

HUMAN RIGHT
IMPACT ASSESSMENT
(HRIA)

Phase 1 of the Metro
Line 1 in Belgrade



DOCUMENT CONTROL

<u>Revision History</u>					
<u>Version</u> <u>Revision</u>	<u>Date:</u>	<u>Description of</u> <u>or Reason for</u> <u>Change</u>	<u>Authors:</u> <u>Jelena Slaveska</u> <u>Vladimir Baševski</u> <u>Ljeposavka Vidović</u> <u>Danica Jovanović</u> <u>Andjela Ilić</u>	<u>Review:</u> <u>Maja Bajagić</u>	<u>Approval:</u> <u>Andreja Mladenović</u>
<u>01</u>	<u>13.12.2023.</u>	<u>Initial Draft</u>			
<u>02</u>	<u>17.01.2024.</u>	<u>Revised Initial</u> <u>Draft</u>			
<u>03</u>	<u>23.04.2024.</u>	<u>Final Draft</u>			

Table of Contents

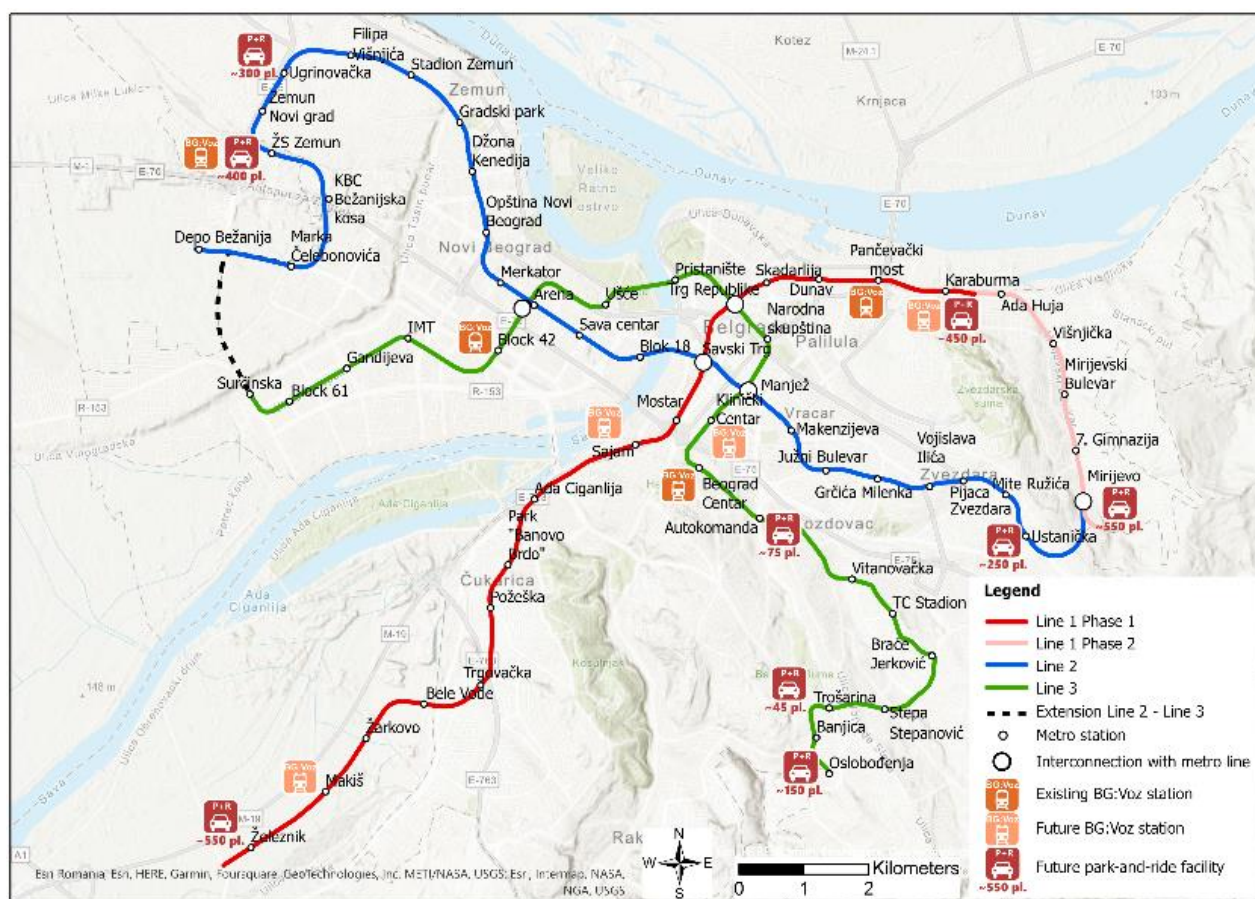
1. Introduction	4
1.1. Project Background	4
1.1. Objective of the Study	5
1.2. Assessment Methodology	5
2. Scoping	6
3. Legal Framework	7
3.1. Obligations of the Republic of Serbia in Relation to Membership in the United Nations and Ratified Universal International Treaties	9
3.2. Obligations of the Republic of Serbia Arising from Membership in the Council of Europe	9
3.3. International Labour Organization	11
3.4. The most important Human Rights Treaties binding on the Republic of Serbia are:	11
3.5. United Nations Guiding Principles on Business and Human Rights (UNGPs) ..	15
3.6. Equator Principles	15
3.7. International Finance Corporation (IFC) Performance Standards	15
4. Human rights impact analysis	16
5. Impact Mitigation and management	50

1. INTRODUCTION

1.1. Project Background

The Metro Project of Belgrade, capital of Serbia, aims to improve the transport accessibility and mobility within the polycentric urban structure of the city.

In the long-term, the complete metro network composed of 3 lines and 62 stations is planned to be spread out over the territory of Belgrade. More specifically, L1 will comprise 21 stations (including 2 in common with L2).



Commissioning of Line 1 (Železnik – Mirijevo) is planned in 2030. The subject of this specific Human right impact analysis is the Phase 1 of the Metro Line 1 in Belgrade (in further text: Project), extending from the Železnik station to the Karaburma station and creating a southwest to northeast axis, and its associated depot in Makis area.

As a whole, the Belgrade Metro will be inserted in an intermodal network of urban and interurban transports (bicycle, bus, tramway, train...) and will promote modal shift from private to public transports with the implementation of park-and-ride facilities in the vicinity of the metro stations.

More specifically, the first phase of Line 1 will have a connection with existing BG:voz lines in Pančevački most, and 3 stations will connect with future BG:voz lines. 2 park-and-ride facilities will be located in the

vicinity of the Železnik and Karaburma stations. Finally, the planned development and reorganization of tram and bus lines will result in 3 bus terminals along the line (new hubs in Železnik and Karaburma, reconstruction of a bus terminal in Pančevački most), 7 existing tramway stops and 3 additional planned tramway stops along the line.

Line 1 Phase 1 is 16 km-long and composed of 16 stations. It also comprises 11 shafts used for ventilation, evacuation and TBM insertion and extraction. The first phase also includes the main depot of the network which will be located in the area of Makiš field.

1.1. Objective of the Study

The main objective of this Human Rights Impact Assessment (HRIA) report is to identify, understand, assess, and address the adverse effects of Project or its activities on the human rights such as workers and community members. The Human Rights assessment is also intended to prevent or mitigate risks of adverse impacts from Project operations.

1.2. Assessment Methodology

In assessing the impact on human rights, PUC "Belgrade metro and train" (in further text: BMV) utilizes several key steps as further described below:

- a) Scoping
- b) Impact assessment and
- c) Implementation (described within mitigation measures).

2. SCOPING

The main objective of scoping the business project or activities is to understand the scale and type of operations in question, considering the industry, physical location, stage of operations and so forth. For these purposes, listed below are list of documents that are obtained for scoping of business project or activities.

During the scoping phase to develop HRIA, BMV team has reviewed a number of documents as follows:

- Environmental Impact Assessment Study for the project of the Construction of Belgrade Metro facilities, line 1 phase 1 (EIA), (2022)
- Environmental and Social Impact Assessment (ESIA), (2022)
- Stakeholder Engagement Plan – Belgrade metro Line1 – Phase 1 (SEP), 2021
- Environmental and Social Management Plan – Belgrade metro project Line 1, Phase 1 – draft version (ESMP) (2023)
- Environmental and Social Governance Framework Belgrade metro project (ESGF) – draft version (2023)
- Belgrade Smartplan final report (2017)
- General Regulation Plan of Rail Systems in Belgrade with elements of detailed elaboration for the first phase of the metro system (2021)
- Focused Social Impact Assessment for Line 1 Phase 1 – Depot Makiš (SIA) (2021)
- “Human Rights in Serbia 2022”, published by Association of citizens Belgrade Centre for Human Rights
- Collective Agreement for BMV
- Rulebook about the internal whistleblowing procedure in PUC “Belgrade Metro and Train”
- Regulation on preventing abuse at work in PUC “Belgrade Metro and Train”
- Rulebook on safety and health at work in PUC “Belgrade Metro and Train”
- The Decision of the amendment of the decision on the determination of the person in charge of proceedings with the request for free access to information of public importance in PUC “Belgrade Metro and Train”
- Belgrade Metro Line 1 Phase 1 – Socio Economic Survey Report
- Under Ethics, provided on Alstom’s web page – [CODE OF ETHICS UK SEPT2020.pdf \(alstom.com\)](#)
- [Ethics and Sustainable Development Charter – ethics_and_sustainable_development_charter_for_alstoms_suppliers_and_contractors .pdf](#)

In terms of scoping of human rights context, BMV analyzed both international and national legislation, as well as United Nations Guiding Principles on Business and Human Rights (UNGPs), Equator Principles and International Finance Corporation (IFC) Standards (PS).

3. LEGAL FRAMEWORK

In the Constitution of the Republic of Serbia, the highest legal act of the Republic of Serbia, Section II is dedicated to human and minority rights and freedoms (Art. 18-81), and divided into three parts, namely: I Basic Principles (Art. 18-22), II Human Rights and Freedoms (Art. 23-74), and III Rights of Persons Belonging to National Minorities (Art. 75-81).

The Constitution of the Republic of Serbia stipulates that human and minority rights guaranteed by the Constitution are directly applied, as well as that the Constitution guarantees, and as such, directly applies human and minority rights guaranteed by generally accepted international treaties and laws, and that domestic legislation can in no case affect the essence of the guaranteed rights, but that it can potentially prescribe the manner of exercising them. The part of the Constitution dealing with the hierarchy of legal acts (Art. 194) states that ratified international treaties and generally accepted rules of international law are part of the legal order of the Republic of Serbia and that ratified international treaties must be in accordance with the Constitution, while laws and other general acts must be in accordance with ratified international treaties and generally accepted rules of international law.

The Constitution of the Republic of Serbia contains a long and comprehensive list of human rights and freedoms. It contains all the guarantees that exist in international human rights documents (dignity and free development of the person; right to life; inviolability of physical and psychological integrity; prohibition of slavery, position similar to slavery and forced labour; right to freedom and security; supplementary rights in case of deprivation of liberty without a court decision; right to a fair trial; inviolability of residence; protection of personal data; right to equal protection of rights and to a legal remedy, etc.).

