



# SOLIDARITY FOR THE RIGHTS OF ALL



#### **Publisher:**

Lawyers' Committee for Human Rights - YUCOM Kneza Milosa 4 11103 Belgrade www.yucom.org.rs

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This publication has been prepared with the financial assistance of the European Union. The Lawyers' Committee for Human Rights and the partners are solely responsible for its contents, and its contents do not necessarily reflect the opinions of the European Union.

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## SOLIDARITY FOR THE RIGHTS OF ALL





PLACES OF ATTACKS ON HUMAN RIGHTS DEFENDERS IN 2021

### 1. INTRODUCTION

November 7, 2020, the Lawyers' Committee for Human Rights - YUCOM started the first interactive map of the attacks and pressures on the human rights defenders in Serbia. The second year of data collection has, once again, confirmed the necessity of such impartial and facts-based tool, which points to increasingly difficult position of the activists and organizations that advocate for the human rights. The attacks and pressures have become more serious and they have been increasingly directed against the citizens who are not activists, but have provided support for the protection of the human rights. As of the beginning of 2021, based on the research of the publicly available data and conversations with the victims of the pressures and attacks, 73 attacks have been reqistered on the map, and these include both the activists in the field of human rights protection, and the citizens that found themselves in such a situation due to their actions and suffered the consequences.

Based on the statistical overview on the map, the public can access the data on the gender and place of residence of the victims of the attacks, including the information as to whether the repression was suffered directly by the individual, a colleague or a member of the family. There are available data on the attacker, type of attack and type of right that was threatened. Based on all the data collected so far, it can be concluded that during 2021, the most threatened types of rights were freedom of expression, freedom of association and freedom of assembly. The aim of the report is to provide local and international stakeholders simple access to the current situation and information on the positions of the human rights defenders in Serbia, which have not been available so far on similar regional or international maps.



## 2. MOST FREQUENTLY THREATENED RIGHTS OF HUMAN RIGHTS DEFENDERS

ased on the statistics on the number of attacks, same as in 2020, limitation of the freedom of expression and freedom of association remained the most threatened rights of the human rights defenders and non-governmental organizations. The fact is that the limitation of the freedom of assembly, despite being recorded in fewer number of cases, due to its nature, had much greater impact ona larger number of people. More precisely, due to one case of limitation of the freedom of assembly, this right may be violated for thousands of people who would have gathered, or wanted to gather for the purpose of achieving a certain goal or passing of a certain message. For this reason, precisely the freedom of assembly was the right that marked 2021 as the most threatened right. Unlike during 2020, when the gatherings had been limited mostly for justifiable reasons of public health, in 2021, the limitations of the public gatherings were by their nature factual (such as driving cars into groups of demonstrators), legal (writing of misdemeanor warrants, ban of gatherings), or institutional (Call sent by the Ministry of Internal

Affairs to report protesting citizens and to make lists of license plate numbers at the blockades). Another legal limitation of the freedom of assembly in case of the Law on Protection from Noise Pollution in the Environment has been recorded. The Law, adopted after a very short duration of the public debate of 20 days, where the public in Serbia had been hardly informed of it, stipulates as follows: "For the purpose of organization of public gatherings, entertaining or sports events and other activities in open or closed space (hereinafter: activities), which may lead to exceeding of upper limit values of the noise indicators, a local self-government unit shall render a decision designating the streets, parts of the streets or neighborhoods and other locations intended for those purposes, as well as the measures of sound protection during the time of the gatherings. The deadline for reporting of such a gathering is 20 days before the beginning of the gathering."1 Such a decision in not in accordance with the Law on Public Assembly

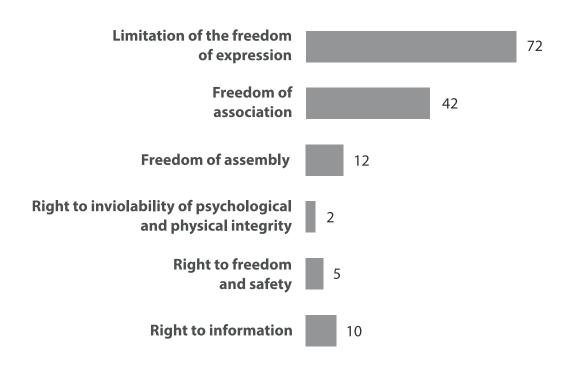
Article 30 of the Law on Protection Against Environmental Noise ("Official Gazette of RS", no. 96/2021)

and envisioned deadlines. Since political gatherings, rallies and protests are forms of gatherings where envisioned noise limit (shouting slogans, pounding the pots, use of whistles...) is regularly exceeded, such a decision provides the authorization to the local self-government units to decide whether public gatherings will or will not be held, under the pretext of protection of the citizens against noise.

It should be emphasized that the limitation of the freedom of assembly is not only the direct prohibition of a certain gathering, but also every excessive or unnecessary imposing of the obligations for the organizers of the gatherings in order to make organization of the gathering more difficult. In the specific case, that means the extremely long deadline for registration of the gathering and the requirement to receive the approval for the gathering from a local self-government unit with the limitation of the place of gathering.

Limitation of the freedom of assembly constitutes systematic suppression of the civil resistance through decisions of the office holders and that it should be understood as a serious signal by all international and national institutions. Without the freedom of assembly, there will be no freedom to express disagreement with the actions or lack of actions of a government in a certain country.

### TYPE OF THREATENED RIGHT



# KEHEPAAE HEKJE XBAAA

Foto: Filip Krainčanić /Nova.rs

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### 3. SELECTED ATTACKS

# 3.1. Attacks on the freedom of assembly of environmental activists

uring 2021, there was an increase in the number of attacks on the activists and organizations for environmental protection, and they included slander in the media outlets, insults and threats, initiation of misdemeanor proceedings, numerous break-ins in the premises of these organizations, as well as physical assaults. Since Belgrade is among the most polluted cities in the world, air pollution was frequently the reason of these protests. The reason of such pollution is the fact the energy system of Serbia mostly relies on thermal power plants that use coal, as well as damaging emissions from the heavy industry and mines. Since large Chinese companies, which are presented as salvation for the Serbian economy, are often the source of the pollution, the environmental activists are labelled as anti-Chinese lobbyists or killers of the economy in the tabloids co-financed by the state and on the phantom news portals.

