
THREE FREEDOMS PLATFORM

FREEDOM OF ASSOCIATION
FREEDOM OF ASSEMBLY
FREEDOM OF EXPRESSION



Three freedoms under the magnifying glass

Review of violations of freedom of association, assembly and expression in Serbia 16-25 March 2020

Freedom of Association

[The Initiative for Economic and Social Rights - A11](#) urged the Government of the Republic of Serbia to take immediate action to protect the most vulnerable citizens during the emergency caused by the Covid 19 pandemic. They said in a statement that in addition to the formation of two health and economic crisis staffs, it is necessary that the Government takes steps to eliminate or mitigate the consequences for the poorest and most vulnerable categories of persons. At the beginning of the declaration of the state of emergency of the competent Ministry of Labor, Employment, Veterans' and Social Affairs, there were no proposals for measures to facilitate the position of the most vulnerable. The statement said that measures to combat the extremely dangerous Covid-19 virus must be based on the core values underlying economic and social rights - timely, clear, concrete and targeted measures that will protect the most vulnerable based on the principles of non-discrimination and the maximum use of available resources.

[The Office for Cooperation with Civil Society](#) informed the CSOs that due to the introduction of the state of emergency, the grant procedure from the budget of the Republic of Serbia is being suspended for co-financing the projects of organizations that received European Union funds in the call from 2019. In a statement, the Office refers to Article 101 of the Law on General Administrative Procedure, which provides for the possibility of suspension of the procedure if the competent authority finds that there are no conditions for further proceedings. It is indisputable that such a decision can have a legal basis and that the legality is not threatened, but the question remains whether such a decision is legitimate at the moment because it threatens the financial sustainability of organizations as well as the people whose existence is based on the revenues from these sources. It is also indisputable that the necessary restriction of a particular corpus of human rights does not mean that the need to protect and promote human rights as the heritage of modern civilization ceases to exist.

[The Association of Independent Cultural Scenes](#) of Serbia pointed to an identical problem because of the Decision to cancel the competition for financing and co-financing projects in the culture of the Secretariat for Culture of the City of Belgrade. In a letter sent to the Ministry of Culture and Information, the Belgrade City Secretariat of Culture and the Provincial Secretariat for Culture demanded that concrete measures must be taken to support artists, cultural workers and the cultural self-employed sector.

Since the proclamation of the state of emergency in the territory of the Republic of Serbia because of the Covid-19 pandemic, numerous civil society organizations have appealed to donors, both international and domestic; to be more open and flexible about approving new and justifying the spending of already allocated CSOs funds. Civic Initiatives supported the open letter sent by [CIVICUS](#), an international network of civil society organizations, to donors and others who support the work of civil society regarding the resilience of civil society during the pandemic, and called on donors who are active in the Western Balkans to take a more proactive and flexible stance to help together, as quickly and efficiently as possible, those in urgent need of assistance.

[The Open Society Foundation Serbia \(FOS\)](#) has announced that it will give the possibility of extending the period of implementation of already approved projects, the use of on-line tools for certain activities, as well as the possibility of authorizing the redirection of unspent money to activities aimed at resolving the new situation and towards the suppression of the Covid-19 virus. The goal of this decision is to prioritize assistance to the most vulnerable categories of the population and new and inventive responses to the many problems that life itself imposes on us these days. In this way, the FOS wants to reach out to organizations that want to support citizens, but at the same time FOS appeals to everyone to respect mandatory precautionary measures to protect all those who support, and thus protect those in need of assistance in the field. In the coming period, the FOS will also announce additional forms of support which plans to provide and the activities it intends to support.

However, this problem goes beyond the sphere of the civil sector and the cultural scene of Serbia, which is highlighted in the statement written by the [Foundation Center for Democracy](#) in which they are demanding urgent intervention by the Labor Inspectorate in the face of more frequent violations of workers' rights. The key challenges are the inadequate working conditions of those persons who, due to the nature of their work, cannot carry out their work duties, as well as the problem of dismissal and loss of employment of a large number of employees in the economy. In this regard, [the National Alliance for Local Economic Development \(NALED\)](#) has announced 10 measures to support the economy and preserve jobs during and after the Covid-19 virus pandemic. Although the effects of the crisis are already being felt despite several announcements, the Government has not yet adopted any measures to help overcome this crisis.