The Constitution stipulates that the provisions on human and minority rights shall be interpreted in favour of promoting the values of a democratic society, in accordance with the applicable international standards of human and minority rights, as well as the practices of international institutions that supervise their implementation.

Human and minority rights guaranteed by the Constitution may be restricted by law if such a restriction is permitted by the Constitution, for the purposes for which it is permitted by the Constitution, to the extent necessary to satisfy the constitutional purpose of the restriction in a democratic society and without interfering with the essence of the guaranteed right. The Constitution explicitly stipulates that the achieved level of human and minority rights cannot be reduced.

When limiting human and minority rights, all state authorities, and in particular the courts, are obliged to take into account the essence of the right being limited, the importance of the purpose of the limitation, the nature and scope of the limitation, the relationship of the limitation with the purpose of the limitation and whether there is a way to achieve the purpose of the limitation with a lesser limitation of rights.

The Constitution of the Republic of Serbia also contains provisions on instruments and mechanisms for the protection of human rights. Although this is mainly a matter of law, there are numerous provisions that guarantee multiple protections, from guarantees of the right to appeal as one of the fundamental rights, the right to a fair trial as a legal standard, administrative protection of the legality of individual acts of government, to a constitutional appeal and the right to address international institutions.

Guarantees of inalienable human and minority rights in the Constitution of the Republic of Serbia serve the preservation of human dignity and the realization of full freedom and equality of each individual in a just, open and democratic society, based on the principle of the Rule of Law.

By the Constitution of the Republic of Serbia (Art. 138) the institution of the “Protector of Citizens” (Ombudsman) is envisaged, as an independent and autonomous state body, in charge of protecting and improving respect for freedoms and rights.

One of the institutions in the field of human rights in the legislation of the Republic of Serbia is the institution “Commissioner for the Protection of Equality” established on the basis of the Law on the Prohibition of Discrimination, as an independent state body, independent in the performance of tasks determined by this Law, some of whose tasks include: monitoring the application of regulations on the prohibition of discrimination, preventing all forms of discrimination and improving the realization and protection of equality, receiving and addressing complaints due to violations of the law, providing information to complainants and initiating lawsuits, misdemeanour and criminal charges, with the consent of the discriminated person in question. The Commissioner for the Protection of Equality also provides recommendations and opinions in specific cases of discrimination, imposes measures established by law and is authorized to warn the public about serious cases of discrimination, is authorized to initiate the adoption or amendment of regulations and gives an opinion on draft laws and other regulations related to the prohibition of discrimination, with the recommendation of measures to public authorities and other persons for the achievement of equality.

Also, the “Commissioner for Information of Public Importance and Personal Data” is an independent state body that carries out competencies in accordance with the Law on Free Access to Information of Public Importance and the Law on Personal Data Protection. The most important powers of the Commissioner for Information of Public Importance and Personal Data under the Law on Free Access to Information of Public Importance are: monitoring compliance with the obligations of public authorities established by that Law and reporting to the public and the National Assembly on this matter, initiating the adoption or amendment of regulations in order to implement and improve the right to access information of public importance, proposing, to the authorities, to take measures in order to improve their work regulated by this Law; deciding on appeals against the decisions of public authorities violating the rights regulated by this Law; initiating the procedure for assessing the constitutionality and legality of laws and other general acts, initiating misdemeanour proceedings provided for by this Law, when in the appeal procedure they assess a misdemeanour has occurred.

In addition to constitutional provisions and independent institutions, a multitude of laws regulating human rights have been adopted in the national legislation of the Republic of Serbia.

The Republic of Serbia has accepted a large number of international human rights documents.

3.1. Obligations of the Republic of Serbia in Relation to Membership in the United Nations and Ratified Universal International Treaties

The Republic of Serbia is bound by all the most important universal international human rights treaties.¹ In 2010, the Republic of Serbia also ratified the Additional Protocol to the Geneva Conventions of 12 August 1949 on the Adoption of an Additional Mark of Distinction, the Convention for the Safeguarding of the Intangible Cultural Heritage, the Convention for the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine: Convention on Human Rights and Biomedicine.

In order to better coordinate state bodies in the process of drafting periodic reports for UN Committees and the Universal Periodic Review, in December 2014, the Government of the Republic of Serbia adopted a Decision on the Establishment of a Council for Monitoring the Implementation of the United Nations Human Rights Mechanism Recommendations. Since 2020, the Coordination of the work of the Council has been the responsibility of the Ministry of Human and Minority Rights and Social Dialogue. Representatives of civil society organizations can participate in the discussion and give initiatives for the decision-making and work of the Council.

Also, in 2023, the Government of the Republic of Serbia adopted the Decision on the Establishment of a Council for Monitoring the Implementation of the Recommendations of the United Nations for Human Rights. The tasks of the Council are to: consider and monitor the implementation of the recommendations received by the Republic of Serbia in the process of the Universal Periodic Review of the United Nations Human Rights Council, the recommendations of the United Nations Contracting Bodies - Committee on Human Rights, Committee on Economic, Social and Cultural Rights, Committee on the Elimination of Racial Discrimination, Committee on the Elimination of Discrimination against Women, Committee against Torture, Committee on the Rights of the Child, Committee on the Rights of Persons with Disabilities, Committee on Enforced Disappearances and United Nations Special Procedures, propose measures for the implementation and fulfilment of the recommendations received by the United Nations human rights mechanisms in accordance with the Plan for Monitoring the Implementation of the United Nations Human Rights Recommendations and the Council's methodology.

Citizens of the Republic of Serbia have the opportunity to submit individual petitions before all UN Committees that envisage this possibility.

3.2. Obligations of the Republic of Serbia Arising from Membership in the Council of Europe

Among the Council of Europe Conventions that are binding on the Republic of Serbia are the following: the Framework Convention for the Protection of National Minorities, the European Charter for Regional or Minority Languages, the European Social Charter, the Council of Europe Convention on Combating

¹ The International Covenant on Civil and Political Rights and two protocols to the Covenant, the International Covenant on Economic, Social and Cultural Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination Against Women and the Protocol to this Convention, the Convention on the Rights of the Child and two protocols to it, the Convention on the Prevention and Punishment of the Crime of Genocide, the Convention on Torture and Other Cruel, Inhuman and Degrading Punishments or Treatment and the Protocol to this Convention, the Convention on the Rights of Persons with Disabilities and the Protocol to this Convention and the International Convention for the Protection of All Persons from Mysterious Disappearances.

Trafficking in Human Beings, the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism, the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, the Council of Europe Framework Convention on the Value of Cultural Heritage for Society and the European Convention on the Non-Applicability of Statutory Limitation to Crimes against Humanity and War Crimes.

The European Convention for the Protection of Human Rights and Fundamental Freedoms is a legal act on the protection of freedoms and rights adopted in Rome in 1950. The act of adopting the Convention legally shaped the idea of the European countries to establish a uniform protection of human rights and individual political freedoms, which, along with the Rule of Law, form the basis of democracy.

The European Convention for the Protection of Human Rights and Fundamental Freedoms was ratified by the State Union of Serbia and Montenegro (SCG) in 2004.

Amendments to the basic text of the European Convention for the Protection of Human Rights and Fundamental Freedoms were made by adopting the Protocol.

The fundamental rights and freedoms under the Convention are:

1. the right to life (Art. 2)
2. prohibition of torture, inhuman and degrading treatment (Art. 3)
3. prohibition of slavery and forced labour (Art. 4)
4. the right to freedom and security (Art. 5)
5. the right to a fair trial (Art. 6)
6. punishment only on the basis of the law (Art. 7)
7. the right to respect for private and family life (Art. 8)
8. freedom of thought, conscience and religion (Art. 9)
9. freedom of expression (Art. 10)
10. freedom of assembly and association (Art. 11)
11. the right to marry (Art. 12)
12. the right to an effective legal remedy (Art. 13)
13. prohibition of discrimination (Art. 14)

Protocol 1

- the right to peaceful enjoyment of property (Art. 1)
- the right to education (Art. 2)
- the right to free elections (Art. 3)

Protocol 4

- prohibition of imprisonment for debt (Art. 1)
- freedom of movement (Art. 2)
- prohibition of expulsion of own nationals (Art. 3)
- prohibition of collective expulsion of aliens (Art. 4)

Protocol 6

- prohibition of imposition and execution of the death penalty (Art. 1)

Protocol 7

- protection in the procedure of expulsion of aliens (Art. 1)
- the right to appeal in criminal matters (Art. 2)
- the right to compensation for wrongful conviction (Art. 3)
- the right not to be tried or punished twice in the same legal matter (Art. 4)
- equality of spouses (Art. 5)

Protocol 12

- general prohibition of discrimination (Art. 1)

Protocol 13

- abolition of the death penalty (Art. 1)

Protocols 2, 3, 5, 8, 9, 10, 11, 14 and 15 regulate in more detail the initiation of international disputes and the course of proceedings before the European Court of Human Rights. Protocol 11, which introduced a permanent judicial institution into European legal practice in 1998 – the European Court of Human Rights and the possibility of an individual's participation in international legal proceedings, is of particular importance. One of the changes in Protocol 15 relates to the deadline for referral to the European Court of Human Rights, which was reduced from six months to four months from the date when the final decision was made before the national institutions and after domestic legal remedies were exhausted.

3.3. International Labour Organization

The Republic of Serbia is a member of the International Labour Organization and has ratified 77 conventions of this organization, including the basic conventions:

- Convention on Trade Union Freedoms and Protection of Trade Union Rights,
- Convention on the Rights of Workers to Organize and Collective Bargaining,
- Forced Labour Convention,
- Convention on the Abolition of Forced Labour,
- Convention on the Minimum Age for Establishing an Employment Relationship,
- Convention on the Worst Forms of Child Labour,
- Convention on Equal Remuneration of the Male and Female Workforce for Work of Equal Value,
- Convention on the Prohibition of Discrimination with Respect to Employment and Occupation.

3.4. The most important Human Rights Treaties binding on the Republic of Serbia are:

- Vienna Convention on the Protection of the Ozone Layer, Official Gazette of the SFRY (International Treaties), 1/90.

- Additional Protocol to the Convention on Cybercrime, concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems, Official Gazette of the RS, 19/09.

Additional Protocol to the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data regarding supervisory authorities and trans-border data flows, Official Gazette of the RS (International Treaties), 98/09.

Additional Protocol to the Criminal Law Convention on Corruption, Official Gazette of the RS, 102/07.

- Supplementary Protocol to the Geneva Conventions of 12 August 1949 on the Adoption of an Additional Mark of Recognition (Protocol III), Official Gazette of the RS (International Treaties), 1/10.

- Second Optional Protocol to the International Covenant on Civil and Political Rights, Official Gazette of the FRY (International Treaties), 4/01.

