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# THREE FREEDOMS PLATFORM

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FREEDOM OF ASSOCIATION  
FREEDOM OF ASSEMBLY  
FREEDOM OF EXPRESSION



## Three freedoms under the magnifying glass

### Review of the violations of the basic freedoms during the state of emergency in Serbia 31 March- 02 April 2020

#### Freedom of association, assembly and expression

1. The Government of the Republic of Serbia has adopted a conclusion authorizing only the Crisis Staff to inform the public about the condition and consequences of infection of the corona virus, that is, all announcements to the public must be given by the [Prime Minister](#) or by the person authorized by the Crisis Staff. The conclusion stipulates that notices on health measures and other information given by unauthorized persons cannot be considered reliable and it also opens up the possibility of applying regulations concerning the possibility of holding accountable and bearing the legal consequences of spreading misinformation in a state of emergency. This solution is not in line with the appeals of United Nations experts, nor with the urging of President of the European Commission, Ursula von der Leyen, to allow journalists to work smoothly in order to provide citizens with access to crucial information. [The Independent Association of Journalists of Vojvodina, the Independent Association of Journalists of Serbia, the Association of Journalists of Serbia and the National Coalition for Decentralization](#) have demanded the immediate abolition of this conclusion, warning that its implementation introduces censorship and denies the right to information to Serbian citizens. Similar estimates were made in a statement by the [Slavko Curuvija Foundation](#), emphasizing that the biggest damage will suffer the local media, which will be prevented from doing their job.

With this conclusion, Serbia stood out as a unique example of the explicit introduction of censorship in Europe, which provoked huge reactions, both in Serbia and within the international community. [OSCE Representative on Freedom of the Media Harlem Désir and Head of the OSCE Mission to Serbia Andrea Orizio](#) have expressed concern over this decision made by the Serbian Government, pointing out that timely and truthful information is of great importance in the fight against the corona virus. Just a few days after the decision was made, Prime Minister Ana Brnabic announced that the Government will [withdraw this decision](#), but did not explain that it will be because of the apparent illegality of the act, but because of the desire "not to allow for all the good that were done to be shadowed"

2. The journalist of the portal Nova.rs Ana Lalic was detained after publishing a [text](#) about the poor condition of the Clinical Center of Vojvodina, as well as about the working conditions of employees and the lack of adequate medical equipment. During the arrest, police searched her apartment and seized laptops and mobile phones. She was given police detention for up to 48 hours, but was she [released](#) in the early hours of the morning. This event provoked huge reactions from a number of [organizations and individuals](#), including Anna Pisonero, spokeswoman for EU Enlargement and Neighborhood Policy, who raised concerns over the arrest of the journalist, as well as OSCE representative Harlem Desir, who stressed the need to

ensure normal conditions for the work of the journalists. [The United Media company](#), within which operates the portal Nova.rs, has announced that it will inform all European officials and media organizations around the world of this case, adding that it will continue to tell the truth to citizens on a daily basis, regardless of whether the Government of Serbia likes it or not.

[A group of civil society organizations](#) has also come forward to ask the state to focus its resources on the fight against the corona virus, not against media freedom. It is also emphasized that this treatment of journalists not only directly represents a violation of media freedom, but also creates the effect of intimidation for all journalists in Serbia, which is a key point for adequate information for citizens of this country.

3. In spite of numerous reports, on the social network Facebook there is still a sponsored page under the name "Covid 19- Serbia" used for targeting everyone who thinks differently and journalists who are professionally doing their job. The new victims of public targeting were former Commissioner for Information of Public Importance, [Rodoljub Sabic](#), who is accused of spreading fake news, and journalist [Ana Lalic](#), who was previously arrested for publishing the text about the conditions in the Clinical Center of Vojvodina.

4. The television N1 has again been the target of the tabloid attacks close to the ruling party because of the work of their journalists and reporting from a press conference on the ongoing crisis over the corona virus. Zaklina Tatalovic, a journalist from N1, drew a lot of public attention by asking why members of the Crisis Staff left the press conference the previous day, and shortly thereafter some of them appeared on the television Pink and whether they in that way threatened the right to information of all citizens. The reaction to that situation was the attacks by the daily "Informer" and their editor-in-chief [Dragan Vucicevic](#). On his twitter profile, Vucicevic accused the journalist of being a "sick heiter" and mercenary of Dragan Djilas and Dragan Solak. However, the target of the same man was the program director of the N1 television, Jugoslav Cosic, who Vucicevic accuses of being a "[mercenary](#)". Zaklina Tatalovic and Jugoslav Cosic also appeared on [the front page of the daily "Informer"](#), which accused them of being "sick heiters who are attacking doctors". Unfortunately, such attacks are no novelty, and their frequency is certainly compounded by the absence of response from the authorities, which in turn encourages the tabloids to continue labeling and insulting independent journalists.