Another thing that could be pointed out is that citizens' associations are not recognized as potential users of work and movement permits during curfews issued by the [Ministry of Economy](#). According to the instructions of the competent ministry, citizens' associations do not meet the criteria, which prevented many associations to performing work on field. For example, a number of organizations, especially from local communities, have reported to the Civic Initiatives Resource Center which, due to such regulations, made it impossible to work on field with their users, which is even more urgent during the state of emergency.

Freedom of Expression

The political [TV show "Utišak nedelje"](#), which is author's show of the journalist Olja Beckovic will be broadcast in the future, on Sunday, from 2 pm, as a consequence of the introduction of a restrictive measure banning the departure of homes after 5 pm. As a consequence of the measures taken after the introduction of the state of emergency, guests over 65 years of age are prevented from attending the show from the studio. Without taking into account the justification of the measures taken, it is problematic that in some cases decisions are implemented selectively in the way that certain media with national-frequency broadcasted live TV shows even after the curfew began, as well as the guests were persons over 65 years old, and all of this is on the basis of permits issued by the Government.

Journalist of the [Center for Investigative Reporting in Serbia](#) was barred from attending a media conference at which President Aleksandar Vucic spoke. The reason for refusing accreditation is that due to the current epidemiological situation, only television and news agencies are allowed to attend, and in smaller teams as possible. Except that such reasoning is logically unsustainable, since the epidemiological situation does not differentiate between types of media, it is indicative that this decision was preceded by the [publication of a text](#) addressing the actual infrastructural capacities of domestic medical institutions during the Covid-19 pandemic. State of emergency and health challenges faced by the state are not and should not be a justification for preventing the media from doing their job professionally, especially given the fact that timely and true information is of great importance during a pandemic.

The narrowing of space for work of media, as well as the increased public interest for information regarding the current pandemic, have led to serious difficulties in gathering information, especially when it comes to local media. For this reason, [representatives of ten newsrooms and correspondent offices in Kragujevac](#) and the Citizens' Association „Res Publica“ sent an open letter to the Ministry of Health, the Kragujevac Clinical Center and the Kragujevac Health Council requesting that journalists who are reporting on the state of health be able to do their jobs in that city. They state that they are unable to communicate with relevant sources at the Kragujevac Clinical Center for days, so they cannot adequately report to the public on a topic of big importance at this time. The letter concludes that one of the biggest problems is the "centralization of public information", which is why citizens of Kragujevac remain deprived of very important information.

[The journalists in Nis](#) faced with an identical problem and they were also unable to obtain information on the number and health status of those infected in that city for days. The problem is compounded by the fact that Nis is one of the largest focal points of the corona virus in Serbia, which is why the public interest in this topic is relatively high. The editor of the portal „[Juzne vesti](#)“, Gordana Bjeletic, said that the Clinical Center stopped publishing the data four days in a row, although it was a regular practice before that, and that they could not get the information from the mayor and the commander of the Emergency Headquarters, Darko Bulatovic.

The importance of timely and truthful information was emphasized in a joint statement by observers of [freedom of expression and speech in the UN media, the Inter-American Commission on Human Rights and media freedom representatives at the OSCE](#). They emphasize that "all governments have an obligation under the Human Rights Act to provide reliable information in all accessible ways and to ensure that information is accessible to those who have limited access to the Internet or those with disabilities who have difficulty accessing it." They also insist on ensuring conditions for unhindered work and access to information for all journalists, as well as combating fake news that causes unrest, panic and endangering human health.

Unknown authors have misused increased public interest in conducting propaganda against [televisions N1 and Nova S](#) through a Covid-19 Serbia Facebook account. These televisions have been the target of numerous attacks for months, and another targeted campaign is indicative of the authors investing funds in advertising the site and publishing it to reach as many people as possible. This case is a specific and so far unusual example of misuse of social networks in order to spread fake news and propaganda against free media.