- European Convention on Extradition with Additional Protocols, Official Gazette of the FRY (International Treaties), 10/01.
- European Convention on the International Validity of Criminal Judgements, with supplements, Official Gazette of SMN (International Treaties), 18/05.
- European Convention on the Non-Applicability of Statutory Limitation to Crimes against Humanity and War Crimes, Official Gazette of the RS (International Treaties), 13/10.
- European Landscape Convention, Official Gazette of the RS (International Treaties), 4/11.
- European Convention on Recognition and Enforcement of Decisions Concerning Custody of Children and on Restoration of Custody Relations, Official Gazette of the FRY (International Treaties), 1/02.
- European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, as amended by Protocol 1 and Protocol 2 to the Convention, Official Gazette of SMN (International Treaties), 9/03.
- European Convention for the Protection of Human Rights and Fundamental Freedoms, Official Gazette of SMN (International Treaties), 9/03, 5/05 and 7/05 - corr. and Official Gazette of the RS (International Treaties), 12/10 and 10/15.
- European Charter of Local Self-Government, Official Gazette of the RS, 70/07.
- European Charter for Regional or Minority Languages, Official Gazette of SMN (International Treaties), 18/05.
- Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography to the Convention on the Rights of the Child, Official Gazette of the FRY (International Treaties), 7/02.
- Optional Protocol on the Participation of Children in Armed Conflicts to the Convention on the Rights of the Child, Official Gazette of the FRY (International Treaties), 7/02.
- Civil Law Convention on Corruption, Official Gazette of the RS, 102/07.
- Kyoto Protocol to the United Nations Framework Convention on Climate Change, Official Gazette of the RS, 88/07.
- Convention relating to Safety and Health in Agriculture, Official Gazette of the RS (International Treaties), 2/19.
- ILO Convention No. 159 on Vocational Rehabilitation and Employment of Persons with Disabilities, Official Gazette of the SFRY (International Treaties), 3/87.
- Convention on the Availability of Information, Public Participation in Decision-Making and the Right to Legal Protection in Environmental Matters, (Aarhus Convention), Official Gazette of the RS, 38/09.
- Convention on the Nationality of Married Women, Official Gazette of the FPRY (Addendum), 7/58.
- Convention on the Elimination of All Forms of Discrimination against Women, Official Gazette of the SFRY (International Treaties), 11/81.
- Convention on the Non-Applicability of Statutory Limitation to War Crimes and Crimes Against Humanity, Official Gazette of the SFRY (International Treaties), 50/70.
- Convention on the Safeguarding of the Intangible Cultural Heritage (UNESCO), Official Gazette of the RS (International Treaties), 1/10.
- Convention on Police Cooperation in Southeast Europe, Official Gazette of the RS, 70/07.
- Convention on the Political Rights of Women, Official Gazette of the FPRY (Addendum), 7/54.
- Convention on Laundering, Search and Seizure and Confiscation of Proceeds from Crime, Official Gazette of the FRY (International Treaties), 7/02 and 18/05.
- Convention on the Rights of the Child, Official Gazette of the SFRY (International Treaties), 15/90 and Official Gazette of the FRY (International Treaties), 4/96 and 2/97.
- Convention on the Legal Status of Stateless Persons and the Final Act of the United Nations Conference on the Legal Status of Stateless Persons, Official Gazette of the FPRY (Addendum), 9/59 and Official Gazette of the SFRY (Addendum), 2/64.
- Convention on the Law of the Sea, Official Gazette of the SFRY (Addendum), 1/86.

- Convention on Long-range Transboundary Air Pollution, Official Gazette of the SFRY (International Treaties), 11/86.
- Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages, Official Gazette of SFRY (Addendum), 13/64.
- Convention on Environmental Impact Assessment in a Transboundary Context, Official Gazette of the RS, 102/07.
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Official Gazette of the SFRY (International Treaties), 9/91.
- Convention on the Prevention and Punishment of the Crime of Genocide, Official Gazette of the Presidium of the National Assembly of the FPRY (Addendum I), 2/50.
- Convention Relating to the Status of Refugees, Official Gazette of the FPRY (Addendum), 7/60.
- Convention on the Suppression and Abolition of Trafficking in Persons and Exploitation of Others, Official Gazette of the FPRY, 2/51.
- Convention on the Suppression of Trafficking in Adult Women, Official Gazette of the FPRY, 41/50.
- Convention on the Protection and Promotion of the Diversity of Cultural Expressions, Official Gazette of the RS, 42/09.
- Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data, Official Gazette of the FRY (International Treaties), 1/92 and Official Gazette of SMN, 11/05.
- Convention on the Protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine: Convention on Human Rights in Biomedicine, Official Gazette of the RS (International Treaties), 12/10.
- Council of Europe Convention on Combating Trafficking in Human Beings, Official Gazette of the RS, 19/09.
- Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism, Official Gazette of the RS (International Treaties), 19/09.
- Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, Official Gazette of the RS (International Treaties), 12/13.
- Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse, Official Gazette of the RS (International Treaties), 1/10.
- United Nations Convention on the Rights of Persons with Disabilities, Official Gazette of the RS, 42/09.
- United Nations Convention on the Reduction of Statelessness, Official Gazette of the RS (International Treaties), 8/11.
- United Nations Convention against Corruption, Official Gazette of SMN (International Treaties), 12/05.
- United Nations Convention against Transnational Organized Crime with Supplementary Protocols, Official Gazette of the FRY (International Treaties), 6/01.
- UNESCO Convention against Discrimination in Respect of Education, Official Gazette of the SFRY (Addendum), 4/64.
- Criminal Law Convention on Corruption and Additional Protocol, Official Gazette of the FRY (International Treaties), 2/02 and Official Gazette of SMN (International Treaties), 18/05
- International Convention on the Suppression and Punishment of the Crime of Apartheid, Official Gazette of the SFRY, 14/75
- International Convention on the Elimination of All Forms of Racial Discrimination, Official Gazette of the SFRY (International Treaties), 6/67.
- United Nations International Convention for the Protection of All Persons from Enforced Disappearances, Official Gazette of the RS (International Treaties), 1/11.
- International Covenant on Economic, Social and Cultural Rights, Official Gazette of the SFRY, 7/71.
- International Covenant on Civil and Political Rights, Official Gazette of the SFRY, 7/ 71.
- Montreal Protocol on Substances that Deplete the Ozone Layer, Official Gazette of the SFRY

(International Treaties), 16/90 and Official Gazette of SMN (International Treaties), 24/04 - other law.

- Framework Convention on Climate Change, Official Gazette of the FRY (International Treaties), 2/97.
- Council of Europe Framework Convention on the Value of Cultural Heritage for Society, Official Gazette of the RS (International Treaties), 1/10.
- Framework Convention for the Protection of National Minorities, Official Gazette of the FRY (International Treaties), 6/98.
- Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, Official Gazette of the FRY (International Treaties), 13/02.
- Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, Official Gazette of SMN (International Treaties), 16/05 and 2/06 and Official Gazette of the RS (International Treaties), 7/11.
- Optional Protocol to the UN Convention on the Rights of Persons with Disabilities, Official Gazette of RS, 42/09.
- Protocol No. 14 to the European Convention for the Protection of Human Rights and Fundamental Freedoms, amending the control system of the Convention, Official Gazette of SMN (International Treaties), 5/05 and 7/05.
- Protocol No. 15 to the European Convention for the Protection of Human Rights and Fundamental Freedoms, Official Gazette of the RS (International Treaties), 10/15.
- Protocol of 1953 amending the 1926 Slavery Convention, Official Gazette of the FPRY (Addendum), 6/55.
- Protocol amending the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (Convention 108 +), Official Gazette of the RS (International Treaties), 4/20.
- Protocol amending the Convention for the Suppression of Trafficking in Women and Children and the Convention for the Suppression of Trafficking in Adult Women, Official Gazette of the FPRY, 41/50.
- Protocol on Long-Term Organic Pollutants to the Convention on Long-Range Transboundary Air Pollution, Official Gazette of the RS (International Treaties), 1/12.
- Protocol on the Status of Refugees, Official Gazette of the SFRY (Addendum), 15/67.
- Protocol on Heavy Metals to the Convention on Long-Range Transboundary Air Pollution, Official Gazette of the RS (International Treaties), 1/12.
- Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the Convention against Transnational Organized Crime, Official Gazette of the FRY, 6/01.
- Protocol for the Prevention, Suppression and Punishment of Trafficking in Human Beings, Especially Women and Children, supplementing the Convention against Transnational Organized Crime, Official Gazette of the FRY (International Treaties), 6/01.
- Revised European Social Charter, Official Gazette of the RS, 42/09.
- Agreement between the Republic of Serbia and the European Community on a facilitated procedure for issuing visas, Official Gazette of the RS, 103/07.
- Agreement between the Republic of Serbia and European Community on readmission of illegally residing persons, Official Gazette of the RS (International Treaties), 103/07.
- Statute of the International Criminal Tribunal for the former Yugoslavia, Official Gazette of the FRY (International Treaties), 5/01.
- Third Additional Protocol to the European Convention on Extradition, Official Gazette of the RS (International Treaties), 1/11.

3.5. United Nations Guiding Principles on Business and Human Rights (UNGPs)

The UNGPs contains three chapters or pillars; protect, respect and remedy where each defines concrete, actionable steps for governments and companies to meet their respective duties and responsibilities to prevent human rights' abuse in company operations and provide remedies if such abuses take place. The purpose of these guidelines is for any States or companies to prevent, address and remedy human rights' abuse committed in business operations. It forms the non-binding framework for actions by States and companies in connection with business-related human rights impacts.

3.6. Equator Principles

The Equator Principles are adopted to ensure Projects are developed in a manner that is socially responsible and reflects sound environmental practices. The ten (10) principles are in line with the objectives and outcomes of the United Nations Sustainable Development Goals (SDGs).

3.7. International Finance Corporation (IFC) Performance Standards

IFC's Sustainability Framework articulates the Corporation's strategic commitment to sustainable development, and is an integral part of IFC's approach to risk management. The Performance Standards are directed towards clients, providing guidance on how to identify risks and impacts, and are designed to help avoid, mitigate, and manage risks and impacts as a way of doing business in a sustainable way, including stakeholder engagement and disclosure obligations of the client in relation to project-level activities.

Together, the eight Performance Standards establish standards that the client is to meet throughout the life of an investment by IFC:

- Performance Standard 1: Assessment and Management of Environmental and Social Risks and Impacts
- Performance Standard 2: Labor and Working Conditions
- Performance Standard 3: Resource Efficiency and Pollution Prevention
- Performance Standard 4: Community Health, Safety, and Security
- Performance Standard 5: Land Acquisition and Involuntary Resettlement
- Performance Standard 6: Biodiversity Conservation and Sustainable Management of Living Natural Resources
- Performance Standard 7: Indigenous Peoples Performance Standard
- 8: Cultural Heritage

4. HUMAN RIGHTS IMPACT ANALYSIS

This part of the document deals with the risk and impact assessment that might occur as the consequence of the construction of the first phase of the first line of Belgrade metro system project. When looking at all the potential risks that the construction of the first phase of the first line of the Belgrade metro system project could have on human rights, BMV took into consideration both the rights guaranteed by international regulations and the human rights guaranteed by national regulations. Scoping exercise helped to identify, at a high level, the likely recipients to be impacted by the project. The baseline data collected provides an understanding of the existing human rights environment. The data is collected through desktop review of secondary data (i.e. information publicly available) which includes reports generated by governmental and non-governmental organizations, BMV and BMV's consultants.

