

## **OBVIOUS GENDER AND AGE DISCRIMINATION IN EMPLOYMENTS**

*Interview with the Head of the OSCE Mission to Montenegro Janina Hrebičkova published in the newspaper Pobjeda on 29 February 2016*

As the Head of the Mission I do everything in my power to contribute to establishing and development of respect of freedom of expression and at the same time encourage adequate reactions of human rights bodies and civil society in cases where violations of human rights have clearly occurred

PODGORICA – This year, the OSCE Mission to Montenegro will be actively involved in projects and trainings in the field of fight against discrimination and strengthening of the National Preventive Mechanism established under the Convention against Torture – the Head of the Montenegrin field operation of this organization Janina Hrebičkova told daily Pobjeda. One of priorities will be also the promotion of the freedom of religion and support to competent institutions in resolving hate crimes.

**POBJEDA: Which activities are implemented by OSCE in the areas of fight against corruption and organized crime?**

HREBIČKOVA: In 2015, the Mission supported a working group led by the Ministry of Justice that was responsible for drafting the Law on Seizure of Illicit Assets and regulations addressing the leasing and sale of seized property. In co-operation with the Judicial Training Centre and the US Embassy, we trained judges, prosecutors, law enforcement officers, and others involved in the fight against corruption, particularly in the area of financial investigations.

Training on these topics now forms part of the Centre's standard curriculum. In addition, we supported a public awareness campaign led by the Directorate for Anti-Corruption Initiatives.

In 2016, the Mission, in co-ordination with the US Embassy and the European Union, will provide financial investigation training to the new Police financial Investigations Department and Special Prosecutor's Office. The Mission also plans to provide technical assistance to the Property Directorate on the implementation of new regulations.

**POBJEDA: You are also dealing with projects concerning the reform of judiciary system, police and prison system, protection and strengthening of human and minority rights. What is your comment on these processes?**

HREBIČKOVA: There are number of activities where we have worked. In 2015, we trained judges, prosecutors, and lawyers on amendments to the Criminal Procedure Code, and also organized a very successful regional conference on cybercrime.

The Mission provided trainings for judges and lawyers on amendments to the Civil Procedure Code and the Law on Arbitration. Training provided by the Mission to family mediators on transactional analysis contributed to further incorporating mediation techniques in the legal system.

We helped the Ministry of Justice and the Assembly of Public Bailiffs train bailiffs and work on challenges to fulfilling their new functions. In addition, we worked with public information officers, judges, prosecutors, and police on improving their public outreach skills and enhancing transparency and accountability within their institutions.

We also helped the State Prosecution Office develop a communication strategy and manual for use with the media.

In the field of human rights, in 2015 we worked with prosecutors to build their capacities to identify and address discrimination on the basis of disability, health status, gender, and sexual orientation.

This followed recent amendments to the Law on Prohibition of Discrimination and other regulations. We provided technical expertise and training support to the Constitutional Court, which helped the Court to increase the efficiency with which it administers and adjudicates complaints.

In order to support the Ombudsperson in its role as the national preventive mechanism for torture and to improve its ability to combat all forms of discrimination, we assisted the Office in obtaining accreditation to the UN Sub-Committee on Accreditation of National Institutions for Human Rights.

Following Ombudsperson observations of persistent gender and age discrimination in employment notices, the Mission conducted research on discrimination in print and on-line job postings, which will be used to target such discrimination in 2016.

This year, we will continue our work in both criminal and civil justice, with a new emphasis on civil justice. In addition to providing training on new legal provisions, we will also support judges, prosecutors, and police on the acquisition and use of digital evidence and also continue our work to promote transparency.

Furthermore, in 2016, we will assist the authorities to meet OSCE Human Dimension commitments by supporting non-discrimination efforts, strengthening the national preventive mechanism established under the torture convention, supporting the Constitutional Court, promoting freedom of religion and beliefs, and tackling hate crimes.

During 2015, the OSCE Mission to Montenegro and the Ministry for Human and Minority Rights signed Memoranda of Understanding with remaining seven Montenegrin municipalities; this means that all 23 Montenegrin municipalities are now officially signatories of this document, which reinforces the cooperation in the area of gender equality.

The Mission will support further development of the Local Action Plans for Gender Equality in the municipalities, by which a number of related topics, such as participation of women in public and political life, economic empowerment of women, fight against gender-based violence, working with youth and other issues will be systematically addressed.

In the past five years, the Mission organized more than 100 trainings on the above mentioned topics. The Mission will continue the series of training on Human Rights and Gender equality in the security sector, starting with military and being continued with Police.

