

THREE FREEDOMS UNDER THE MAGNIFYING GLASS

Cases of violations of basic human rights in Serbia May 7 - 20, 2021



Freedom of expression – Director of the Security- Information Agency sues journalists

The director of the Security-Information Agency, Bratislav Gašić, sued investigative portal and OCCRP partner KRIK for publishing an article reporting on the allegations made against him by at the trial of prominent underworld figure Zoran Jotić Jotka. The lawsuit alleges that the publication of that article directly damaged Gašić's honor and reputation, due to the malicious interpretation of what was said by journalist Milica Vojinović. During the mentioned trial, the recording of a wiretapped conversation of one of the accused was released, in which it is claimed that Jotić was protected because Bratislav Gašić was on his payroll. The lawsuit alleges that the purportedly incorrect interpretation published by KRIK caused Gašić mental and physical anguish, with Gašić stating that the media "must be aware of limits they have to respect". The editor of KRIK denied the allegations that the article they published violated legal norms or professional and ethical codes, revealing that Gašić was asked to comment, but refused to answer journalists' questions and give his view of the situation. **Given the amount of damages requested is half a million RSD, this lawsuit is an obvious continuation of the new trend of SLAPP lawsuits against journalists who express criticism about the actions of the current government or point out potential violations of the law and abuses of public office. This endangers the work of independent journalists, and excessively high lawsuits endanger the financial existence of the media.**



Dutch journalists attacked by factory security

The security of the Linglong car tyre factory in Zrenjanin obstructed the work of and later attacked a team of Dutch journalists while they were trying to take a statement from activist Ivan Živkov. On that occasion, the private security hired by the Chinese investor tried to dissuade journalists with the Dutch outlet Nederlands Omroep Stichting from filming the statement, explaining that it was forbidden to film within the factory complex, even though they were meant to film in a public area 100 m from the factory gate. **They further tried to prevent the journalists from doing their job by jumping in between the camera and the activist who was supposed to make the statement. It all culminated with security physically pushing the journalist and shoving away their equipment.** At the same time, security employees took photos of the present journalists, as well as their cars and license plates. No police officers were present during the incident. **This attack represents a direct violation of both media freedoms, but also an indirect violation of activists' freedom to express their views in a public space.**

Freedom of association – *Fascist and threatening graffiti on the walls of a Belgrade CSO*

Fascist and threatening graffiti appeared on the walls of the cultural center "Magacin" (Warehouse) and the Creative Educational Center for Persons with Disabilities, which is why the initiative "Don't Let Belgrade D(r)own" demanded that the competent authorities remove them immediately. In addition to drawing fascist symbols on the walls of these institutions, graffiti with the inscription "We are waiting for you" also appeared, but it remains to be investigated whether this message is intended for the artists using these spaces or whether it is directed at another group.

Freedom of assembly – *Criminal complaints filed against park protesters*

Criminal charges were filed against three civil activists from Leskovac due to their alleged violation of epidemiological measures during the pandemic. They stand accused of organizing protests against the investor who planned to build in the area where a local park is currently located. One of the activists against whom the charge was filed, Aleksandar Rangelov, stated that the charges are baseless, as the protests were a spontaneous gathering of citizens and neighbors from surrounding buildings, and thus there is no place to talk of any responsibility for the organization of the protest. Furthermore, the gatherings were held respecting all epidemiological restrictions.

Charges were also filed against two professional residential supervisors who had previously filed objections to the urbanism plan foreseeing this construction project. This case's particularity lays in the fact that the investors, that is the owners of the company carrying out the projects, are also employed lawyers in the legal office that filed the charges. **The choice of citizens against whom the charges have been filed indicates the issue is not a genuine concern for public health but rather an intent to suppress freedom of association and prevent citizens from expressing their opinions on decisions that are of immediate importance to their everyday life.**



Member of Parliament calls for protesters to be followed

During a session of the National Assembly of the Republic of Serbia, Socialist Party member Snežana Paunović appealed to the Ministry of the Interior to keep track of protest organizers and participants, as well as to conduct security assessments following which, in case a risk was determined to exist, certain gatherings could be banned. On that occasion, she also appealed to the police to conduct regular ID checks of protest participants. It is especially worrying that such a statement appealing for restrictions on freedom of assembly came from an MP of the ruling majority, during a National Assembly session, and that such a proposal has not been adequately answered nor rejected by other MPs. **This statement is in line with the ever more frequent restrictions on freedom of assembly in Serbia, and might represent a warning heralding further deterioration of freedoms in this area.**

MONITORING



Euronews Serbia starts operations, flouting media laws and strategy

A ceremony was held in Belgrade on the occasion of the French Euronews television starting operations in Serbia in cooperation with Telekom Serbia, the franchise holder of that television. **Back in 2019, Civic Initiatives warned the domestic and international public that this was a violation of media laws in Serbia, as well as the then draft of the new Media Strategy, which envisages the obligation of the state to withdraw from the ownership structure of the media. Bearing in mind that this is a franchise agreement, which retains the legal personality of the franchise holder, which in this case is Telekom, a company which is majority-owned by the state, there remains a reasonable suspicion that the law has been violated, especially since the Law on Public Information and Media explicitly prescribes that a state-owned enterprise must not be the owner nor participate in the ownership structure of the media.** Telekom Srbija has rejected such allegations, and has offered an explanation that this legal restriction does not apply to them, bearing in mind that this company is not being financed from the budget, and instead secures its financing by placing shares on the market like other joint-stock companies. This thesis is also favored by the Regulatory Body for Electronic Media (REM), which issued a broadcasting license to Euronews Serbia in September 2020, in which it referred to the argumentation by which the Ministry of Information explained their granting approval for the broadcasting of Arena Sport television. According to this argumentation, there is no legal obstacle for the state participation in the capital of Telekom, considering that it is an open joint-stock company.