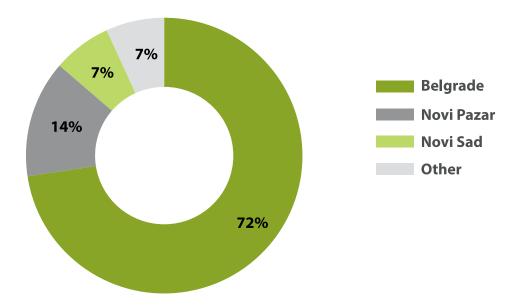
Due to initial successes and <u>prohibition</u> of the construction of mini hydro power plants in certain municipalities, the protests of the environmental activists have been increasing. During previous period, hundreds of misdemeanor proceedings in connection with the Law on Public assembly ZJO, Law on Public Order and Peace

(ZJRM) and the Law on Traffic Safety on the Roads (ZOBS) have been initiated against the organizers and the participants of the public gatherings. The Law on Public Order and Peace was frequently abused for suppression of peaceful protests due to numerous misdemeanor offences it stipulates, including shouting in public. Misdemeanor proceedings may have a discouraging effect for the activism, especially when high fines may be converted into prison sentences. Regardless of the validity of the police charges and the final judgment of a court, activists are demotivated to take part in further organization of public gatherings during misdemeanor proceedings that may take up to two years.

During 2021, the highest numbers of attacks on the human rights defenders were recorded in Belgrade, Novi Pazar and Novi Sad. In more than 50 municipalities<sup>2</sup>, environmental activists have received misdemeanor warrants in connection with their participation in the blockades organized at the end of 2021. This, for practical reasons, was recorded on the map of incidents as one continuous attack, and the seat of the

Ada, Belgrade, Blace, Bobiste, Boljevac, Bor, Bratmilovce, Brestovac, Cacak, Cuprija, Donje Trnjane, Djurdjin Gaj, Kursumlija, Gornji Milanovac, Jagodina, Kikinda, Kovin, Kragujevac, Krusevac, Kursumlija, Lazarevo, Leskovac, Ljig, Lucani, Markovac, Negotin, Nis, Nova Varos, Novi Pazar, Obrenovac, Omoljica, Oparic, Ostojicevo, Pancevo, Pirot, Pozarevac, Pozega, Preljina, Prijepolje, Prokuplje, Riljac, Ruma, Senta, Sid, Smederevo, Sombor, Stara Pazova, Subotica, Tabanovac, Turekovac, Uzice, Valjevo, Vlasotince, Vranje, Vrsac, Zajecar, Zrenjanin

# PLACE OF RESIDENCE OF HUMAN RIGHTS DEFENDERS WHO WERE THE TARGETS OF THE ATTACKS DURING 2021



association that led the protests was taken as the residence of the target of the attack.

As of the end of November 2021, the direct cause of the mass gatherings and road blockades in Belgrade and other towns in Serbia was adoption of the Law on the Referendum and People's Initiative and the Law on Expropriation. The public saw adoption of these laws as opening of the road for exploitation of lithium by Rio Tinto in the valley of the river Jadar. The Law on Expropriation contained the provisions based on which, the individuals whose property was the subject of expropriation were deprived of the right to effective legal remedy due to extremely short deadlines. In addition, it included a very broad definition of the public interest, which was liable to abuse. The Law on Referendum and People's Initiative practically deprived the people of the right to petition through introduction of high fees for certification of signatures. Organizations and experts stated their opposition against exploitation of lithium in the valley of the Jadar river, stating catastrophic ecological consequences, as well as the history of Rio Tinto.

The protests led by the association Start-Change (Kreni-Promeni) started on November 27, 2021,

with the blockade of the highways and motorways on several locations in Belgrade, Novi Sad, Nis, Sabac and other towns, on the day when the convention of the governing Serbian Progressive Party should have been held in Belgrade. In Sabac, the members of the police forces withdrew, and the supporters of the Serbian Progressive Party attempted to free up the road for buses with the participants of the convention, using a bulldozer against peacefully gathered citizens. One of the participants in the blockade, Dragan Milovanovic, jumped on the bulldozer, succeeded in subduing the driver and prevented him from driving over people. After that, a group of masked people came from municipal cars and attacked gathered citizens using wooden sticks and hammers. Dozens of people called the police from the location, but their calls were interrupted.

The man who succeeded in stopping the bull-dozer was arrested and <u>accused</u> of causing serious bodily harm against the driver of the bull-dozer, and that offense is punishable by up to 5 years in prison. The state media and state officials presented that event as the assault against an ordinary man who was driving a construction

vehicle, omitting to mention masked attackers who were walking behind the bulldozer. In his statement of November 28, 2021 for TV Pink, Aleksandar Vucic, President of Serbia, stated that the driver had not acted in unlawful manner, asserting that, based on the law of Oklahoma that protected the drivers who had hit the pedestrians fleeing the riots, he would have been protected. The link to the Law of Oklahoma was later also shared by the Ambassador of Serbia to the USA, Marko Djuric. There were numerous arrests and dozens of people received misdemeanor warrants and charges in connection with their participation in the blockade.

Between two weekends, there was a smear campaign against the organizers and participants in the blockades. On November 27, 2021, the Prime Minister Ana Brnabic called the road blockades destructive and fascist, threatening the citizens with the indictments. Aleksandar Vulin, the Minister of Internal Affairs called the blockades fascist and labelled the organizers as "on the payroll of Rockefeller". He said that the police would have to use violence. In the statement of the Ministry of Internal Affairs of November 27, 2021, it was stated that the police could not secure and guarantee safety at unregistered gatherings, adding that anything that happened to protesters is solely the responsibility of the organizers. In the context of the events in Sabac, this statement was interpreted as a threat and approval of the attacks that could be carried out by the masked individuals under control of the ruling Serbian Progressive Party against peaceful protestors. On December 4, 2021, TV Pink, which has national coverage, broadcasted a special TV show "Terror over people", where the guests referred to the protesters as "terrorists". The anchor compared peacefully gathered citizens with terrorists, stating that they, like terrorists, were organized in cells. One of the guests went onestep further, and compared them with Al-Qaeda and ISIS, and stated that they copied the tactics of the terrorist organizations.

Along with targeted reporting about the blockades, pro-governmental media frequently published video materials on how the protesters allegedly blocked <u>emergency vehicles</u>, parents

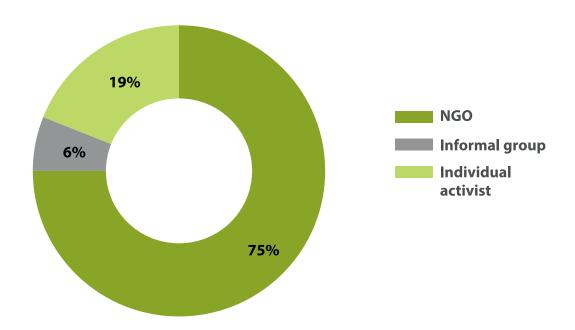
with children, wedding guests going to the wedding, etc. The organizers contested these allegations when it comes to allowing emergency vehicles to go through, and there were even claims in the media that the wedding guests going to a weeding were actually the provocateurs of the ruling party. The citizens who shared the announcements of the blockades on the social media were identified as the organizers by the police, and police units were sent to their home addresses to warn them about the breaches of the law. On December 2, 2021, the Ministry of Internal Affairs, which had failed to respond to direct calls of the numerous citizens during the attack with the bulldozer in Sabac, published a special telephone number which could be used by the citizens to notify the police about the breaches of the law, perpetrators or the license plate numbers of the cars used for blockades. After the first blockade held on November 27, 2021, there were no visible police members in the uniforms at the protests, and the police did not even direct the traffic on the highway that was blocked.

