

MAY 21 - JUN 3, 2021

THREE FREEDOMS UNDER THE MAGNIFYING GLASS

Cases of violations of basic human rights in Serbia May 21 - June 3, 2021



Freedom of expression - *New SLAPP suit against local journalists in Vranje*

The founders and legal representatives of the company "Millennium Team", Ivan Bošnjak and Stojan Vujko, filed another lawsuit against Sasa Stojković, the editor-in-chief of the Info Vranjske portal, as well as the CSO Integration Team, which is the publisher of said portal. The lawsuit seeks compensation for non-pecuniary damages in the amount of **2,000,000 dinars**, which clearly indicates that this is another in a series of SLAPP lawsuits filed by the Millennium team and related persons against the media and journalists in Serbia.

As in the case of previous lawsuits with millions in damages, the cited reason for the lawsuit was the outlet's reporting of statements by opposition politician Vuk Jeremic about the suspicious business ventures of this company. **The goal of such action is to exhaust the local media financially, which would soon lead to their shutdown and the extinction of information at the local level.** Serbia has not yet developed an institutional mechanism to prevent this type of abuse of rights and thus enable journalists to enjoy their right to freedom of expression and freedom to work without hindrance or pressure.

Freedom of association - *Nationalist campaign against CSO director*

The director of the Institute for European Affairs, Naim Leo Beširi, found himself under attack by unknown authors who, through the Facebook page "Ustanak.rs", accused him of being an "Albanian lobbyist", alluding to his last name. The consequence of such public targeting was a series of insults and threats directed at Beširi in the days after the publication of the post. Unfortunately, this is not the first time that Beširi has been the target of a nationalist campaign, bearing in mind that he faced similar attacks a month ago when insults and threats were directed at him through social networks by activists of the ultra-right Serbian Radical Party. Apart from his surname, which nationalists associate with Albanian ethnic origin, the motive for these frequent attacks is Beširi's civic activism and open commitment to Serbia's entry into the EU, as well as to unconditional respect for human and minority rights. **It is worrying that in this case, too, there was no reaction from the competent authorities and that none of those who made the threats were prosecuted, as well as the fact that none of the authorities publicly condemned this incident.**

MONITORING

**SOS TELEFON ZA NOVINARE –
0800 100 115**



30 calls to the journalist SOS hotline in May

The working group for the safety of journalists announced that during May 2021, about 30 calls to the SOS hotline for reporting violence and threats to journalists were recorded. Of that number, only three reports were sent for further action to the Ministry of the Interior or the Prosecutor's Office. This data shows that the trend of attacks and threats to journalists is still ongoing, but that the competent institutions took action only in a small number of cases. A report was presented at the session of the Working Group, stating that a total of 38 cases were formed from January to the end of April of this year due to attacks and threats to journalists, and 37 suspects in such cases were identified.

No progress made in two years in journalist's court battle to fight insults

Two years after journalist Nenad Živković filed lawsuits against RTV Pančevo and the epancevo.rs portal for numerous articles in which his character and work were rudely insulted and in which he was described as a traitor to Serbia, the trial has not progressed beyond the first phase - the stage of the preparatory hearing. **For more than two years, the court has not heard statements from the editors-in-chief of the television and portal charged in the case, which clearly indicates that, apart from the usual inefficiency of court proceedings in Serbia, there is a conscious intention to prolong the procedure in order to make it meaningless.**

New law on civil procedure presents a threat to media in Serbia

The Ministry of Justice published the Draft Law on Amendments to the Law on Civil Procedure, which was drafted by a working group in which representatives of civil society organizations were not represented. This has resulted in a legal text that has been met with numerous public condemnations and mass protests by lawyers demanding its immediate withdrawal. On this occasion, Human Rights House Belgrade, which brings together several civil society organizations, announced that it strongly opposes the unfair solution proposed in the draft according to which citizens' access to court would be conditioned by the payment of steep court fees, and that such a draft threatens the constitutionally guaranteed right to a fair trial, and introduces discrimination against citizens on the basis of their financial situation. **The proposed solution would put local media, which are faced with so-called SLAPP lawsuits, in jeopardy, because their success in front of the court would depend on whether they can pay the fee for responding to the lawsuit, and the amount of those fees is not less than a few hundred euros per lawsuit.** According to the provisions of the proposed draft, in case of non-payment of the fee, it will be considered that the defendant withdrew their response, which opens the possibility for passing a verdict due to omission, which means the adoption of the plaintiff's claim. **In that way, the existence of local media has become very uncertain, which is just another reason why it is necessary to withdraw the proposed draft in its entirety.**

MONITORING



European Commission semi-annual report on Serbia: the media situation is a "gray zone"

The **European Commission** has prepared a semi-annual report on the current situation regarding the negotiation chapters 23 and 24 in the process of Serbia's European integration. A significant part of the report refers to the situation in the media, which is defined as a "gray zone". The report notes that the trend of so-called "information leakage" from criminal investigations and their publication in pro-government tabloids is still current, and this behavior is in no way in the interest of conducting an investigation and conducting efficient and fair procedures. It is also noted that televisions with a national frequency in most cases openly or indirectly support government policy, while media offering alternative views face limited reach and access to citizens. It was also noticed that televisions with a national frequency give significant media space to political analysts who cannot be considered neutral, and that in that way they influence the shaping of public opinion and political attitudes of citizens. Finally, great concern is expressed about increasing threats and violence against journalists, which generally go unpunished. **Taking into account the findings on the state of the media in Serbia from last year's European Commission report, as well as the very unfavorable environment for media work in practice, this semi-annual report is not a surprise and shows what can be expected as an assessment in the next EC annual report.**