

Table 1. Legislative and institutional framework of independent bodies

	Ombudsman	Commissioner for Information and Data Protection	Commissioner for Equality
Definition:	Independent, autonomous body responsible for the protection and promotion of human rights and liberties , in particular rights of national minorities, children, disabled persons, persons deprived of liberty and gender rights. Deals with cases of violation of citizens' rights solely in the public sector .	Independent and autonomous public authority in charge of the protection of the right to free access to information of public importance and the right to protection of personal data .	Independent, autonomous and specialized body in charge of preventing all forms, types and cases of discrimination and ensuring the protection of equality of persons and legal entities . Deals with cases of violations of citizens' rights in both public and private sector .
Establishment:	Introduced in Serbian legal system in 2005 (firstly through law, then in 2006 in new Constitution); first Ombudsman appointed in July 2007; office currently on 5th temporary location since May 2010.	Established in December 2004 as the <i>Commissioner for Info. of Public Importance</i> , since 2009 encompasses protection of personal data; first Commissioner appointed only in 2011.	Established in March 2009; first Commissioner appointed in May 2010.
	Appointed and dismissed by the Parliament for a 5-years term, with one re-election possibility.	Appointed and dismissed by the Parliament for a 7-years term, with one re-election possibility.	Appointed and dismissed by the Parliament for a 5-years term, with one re-election possibility.
Role:	<p>(1) Oversight role:</p> <p>controlling legality and regularity of work of state bodies and organizations of the public authority</p> <p>controlling their compliance with the principles of good administration and the standards in the protection of citizens' rights</p> <p>providing opinions and recommendations for state institutions to improve implementation</p> <p>(2) Role in legislative process:</p> <p>legislative initiative – right to propose new laws as well as initiatives for amending the laws which fall under his jurisdiction</p> <p>providing opinions and recommendations on draft laws from the field of his jurisdiction</p> <p>right to initiate procedure before the Constitutional Court to assess the constitutionality and legality of laws and other regulations and general acts</p>	<p>(1) Oversight role:</p> <p>controlling compliance of state institutions and organizations of the public authority with the Law on the Free Access to Information</p> <p>controlling the implementation of the Law on Personal Data Protection and measures for protection of personal data</p> <p>informing the Parliament and wider public on the compliance of state institutions with laws and indicating violations</p> <p>providing opinions and recommendations for state institutions to improve implementation</p> <p>(2) Role in legislative process:</p> <p>right of initiative for adoption of new regulations or amending the existing regulation in the field of his jurisdiction</p> <p>initiating procedure for assessment of constitutionality and legality of laws and other regulations and general acts</p> <p>(3) Quasi-judicial role of the second-instance authority:</p> <p>right to decide on appeals against the decision of authorities which are harming the right of free access to information of public importance, with binding and final rulings enforceable by law</p>	<p>(1) Oversight role:</p> <p>controlling implementation of laws and regulations by state institutions and org. of public authority related to prohibition of discrimination</p> <p>establishing cooperation with relevant state institutions and public bodies (regional & local) in charge for protection and promotion of equality</p> <p>informing the Parliament and wider public on compliance of state institutions with laws (regular annual reports and special reports) and on current level of protection of equality</p> <p>providing opinions and recommendations for state institutions to improve implementation</p> <p>(2) Role in legislative process:</p> <p>right to initiate adoption of new or amending existing regulation in her jurisdiction</p> <p>providing opinions on the draft laws under her jurisdiction</p> <p>(3) Quasi-judicial role:</p> <p>considering complaints of discrimination & carrying out the procedure based on complaints in specific cases under her jurisdiction</p> <p>initiating court procedure or another protection measure, including the reconciliation procedure</p> <p>filing complaints for protection from discrimination or offence reports against discrimination acts prohibited by the antidiscrimination regulations</p>