With the aim of determining views of people residing within the radius of 1 km from the centreline of the future Line 1 phase 1 of the metro, the ESIA consultant team carried out a phone survey from 01/07/2021 to 18/07/2021. The main purpose was to understand residents' concerns and expectations in relation to project impacts both during the construction phase and the operation of the metro.

A total of 1,208 phone interviews were carried out with members of households residing within the 1 km radius from the metro centreline, as recorded by the 2011 Census of Population, Households and Dwellings in the Republic of Serbia.

The survey includes only people who were in that time residing in locations near the future metro, while, according to current urban plans, there will be more building areas along this project footprint, with more residents and business facilities. As many of these developments will occur in the future, it is hoped that the construction works for the metro will have already been completed and these future residents and workers will only benefit from the operation of the metro, without being exposed to any construction-related nuisances.

This survey gave the following results:

A total of 84% of interviewed individuals reported using public transport. Public transport is most often used by people residing in the municipality Palilula (90%) and slightly less by people residing in other municipalities (Stari grad, Savski venac and Čukarica). Public transport is more often used by interviewed women and most often by persons over the age of 65. Public transport is also more often (and almost equally) used by students, unemployed persons and pensioners, as opposed to employed individuals. Public transport is least of all used by individuals who have the highest educational status and household income. In terms of difficulties faced when using private transport, parking came out as the most significant one, reported by 80% of interviewed individuals.

Survey participants were asked to report their most frequent reasons for traveling to other municipalities. The results varied according to different socio-economic characteristics of interviewed persons, but the most frequent reason common for all interviewed groups is 'private reasons' meaning visiting friends, leisure and cultural activities, sports related activities, etc. which was reported by 93% of interviewed people. The second most frequent, common reason is visiting commercial areas such as shopping malls, supermarkets, other shops, etc. reported by 52% of interviewed individuals.

As high as 94% of interviewed individuals reported being informed about the Belgrade metro project. There are very small differences between different interviewed groups. According to the results, the least informed are people belonging to the youngest age group, particularly students, as well as people who declared themselves as belonging to the category 'other' in terms of their activity status.

When asked what information they would like to get on the metro project, most of the surveyed individuals reported wanting to know when the metro will become operational (57%) and the exact locations of the metro stations (56%).

When asked which positive impacts they expect that the project will bring, the most frequent answer received was less traffic (85%). The interviewed individuals also expect that the project will lead to shorter journey times (66%) and less pollution (52%).

Of the negative impacts, the surveyed individuals are mostly expecting that the project will cause traffic jams during construction (43%). A significant percentage believes there will be no negative impacts (35%).

Also, an employee of BMV, who until November of the current year was employed in the Belgrade Land Development Agency, primarily working on solving property-legal relations in accordance with the Detailed Regulation Plan of the part of Makiš field – Čukarica city municipality, participated in the creation of the HRIA. Due to the above mentioned, she has direct knowledge from communication with the parties in the mentioned procedures, and the general attitudes of the population affected by the scope of this plan, but also General Regulation Plan for rail systems in Belgrade with elements of detailed elaboration for the first phase of the metro system. This is mentioned due to the fact that, as the sole legal executor of the aforementioned legal affairs in the Directorate, she held daily conversations (both face to face and on the phone) both with people who are parties to the expropriation proceedings conducted so far, as well as with people who own land and/or facilities on the route of the first line of the Belgrade metro system, and who contacted her in order to obtain relevant information. Also, during her employment in the Belgrade Land Development Agency, she attended weekly meetings that were held in the municipality of Čukarica, where, among other things, the questions and views of the parties addressed to the municipality were conveyed.

Predicted impacts assessment include:

- impacts that are experienced by local community-members as a result of the project – consideration is given to disadvantaged and vulnerable stakeholders e.g. members of national minorities, women's rights and rights of persons with disabilities;
- impacts that may be experienced by the Project's workforce;
- impacts that may arise through the project's supply chain, which helps to reduce the potential for BMV to be implicated in human rights violation and impact associated with the employment.

When assessing potential negative impacts – risks, the following was taken into account: the possible scale of the risk (severity of the impact), the extent of people who may be affected by the damage (risk to the worker and/or to members of the community), repairability of the damage and the probability that the risk will occur.

The level of impact is assessed against the human rights risk rating scale. For the purpose of this report, risk-ranking associated with findings was used in the analysis. Risk-ranking and definition are defined as below:

Risk Ranking	Definition
High	Very significant impact that are imminently likely and no, or uncertain mitigation measures are in place
Medium	Significant impact with reliable mitigation measures that are planned or will be established
Low	Low impact and slightly low mitigation measures needed
No Impact	Do not have a significant risk

Bearing in mind everything stated above, the list of rights that could be at risk and/or impacted as a result of the project of construction of the first phase of the first line of the Belgrade metro system, are shown in detail in the table below.

Category:	Human rights issue:	Example of related potential negative impact – risk:	Risk to the worker:	Risk to community members:	Risk Ranking	Initial Assessment	Proposed Mitigation Measures
Labour	Child Labour: The protection of children and youth, as one of its main goals, has been given very significant attention by the ILO, as evidenced by numerous conventions and recommendations. According to EC Directive 94/33, minors cannot work in jobs that endanger their health, physical, spiritual, moral and social development. The youth enjoy protection from performing tasks that endanger the safety of this vulnerable population, especially due to lack of work experience and insufficient awareness of existing or potential work risks. The Directive prohibits the performance of tasks that objectively exceed the physical capabilities of youth and their mental capacities. All prohibitions and measures are aimed at preserving the health of under-age workers and preventing them from being injured and suffering from occupational diseases, as well as preventing the	Examples of risks if the employer acts contrary to Article 84 of the Labour Law: 1. The employer engages a minor in jobs where particularly heavy physical work, work underground, underwater or at high altitude is performed. 2. The employer engages a minor in jobs involving exposure to harmful radiation or agents that are toxic, carcinogenic or cause hereditary diseases, as well as health risks due to cold, heat, noise or vibration. 3. The employer engages a minor in jobs that, based on the findings of the competent health authority, could adversely and with an increased risk affect the health and life with regard to the psychophysical abilities of the minor. Examples of risks if the employer acts contrary to Article 87 of the Labour Law: 1. The employer engages a minor for more than 35	√		Low	The Labor Law clearly defines that the work of children under the age of 15 is prohibited, while the work of children between the ages of 15 and 18 is possible only under certain conditions and in certain jobs, and BMV does not have, nor it plans to hire employees under the age of 18.	BMV will continue to comply with children's rights as prescribed by law. BMV will check whether any of BMV's business partners hires a minor to perform work related to the Project, and if it determines that there is such a case, it will try to determine whether such an employment relationship is based in accordance with the Constitution and the law and insist that the children's rights guaranteed in them are respected.

	loss or reduction of the working capacity of the youth. Article 66 of the Constitution of the Republic of Serbia stipulates that children under the age of 15 cannot be employed nor can they work in jobs harmful to their health and morals if they are under the age of 18. According to Article 84 of the Labour Law, An employee younger than 18 years of age may not work at the following jobs: - Those involving particularly difficult physical labor, work under ground, under water or at considerable height; - Those including exposure to harmful radiation or poisonous and cancerous matters or the ones causing hereditary illnesses, as well as risk to health due to coldness, warmth, noise or vibration; - Those which, due to the finding of a competent medical agency, would harmfully and with higher risk affect his health and life considering his psycho-physical abilities. According to Article 85 of Labour Law, an employee between 18 and 21 years of age may work at the jobs previously mentioned, only on the ground of a finding of competent medical agency determining that such work is not harmful to his	hours a week, or more than 8 hours a day. Examples of risks if the employer acts contrary to Article 88 of the Labour Law: 1. The employer engages a minor for overtime work and redistribution of working hours.					
--	---	---	--	--	--	--	--

	health, and the expenses of such medical examination are borne by the employer. According to Article 87 of Labour Law, full working hours of an employee younger than 18 years of age may neither be determined in duration longer than 35 hours a week, nor longer than eight hours a day. According to Article 88 of Labour Law, overtime work and rescheduling of working hours of an employee younger than 18 years of age is prohibited.						
	Collective Bargaining and Freedom of Association: In its Preamble, the ILO Constitution pointed out the importance of affirming the principle of freedom of association in order to improve working conditions, stabilize peace and achieve social justice. The Philadelphia Declaration, adopted at the 26th session of the General Conference of the ILO, contains the innovated goals of this international labour organization, among which freedom of expression, opinion and freedom are elevated to the rank of basic principles. With regard to ILO conventions relevant to trade union organization, the following are of particular importance: Convention No. 87 on Trade Union Freedoms and Protection of Trade Union	Examples of risks if the employer acts contrary to Article 206 of the Labour Law: 1. The employer prohibits the freedom of trade union organization and activity. Examples of risks if the employer acts contrary to Article 211 of the Labour Law: 1. The employer does not entitle the authorized representative of the trade union to paid leave for the purpose of performing the trade union function. Examples of risks if the employer acts contrary to the Law on Striking:	√		Low	During the assessment, it was not established that there were any known cases where unionization of workers was prohibited in previous years, especially bearing in mind that a number of organized strikes by employees in various industries were publicly known, which were not prohibited, nor did they lead to consequences for the participants.	BMV will continue to comply with all constitutional and legal rights to unionization, as well as the Collective Agreement signed with the representative of the BMV trade union, which, among other things, guarantees these employees' rights. Also, BMV will try to detect and, if detected, prevent any attempt to deny these rights by its

	Rights, Convention No. 98 on the Rights of Workers to Organize and Collective Bargaining, and Convention No. 135 on the Protection and Facilities to be Afforded to Workers' Representatives in the Undertaking. The 1966 International Covenant on Economic, Social and Cultural Rights under the auspices of the UN regulated the right to strike in the European Community. The European Social Charter explicitly recognises the right to strike in the event of interest and collective labour disputes, with limitations that may result from collective labour agreements. Article 61 of the Constitution of the Republic of Serbia stipulates that employees have the right to strike, in accordance with the law and the collective agreement.	1. The employer does not entitle the competent trade union authority to a warning strike and a general strike (if the said strikes are organized in accordance with the Law on Striking) 2. The employer initiates the procedure for determining the disciplinary and material responsibility of the employee and/or makes a decision to terminate the employment relationship due to organizing/participating in the strike 3. The employer employs new persons to perform work in the workplaces of the participants in the strike 4. The employer prevents the employee from participating in the strike, uses coercive measures to end the strike 5. On the basis of non-participation in the strike, the employer provides for a more favourable salary or other more favourable working conditions for employees who do not participate in the strike					business partners on the Project.
	Modern Slavery (Forced Labour/Human Trafficking):	Examples of risks if the employer acts contrary to	√	√	Low	Regulation on preventing abuse at	BMV will continue to comply with the

