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# THREE FREEDOMS PLATFORM

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Civic  
Initiatives

freedom of association

freedom of assembly

freedom of expression

## Three freedoms under a magnifying glass

### Review of cases of violations of basic human rights in Serbia

17-30 July, 2020

#### Freedom of association, assembly and expression

- [The Directorate for the Prevention of Money Laundering](#) at the Ministry of Finance has compiled a list of organizations and individuals and asked banks to inspect all their transactions in the last year. In this way, the Administration activated the mechanism provided by law in order to explore the possibility of participating in the process of "money laundering" or terrorist financing. The list includes 20 individuals and 37 organizations or associations, and what is common to almost all of them is that in their work they were critical of the current regime. The list includes, among others: NUNS, UNS, CINS, BIRN, KRIK, CRTA, the Association of Local and Independent Media, and the Novi Sad School of Journalism. European Movement in Serbia, Humanitarian Law Center, Civic Initiatives, Vojvodina Civic Center, Youth Initiative for Human Rights, Bureau for Social Research (BIRODI), Committee of Lawyers for Human Rights (Yukom), Center for Euro-Atlantic Studies (CEAS), Center for international cooperation and sustainable development, the Center for the Rule of Law, the Belgrade Center for Security Policy, the Belgrade Center for Human Rights, LIBEK, CANVAS, the National Coalition for Decentralization, the Helsinki Committee for Human Rights, the Trag Foundation, the Catalyst Foundation and others. [Article 73 of the Law on Prevention of Money Laundering and Terrorist Financing](#) stipulates that the management may require the bank to submit data if it "assesses that in connection with certain transactions or persons there are grounds for suspicion of money laundering or terrorist financing." In this regard, more than [230 organizations and individuals](#) in a joint statement demanded that the Ministry and the Administration without delay present to the public the grounds for suspicion on the basis of which they started such investigations, emphasizing the suspicion that this was an attempt at political abuse and further collapse of democracy in Serbia. The signatories of the statement point out that they will take all appropriate legal actions against persons involved in this abuse, including criminal prosecution, but also that such pressure will not deter them from continuing the fight for a democratic, free and legally regulated Serbia. [Civic initiatives](#), which in cooperation with the Directorate for the Prevention of Money Laundering and the Office for Cooperation with Civil Society participated in educating organizations on the risks of abuse, have repeatedly warned international institutions, primarily the Council of Europe MONEYVAL Committee, to take measures. they can be abused by the authorities in Serbia. Civic Initiatives have announced that they will terminate all cooperation with institutions that implement the Law on Prevention of Money Laundering and Terrorist Financing, and that they will inform the relevant international organizations about this abuse. On the occasion of the publication of this list, the [European Commission](#) also announced that in its statement it requested the publication of detailed

information by the Management, as well as clarification of the criteria when selecting organizations and individuals that will be subject to control. Commission spokeswoman Ana Pisonero said civil society organizations and human rights activists have a key role to play in raising awareness of civil and political rights and must be allowed to work freely. The head of the European Parliament's delegation for cooperation with Serbia, [Tanja Fajon](#), stated that any unjustified investigation into the work of civil society organizations should be considered pressure on them. On this occasion, the US Embassy in Serbia also spoke out, emphasizing that they are worried about "something that acts as a selective investigation of civil society organizations and media houses." The Embassy calls on the Government of Serbia to fulfill its constitutional and international obligation to protect fundamental freedoms of expression, association and assembly, as well as to avoid selective application of the law in order to put pressure on independent organizations. Civil society organizations have been the target of pressure from the authorities in the past, but this can be considered the most comprehensive action that makes their work more difficult. In addition to the practical problems that organizations may encounter in control procedures, it is worrying that in this way their reputation in public opinion will be further endangered, bearing in mind that they have been subjected to a strong campaign for decades marking them as foreign mercenaries and enemies of Serbia.