Based on the statements of the organizers, approximately 80,000 people gathered at the blockades on December 4, 2021, while based on the estimate of President Vucic that number was 31,000. TV Pink tendentiously positioned their drone in order to film the gathering in the attempt to illustrate the claims that "Twenty people blocked Belgrade and 20 people harassed thousands of citizens that needed to go on foot". During this blockade, there were several attempts to run the protesters over, and at least one woman was hurt, who was transported to the Emergency Room. In Novi Sad, masked individuals attacked the people who blocked the road. There were provocations in Belgrade since masked individuals lit the torches on the highway overpass, in the vicinity of the blockade, and some of the torches were thrown at the peaceful demonstrators. Pro-governmental tabloids used this event in order to discredit the blockades, calling the protest "ecological torch party".





### **TARGETS OF THE ATTACKS IN 2021**



On December 8, 2021, the President of Serbia, in his <u>television appearance</u> announced that he would return the Law on Expropriation to the National Assembly, while already signed Law on Referendum and People's Initiative would be amended, which occurred on <u>December 10, 2021</u>. Savo Manojlovic, the leader of Start-Change, posted a <u>video</u> on the Instagram announcing that all the requests had been fulfilled, and that he would keep his word and stop the road blockades. Other organizations promised to <u>continue the protest</u> with the extended list of requests regarding excavation of lithium by Rio Tinto, and that was done.

Up until the closure of this publication, at least 1000 citizens have received misdemeanor warrants for failure to comply with the Law on Road Traffic Safety. Due to practical reasons, these mass attacks on the graph above have been shown as attacks on the informal group or non-governmental organization that organizes the protests. Police failed to comply with the Law and inform the gathered citizens that they were being filmed, and there is also fear that illegal face recognition software was used. Civil society organizations condemned the actions of the police and reminded of the obligation of

this public authority to ensure peaceful gathering and to act in order to prevent violence and additional escalation of the situation. Organizers, non-governmental organizations and lawyers have offered legal and financial assistance to the citizens affected by the misdemeanor proceedings.

## 3.2. Unfounded lawsuits against the activists

Translated into Serbian language, SLAPP<sup>3</sup> is the term that includes strategic proceeding against participation in public policies. This is a relatively new situation in our court practice that constitutes a specific abuse of rights. Most frequently, these are civil (litigation) proceedings initiated by the individuals against the activists, in many situations against the media as well, due to a certain information that has been publicly disclosed. The essence of the SLAPP procedure is the request for compensation due to the damages against the honor and reputation, which does not need to be founded. The essence of the request is not

Engl. Strategic lawsuit against public participation.

for it to be adopted, but to direct the defending party to activate its financial and human resources for the defense from the request and to scare the activists with high pecuniary compensations and penalties. Apart from civil litigations, our legal system allows for the SLAPP to be used in the form of a criminal complaint due to criminal offence of insult or request for initiation of misdemeanor proceeding. In accordance with the Law on Contracts and Torts, there is a provision forbidding abuse of rights,4 and in practice, there are few judgements that reject the lawsuits based on those grounds. SLAPP proceedings represent unproportionate power ratio between the activists and those that intend to discourage actions of the activists, since the parties submitting lawsuits always have higher financial resources, and they often hold political functions.

4 Article 13 of the Law on Contracts and Torts ("Official Gazette of the SFRY", no. 29/78, 39/85, 45/89 – decision of the CCY and 57/89, "Official Gazette of the SRY", no. 31/93, "Official Gazette of Serbia and Montenegro", no. 1/2003 – Constitutional Charter and "Official Gazette of RS", no. 18/2020): It is forbidden to exercise the right based on contracts and torts contrary to the legal goal due to which it was established or recognized.

The series of SLAPP lawsuits affected the activists in Novi Pazar, who had spoken publicly against the director of the hospital in Novi Pazar and the way he had managed the hospital as of the beginning of the pandemic of COVID-19. The director of the hospital, who is also a public official and the member of the Serbian Progressive Party, submitted more than 30 lawsuits due to the attacks against his honor and reputation against the activists, citizens and doctors, who spoke publicly and protested in order to state their dissatisfaction of the epidemiological situation and the way the director had managed the hospital. In the proceedings that are all led before the Basic Court in Novi Pazar, and where the Higher Court in Novi Pazar has jurisdiction in the second instance proceedings, the first convicting judgments against the activists were adopted.

Activist Aladin Paucinac was convicted in two proceedings for the criminal offence of insult towards Meho Mahmutovic, director of the hospital. In one of these proceedings, he was convicted for shouting of the slogan "Meho, you thief!", at the protest held in front of the hospital in Novi Pazar. It is specific that the court refused

## **LEGAL ACTIONS CHARACTERIZED AS ATTACKS OR PRESSURES IN 2021**





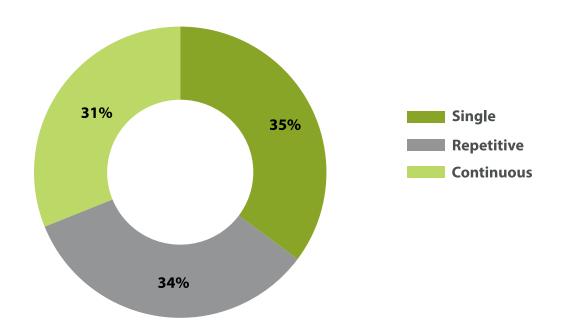
to consider any of the evidence proposed by the defense, including the fact that the accused is the activist and that the alleged criminal act was committed at the protest, in a group that shouted the slogan. Although the Criminal Code of Serbia clearly stipulates the exception of the criminal offence of insult is such cases, the court did not take this into consideration.<sup>5</sup> These cases should be observed in the context of the fact that the plaintiff was the director of the hospital in Novi Pazar and the member of the ruling party, thus, it is evident that the judges from Novi Pazar have fear of possible denial of health protection for them and their families, in case they pass a judgment to the detriment of the plaintiff.

Article 170, paragraph 4 of the Criminal Code of RS ("Official Gazette of RS", no. 85/2005, 88/2005 - correction, 107/2005 - correction, 72/2009, 111/2009, 121/2012, 104/2013, 108/2014, 94/2016 and 35/2019): There shall be no punishment of the perpetrator for offences specified in paragraphs 1 through 3 of this Article if the statement is given within the framework of serious critique in a scientific, literary or art work, in discharge of official duty, journalist tasks, political activity, in defense of a right or defense of justifiable interests, if it is evident from the manner of expression or other circumstances that it was not done with intent to disparage.