	The Constitution of the Republic of Serbia defines the prohibition of slavery, the position similar to slavery and forced labour. Slavery, slavery-like positions, any form of human trafficking and forced labour are prohibited. Serbia has ratified 76 International Labour Standards (ILO Convention), 62 of which are in force, including those on forced and child labour. Serbia is a signatory to the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Human Beings, Especially Women and Children (2000). The Protocol includes measures to be adopted by states to prevent and address all forms of exploitation resulting from trafficking in human beings, including the exploitation of forced labour and services (Article 3).	Article 26 of the Constitution of the Republic of Serbia: 1. Sexual exploitation of disadvantaged persons 2. Economic exploitation of disadvantaged persons The Criminal Code (2009) of Serbia provides the following qualifications of criminal offences punishable by imprisonment, including but not limited to: • Whoever unlawfully denies or restricts a citizen of Serbia the freedom of movement or residence on the territory of Serbia, • Whoever by force, threat, deception or otherwise takes or retains a person in order to extort money or any other material gain from them or another person or to coerce them or someone else to do, or not to do something, or to suffer, • Whoever compels another by force or threat to do, or not do something, or to suffer, • Whoever knowingly fails to comply with laws or other regulations, collective agreements and other general acts on				work in PUC "Belgrade Metro and Train" provides a procedure for protecting employees from abuse, prohibition of abuse, measures for prevention, as well as procedures for protecting employees who suffer abuse. So far, no report of an employee having suffered abuse at work or in connection with work has been recorded.	Regulation on preventing abuse at work in PUC "Belgrade Metro and Train", and will also control the way its business partners on the Project treat employees. Also, it will enable employees of the Project, who are not employed by the BMV, to contact the BMV for mediation with their employer if a violation of this right is reported.
--	---	--	--	--	--	--	---

		labour rights and on special protection at work of youth, women and persons with disabilities or on social security rights and thereby denies or restricts to another the right that belongs to them.					
	Mechanism of Appeal and Legal Remedy: Article 36 of the Constitution of the Republic of Serbia stipulates that everyone has the right to appeal or other legal remedy against a decision adjudicating on their right, obligation or legally based interest. 1. Internal mechanisms: In addition to the procedure for deciding on the employee's complaint/appeal, PUC "Beogradski metro i voz" will provide a contact and e-mail address to which all persons from the project will be able to file complaints in case they believe that a right has been denied or violated. 2. External mechanisms: - arbitration (Law on Amicable Settlement of Labour Disputes), - inspection supervision (Law on Inspection Supervision)	Examples of risks if the employer acts contrary to Article 36 of the Constitution of the Republic of Serbia: 1. Internal mechanisms: - The employer does not act on the employee's objection/complaint - PUC "Beogradski metro i voz" does not provide a contact and e-mail address for submitting complaints and/or does not respond to them 2. External mechanisms: - The arbitrator fails to render a decision within 10 days from the date of submission of the request for amicable settlement of disputes - The employer fails to remedy the established violations of the	√	√	Low	Currently, there are no extra-institutional complaint mechanisms that allow employees to file complaints if they believe that some of their rights have been violated.	BMV will provide a contact phone number and an email address for submitting complaints in order to establish a mechanism that would eventually enable the resolution of submitted complaints outside the institutional legal channels, and make information about this method of communication publicly available.

	- court proceedings before domestic courts (Labour Law and Civil Procedure Law) - court proceedings before the International Court of Human Rights (Strasbourg)	applicable regulations by order of the inspection within the specified period - The court does not ex officio order an interim measure that is applied in enforcement proceedings, in order to prevent violent acts or to eliminate irreparable damage - Non-publication and non-action of the state body according to the judgement of the European Court of Human Rights					
	Right to work: Economic, social and cultural rights are guaranteed in the 1966 Special International Covenant. Article 60 of the Constitution of the Republic of Serbia stipulates that everyone has the right to free choice of work. All workplaces are available to everyone under equal conditions. To those who work, the Constitution guarantees the rights based on work: respect for the dignity of the person at work, safe and healthy working conditions, safety at work, limited working hours, daily and weekly rest, annual leave, fair remuneration and legal protection in the event of termination of employment.	Examples of risks if the employer acts contrary to Article 60 of the Constitution of the Republic of Serbia: 1. The National Employment Service and the Employment Agency do not inform about employment opportunities and conditions, do not mediate in employment, do not provide career guidance and counselling on career planning, do not implement an active employment policy and do not issue work permits to foreigners and stateless persons 2. The employer fails to submit the Notice on the	v		Low	The collective agreement that BMV signed with its trade union, as the employees' representative, additionally guarantees all the rights that fall under the concept of the right to work.	BMV will continue to comply with all the rights of employees prescribed by the constitution and the law, as well as the rights additionally prescribed by the Collective Agreement, and will try to control whether its business partners also comply with all the rights that fall under the scope of the concept of the right to work, and if

		prohibition of abuse and the rights, obligations and responsibilities of the employee and the employer in relation to the prohibition of abuse and/or fails to appoint a support person for the employee who suspects that he/she is exposed to abuse 3. The employer does not take the necessary measures to protect the health and safety of employees, which includes measures to prevent occupational risks, provide training and does not provide notice to workers 4. The employer does not comply with protective regulations and thus endangers the safety and health of employees and third parties 5. The employer does not approve the employee to use the annual leave after one month of continuous work from the date of employment with the employer 6. The employer fails to pay the employee the appropriate salary determined in accordance with the law, the general act and the employment contract 7. The employer fails to act on the decision of the labour inspector postponing the					it receives a complaint of one of the employees outside of its company, try to mediate between the employee and its business partner to remove any violation of this right.
--	--	---	--	--	--	--	--

		execution of the decision on termination of the employment contract					
	Prohibition of discrimination: Convention No. 111 of the ILO provides for the prohibition of discrimination in employment and occupation. Directive No. 76/207 of the European Economic Community provides for equal treatment of men and women in relation to access to employment, Directive No. 2000/43 provides for the application of the principle of equal treatment of persons regardless of racial or ethnic origin, and Directive No. 2000/78 envisages equal treatment in employment and choice of occupation. The Constitution of the Republic of Serbia prohibits direct and indirect discrimination on any grounds, in particular on the basis of race, gender, national origin, social origin, birth, religion, political or other belief, property status, culture, language, age and mental or physical disability.	Examples of risks if the employer acts contrary to Article 18 of the Labour Law: 1. The employer puts a person seeking employment and/or an employee at a disadvantage compared to other persons in the same or similar situation 2. The employer prescribes the conditions of employment and the selection of candidates for the performance of a specific job in accordance with the basis on which discrimination is prohibited 3. The employer enables the employee to advance at work in accordance with one of the grounds on which discrimination is prohibited	√		Low	In previous operations, BMV has not acted in a discriminatory manner when selecting an employee for a specific position, nor when promoting an already employed person, bearing in mind that such behavior would be in contradiction with the Constitution and laws.	BMV will continue to adhere to non-discriminatory behavior and will monitor through the non-institutional complaint mechanism, which will be established, whether its business partners also adhere to such behavior.
	Occupational Health and Safety: Occupational health and safety is the subject of numerous international acts of the UN, the ILO	Examples of risks if the employer acts contrary to the Law on Occupational Safety and Health:	√		Low to medium	Rule book on safety and health at work in PUC "Belgrade Metro and Train" foresees measures	BMW will continue to organize its work in accordance with the Rule book on safety and health at

	and the European Union, which include acts of the greatest international scope, such as the Universal Declaration of Human Rights (Article 24), the International Covenant on the Economic, Social and Cultural Rights (Article 7) and the European Social Charter (Articles 2 and 3). Directive No. 89/391/EEC on the introduction of measures to encourage improvements in the occupational safety and health of workers (adopted under the influence of ILO Convention No. 155) represents a framework directive of general importance from which over 50 specific directives have emerged. According to the general Directive, the employer is obliged to take the necessary measures to protect the health and safety of workers, which include occupational risk prevention measures, providing training, providing information to workers and resorting to appropriate work organization. In addition to the provisions of the Labour Law regarding occupational health and safety, the Law on Occupational Safety and Health is fully dedicated to this area.	1. The Employer fails to adopt the Risk Assessment Act in accordance with the Law and/or does not update it as necessary 2. The employer does not provide adequate training on occupational safety and health, including workplace environment, tools, machines and HTP equipment 3. The Employer fails to provide the persons in charge of security in accordance with the Law and the deadlines from the Law 4. The employer does not perform regular inspections and checks of work equipment, electrical and lightning protection installations, working environment conditions, micro climate and lighting				for safety and health at work, their organization, training of employees, as well as means and equipment for the safety and health protection at work. This right is also regulated by the Collective Agreement.	work in PUC "Belgrade Metro and Train", and will control whether its business associates enable and maintain adequate and safe working conditions, as well as provide health protection at work.
	Salary: Article 141 of the EC Treaty proclaims the principle of equality	Examples of risks if the employer acts contrary to the Labour Law:	√		Low	The collective agreement signed by BMV with the union, as the	BMV will continue to adhere to the stipulated rights.

	in the remuneration of men and women for work of equal value. EC Directive No. 79/7 refers to the principle of equal treatment of men and women in the field of social security. The Constitution of the Republic of Serbia guarantees the right to a fair remuneration based on work. Article 104 of the Labour Law guarantees employees the same salary for the same work or work of the same value that the employee realizes with the employer. Article 111 of the Labour Law entitles the employee to a minimum salary for standard performance and time spent at work.	1. The employer prescribes different coefficients for determining the value of work for employees who perform work in the same workplace 2. The employer does not apply the minimum labour price established by the Social and Economic Council of the Republic of Serbia 3. The employer does not pay taxes and contributions paid from the employee's salary 4. The employer does not pay the employee salary compensation in the amount of the average salary in the previous 12 months during absence from work in the following cases: - on the day of the holiday that is a non-working day - annual leave - paid leave - military exercise - responding to a call from a state authority 5. The employer does not reimburse the employee for the following: - arrival and departure to/from work - time spent on a business trip in the country - time spent on a business trip abroad - accommodation and meals for work and stay in the field, if the employer has not				employees' representative, additionally provides for the rights of the employees in terms of salary compensation, reimbursement of expenses (transportation costs, per diem on business trips, etc.) funeral services in case of death of a close family member, etc.).	
--	--	---	--	--	--	--	--

		provided the employee with accommodation and meals free of charge - for meals during work, if the employer has not provided this right in another way - for vacation allowance for the use of annual leave					
	Working Hours: According to the definition of conventions and recommendations of the ILO, working hours are the period during which an employee is available to the employer. At its 81st session (24/06/1994), the General Conference of the ILO adopted the Convention No. 175 on part-time work and Recommendation No. 182 under the same name. The Convention and the Recommendation apply to all part-time workers and contain the principle that these workers should have all the rights and protection as full-time workers. European Union Directive No. 93/104 stipulates that the average weekly working time, including overtime, in the private and public sectors must not exceed a maximum of 48 hours. Article 60, paragraph 4 of the Constitution of the Republic of	Examples of risks: 1. The employer orders the employee to work more than 48 hours a week, i.e. more than 12 hours a day. 2. The employer does not give the employee, who works at least four hours a day, the right to a daily rest period 3. The employer does not give the employee the right to a weekly rest of at least 24 hours continuously 4. The employer engages a minor for more than 35 hours a week, or more than 8 hours a day. 5. The employer determines overtime and/or redistribution of working time to the employee engaged in high-risk jobs 6. The employer determines overtime and night work for the employee during the last 8 weeks of pregnancy 7. The employer does not keep daily records of overtime work of employees	√		Low	The collective agreement that BMV signed with the trade union, as the employees' representative, additionally provides for the rights of the employees in terms of working hours.	BMV will continue to adhere to the stipulated rights.