- [A group of 89 civil society organizations and the media](#) filed a complaint with the Commissioner for Information of Public Importance and Personal Data Protection, due to the incomplete response of the Institute of Public Health of Serbia "Batut" regarding data on the health of Serbian citizens in the corona virus epidemic. On July 9 this year, a request was sent to the "Batut" institute requesting information on the number of tested citizens, as well as on the number of patients positive for corona virus and the number of hospitalized patients. Instead of a response, organizations were referred to the Office for Information Technology and Electronic Administration of the Government of Serbia and the Ministry of Health, as data processors presented to the public. The denial of this information to the public has caused an increase in distrust in the work of the Crisis Staff and the competent authorities, which creates fertile ground for the dissemination of unverified information and theories that can negatively affect public health.
- After the attack on the [journalist of the Nova.rs portal Vojislav Milovancevic](#), the identity of the attacker was revealed, who soon after admitted his guilt, concluded a plea agreement with the Prosecutor's Office, on the basis of which he was sentenced to one year of house arrest. This is only the first solved case after numerous attacks on journalists who reported on the protests held in several cities in Serbia at the beginning of July 2020. [10 relevant international organizations](#) appealed to Minister of Interior, Nebojsa Stefanovic, reminding him that the obligation of the police is not only to protect journalists from threats, but also to refrain from attacking journalists. The letter gives examples of attacks on journalists, both by other protesters and the police, and demands that the authorities do their job and prosecute and sanction the perpetrators. On the occasion of the increasingly frequent attacks on journalists, the [Association of Journalists of Serbia](#) announced that it would launch an initiative to amend the Criminal Code in order to provide for a prison sentence for attackers for each attack on journalists. The statement points out that it is necessary for journalists to have the same treatment as other persons who perform work of public interest, recalling the recent changes in that law, which provided for the tightening of sanctions due to attacks on lawyers and members of their families.

- The municipal board of the ruling Serbian Progressive Party in Vranje issued a statement in which [the journalist and editor of the InfoVranjska portal](#), Sasa Stojkovic, is insulted and belittled in the most primitive way. The reason for the attacks was the author's text of this journalist, in which he deals with the issue of forming the government in Bujanovac without the participation of the SNS, as well as the current conflict between the authorities in Surdulica and the ruling party. The response that followed from one political organization surpassed even the texts of the tabloid media. The statement also accuses Stojković of "loving Shiptars and their institutions". On this occasion, the Independent Association of Journalists of Serbia reacted, condemning this attack not only on one man and his family, but also on the work of journalism and human dignity. This text is proof of the drastic deterioration of the culture of dialogue in public space, and it is especially problematic that this way of communication comes from people who exercise power and should act as representatives of all citizens.
- [The journalist of the bujanovacke.co.rs portal](#), Nikola Stevanovic, was verbally attacked while photographing the gardens of Bujanovac cafes for the purposes of reporting on events in the city during epidemiological measures due to the corona virus pandemic. On that occasion, an unknown man insulted him, but also threatened to "beat him". In the following days, the public revealed that the man who threatened the journalist was employed as a traffic policeman who was not on duty at the time of the incident, but was sitting in the presence of two uniformed police officers who did not react to his threats but laughed. The Police Administration in Vranje announced that [criminal charges](#) will be filed against the attacker due to the existence of grounds for suspicion that he committed the criminal offense of endangering security.
- [The Center for Investigative Journalism of Serbia \(CINS\)](#) published an analysis of 43 convictions of misdemeanor courts in Belgrade and Novi Sad after the protests that were held in these cities in early July. The analysis shows that half of these verdicts were passed solely on the basis of police testimony and without other evidence, as well as that there is significant inequality in court practice, so that prison sentences and mild fines were imposed for the same act. One of the convicts is student Igor Sljapic, who carried a banner with an inscription "What will you do when you spend all the tear gas", who was arrested by police officers and later sentenced to 30 days in prison for allegedly insulting officials. A total of 82 proceedings were initiated. 43 convictions were handed down, 9 acquittals, and 30 proceedings are still pending. 13 appeals were filed against the first instance verdicts, and 7 verdicts were revoked. As for convictions, 10 prison sentences were imposed, and fines ranged from 10,000 to 80,000 dinars. A significant number of convictions were handed down based on the testimony of trusted police officers, while disputing the defendants' statements. In one such case, the court assessed as a clear, logical and impartial statement of a police officer who stated that he noticed the accused in the crowd, that he had certain hand movements, that he was not sure whether he was targeting the City Hall in Novi Sad. Vladica Ilic from the Belgrade Center for Human Rights pointed out that the fact that someone has the status of an official does not mean that his testimony should be trusted more than the statements of other citizens, and that in the absence of stronger evidence, the presumption of innocence must apply. The report shows that the most drastic sentences were handed down by Judges Goran Milutinovic and Djuro Pavlica, who tried 12 cases and handed down 9 prison sentences. In one such case, a person was sentenced to imprisonment for an insulting message, although a milder sanction could have been imposed, but the court decided on imprisonment for "causing more serious consequences". On the other hand, the judges did not take into account the statements of the accused, such as the one given by the later convicted man, who denied that he had participated in the protests at all, but that he was just returning home from work. It also did not take into account that many of the accused were exposed to police brutality during the protests. We remind you that so far no member of the police has been prosecuted for evidently exceeding their authority and using force against citizens who protested peacefully. This practice leaves room for reasonable suspicion that the competent authorities made decisions under political pressure and that drastic punishment on the one hand, as well as impunity for police brutality on the other, was aimed at discouraging citizens from further participating in protests

and freely expressing their political views and beliefs.