The public in Serbia is aware of the lawsuit of company *Milenijum tim against the movement Don't Let Belgrade D(r)own*, requesting the compensation of the material damages in the amount of 12 million dinars, due to the fact that the representatives of the movement *Don't Let Belgrade D(r)own* had criticized, in several public statements, the work of this company and it's association with the highest officials in the country.

SLAPP lawsuits have been filed against numerous independent media outlets that wrote about the abuses of the office by public officials (including KRIK, network for investigation of crime and corruption, which currently has requests for compensation of damages in the total amount of 90 million dinars in <a href="mailto:numerous lawsuits">numerous lawsuits</a> submitted against them). The data on the attacks against the human rights defenders in 2021 show that the attacks are seldom individuals, and that they are most frequently repeated or carried on continuously.

### **CONTINUITY OF PRESSURES/ATTACKS**



# 3.3. Attacks against activists working on dealing with the past

Attacks against the activists and organizations advocating for dealing with the past, had a tendency of becoming more intense compared to the previous year. The organization labeled as foreign mercenaries and domestic traitors for more than 20 years, are still the target of hate speech. These attacks follow a certain pattern and most frequently present the response to the activities commemorating the genocide in Srebrenica. However, this year, the attacks included slander in the tabloids, co-financed by the state, that escalated into prohibitions of public gatherings, writing of insults and threats on the premises of these organizations and arrests of the activists fighting against glorification of convicted war criminals.

Painting of the mural in Belgrade dedicated to the convicted war criminal Ratko Mladic, was the reason for organization of the public gathering by the *Youth Initiative for Human Rights* on November 9, 2021, on the occasion of the International Day against Fascism and Antisemitism, with the goal of removal of this mural. Although this day marks the remembrance of the Night of Broken Glass, beginning of the pogrom of Jews in Germany in 1938, on November 4, 2021, the Police banned the gathering of the Youth Initiative for Human Rights, with the elaboration that there could be physical altercations with the opposers of the gatherings. Thus, the deniers of the genocide in Srebrenica were enabled to use the threat of violence to prevent the freedom of peaceful assembly of the citizens advocating for peace in the region. Minister of Internal Affairs, Aleksandar Vulin, gave his unequivocal support for the ban, stating that "There will be no altercations on the streets of Belgrade and no one will disturb the life of our citizens, and no one will make the enemies of Serbia happy with the pictures of bleeding Serbian heads". The Youth Initiative for Human Rights submitted the appeal to the ban of the Ministry of Internal Affairs and initiated the administrative dispute within the legal deadline.

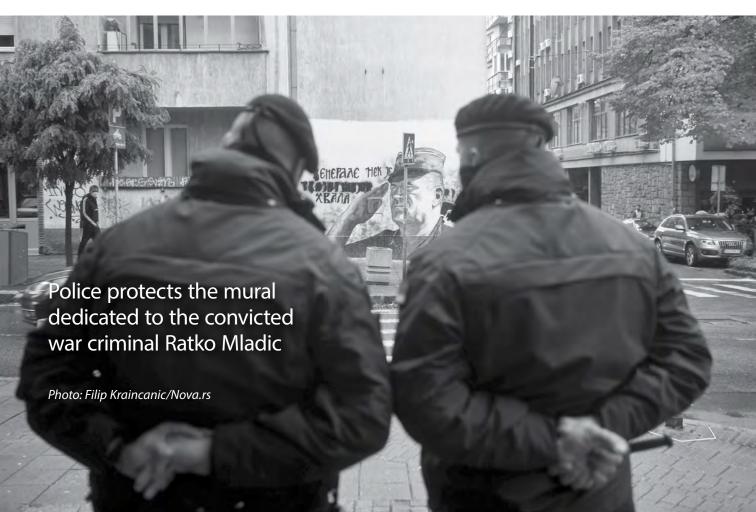
In the <u>open letter</u> of November 8, 2021, the *Youth Initiative for Human Rights* emphasized that the statement of the Ministry of Internal Affairs

and Minister Vulin were considered to be threats that, in case they removed the mural, they would be attacked by paramilitary formations controlled by Vulin, and that the Police would not offer them support. The use of excessive force against the citizens at the protests held in July 2020 by the police officers in civilian clothes that failed to identify themselves, has led to the speculations about existence of paramilitary formations. This was also confirmed by the text of the withdrawn Draft Law on Internal Affairs, which, apart from containing numerous inadequate legal solutions, would legalize existence of such formations.

Despite the ban of the gathering, certain activists gathered on November 9, 2021, to express their protest against the mural of the convicted war criminal in the city center, and they were afterwards apprehended in unlawful manner. Activists Aida Corovic and Jelena Jacimovic, were arrested by plain clothes police officers who refused to show their badges. The reason for the arrest was throwing of eggs at the mural dedicated to Ratko Mladic. According to the press release of the Ministry on the statements of the

Ministry of Internal Affairs, misdemeanor charges were submitted against Aida Corovic and Jelena Jacimovic due to disturbance of public order and peace.

After her release from prison, Jelena Jacimovic was once again attacked on that same night. All the media published the news about the arrest with the photograph of the activists, and the members of the extreme right group approached her in a restaurant in the city center. One of them showed Jelena Jacimovic her photo on his telephone, and asked her using threatening tone: "Is this you?" The incident was prevented by the guests and staff of the restaurant, who removed the right-wing activists since they did not have Covid certificates. Several days after that, the hate graffiti were sprayed on the premises of the Youth Initiative for Human Rights on two occasions, on November 11 and 16, 2021. This organization sent out the message that the President Aleksandar Vucic, Prime Minister Ana Brnabic and Minister of Internal Affairs Aleksandar Vulin had ordered the graffiti by their actions, and they would not remove them because they were



the messages from these public officials. This organization also addressed the European Court for Human Rights, which <u>obliged</u> the Republic of Serbia to respond to the question regarding endangering of safety of the activists after the ban of the gathering on November 9. Since the data on the attacks on the human rights defenders in 2021 show that the most frequent type of physical attacks on the property was damaging of property, that is, spraying of the hate graffiti on the premises of the non-governmental organizations.

The paint was thrown on multiple occasions on the mural dedicated to Ratko Mladic, which was being kept by the masked young men, and they would quickly remove the paint due to the layers of invisible varnish used to protect the mural. Municipal communal inspection delivered the decision to the housing community, obliging them to remove the mural from the wall of their building, but fearing for their safety, the tenants unsuccessfully attempted to hire a firm that would remove it. Because of the approach of the governing authorities towards this event, there has been an increasing number of murals

Advisor to the UN Secretary General, PACE rapporteurs for Serbia, Piero Fassino and lan Liddell-Grainger and a group of the members of the European Parliament.