	Serbia establishes everyone the right to limited working hours. Article 50 of the Labour Law defines working hours as the period of time in which an employee is obliged, i.e. available, to perform work according to the orders of the employer, at the place where the work is performed, in accordance with the Law. The employee and the employer may agree that one period of working time within the agreed working hours will be performed by the employee from home.						
Civil and Political Rights	Freedom of Expression: Freedom of expression is guaranteed by Article 19 of the ICCPR and Article 10 of the European Convention. Both international treaties provide for the possibility of a legal restriction on freedom of expression if necessary in a democratic society. Article 19 of the United Nations Human Rights Committee guarantees freedom of opinion and expression and includes the right of access to information held by public authorities. Article 46 of the Constitution of the Republic of Serbia guarantees everyone the freedom to express	Examples of risks: 1. The employer prohibits employees from freely expressing their opinion and/or initiates disciplinary proceedings against the employee for expressing an opinion 2. By doing or doing nothing, the employer puts the whistle-blower at a disadvantage in connection with whistle-blowing (introduces disciplinary measures and penalties, prevents the whistle-blower from advancing at work due to whistle-blowing, terminates his/her	√	√	Low	Regulation on preventing abuse at work in PUC "Belgrade Metro and Train" foresees a procedure for protection of abuse due to expression of opinion, i.e. prevention of expression of opinion. Also, the Rule book about the internal whistle-blowing procedure in PUC "Belgrade Metro and Train" enables the whistleblower to disclose	BMV will continue to adhere to the stipulated rights.

	their opinion, as well as the freedom to seek, receive and disseminate information and ideas orally, in writing, print or otherwise. This freedom may be restricted by law, if necessary for the protection of the rights and reputation of others, the safeguarding of authority, and the impartiality of the court, the protection of public health, morals, and national security. The Law on Public Information and Media defines the manner of exercising freedom of public information, and the Law on Free Access to Information of Public Importance defines the right to access information of public importance.	employment contract, assigns him/her and moves him/her to another job, etc.)				information (either within the company or to the public) about violations of regulations, human rights, etc.	
	Right to Life and Personal Safety: The International Covenant on Civil and Political Rights (ICCPR) and the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) lay down in detail the conditions under which deprivation of liberty is allowed, as well as the conditions that must be met in order to lawfully restrict this right. Articles 24 and 25 of the Constitution of the Republic of Serbia define that human life is inviolable, and life is protected as a rule from the moment of birth.	Examples of risks: 1. The employer does not provide physical space where employees perform work activities (does not provide protection against physical and psychological harassment of third parties) 2. The employer does not provide humane and safe working conditions (forces the employee to be exposed to harmful substances at the workplace – construction site)	√	√	low	Rule book on safety and health at work in PUC "Belgrade Metro and Train" foresees measures for safety and health at work, their organization, training of employees, as well as means and equipment for the protection of safety and health at work. This right is also regulated by the Collective Agreement.	BMV will continue to organize its work in accordance with the Rule book on safety and health at work in PUC "Belgrade Metro and Train", and will control whether its business associates enable and maintain adequate and safe working conditions, as well as ensure health protection at work, they will control construction sites

	Physical and psychological integrity is inviolable and any form of torture (abuse), inhuman or degrading treatment or punishment is prohibited.					The ESMP is currently being developed, which will stipulate that the contractor will be responsible for developing and implementing a Health, Safety and Security Plan which sets out the measures to manage occupational and community health and safety risks.	and working conditions on them in particular. BMV will control whether the Health, Safety and Security Plan is followed.
	Privacy: The European Convention and the ICCPR guarantee the right to privacy, which includes the protection of family life, home and correspondence. In its judgements, the European Court of Human Rights interpreted the notion of privacy protection to include the right to protection of honour and reputation. According to the practice of the European Court, privacy includes, among other things, physical and moral integrity, sexual orientation, relationships with other people, including business and professional relationships. The Constitution of the Republic of Serbia guarantees the inviolability of physical and psychological	Examples of risks: 1. The employer unlawfully collects, holds, processes, uses and transmits personal data 2. The employer is eavesdropping, recording and photographing employees without authorization 3. The employer publishes employee files without authorization 4. The employer collects personal data of employees without authorization 5. The employer discloses and conveys family circumstances of employees that may harm the honour and reputation of the employee without authorization	√		Low	BMV issued a Decision on designating a person for the protection of personal data.	BMV will continue to adhere to the stipulated rights.

	integrity, the inviolability of the apartment and the confidentiality of letters and other means of communication. Although the Constitution does not contain an explicit provision on respect for the right to private life, the Constitutional Court of Serbia considers this right to be an integral part of the constitutional right to dignity and free development of the person, which is guaranteed by Article 23 of the Constitution.	6. The employer discloses the identity of the whistle-blower without authorization					
Economic, Social, and Cultural Rights	Right to Education: Article 71 of the Constitution of the Republic of Serbia defines that this right belongs to everyone. The Constitution establishes that primary education is compulsory and free, and secondary education is free. When it comes to higher education, it is determined that everyone has access to this education under equal conditions and that the state provides successful and gifted students of lower income with free higher education, in accordance with the law.	Examples of risks: 1. The employer engages persons under the age of 15 in the company or they are engaged by the legal entities with which the employer has concluded contracts, as a result of which they are unable to attend regular classes 2. The employer restricts access to educational facilities or damages them through the construction of infrastructure or other projects	√	√	Low	Since BMV does not employ minors, there is no possibility of denying them the right to education by preventing them from attending regular education.	BMV will continue to act in accordance with the above. Also, if the construction sites are located near educational institutions, BMV will inform the public how they can be safely accessed.
	Right to a Healthy Environment: The Republic of Serbia is bound by numerous international treaties that protect various aspects of the right to a healthy environment, namely: Framework Convention on Climate Change, KYOTO Protocol,	Examples of risks: 1. The employer does not implement appropriate health and safety standards, which leads to long-term negative impacts on the	√	√	Low to medium	ESMP is currently being drafted, which will stipulate that the contractor will be responsible for developing and implementing a Health, Safety and	BMV will control whether the Health, Safety and Security Plan is followed.

	Convention on Long-range Transboundary Air Pollution, Protocol on Heavy Metals, Protocol on Long-term Organic Pollutants, Vienna Convention on the Protection of the Ozone Layer, Montreal Protocol on Substances that Deplete the Ozone Layer, etc. The revised European Social Charter in Article 11 stipulates that states should: - take measures to eliminate the causes of ill health and prevent endemic and epidemic diseases - take measures to ensure protection against water and air pollution, the negative impact of radioactive substances and food control. Article 74 of the Constitution of the Republic of Serbia stipulates that everyone has the right to a healthy environment and to timely and complete information about its condition, as well as that everyone is obliged to preserve and improve the environment. Systemic laws governing environmental protection also include: - The Law on Environmental Impact Assessment - The Law on Strategic Environmental Impact Assessment - The Law on Climate Change	health of workers and surrounding communities 2. The employer acts contrary to the conventions and legal regulations and thus, in addition to disturbing the ecosystem, has a negative impact on the health of the employee and/or members of the community				Security Plan which sets out the measures to manage occupational and community health and safety risks.	
--	---	---	--	--	--	--	--

	- The Law on Integrated Prevention and Control of Environmental Pollution.						
	Right to Participate in the Cultural Life of the Community: Economic, social and cultural rights are guaranteed in the 1966 Special International Covenant. In addition to such rights, this group includes rights that require the state to guarantee their enjoyment and thus enable citizens to acquire economic goods and improve their economic and social position. Please note that this group of human rights was founded and enriched in the last century and is therefore considered second generation rights. According to the Constitution of the Republic of Serbia (Art. 58-74) the grouping of economic, social and cultural rights consists of: - right to property - right to inheritance - right to work - right to strike - special protection for family, mother, single parent and child - right to legal aid - healthcare - social welfare - pension insurance - healthy environment	Examples of risks: 1. The employer restricts access to cultural and scientific facilities during the construction of infrastructure or other projects 2. The employer damages cultural and scientific facilities during the construction of infrastructure or other projects 3. During construction, the employer removes the archaeological site and localities contrary to the legally prescribed manner, i.e. without the participation of the Institute for the Protection of Cultural Monuments and the Ministry of Culture 4. Before the execution of works, the contractor does not perform prior geophysical surveys (the contractor with whom the employer has concluded a contract) 5. If the planning document does not provide all the necessary information on		√	Low	For this phase of the project, all the necessary geophysical surveys were done. The ESMP foresees that the contractor will bring a Cultural Heritage Management Plan which will be used to inform all the requirements, procedures, resources and skills and timeline needed to minimize adverse cultural heritage effects. The Plan will outline the cultural heritage management principles and procedures to be followed during construction and operation in accordance with the Project's policies and Serbian legal requirements.	BMV will monitor the construction project and control that there is no damage to cultural institutions, nor that, if it is not impossible to avoid, temporary access to them for the purpose of construction is prevented. In the event that an archaeological site is encountered during construction, BMV and its business associates will act in accordance with the law. BMV will control whether the Cultural Heritage Management Plan is implemented (provided by the ESMP).

