



YUCOM

Komitet pravika za ljudska prava / Lawyers' Committee for Human Rights
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Human Rights and Democracy Violation Early Warning *Weekly Newsletter* No. 15

1. Data collected by international organizations that deal with media problems in Serbia show that there were 26 cases of violation of media rights and freedoms in Serbia in May 2008 alone¹. These cases include 16 attacks on journalists (two violent assaults, five cases of property offense, and nine counts of threat, verbal attacks and other forms of pressure) two (judicial) verdicts against journalists, two strikes in protest against unpaid wages, one arrest etc.

This overview does not include data on lawsuits filed and other ways of protest of organizations, institutions and individuals against media an/or individual journalists on grounds of hate speech, slander, libel, conscious distortion of information or fabrication of untruthful "news" aimed at disqualifying political opponents – an occurrence that has become commonplace in much of the Serbian media.

2. According to official data published by the *Statistical Office of the Republic of Serbia*, around 1,500 persons – 70% men and 30% women - commit suicide in Serbia each year. Thins ranks Serbia 13th in the world. The *Mental Health Protection Development Strategy* (adopted by the Government 2007) envisages the elaboration of an *Action Plan* for the coming decade, too.

3. Director of the Government's *Bureau for Human and Minority rights* **Petar Ladjević** said in an interview (Danas daily, June 12, 2008) Serbia does not need a Ministry for human and minority rights, since he did not know "what such Ministry would deal with". He insisted that a Ministry "presupposes power, and what is power in the sphere of human rights ... where supreme guarantees are enshrined in the Constitution and the Law on Protection of Ethnic Minorities' Liberties and Rights. **Mr. Ladjević** insisted that in the media there is "much chatter about hate speech; everything can be labeled as hate speech ... but everybody is entitled to say whatever he or she thinks, and verbal expression can not be made punishable". Having in mind **Mr. Ladjević's** official capacity,

¹ One of the following issues of the EWS *Newsletter* will be devoted to the situation at the media scene in Serbia.





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his views have been met with disapproval among the human rights NGOs and civil society organizations generally.

4. A draft *National Action Plan for the Advancement of Gender Equality and Improvement of Women's Position* was elaborated in Serbia. A *Gender Equality Division* has been set up in the Ministry for Labor and Social Policy, too. Deputy Minister **Snežana Lakićević-Stojačić** announced these steps as Serbia's inclusion in the combat against violence against women. A *Gender Equality Council* as a Government's consultative body was also established. **Ms. Lakićević-Stojačić** underlined that "33 nongovernmental organizations gave an exceptionally important contribution to this campaign by means of activities aimed at building a model of local communities' coordinated action for the prevention and combat of domestic violence", and singled out the role played by the *Autonomous Women's Center*.

5. Human trafficking continues to represent one of the major international problems affecting Serbia as a country of origin, transit and final destination for women and girls trafficked for the purpose of sexual exploitation. Foreign countries of origin include Macedonia, Ukraine, Bosnia and Herzegovina, Bulgaria, Rumania, Croatia, Albania and People's Republic of China, whereas victims from Bosnia, Croatia and Slovenia are still trafficked through Serbia as a transit country *en route* to Italy and other countries of Western Europe. Children continue to be among principal victims: they are being trafficked and exploited as forced laborers or street beggars.

The US State Department *Trafficking in Persons* (TIP)² report singles Serbia out as a country whose Government "does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so".

Recommendations for Serbia – themselves eloquently testifying to the state of affairs in the area - include: Pass implementing legislation as part of the national judicial reform plan, which will streamline the judicial process and ensure convicted traffickers serve their sentences soon after sentencing; continue to address trafficking-related corruption by vigorously prosecuting and punishing officials who facilitate trafficking; amend the penal code to raise minimum penalties for trafficking; provide evidence of vigorous prosecution, conviction, and sentencing of traffickers via comprehensive law enforcement data; implement measures in the National Strategy to Combat Trafficking in Persons, such as the protocol for victim identification and referral; include NGOs in the initial identification

² The Report can be viewed at: <http://www.state.gov/documents/organization/105659.pdf>, the country report on Serbia is available at: <http://www.state.gov/g/tip/rls/tiprpt/2008/105389.htm>.





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phase for potential victims; develop programs to assist the increasingly growing problem of children who are victims of trafficking; and improve prevention efforts, including efforts to reduce demand for commercial sex.

6. The European Human Rights Court has passed 18 decisions on petitions filed by citizens of Serbia since Serbia became Council of Europe member 2000. Only one of these decisions has been implemented so far, a report of the CoE Ministerial Committee establishes.

7. Commissioner for Information of Public Importance **Rodoljub Šabić** addressed letters of warning to 119 government agencies and other authorities that have failed to act on his orders and enable free access to information of public importance to citizens or media, or notify that Office that such orders had been complied with. "Commissioner's orders are binding" - **Mr. Šabić** said in a statement to the media - "not because I think and say so, but because the *Free Access to Information Act* stipulates so". He went on to say that failure to comply with his orders represent a conscious violation of law. Therefore the topic of increased responsibility in this area should one of the new Government's priorities.