On October 10, 2021, the activists of the Youth *Initiative for Human Rights and the Humanitarian* Law Center were not permitted to attend the press conference of Dragan Vasiljkovic, better known as Captain Dragan and a convicted war criminal, where the pardon was requested for Zvezdan Jovanovic, convicted assassin of the Serbian Prime Minister Zoran Djindjic. Unknown men with the marks of the right-wing organization Levijatan prevented them for accessing the conference, insulted, and threatened them. The action of collecting signatures for pardon of Jovanovic had previously been held in several towns throughout Serbia. Two attacks on the founder of the Humanitarian Law Center, Natasa Kandic that occurred on May 21 and June 6, 2021. in the daily newspaper Kurir were the reaction to her posts on Twitter, where she commented the apology of the President of the Czech Republic, Milos Zeman for the bombing of the FRY in 1999, and the statement of President Vucic, who corre-

### PHYSICAL ATTACKS ON THE PROPERTY

**Damaging of property** 



1

10

Other breach of the right to property



dedicated to Ratko Mladic in the towns throughout Serbia, which have been <a href="removed">removed</a> by organized activists. After the gathering <a href="#the mural must fall"/">"the mural must fall"</a> on November 13, 2021, the banner of the <a href="#women in Black">women in Black</a>, stating "We will not forget the genocide in Srebrenica" <a href="www.was.stolen.and.publicly.burnt">was.stolen.and.publicly.burnt</a>.

On December 9, 2021, the Municipality of Vracar finally <u>painted over the mural</u>, but the paint was quickly removed. The actions of the governing authorities have led to numerous condemnations, and the call for the removal of the mural was sent by, among others, Alice Wairimu Nderitu,

lated the respect of the victims from Srebrenica and Jasenovac. These articles accuse Kandic of spitting at Serbia for the money and for making brutal accusations against the Serbian people.

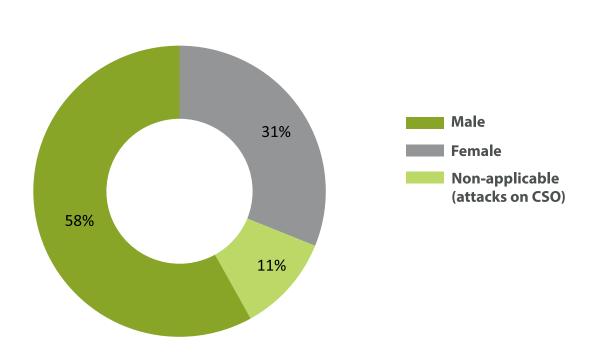
During 2021, the attacks on the human rights defenders most frequently targeted the organizations (58%), then male individuals (31%) and female individuals (11%). However, in case of the area of dealing with the past, it is evident that the targets of the attacks were mostly women.

During 2021, the targets of the attacks were frequently the activists from the *Women in Black*. During the street action in Krusevac, held on May 24, 2021, to remember the

## Action of the Women in Black with the banner that was taken away and burnt



### **GENDER OF THE TARGETS OF ATTACKS**

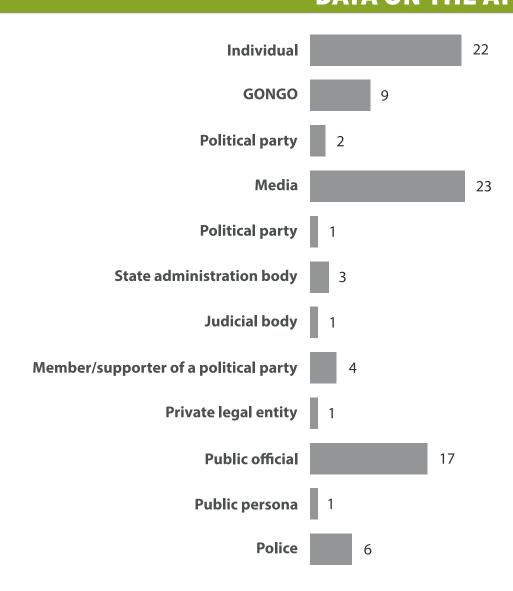


protests in Rasinski County of 1999, against forced mobilization and transferring of men to Kosovo, they were exposed to verbal attacks and provocations of the people who introduced themselves as the members of Serbian Radical Party. At the same time, the members of the mentioned party placed the stand at the same place, disseminated the promotional material, calling out and commenting: "You are ugly", "Shame on you", "There was no genocide in Srebrenica", "Seselj will be her in 15 minutes"(?), "You should have brought Natasa Kandic"... On October 25, 2021, the insulting graffiti appeared on the doors of the organization Women in Black. They claim that this was not the first time this occurred, and that the attackers are mostly non-state actors under control of the state security services and that they act with tacit consent of the governing structure. The case was reported to the police, and the graffiti were removed through joint actions of the civil society organizations and the movement *Don't Let Belgrade D(r)own*.

## 3.4. Tabloid campaigns against the activists

During 2020, the media outlets were most frequent attackers against the activists and organizations advocating for human rights. Both the

### **DATA ON THE ATTACKERS**



traditional tabloids and phantom news portals such as Prismotra, used substantial state resources for these attacks. Numerous attacks originated from the phantom news portal Prismotra that ceased its work at the end of 2020, and its articles were republished by the media outlets co-financed by the local self-governments. In 2021, traditional tabloids took over the main role in targeting of the activists and organizations. CINS research has shown that the tabloids frequently received substantial funds from the state at the local competitions, despite the fact that they were frequently breaching the code of journalistic ethics. Furthermore, precisely the tabloids that receive the highest amounts of funds from the state, are leading the attacks against the human rights defenders. Along with allocated state aid, the incentive for unprofessional writing has originated from relatively long duration of court proceedings for violation of honor and reputation, and modest compensation to be paid to the individuals who are victims of these attacks. The data on the attacks against the human rights defenders in 2021 show that majority of the attacks originates from the media, individuals and public officials.

Daily newspaper *Srpski telegraf*, which led these attacks, published a special on August 23, 2021, titled "Media Dossier", with the announcement on the cover "Western megaphones have received millions." This attack was the direct reaction to the decision of the social network Twitter to label *Srpski telegraf* and 8 other media outlets in Serbia as "the media outlets that cooperate with the Government of Serbia", which was presented as "suppression of the Serbian media that do not want to support the foreign interests".

Along with the several media outlets<sup>6</sup>, which are primarily targeted, the special also refers to "discovery of who finances the media and the NGO fighters for democracy and freedom". The authors singled out 10 non-governmental organizations and foundations.<sup>7</sup> In the text where the non-governmental organizations are to be pre-

- 6 KRIK, BIRN, CINS.
- 7 Trag Foundation, Civic Initiatives, Lawyers' Committee for Human Rights YUCOM, Humanitarian Law Center, Youth Initiative for Human Rights, Belgrade Center for Security Policy, European Movement in Serbia, National Coalition for Decentralization, Foundation Catalyst and CRTA.

sented as foreign mercenaries and agents, there is information on their founders, legal representatives and most frequent donors, with the intention to show how the functioning of the civil society is managed by foreign states. The goal of the NGOs is, as stated "promotion of the standpoints contrary to the politics of the Government of Serbia", especially in the context of dealing with the past and the issue of the status of Kosovo. Due to such reporting, the non-governmental organizations advocating for the rule of law and respect of human rights have once again been labeled as state enemies. The data on the donors and amounts of donations are publicly available on the websites of these organizations, but based on the formulation used in the text, it is obvious that the authors had access to banking documents, which constitute a business secret, and certain victims of the attacks have submitted criminal complaints against unknown perpetrators from the business banks and the Administration for Prevention of Money Laundering.