The Mission also strongly supports implementation of the Law on Free Access to Information which is especially important tool in increasing transparency and accountability of public institutions. Here we have a great co-operation with the Agency for Protection of Personal Data and Free Access to Information. Among many activities that were realized together with the Agency in 2015, I would like to mention conference on regional experience with this legislation that that took place in Podgorica late November last year.

I am also proud of our cooperation with RTCG. The Mission supported production of 20 talk shows that were broadcasted on the Public Service Broadcaster.

**POBJEDA: To what extent is OSCE active in economic development and environmental protection?**

HREBIČKOVA: The OSCE, as a whole, regards the issues of economy and environment as essential. At the Mission level, the significance of these topics is additionally emphasized by the fact that Montenegro is an emerging economy and that it has declared itself to be an ecological state and, therefore, fully dedicated to the environmental protection and sustainability of its development. We all know that bringing principles into practice is rarely easy, given all the restrictions imposed by scarce finances and modest capacities.

What we are continually aiming for is to assist public administration bodies, at both the national and the local level, in applying the good governance principles in the environmental protection system in line with international standards. We continuously contribute to the implementation and promotion of the principles of public dialogue and participation in environmental decision making by supporting the work of the Aarhus Centers and environmental NGOs.

The target group has expanded over the years, through the “School of Ecological Activism” that was established as a part of one of our projects and included representatives of political parties, academia, media and private sector, or the implementation of accredited educational programmes on waste management in 35 schools across the country involving a few thousands pupils.

All Mission activities aim to ensure that future development of Montenegro is continued in an environmentally sustainable and transparent manner, along with promotion of the good governance principles in the broad field of economy.

**POBJEDA: You worked as a journalist for a long time. How do you see future of traditional media? Is traditional media going to disappear because of online media and social networks?**

HREBIČKOVA: I worked for ten years in the media. I believe that while, on the one side, freedom of expression should be fully respected and guaranteed by the institutions, on the other side, ethical and responsible reporting should be respected too.

What I mean by ‘professional reporting’ is journalism’s first obligation to the truth and its loyalty to serve the public interest.

There is also the need for the discipline of verification of facts, its need to serve as an independent monitor of power and need to retain a personal sense of ethics and responsibility. Journalism needs to respect the rule of law and human rights of every single individual.

Another challenge of independent and professional journalism is the fact that while the internet took off as a source of news and mainstream, the traditional media appeared to be pretty slow on the uptake in terms of responding to this new phenomena, and so ‘citizen journalism’, known as I-Reporting, and social networking rapidly became powerful forces. In this sense, that meant that professional journalists became, in many eyes, surplus to requirements.

Journalists rely on a professional discipline for verifying information. That is why as the Head of the OSCE Mission, I do my best to contribute to creating and promoting, respect for freedom of speech, while also encouraging adequate reactions of human rights bodies and civil society in cases where violations of human rights have clearly occurred.

Media pluralism is a ‘good thing’ that is for sure. It is important to have numbers of TVs, radios, newspapers and online portals and variety of choices. The existence of a vibrant, independent, pluralistic and sustainable media is essential.

Nevertheless, there is an increasing trend of traditional print media switching to online editions, stemming from a shrinking media market and because online editions are less labour intensive.

However, this modernization has proven difficult in terms of retaining the balance between promoting freedom of expression by allowing online commenting on one hand, and preventing hate speech and incitement to violence by moderation on the other and the only way to curb it is consistent moderation.

It is truly a great challenge and I think that the only realistic way to ensure adherence to professional and ethical standards is to formally assign a full time moderator of online comments or to employ advanced filtering system. And, of course, this will only be possible for those media outlets that can afford to assign a person to do this.

N. KOVAČEVIĆ

**Box: Media Freedom Protection**

**POBJEDA: OSCE is very active in creating unique self-regulatory body. How far did you get with this initiative?**

HREBIČKOVA: While the Mission would welcome a unique/unified self-regulatory body in Montenegro, we are aware of the reality and we will definitely not push for it at all costs.

It is important to go step by step through the imminent process and work on the basis that our local partners too want to see the real change and improvements in practice.

One of the priorities for the media community here is the fullest implementation and unified interpretation of the Journalists' Code of Ethics.

Once this has been achieved, if there is a genuine interest from the side of the media community to form a unique self-regulatory body then the Mission more broadly will definitely welcome and support any such initiative.

A single self-regulatory body is the only effective tool in safeguarding media freedoms, promoting editorial quality and in ensuring that the influence of the state is reduced to a minimum.

*Note: This interview is an unofficial translation and has been translated from the Montenegrin-language version at [www.pobjeda.net/protected/listalica/2016-02-29/#8](http://www.pobjeda.net/protected/listalica/2016-02-29/#8). In case of any conflict or dispute in the translation in English, the Montenegrin language version shall prevail.*