hahn, announced a new co-operation initiative of the two organisations aimed at supporting South-East Europe and Turkey in their efforts to comply with European standards. The initiative is called the European Union/Council of Europe Horizontal Facility for Western Balkans and Turkey (Horizontal Facility). It is a three-year programme (May 2016 – May 2019), focusing on three themes: ensuring justice; fighting corruption, economic crime and organised crime; as well as combating discrimination and protecting the rights of vulnerable groups. It has a budget of €25 million, of which €20 million has been provided by the European Union and €5 million by the Council of Europe. Through the Horizontal Facility, the European Union and the Council of Europe will assist beneficiary countries to comply with Council of Europe standards and the European Union acquis in the framework of the enlargement process, through a complementary two-fold approach of technical co-operation and the provision of expertise. The Horizontal Facility relies on the Council of Europe's unique working methods, whereby tailor-made technical co-operation activities are based on conclusions and recommendations of the Council of Europe's monitoring bodies, which highlight areas where improvements are needed in the legislation and policies of the beneficiaries to comply with the Organisation's treaties and other standards.

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The Council of Europe is the continent's leading human rights organisation. It comprises 47 member states, 28 of which are members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law. The European Court of Human Rights oversees the implementation of the Convention in the member states.

The European Union is a unique economic and political partnership between 28 democratic European countries. Its aims are peace, prosperity and freedom for its 500 million citizens – in a fairer, safer world. To make things happen, EU countries set up bodies to run the EU and adopt its legislation. The main ones are the European Parliament (representing the people of Europe), the Council of the European Union (representing national governments) and the European Commission (representing the common EU interest).

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