On December 8, 2021, *Srpski telegraf* published the article "We discover the political background of the protests: War of Rockefeller and Soros regarding the referendum in Serbia", which was also reposted by news portal Alo.rs, as the reaction to the press conference, where Savo Manojlovic, representative of *Start-Change* and Katarina Golubovic, president of *YUCOM* spoke about the insufficiencies of the Law on Referendum and People's Initiative.

In the article, Manojlovic and Golubovic were presented as being on the payroll of Rockefeller and Soros, who were on the opposing sides and who imposed their own interests as the options desirable for the citizens. For the purpose of illustration in the article, publicly available data on the donations of the *Rockefeller Brothers Fund* and *Open Society Foundation* to these organizations were disclosed. The article denies environmental character of the protests, but links them with political options fighting for power, and which would achieve all foreign interests, including recognition of Kosovo and disappearance of the Republic of Srpska.

On August 7, 2021, there was a fire at the landfill in Vinca, and several pro-governmental tabloids, including *Alo, Informer and Republika (Srpski telegraf)*, published the text on August 9, 2021 <u>"FIRE AT THE LANDSLIDE IN VINCA WAS SET? We</u>



Cover page of Srpski telegraf of August 23, 2021

PAŽNJA! KAKO ŠARLATANI VAUČERIMA MAME PENZIONERI NEZAVISNE DNEVNE NOVINE NAJNOVIJE VESTI istražili smo ko "nezavisno" prima naređenja iz ambasada i novac iz sumnjivih fondova, kao i koja je veza Bele kuće, Stejt departmenta i CIA sa Krikom, BIRN, CINS... republika.rs POZADINU PROTESTA EKSKLUZIVNO VELJA DIREKTOR RAZORIO HTEO DA **POBIJE SVE PINK** 

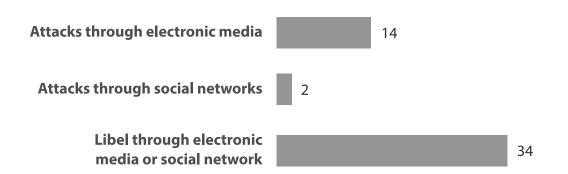
Cover page of Srpski telegraf of December 8, 2021

bring you what happened few minutes before the fire erupted!" insinuating that the fire was started by the activists of *Don't Let Belgrade D(r)* own. The activists happened to be at the location and recorded the fire, which was used by the tabloids as the reason to link them with the claims that the fire was set. In Don't Let Belgrade D(r)own, they state that such an attack on them was a consequence of the general "atmosphere of lies fabricated by the regime media in Serbia", and that they have warned for years the competent authorities of the danger caused by inadequately secured landfill in Vinca, they have reported to the citizens and fought against the catastrophic project of construction of the incinerator at the landfill in Vinca.

After the attack on Europolis due to organization of the trip of young people from Serbia to Vukovar in order to visit the memorial Ovcara. on December 14, 2020, the phantom news portal Prismotra published the first one, and a new phantom news portal Nije lepo cutati on March 18, 2021, posted the second text, written by presumably the same authors, also dedicated to slander this organization. In both texts, the activists of this organization are accused of cooperation with Croatian intelligence services and manipulating young people and children. Led by, supposedly, the same motive, and that is protection of youth and children, the smear campaign against the Association of History Teachers Euroclio was initiated, which was the target of the attack due to organization of the workshop for history teachers on use of the archives of the Tribunal and the Mechanism. After that text published on the news portal Sputnik "Serbian

children are served the truth from the Hague about the nineties: Historians warn of the total chaos in teaching" on August 25, 2021. In addition, the smear campaign continued on August 26 in Glas javnosti, in the article "WHAT KIND OF **HISTORY IS TAUGHT TO OUR CHILDREN? Primary** school teachers from Belgrade work for the Association from the Hague which introduces the judgements of the International Tribunal into the TEXTBOOKS!". On August 27, in the program on Kurir TV, the guests were the convicted war criminal Veselin Sljivancanin, son of the convicted war criminal Ratko Mladic, Darko Mladic and historian Prof. Miloje Prsic, PhD and they spoke about the use of the archives of the Hague Tribunal in the curriculum. On August 28, Kurir TV also broadcasted "(SURVEY) SHOULD THE CHIL-DREN LEARN ABOUT THE HAGUE TRIBUNAL? There are no lectures about Serbian kings, but they impose the archives of the Hague Tribunal". On the same date, Srpski telegraf posted the text "HUGE BLOW AGAINST THE EDUCATION-AL SYSTEM OF SERBIA! The Hague teaches the teachers that Serbs were war criminals", quoting the statement of Slobodan Vuksanovic, former government minister who said that it was "An attempt to use the educational system to plant a certain genetic code with present and future young generations that they are guilty, that us Serbs are guilty. To inject that into use and to carry it forever as a mark and a burden." As soon as the next day, on August 29, Kurir posted the text "SHAMEFUL: Djilas crew does not see the problem in our children learning false history from the Hague?!" Euroclio reacted on August 29, 2021, with the public statement.

### **TYPES OF ELECTRONIC ATTACKS**





# 4. CONCLUSIONS AND RECOMMENDATIONS

In the year behind us, there was a significant worsening of the environment in which the civil society organizations worked. Observing of a number of registered attacks on the activists and organizations advocating for human rights (73), outside of a broader context, may lead to a false conclusion that the situation is improving. Number of the attacks decreased primarily due to termination of a very active phantom news portal Prismotra at the end of 2020, but the attacks got worse, not only in intensity, but also based on the number of affected citizens. At the end of 2021, misdemeanor convictions against environmental activists included at least 1000 citizens who took part in the blockades, and the goal of which was stopping of the harmful lithium exploitation. The attacks were particularly intensive when they originated from the state or unknown groups suspected to be under the control of the state.