* * *

EWS Newsletter No. 14 which carried a summarized account of the relevant parts of the discussion on the 2008 IPA Program of the European Commission held in Belgrade on June 12, 2008 has found a wide echo both here and abroad. Amidst a large number of positive reactions on what appears to be a new contribution to a sustained dialogue between the European bodies and the CSO community, there was also a (e-mail) reaction of the Belgrade-based *Centre for Independent Living* we are happy to reproduce here without any interventions:





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Begin message

From: **Gordana** <gordanar@eunet.yu>
Date: 2008/6/23
Subject: Re: Invitation to IPA 2008 consultation
To: YUCOM Lawyers' Committee for Human Rights <yucomoffice@gmail.com>, "TMUSIC Dimitrije (RELEX-BELGRADE)" <Dimitrije.TMUSIC@ec.europa.eu>
Cc: milos.djajic@cmv.org.yu, trkulja@ptt.yu, georg@zrlocal.net, AWC - Dobre Prakse <dobre_prakse@azc.org.yu>, Dubravka Velat <dubravkav@gradjanske.org>, marijana@cesid.org.yu, office@fossierbia.org, mladen@protecta.org.yu, [crnps crnps <zmarkovic@crnps.org.yu>](mailto:crnps@crnps.org.yu), Sinisa Volarevic <sinisa.volarevic@grupa484.org.yu>, vesna@bos.org.yu, ["cilsrbija@digit.co.yu"](mailto:cilsrbija@digit.co.yu) <office@cilsrbija.org>, nemanja@centaronline.org, Romski Informativni Centar <ricoffice@ptt.yu>, morlic@vin.bg.ac.yu, janev@psc.ac.yu, ts@transparentnost.org.yu, maja.bobic@emins.org, gordana.odanovic@ccmr-bg.org, jovteo@euner.yu, bgcentar@bgcentar.org.yu, gradjanski@verat.net, sanjap@imp.bg.ac.yu, marko.paunovic@clds.org.yu, ekocentar@zaprokul.org.yu, biserkos@eunet.yu, astranet@sezampro.yu, gensek@ssi.org.yu

Dear colleagues,

Thanks for making efforts to "summarize" the discussion that has taken place during the follow up meeting of IPA instruments, organized by Delegation of the European Commission to the Republic of Serbia. On behalf of Centre for Independent Living of Serbia I participated at the mentioned meeting, which I understood first of all as the opportunity to get more information about different projects that are planned to be develop under the IPA programme, which as an information I found very informative and useful.

However I do not understood that people who were present there has agreed to take jointly any action in order to "keep the issue warm". That of course does not prevent any organization of taking initiative for further action, upon which I believe all who want to participate in, should agree about. That referees also to the account of the views expressed at the mentioned meeting. In relation to that we would like to comment about point 4. where Center for Independent Living of Serbia was mentioned. We highly disagree with statement that Government bodies "even if open to cooperation on politically insensitive issues (like rights of the handicapped), been utterly inefficient."

First of all I would never make such statement and I did not make at this meeting either, particularly using such wording. This is not acceptable for number of reasons, among which the most important are: First - rights of people with disabilities are not "politically insensitive issue" - on contrary CIL share the widespread opinion that the rights of people with disabilities are first of all political issue and the issue of social justice and all our advocacy activities are in accordance with that! Secondly, in the last 4-5 years Government bodies in Serbia has paid significant attention to disability issues and disability policy, and has taken a number of measures to change their position in the society, including the adoption of National Disability





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Strategy (2006) and signing of UN Convention on rights of people with disabilities (2007). Many organizations of disabled people (including CIL) has develop close cooperation with different Government Ministries and Bodies, including PRSP Team, and have participated in development of Serbian disability policy. Therefore, CIL could not possibly accept the statement that all these efforts have been "not beneficiary in Serbia" and "utterly inefficient" What we have said at the meeting in Delegation of EC, was the opinion that the consultation process and partnership with organization of disabled people in developing particular projects from different Ministries within the frame of IPA programme, has jet to be established, as first round of the proposals was done by the Ministry itself.

In addition I think it was quite inappropriate to put the whole text in the *YUCOM Weekly Newsletter* No. 14 "Human Rights and Democracy Violation", before getting comments and agreement of people whose discussions were interpreted in the text.

I apologies not to respond immediately as information was sent Thursday afternoon, and it only reached me today, as I was out of Belgrade during the weekend. I would kindly ask you to make correction to your notes in relation to CIL discussion, as the way as it is stated now does not respond to both what was said at the meeting and to real situation, and could lead to a serious misunderstanding. I also expect that this correction will be send to all people to whom you have sent first version of your summery.

I would also take this opportunity to mention that unfortunately big civil society organizations that are dealing with human rights in general (including YUCOM), very rarely cooperate with organizations of people with disabilities as true representatives of one of the groups in society whose rights are jeopardized. If this cooperation would exist, we would probably escape such situations of misunderstanding and wrong interpretations.

Sincerely
Gordana Rajkov

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End of message

Convinced that any mistake in interpreting the June 12 discussion was entirely due to an unfortunate misunderstanding, we sincerely thank CIL for attentive reading of our Newsletter and their kind cooperation.





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Outlook:

Serbia's accelerated accession to the European Union, expected – or at least hoped for – after the formation of a new Government in Belgrade, can and will not live up to the expectations of many, if it continues to lack a sustained dialogue between both the Government and EU authorities and Civil Society Organizations including human rights defenders in this country.