	- right to education - autonomy of the university, and - freedom of scientific and artistic creation. The Republic of Serbia has also ratified the following international conventions dealing with the protection of this right: - European Convention for the Protection of the Archaeological Heritage - Council of Europe Framework Convention on the Value of Cultural Heritage for Society - European Landscape Convention - Convention on Measures to Prohibit and Prevent the Illicit Import, Export and Transfer of Ownership of Cultural Property. The Law on Cultural Property of the Republic of Serbia regulates the field of protection and use of cultural property.	archaeological sites					
	Right to Water: The Republic of Serbia has ratified the Convention on the availability of information, public participation in decision-making and the right to legal protection in environmental matters (Aarhus Convention). The Republic of Serbia has also acceded	Examples of risks: 1. The employer constructs an infrastructure project on the endangered sections of the watercourse 2. During construction, the employer does not form special cassettes, which	√	√	Low to medium	The ESMP, which is being drafted, provides that the contractor is obliged to adopt a Construction Waste and Wastewater Management Plan including	BMV will control whether the contractor complies with these approved plans. Contractor and Supervision Engineer to prepare monthly reports for

	to the European Landscape Convention, adopted under the auspices of the Council of Europe, which protects the landscape as a specific area, as people see and experience it, whose character is the result of the action and interaction of natural and/or human factors (Article 1, paragraph 1, item a). The revised European Social Charter in Article 11 stipulates that the state should take measures to eliminate the causes of poor health and prevent endemic and epidemic diseases, they should, inter alia, take measures to ensure protection against water and air pollution, the negative impact of radioactive substances and food control. The human right to water was explicitly recognized for the first time in the Report of the UN Water Conference held in 1977, which pointed out that all people, regardless of the social and economic circumstances in which they live, must have the right to access drinking water that must quantitatively and qualitatively meet their basic needs. The proclamation of the right to water as an autonomous right, independent of other human rights, was carried out by UN Resolution No. 64/292 of 2010 under the title	would spatially limit the possible breakthrough of the main protective water facilities 3. The contractor (with whom the employer has a contract) encounters an aquifer, and does not take measures to prevent groundwater pollution and does not inform the competent ministries 4. When performing works, the employer/contractor acts contrary to the law, which adversely affects the first and second order watercourses and the coastal ecosystem				Decommissioning Waste Management Plan to cover all activities associated with the production of wastes during construction and maximize reuse and recycling, as well as Construction Water and Soil Management Plan, and apply the same plans, to which BMV will give consent.	the BMV/PIU on the status of Plan performance.
--	---	--	--	--	--	---	---

	Human Rights to Water and Sanitation. The Constitution of the Republic of Serbia guarantees the right to a healthy environment as one of the basic human rights and freedoms. The Law on Environmental Protection of the Republic of Serbia is the most important law in this area, which regulates the environmental protection system, which ensures the realization of the human right to life and development in a healthy environment and a balanced relationship between economic development and the environment in the Republic of Serbia. The Law on Waters of the Republic of Serbia regulates that the public water resource is used in a way that does not adversely affect the waters and coastal ecosystem and does not restrict the rights of others.						
	Social Welfare: ILO Convention No. 102 on minimum social security standards from 1952 contains rules of importance for all branches of social security (healthcare, sickness benefit, compensation in case of occupational disease and accident at work, unemployment benefits, old age, disability, maternity, family assistance, unemployment	Examples of risks: 1. The employer does not pay health insurance contributions to the employee or family members of the insured 2. The employer does not pay compulsory insurance to insured persons in the pension and disability insurance system	√		Low	The Collective Agreement that BMV signed with the union, as the employees' representative, additionally protects the rights of the employees in terms of social insurance.	BMV will continue to adhere to the stipulated rights.

	benefits, allowance to family members in case of death of a breadwinner, etc.). For the field of social security, Protocol No. 114 on social policy (annexed to the Maastricht Treaty), Protocol No. 17 in conjunction with Article 199, Treaty establishing the European Community, which refers to social benefits based on professional social insurance and the Agreement on Social Policy from 1992, Convention No. 35 on Industrial Pension Insurance, Convention No. 36 on Pension Insurance in Agriculture, Convention No. 118 on Equal Treatment in the Field of Social Insurance from 1962. The Constitution of the Republic of Serbia stipulates that everyone is guaranteed the right to protection of physical and mental health, and that the law regulates health insurance, healthcare and the establishment of health funds (Art. 68)	3. The employer does not reimburse the funeral expenses of the employee or the employee's family in accordance with the law and the collective agreement 4. The employer denies the right to the employee who has exercised the right to financial compensation for physical damage caused by an injury at work or an occupational disease					
Group Rights – Increased Risk of Vulnerability	Rights of the Child: The Republic of Serbia has ratified the Convention on the Rights of the Child and assumed the obligation to respect and promote the rights of the child, as well as to respect the four basic principles on which the convention is based: the right to life, survival and development; the	Examples of risks: 1. The employer engages persons under the age of 15 in the company or they are engaged by the legal entities with which the employer has concluded contracts, as a result of which they are unable to attend regular	√	√	Low	The Labor Law clearly defines that the work of children under the age of 15 is prohibited, while the work of children between the ages of 15 and 18 is possible only	BMV will continue to comply with the childrens' rights as prescribed by law. BMV will check whether any of BMV's business partners hire a minor to perform work related to the

	right to protection against discrimination; the right to respect for the best interests of the child, and the right to respect for the opinion of the child. Article 64 of the Constitution of the Republic of Serbia stipulates that children enjoy human rights appropriate to their age and mental maturity and guarantees protection against psychological, physical, economic, and any other exploitation or abuse. Also, the Constitution guarantees that all children have equal rights, regardless of whether they were born in marriage or not, and the content of these rights and protection is regulated by laws. Article 66 of the Constitution of the Republic of Serbia stipulates that children under the age of 15 cannot be employed nor can they work in jobs harmful to their health and morals if they are under the age of 18. In the absence of a comprehensive law on the rights of the child, this area is regulated by numerous regulations, the most important of which are the Family Law, the Law on Social Protection, and the Law on Under-age Offenders and Criminal Protection of Minors.	classes 2.The employer restricts access to educational facilities or damages them through the construction of infrastructure or other projects 3. The employer or contractor exposes children to permanent hazards such as the presence of hazardous chemicals in the air, water pollution, food pollution, biodiversity destruction, which leads to children being more susceptible to diseases or inadequate nutrition and thus impairing their physical and cognitive development 4. The employer engages a minor for more than 35 hours a week, or more than 8 hours a day				under certain conditions and in certain jobs, and BMV does not have, nor does it plan to hire employees under the age of 18. Also, the Law prohibits the employment of minors, and even persons between the ages of 18 and 21, to work in particularly difficult jobs without the findings of a health authority determining that such work is not harmful to their health.	Project, and if it determines that there is such a case, it will try to determine whether such an employment relationship is based in accordance with the Constitution and the law and insist that the children's rights, guaranteed in them, are respected.
--	--	--	--	--	--	--	---

	Rights of Persons with Disabilities: By ratifying the UN Convention on the Rights of Persons with Disabilities and the Optional Protocol to this Convention, in 2009, the Republic of Serbia assumed an international obligation to “promote, protect, and ensure the full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities and to promote respect for their inherent dignity” (Art. 1 of the Convention). In 2009, the Republic of Serbia ratified the Revised European Social Charter, which Article 15 guarantees persons with disabilities the right to independence, social integration and participation in the life of the community. ILO Convention No. 159 defines vocational rehabilitation and employment of persons with disabilities. Article 69 of the Constitution of the Republic of Serbia stipulates that disabled persons, war veterans and victims of war will be provided with special protection in accordance with the Law. The Republic of Serbia adopted the Law on Prevention of Discrimination against Persons with	Examples of risks: 1. The employer does not take special measures to encourage equality of persons with disabilities 2. The employer refuses to hire a worker with a disability who meets the requirements for the position in accordance with the systematization of jobs (discrimination against persons with disabilities) 3. The employer who has more than 20 employees with established employment relationship, does not employ the legally prescribed number of persons with disabilities, nor does he pay funds in the amount of 50% of the average salary per employee in the Republic of Serbia for each person with disabilities he did not employ, nor does he conclude an agreement on business and technical cooperation, purchase of products or provision of services with a company for professional rehabilitation and employment of persons with disabilities in the amount of 20 average salaries per employee in the Republic of Serbia	√		Low	The Collective Agreement that BMV signed with the trade union, as the employees’ representative, additionally protects the rights of employees with disabilities.	BMV will continue to adhere to the stipulated rights.
--	--	--	---	--	-----	--	--

	Disabilities and the Law on Vocational Rehabilitation and Employment of Persons with Disabilities. In March 2020, the Government of the Republic of Serbia adopted the Strategy for the Improvement of the Position of Persons with Disabilities in the Republic of Serbia, for the period from 2020 to 2024.						
	Rights of Members of National Minorities: The United Nations Declaration on Minorities states that belonging to minorities is based on a national or ethnic, cultural, religious or linguistic identity, which is different from the identity of the majority population. In its first Article, under the goals of the organization, The United Nations Charter states international cooperation with the aim of promoting and respecting the rights of all people, regardless of race, sex, language, and religion. Article 27 of the International Covenant on Civil and Political Rights stipulates that “in states where there are ethnic, religious or linguistic minorities, persons belonging to those minorities may not be deprived of the right to have in community with other members of their group, their own cultural	Examples of risks: 1. In order to implement the project, the employer displaces members of national minorities without transparency of the procedure and their participation in it 2. The employer refuses to hire a member of a national minority who meets the requirements for the position in accordance with the systematization of jobs (discrimination against members of national minorities)	√	√	Low	In the previous operations, BMV did not displace members of national minorities for the construction of the Project, nor did it discriminate against them during employment.	RAP, as a plan that will be adopted, will foresee, in a detailed manner, the displacement procedure that will be applied to everyone, including members of national minorities, without discrimination.

	life, to profess their own religion and perform religious duties, or to use their own language”. The Framework Convention for the Protection of National Minorities was ratified by the Republic of Serbia on 11/05/2001. The Constitution of the Republic of Serbia stipulates that the Republic of Serbia protects the rights of national minorities, as well as that the state guarantees special protection to national minorities in order to achieve full equality and preserve their identity (Art. 14), and defines in more detail the rights of persons belonging to national minorities in Articles 75 to 81. The Republic of Serbia adopted the Law on the Protection of the Rights and Freedoms of National Minorities, the Strategy for the Prevention and Protection against Discrimination, the Strategy for the Prevention and Suppression of Trafficking in Persons, especially Women and Children, the Strategy for the Social Inclusion of Roma in the Republic of Serbia in the period from 2016 to 2025.						
	Rights of Foreigners: The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families sets out how	Examples of risks: 1. The employer refuses to hire foreigners who meet the requirements for the position in accordance with the	√		Low to medium	Bearing in mind the importance of this project, as well as the international cooperation for its realization, foreign	Foreign nationals employed by BMV's business partners will be able to contact BMV via a contact phone

	migrants and their families should be protected. The position of foreigners is provided for in Article 17 of the Constitution of the Republic of Serbia, which stipulates that foreigners, in accordance with the international treaty, have all the rights guaranteed by the Constitution and laws in the Republic of Serbia, except for the rights that only citizens of the Republic of Serbia have under the Constitution and laws (prohibition of expulsion and revocation of citizenship, right to vote, right to participate in the management of public affairs, access to higher education, certain rights from social protection, etc.) In addition to the conditions prescribed in the Labour Law, the employment of foreigners in the Republic of Serbia is also subject to special conditions prescribed by the lex specialis – Law on Employment of Foreigners, which makes a distinction between the conditions for employment of European Union citizens and the conditions for employment of foreigners. The Law on Employment of Foreigners stipulates that a foreigner who is employed in the Republic of Serbia, in accordance with this special law, has the same	systematization of jobs (discrimination against foreigners) 2. The competent authority of the Republic of Serbia does not issue a work permit to foreigners, despite the fulfilment of all conditions provided by law for its issuance				nationals employed by BMV's business partners participate or will participate in the construction process of the Project.	number and email address, in order to indicate any administrative procedures, they need help with (e.g. obtaining a work permit, etc.).
--	--	--	--	--	--	--	--