Along with the misdemeanor penalties, the citizens on the blockades were also the subject of media slander in pro-government tabloids and victims of violence instigated or justified by the highest state officials. Inertion of the competent

authorities in the process of investigation, additionally worsened the cases of physical assault against property and individuals, and supported the claims of the involvement of the state. Majority of the attacks recorded in 2020, have not had a court epilogue. In the case of the attack on the premises of the Youth Initiative for Human Rights, the European Court for Human Rights obliged the Republic of Serbia to respond to the questions regarding threats to the safety of the activists. This situation has made it significantly more difficult to send the recommendations to the state, which, along with ignoring of its international obligations, actively works on deterioration of the position of the human rights defenders. The Lawyers' Committee for Human Rights regretfully asserts that the state has failed to act based on the recommendations listed in the previous report, and we therefore repeat them:

- Urgently stop the practice of deterioration of the achieved standards of human and minority rights.
- Urgently stop the practice of labeling individuals and organizations committed to the

- promotion of human rights as traitors, both by the executive and legislative branch.
- Continuously work on creating a favorable social climate for human rights defenders by taking concrete measures that would enable attacks on human rights defenders to be prosecuted in criminal proceedings, while respecting the rights of victims guaranteed by the Criminal Procedure Code.
- Continuously work on creating a favorable social climate for human rights defenders by taking concrete measures that would enable civil and administrative proceedings in which human rights defenders appear as parties, which can be linked to their activities in in the field of human rights, to be led in compliance with all procedural guarantees and international standards in this area.
- ▶ Administrative supervision over the work of the associations, as well as activists who perform other activities, should be performed in accordance with the law when there is an appropriate legal basis, and in such a way that it does not interfere with an individual or organization in the process of work or implementation.
- ► To acquaint all state administration bodies, legislative, executive and judicial authorities with the Declaration on the Rights and Responsibilities of Individuals, Groups and Social Bodies in Promoting and Protecting Universally Recognized Human Rights and Fundamental Freedoms and Obligations that Serbia has under this Declaration.
- ▶ Refrain in legislative activities from restricting the work of civil society organizations, imposing unjustified obligations or discrimination of any kind.

### ANNEX List of attacks

Date	Title	Victim	Attacker	Type of attack
1/31/2021	Court proceeding against Desimir Stojanov Desko, activist of the movement Defend the Rivers of Stara Planina (Odbranimo reke Stare Planine)	Desimir Stojanov Desko	Judicial body, Police	Initiation of a criminal proceeding Initiation of the misdemeanor proceeding
2/1/2021	Attack on Irfan Ugljanin, President of the Civic Movement of Novi Pazar (Pazarski gradjanski pokret)	Irfan Ugljanin	Individual	Physical assault (Beating, Violence, Injuries)
2/13/2021	Attack on the Helsinki Committee for Human Rights [news portal Nije lepo cutati]	Izabela Kisic, Sonja Biserko	Media	Attacks through electronic media Libel through electronic media or social networks
3/3/2021	Attack of the PM Marko Atlagic against CRTA	CRTA	Public official	Libel through electronic media or social networks
3/7/2021	Arrest of Aleksandar Jovanovic Cuta, activist from the movement Defend the Rivers of Stara Planina	Aleksandar Jovanovic Cuta	Police	Deprivation of freedom under supervision of state bodies
3/10/2021	Attack of the PM Aleksandar Martinovic against <i>CRTA</i>	CRTA	Public official	Libel through electronic media or social networks Threats/Intimidating actions/Blackmail
3/11/2021	Attack of the PM Vladimir Orlic against CRTA	Rasa Nedeljkov	Public official	Libel through electronic media or social networks

3/17/2021	New attack of the PM Aleksandar Martinovic against <i>CRTA</i>	Rasa Nedeljkov, Vukosava Crnjanski	Public official	Libel through electronic media or social networks
3/18/2021	Attack against the activists of Europolis [news portal Nije lepo cutati]	Ognjen Gogic, Dane Pribic, Vladimir Jeremic, Bogdan Rasic	Media	Libel through electronic media or social networks
3/26/2021	Arrest of Milan Vujic due to his post on Twitter	Milan Vujic	Police	Deprivation of freedom under supervision of state bodies
3/26/2021	Attack on the <i>Initiative</i> for Economic and Social Rights - A11 [news portal Nije lepo cutati]	Svetlana Djurovic, Milijana Trifkovic, Danilo Curcic	Media	Attacks through electronic media Libel through electronic media or social networks
4/3/2021	Threats of Misa Vacic directed at the activists of Don't Let Belgrade D(r)own	Don't Let Belgrade D(r)own	Member/ supporter of a political party	Threats/Intimidating actions/Blackmail
4/3/2021	Attacks on the Director of the <i>Institute for</i> <i>European Affairs,</i> Naim Leo Besiri	Naim Leo Besiri	Member/ supporter of a political party	Attacks through social media Libel through electronic media or social networks
4/9/2021	Attacks on the journalists of the Green Patrol ( <i>Zelena patrola</i> ) and <i>NGO OSNA</i>	Green Patrol	Individual	Threats/Intimidating actions/Blackmail
4/9/2021	Attacks on the journalists of the Green Patrol and NGO OSNA	NGO OSNA	Individual	Damaging of property
4/11/2021	Control of CEPRIS by the financial police	CEPRIS	Public administration body	Excessive administrative pressures
4/15/2021	Apprehension of the activists of the Common Action for The Roof Over Our Heads	Common Action for The Roof Over Our Heads	Police	Deprivation of freedom under supervision of state bodies
4/16/2021	Physical assault of Dasko Milinovic	Dasko Milinovic	Individual	Physical assault (Beating, Violence, Injuries)

5/9/2021	Fascist graffiti on the walls of the Cultural center Magacin and Creative Educational Center for the Persons with Disabilities (Kreativno edukativni	Creative Center Magacin	Individual Unknown	Damaging of property Threats/ Intimidating actions/ Blackmail
	centar za osobe sa invaliditetom) (KEC)			
5/9/2021	Fascist graffiti on the walls of the Cultural center Magacin and Creative Educational Center for the Persons with Disabilities (KEC)	KEC	Individual Unknown	Damaging of property Threats/Intimidating actions/Blackmail
5/21/2021	Attack of <i>Kurir</i> against Natasa Kandic	Natasa Kandic	Media, Public official	Libel through electronic media or social networks
5/24/2021	Women in Black – attack of the activists of the Serbian Radical Party at the peaceful gathering in Krusevac	Women in Black	Member/ supporter of a political party	Other types of harassment
5/24/2021	Association of Women Sandglass - attack of the activists of the Serbian Radical Party at the peaceful gathering in Krusevac	Association of Women Sandglass	Member/ supporter of a political party	Other types of harassment
5/28/2021	Attack on the Director of the <i>Institute for</i> <i>European Affairs</i> , Naim Leo Besiri	Naim Leo Besiri	Individual Media	Attacks through social networks Libel through electronic media or social networks
6/6/2021	New attack of <i>Kurir</i> on Natasa Kandic	Natasa Kandic	Media	Libel through electronic media or social networks
6/6/2021	Attack of the Association of Judges and Prosecutors on the associations and professional organizations	Associations and professional organizations	GONGO	Libel through electronic media or social networks