The introduction of the state of emergency has, in addition to the restriction on a large number of citizens' rights, raised the issue of the possibility of introducing censorship, which the media faced during the last state of emergency in 2003. Marketing expert and close associate of the current regime, [Nebojsa Krstic](#), suggested "conducting public space pest control" with the immediate exclusion of social networks Twitter, Facebook and Youtube and as an excuse offers an explanation that in this way the state fights the deliberate placement of fake news by those who "knowingly and deliberately deceive citizens and destabilize the health care system ". Of particular concern is the comparison of such a measure with the implementation of the Saber police action „Sablja" which followed the assassination of Prime Minister Zoran Djindjic. Such speeches cannot be seen as the individual position of a particular person, given that they have been given great publicity in the pro-government media reporting on this proposal.

Journalists of the [newspaper „Gazeta Blic"](#) were attacked by two unidentified persons as they filmed a report on a corona virus in northern Kosovska Mitrovica. On that occasion, one member of the team of journalist was injured and the perpetrators managed to escape. On this occasion, Head of OSCE Mission in Kosovo Jan Bratu and OSCE Representative on Freedom of the Media Arlem Dezi spoke out, emphasizing the importance of maintaining peace in these times and to ensure that journalists do their job without fear of violence.

The editor-in-chief of [the portal „GM Info"](#) and member of the Board of Directors of the Journalists Association of Serbia, Violeta Popovic, experienced embarrassment and threats from an unknown man in the city. While shopping at the store, an unknown man approached her and, with "explanations" of what topics to deal with, sent a threatening tone to her saying "she better to handle her own business". Ms. Popovic reported the incident to the police, but then she received a response from the authorities saying that they did not consider it a threat and that no further steps will be taken. This is just one of a series of cases where the authorities do not pay attention to the threats that journalists face, which gives the impression that they are the permissible and legitimate targets of everyone who does not like the way they do their job.

In addition to the lack of information and obstruction in the job of a journalist, one of the biggest challenges during the pandemic of the virus is the spread of fake news, which epidemiologist Zoran Radovanovic defined as "[Infodemia](#)." Following the initial denial of the problem by state officials and some medical experts, pro-government tabloids have particularly stood out in publishing news containing unverified information that causes panic and fear in citizens. One such inscription was published on the front page of the daily Informer, which states that 6000 people infected with the corona virus are among those who entered Serbia in the last week. It is true that the number of officially registered cases of infection is ten times smaller, which suggests that this title is just a futile attempt to get the readers attention with sensationalism, without taking into account the panic that such inscriptions can produce. The problem of uncovering fake news with great success is addressed by the portal [„Fake news tracker"](#), which investigates the accuracy of news and the relevance of the sources that portals refer to when posting news. Thanks to their work, the portals were found to have conveyed fake news when they announced ["that 70,000 troops had landed in Hamburg"](#). The purpose of this "news" was to make the public aware that the corona virus is actually a front for military action by the world's largest powers. The spread of conspiracy theories was not only reserved for portals, but [MP Srdjan Nogo](#) also dealt with it, claiming that Covid-19 was an artificially created virus that served as a biological weapon against the US. The media also conveyed unverified information about treatment methods, methods for determining if someone was infected with the virus, as well as much more bizarre texts such as those claiming that [church incense](#) protects against the corona virus. It is clear that, in parallel to the fight for free and timely

reporting, all relevant actors must make additional efforts to identify and highlight all cases of fake news in order to prevent endangering the health of citizens by irresponsible reporting of tabloids and portals.

Freedom of Assembly

No violations of this freedom were recorded in the observed period, and the only reason for this was the ban on public gatherings due to the Covid-19 pandemic. All gatherings with more than [100 people](#) were initially banned, and after a few days the measure was extended to gatherings with more than [50 people](#). On March 15, the [decision on the declaration of a state of emergency](#) throughout the territory of the Republic of Serbia entered into force on the basis of the co-signature of President Aleksandar Vucic, Prime Minister Ana Brnabic and the President of the Assembly Maja Gojkovic. The adoption of this decision was accompanied by measures introducing a [“curfew”](#), that is, a measure temporarily restricting the freedom of movement of citizens, at the first moment in the period from 8pm to 5 am, and later this ban would be extended to the period from [5pm to 5am](#), simultaneously with an absolute [ban on leaving the homes for of all persons over 65 years old](#).