5. From the very beginning of the crisis, and especially since the declaration of a state of emergency, the local media have been facing with big difficulties in their regular work. In addition to the refusal of the provision of information by competent authorities, primarily city or municipal or health care institutions, their position is further complicated by the Government conclusion of informing the population about the condition and consequences of infectious disease Covid-19, which makes complete centralization of public information. In this regard, the public in some places in Serbia is disturbed by the ceasing to publish information on the number of infected and hospitalized, such as the situation in the city of Nis. The journalists of the [portal "Juzne vesti"](#) tried to get information from the Mayor, Darko Bulatovic, but they were told that after reaching a Government Conclusion, they could only seek information from Crisis Staff. As a consequence of the non-disclosure of official information, [fake stories](#) of a large number of infected and deceased began to emerge, which, in addition to distrust in official data, led to public outrage. The strategy to use censorship instead of publishing reliable information against fake news in a timely manner has only made the situation worse in most places in Serbia. Reporters from the [Sumadija](#) district, as well as from the [Timok](#) region and other parts of eastern Serbia also warned about this.

In addition, more and more doubts about official information are emerging, primarily regarding the transmission of infection in individual institutions. In this regard, a doctor employed at the General Hospital of the Cuprija city, [Predrag Drenovakovic](#), claims that falsehoods have been published about how the infection occurred at that institution. Specifically, Drenovakovic argues that the case of his colleagues' infection cannot be considered an "imported case" (that is, they became infected outside of office hours) but that they are a direct consequence of working with a colleague, Goran Ivankovic, who died as a result of the virus corona. He also claims that the virus has spread due to poor conditions and poor organization of work.

6. The High-tech crime department has [arrested](#) a suspect for spreading fake news about the introduction of a twenty-four-hour curfew, but it later turned out to be the wrong person was arrested. The public in Serbia was confused and upset after a large number of citizens got a SMS text message about the alleged introduction of an all-day curfew, which was soon denied by the Minister of Internal Affairs.

7. The social network Twitter announced that it has deleted [8558 false accounts](#) that served to promote the ruling Serbian Progressive Party and its leader and Serbian President, Aleksandar Vucic. In addition, these accounts have often been used to offend and target political opponents, independent journalists and everyone who thinks differently.

8. [The GONGO organization "Council for Monitoring, Human Rights and Anti-Corruption -Transparency"](#), headed by Secretary General Mario Spasic, made an announcement on the arrest of the journalist of the portal "Nova.rs" in order to warn editors-in-chief to obey the law and to refrain from publishing the information from unverified sources. At the same time, they stressed that "the Government of Serbia should be understood" because of the difficult situation caused by the corona virus pandemic. It is more than clear that this was the usual work of the GONGO organizations and the main aim of this statement was to relativize the persecution of ineligible journalists and to mitigate the revolt that provoked the arrest of journalist Ana Lalic in the domestic and international public.

## Other freedoms

*During the State of Emergency, Civic Initiatives will also report on violations of other human rights.*

1. [The practice of expressly convicting violations](#) of self-isolation measures as well as court proceedings through the Skype application continued, which provoked huge reactions of the lawyers who claim that this violates the right to a fair trial. [The Ombudsman Zoran Pasalic](#) stressed that the right to a fair trial is not subject to the possibility of limitation even during a state of emergency and urged the Ministry of Justice to take measures to enable communication between the defendant and defense counsel in a separate room, without the presence of third parties, by monitoring only by watching and not by listening, without limiting the duration of communication to 30 minutes, in order to create the necessary conditions for conducting a confidential interview and preparing the defendant's defense.

2. [Jovana Popovic](#) from Kikinda, who was arrested for allegedly violating a quarantine measure after returning from Montenegro, remains in custody after the Basic Court of Kikinda dismissed her lawyer's appeal. We remind you that Jovana Popovic became known to the general public by performing a song that criticized the authorities and performed it at a large opposition protest as well as at the other civic protests in Belgrade. This further raises the suspicion that, apart from the application of disproportionate measures, it is an example of political retribution by misusing power during a state of emergency.

3. [The Coalition for Charity](#) submitted a proposal to the Government of the Republic of Serbia and the Council for Philanthropy seven measures whose implementation would provide more efficient assistance to the most vulnerable population. Based on the needs of civil society, good practices from other countries, as well as consultation with relevant stakeholders, it was suggested that a working body be set up at the Philanthropy Council, whose role would be to coordinate cooperation with civil society. In addition, measures are envisaged for the temporary abolition of VAT on food donation, i.e. VAT refunds to non-profit organizations that donate goods and services. They also emphasize the need to encourage citizens to help with their donations, as well as to promote the Guide for tax reliefs for donors. Finally, they insist on introducing PayPal donations and securing movement permits for employees in the nonprofit sector