	rights and obligations regarding work, employment and self-employment as the citizens of the Republic of Serbia. The right to healthcare is granted to all foreigners, including migrant workers, who have a residence permit, in accordance with Article 3 of the Law on Healthcare. Healthcare services, as well as primary and secondary education, are free of charge.						
	Women's Rights: The Convention on the Elimination of All Forms of Discrimination against Women exists to promote women's rights and protection. Article 15 of the Constitution of the Republic of Serbia stipulates, as one of the principles, that the state guarantees equality between women and men and develops a policy of equal opportunities. The Law on Gender Equality, which relies on the Law on Gender Equality, provides for the strengthening of institutional frameworks for the implementation of the policy of equal opportunities and equality between women and men. With the Law on the Budget System, the Republic of Serbia has	Examples of risks: 1. The employer discriminates against women on the basis of their marital or reproductive status (e.g. inability to advance at work, non-extension of employment, etc.) 2. The employer assigns women to jobs that negatively affect their health or their reproductive capacity 3. At a job interview, the employer asks discriminatory questions about marital or reproductive status 4. The employer does not extend the duration of the employment relationship that has expired during the leave of absence to a fixed-term employee who is on pregnancy/maternity leave	√	√	Low	The Collective Agreement that BMV signed with the union, as the employees' representative, additionally guarantees rights such as maternity protection, maternity leave and leave for child care, etc.	BMV will continue to comply with all the rights of employees prescribed by the constitution and the law, as well as the rights additionally prescribed by the Collective Agreement, and will try to control whether its business partners also comply with all the rights that fall within the scope of women's rights, and if it receives a complaint from one of the employees outside their company, try to mediate between the employee and their business

	established the obligation of gender-responsive budgeting.						partner to remove any violation of this right.
Rights that could be violated in the supply chain	Some of the aforementioned rights may be potentially threatened during the development of the Project, not only by BMV and its business partners, but also in the process of providing materials for the production of rolling stock and the rail system, as well as in the process of the primary supply chain during operation (management of electricity, water and sewage). Since the human rights, which can potentially be threatened in this way, have already been elaborated in the previous part of the text (prohibition of child labor, forced labor, the right to health and safety at work), the relevant international and national provisions that regulate this issue will not be repeated here.	Examples of risks: 1. Legal entities that are responsible for the supply of electricity, water and sewage for the performance of their business processes, do not respect human rights by employing persons under the age of 15 2. The systems contractor does not respect human rights in the process of supplying material for the production of rail systems and rolling stock	√	√	Low	Regarding the management of electricity, water and sewage in the Republic of Serbia, public companies established either by the Republic of Serbia or by local self-government are responsible for it. Therefore, the prescribed prohibition of child and forced labor, as well as respect for the right to health and safety at work, which is binding for BMV, is also binding for these public companies that must conduct their business in accordance with the laws. On the other hand, Alstom is committed to the highest standards of business and ethics. These principles are	Public companies will continue to comply with all the rights and obligations prescribed by the constitution and the law, which are additionally prescribed by the Collective Agreements, while Alstom, through its internal procedures, will monitor the respect of these rights in its work, By signing the Ethics and Sustainable Development Charter, its suppliers and subcontractors agree to be controlled by Alstom or a third party designated by Alstom in terms of the principles outlined in this Charter.

						summarized primarily in Alstom's Code of Ethics, which is published on their website. This high-level document contains information about the values, laws, expected conduct and instructions of Alstom. Among other things, this document provides for ways to report suspected violations of this Code. Also, this code states that Alstom requires its suppliers and subcontractors to sign the Ethics and Sustainable Development Charter and to act strictly in accordance with applicable legal obligations related to their activities and business environment. This Code also emphasizes that Alstom respects the UNGP and acts in accordance with	
--	--	--	--	--	--	--	--

						human rights prescribed at the international level in all locations where they perform business activities. It was especially emphasized that they support the elimination of all forms of illegal, forced and compulsory work, as well as that they strictly prohibit this type of work with their suppliers and subcontractors.	
--	--	--	--	--	--	---	--

5. IMPACT MITIGATION AND MANAGEMENT

As presented in the Table above, there are some potential risks for human rights that may occur due to the project activities, which are mainly related to labor rights. If these human rights are improperly managed, it may raise grievances associated to the workers.

By considering the scale, scope, remediability and probability of risk for each of the above-mentioned human rights, it was concluded that, although there are possibilities for potentially recognized human rights to be threatened, the probability of this happening is low, and in rare cases, low to medium. This is due to the fact that all mentioned rights are protected by the binding regulations of this country, and their non-compliance is sanctioned.

Due to the above mentioned, the proposed measure for BMV's actions is the monitoring of the existing and/or plans to be adopted, as well as the internal procedures that already exist within BMV.

If, in the monitoring process, it is determined that a risk has arisen within the company, it is necessary to remove it, to consider possible options to prevent the same from happening again, and to introduce procedures for it, and in the event of a risk occurring outside the company, i.e. without the participation of employees in the company itself – provide assistance to injured persons in the form of cooperation and dialogue, and mediation in finding opportunities to overcome risks and eliminate consequences, if BMV can have such an influence on its business associates. In the event that, in the process of monitoring the adherence to human rights, it is determined that this measure is not effective, BMV will form a team of people (whether internal or external) who, after reviewing the situation, will make proposals for further action.

BMV possesses internal complaint mechanisms for its employees, through which employees can highlight their complaints (Collective Agreement for BMV, Rule book about the internal whistle-blowing procedure in PUC "Belgrade Metro and Train", Regulation on preventing abuse at work in PUC "Belgrade Metro and Train" and Rule book on safety and health at work in PUC "Belgrade Metro and Train"). More specifically, employees can exercise their rights either independently or through a trade union organization, and thus they are provided with an out-of-court complaint mechanism. BMV will continue to comply with the applicable regulations and thus the impact on human rights will be prevented by this project within the company, and every possible objection of the employees will be considered separately in order to see if there are opportunities to improve the existing rights and rules within the company.

Additionally, some of the potential risks for human rights may raise community concerns such as environmental, safety and health including the workers' safety and health and public health; impacts on local communities (e.g., livelihood and access to water). In 2021, PUC "Belgrade Metro and Train" developed the Stakeholder Engagement Plan (SEP), whose aim is to present the identified key Project stakeholders, their principal interests in the Project and how BMV has already engaged and will continue to engage with them throughout the life of the Project. The aim of engagement is to identify and address environmental and social impacts associated with the Project, as well as to improve the Project's overall environmental and social performance. Stakeholders are defined as individuals or groups which are directly affected by a project, positively or negatively, or who have an interest in the project. Therefore, the identification of stakeholders is closely connected to the identification of project impacts. The list of project stakeholders can change through various stages of project implementation and identification is

continually carried out throughout the project cycle. BMV will host a targeted meeting with NGOs to discuss human rights impacts associated with the Project. Other individual stakeholder meetings may also be organised, if necessary. The details about these consultation activities will be publicly disclosed through the relevant media including the BMV website, local community announcements and in other usual ways, when they become known, and at least two weeks before any events take place. For meetings with individual stakeholder groups (targeted consultations), direct invitations will be sent.

Also, respecting already available legal procedures for the submission of grievances, BMV will implement additional measures to ensure that all questions, complaints and suggestions in relation to the Project are managed in accordance with international best practice. Submission of a comment or grievance to BMV does not prevent individuals and organisations to seek judicial or administrative remedies in accordance with the laws and regulations of the Republic of Serbia. At this stage of the Project, all questions and grievances can be managed by BMV, however, it is expected that when construction begins, other stakeholders may need to be involved in grievance management, e.g. municipalities where the works are being carried out, as well as contractors engaged in the Project.

Questions, comments or grievances may be submitted by any individual or organisation, using the contact details that are available on BMV's website. All grievances will be recorded in an internal BMV data base and responded to within 20 working days. They will be responded to in writing if contact details of the person who submitted the grievance are provided. Answers to the most common questions are also published on the BMV website (<https://www.bgmetro.rs/index.php/sr-rs/onama-cir/pitanja-i-odgovori>). Persons who submit a grievance have the right to request that their name be kept confidential. Grievances may also be submitted anonymously; however, this could limit BMV's options for investigating the issue and responding to it.

Employees of companies that have a business relationship with BMV will be able to contact BMV through the above-mentioned means, thus BMV will be able to achieve cooperation and dialogue between the complainant and the subject of the complaint. BMV will conduct periodic regular visits to the construction site in order to determine whether BMV's business associates comply with legal regulations.

In addition to the above, BMV addressed the city municipalities on whose territories the construction will take place for the purpose of realizing the project with an invitation for cooperation, and establishing a regular mechanism for the exchange and forwarding of information between the municipality and our company, which relate to questions, complaints and suggestions of the citizens of the said municipalities in connection with the Project. We consider the above to be a very influential and important aspect of monitoring citizens' opinions and complaints, because city municipalities are the institutions that people usually turn to first in order to obtain the necessary opinions. In addition to the above, free legal aid services have been established in the city municipalities, as an integral part of the right to a fair trial, which is guaranteed by international and national legislation, which enables persons with poor material status to have the right to professional protection of all their rights, including human rights.

In addition to the above, within the Ministry of Labour, Employment, Veterans and Social Affairs there is the Labor Inspectorate (Labor Inspection), which performs inspection tasks and related professional tasks in the field of inspection supervision over the application of laws and other regulations governing labour relations and Safety and Health at Work. Its priority action is aimed at reducing the number of work-related injuries, occupational illnesses and diseases related to work, both by performing inspection by official duty and at the request of the parties, as well as by preventive action. The Labor Inspectorate pays special

attention to prevention in the field of safety and health at work and the field of labor relations, with a special focus on activities such as construction, as well as solving problems related to categories of vulnerable groups of employees (pregnant women and mothers-to-be).

BMV believes that the transparency of the project is the main way to achieve trust and communication between the community and the company, and in the course of 2024, and certainly before the start of any works, it will hold public forums in the city's municipalities in order to familiarize the community with the details of the project and inform them that they can turn to BMV with all their questions and objections, and recognize BMV as the project holder that is open to cooperation and communication. In December 2023, BMV gave lectures at a certain number of colleges that are part of the University of Belgrade (transport, mining - geological, mechanical, architecture), and further cooperation with these and other colleges is planned for the sake of transparency and familiarizing the expert public with the project.

In addition to all of the above, BMV concluded a contract with PMC on the basis of which PMC will provide professional supervision services for, among other things, the construction of the first phase of the first line of the Belgrade metro (among which are the following services: control of the contractor regarding the implementation of the Risk Management Plan and environmental protection measures, demanding compliance with health and safety regulations at the construction site, acting on behalf of BMV, control of measures and activities that are the contractor's obligation and coordination with all health and safety activities at construction sites, in accordance with the best practices and rules in Serbia, carrying out expert supervision over the results of geodetic surveys and all other measurements prepared by contractors, including those related to environmental protection requirements, ensuring compliance with the approved Environmental Impact Assessment Study and Social Study (ESIA) during the works, as well as ensuring compliance with health and safety recommendations and traffic safety requirements at all stages of contract execution, performing inspections of the correctness and suitability of machines and equipment used by the contractor in accordance with normative technical standards, safety and environmental requirements.

acting director

Andreja Mladenović