6/12/2021	Physical assault of the activist of the movement Defend mountains Baba, Plana and Lesje (Odbranimo planinu Babu Planu i Lesje)	Zoran Miloradovic	Individual	Physical assault (Beating, Violence, Injuries)
6/18/2021	Attack of <i>Informer</i> on Milan Antonijevic	Milan Antonijevic	Media	Libel through electronic media or social networks
6/21/2021	Lawsuit against the activist of Don't Let Belgrade D(r)own	Dobrica Veselinovic	Private legal entity	(SLAPP) Strategic lawsuit against participation in public policies
6/24/2021	New attack of the Association of Judges and Prosecutors on the associations of judges and prosecutors	Professional associations of judges and prosecutors	GONGO Media	Libel through electronic media or social networks
8/7/2021	Physical assault on the activist of <i>Defend</i> the forests of Fruska Gora (Odbranimo sume Fruske Gore) by the contractors doing forest works	Petar Zivanovic	Individual	Libel through electronic media or social networks Physical assault (Beating, Violence, Injuries)
8/9/2021	False accusations of the tabloids for setting of the fire by <i>Don't Let Belgrade D(r)own</i>	Don't Let Belgrade D(r)own	Media	Attacks through electronic media Libel through electronic media or social networks Physical assault (Beating, Violence, Injuries)
8/10/2021	False accusations of the tabloids for setting of the fire by <i>Don't Let</i> <i>Belgrade D(r)own</i>	Don't Let Belgrade D(r)own	Public official	Libel through electronic media or social networks Physical assault (Beating, Violence, Injuries)

8/21/2021	Attack by the President Aleksandar Vucic on BIRODI	BIRODI	Public official	Libel through electronic media or social networks
8/23/2021	Special edition of <i>Srpski</i> telegraf on the media and non-governmental organizations	National Coalition for Decentralization	Media	Attacks through electronic media Libel through electronic media or social networks
8/23/2021	Special edition of <i>Srpski</i> telegraf on the media and non-governmental organizations	Lawyers' Committee for Human Rights -YUCOM	Media	Attacks through electronic media Libel through electronic media or social networks
8/23/2021	Special edition of <i>Srpski</i> telegraf on the media and non-governmental organizations	Foundation Catalyst	Media	Attacks through electronic media Libel through electronic media or social networks
8/23/2021	Special edition of <i>Srpski</i> telegraf on the media and non-governmental organizations	Belgrade Center for Security Policy	Media	Attacks through electronic media Libel through electronic media or social networks
8/23/2021	Special edition of <i>Srpski</i> telegraf on the media and non-governmental organizations	Youth Initiative for Human Rights	Media	Attacks through electronic media Libel through electronic media or social networks
8/23/2021	Special edition of <i>Srpski</i> telegraf on the media and non-governmental organizations	Civic Initiatives	Media	Attacks through electronic media Libel through electronic media or social networks
8/23/2021	Special edition of <i>Srpski</i> telegraf on the media and non-governmental organizations	Trag Foundation	Media	Attacks through electronic media Libel through electronic media or social networks

8/23/2021	Special edition of <i>Srpski</i> telegraf on the media and non-governmental organizations	Humanitarian Law Center	Media	Attacks through electronic media Libel through electronic media or social networks
8/23/2021	Special edition of <i>Srpski</i> telegraf on the media and non-governmental organizations	European Movement in Serbia	Media	Attacks through electronic media Libel through electronic media or social networks
8/23/2021	Special edition of <i>Srpski</i> telegraf on the media and non-governmental organizations	CRTA	Media	Attacks through electronic media Libel through electronic media or social networks
8/25/2021	Smear campaign against the Association of history teachers Euroclio	Euroclio	Media	Attacks through electronic media Libel through electronic media or social networks
8/27/2021	Attack against the activists of Zrenjaninske akcije (ZRAK)	Misa Zivanov	Individual	Damaging of property Physical assault (Beating, Violence, Injuries)
9/11/2021	Demolishing of the car of the Association for Observing and Studying of Birds	Association for Observing and Studying of Birds	Individual	Damaging of property
9/17/2021	Attack on Belgrade Pride Forum	Beograd Pride	Individual	Damaging of property
10/22/2021	Activists prevented from accessing the press conference of the convicted war criminal Dragan Vasiljkovic	Humanitarian Law Center, Youth Initiative for Human Rights	Individual Unknown	Threats/Intimidating actions/Blackmail Other
10/25/2021	Insulting graffiti on the door of the office of Women in Black	Women in Black	Individual Unknown	Damaging of property

11/5/2021	Ban of the gathering of the Youth Initiative for Human Rights on the occasion of the International Day Against Fascism and Semitism	Youth Initiative for Human Rights	Police	Initiation of another proceeding
11/7/2021	Death threats against the activists of the Women's Association of Kolubara District (Zensko udruzenje kolubarskog okruga)	Women's Association of Kolubara District	Individual Unknown	Threats/Intimidating actions/Blackmail
11/9/2021	Arrest of an activist during the protest in front of the mural of the convicted war criminal	Aida Corovic	Public administration body	Deprivation of freedom under supervision of state bodies Initiation of misdemeanor proceeding
11/9/2021	Arrest of an activist during the protest in front of the mural of the convicted war criminal	Jelena Jacimovic	Public administration body	Deprivation of freedom under supervision of state bodies Initiation of misdemeanor proceeding
11/9/2021	Attack on the activist Jelena Jacimovic by the right-wing activists	Jelena Jacimovic	Individual	Threats/Intimidating actions/Blackmail
11/11/2021	Hate graffiti on the office of the Youth Initiative for Human Rights	Youth Initiative for Human Rights	Individual Unknown	Damaging of property
11/13/2021	Public burning of the banner of the <i>Women</i> in Black	Women in Black	Individual Unknown	Damaging of property
11/16/2021	Another hate graffiti on the office of the Youth Initiative for Human Rights	Youth Initiative for Human Rights	Individual Unknown	Damaging of property

11/27/2021	Insults and threats of the Prime Minister Ana Brnabic against environmental activists	Start-Change	Public personality	Libel through electronic media or social networks
11/27/2021	Misdemeanor	Start-Change	Police	Initiation of misdemeanor proceeding
12/4/2021	Hate speech against environmental activists on <i>TV Pink</i>	Start-Change	Media	Libel through electronic media or social networks
12/8/2021	Attack of Srpski telegraf against the Lawyers' Committee for Human Rights and Start-Change	Katarina Golubovic	Media	Libel through electronic media or social networks
12/8/2021	Attack of Srpski telegraf against the Lawyers' Committee for Human Rights and Start- Change	Savo Manojlovic	Media	Libel through electronic media or social networks
12/27/2021	Attack by the bulldozer against the environmental activists in Sabac	Start-Change	Individual Unknown	Physical assault (Beating, Violence, Injuries)
12/30/2021	Insults and threats of Minister Vulin against environmental activists	Start-Change	Public official	Libel through electronic media or social networks Threats/Intimidating actions/Blackmail