



Citizens associations: **Shrinking space for civil society's activism in 2021**

INTRODUCTION

Context

Considered from an institutional and normative aspect, the conditions for civil society organisations' work (CSOs) can be qualified as unfavourable, however, if we take into account the broader socio-political context, and first and foremost, the dominant public discourse and odium towards the civil sector, then the overall environment in which CSOs are functioning can be characterised also as hostile. The establishing of the Ministry of Human and Minority Rights and Social Dialogue has not contributed to the qualitative improvement of this condition, nor to the alleviation of the growing tensions in the society due to the unrepresentative constitution of the National Assembly of the Republic of Serbia, the lack of institutional dialogue and the space for political articulation of a large number of citizens' attitudes. Apart from the almost day-to-day negative campaign conducted through tabloids, institutional pressure in the form of unjustified tax controls and impunity of attacks on activists and journalists, in 2021, civil society faced new forms of pressure which fundamentally jeopardise their work and survival. Namely, it is about the newly established practice of filing the so-called SLAPP lawsuits against civil society organisations and local media. The aim of such complaints is not to reach justice, nor is it to gain adequate financial compensation and damages for distress or damage to reputation of the claimant, but to financially drain the media sued, which would in turn bring about the complete cessation of their work or at least self-censorship out of fear for further existence. Additionally, a new mechanism of limiting citizens' practice of their constitutional right to freedom of expression was established, in the form of previous police visits of the activists and their premises, who in this way inform them that in case the activists partake in protest meetings, they would be legally prosecuted for misdemeanour or crime.

Reports of all relevant international institutions and organisations, starting with the European Commission official progress report on Serbia, confirm the absence of progress in this domain. The "Reporters Without Borders" report states that Serbia is stagnating on the list of countries for the freedom of press and that it again fell to 93rd position out of 180 countries which had been subjected to monitoring. Additionally, it stresses that the pro-government tabloid newspapers use sensationalist headlines and put out fake news, as well as that attacks on media and journalists are almost a regular phenomenon. Even more dramatic are the

findings of the report by the international organisation Freedom House, which ascertained that in the last decade, Serbia, alongside the USA, is a state which has marked the most drastic deterioration of political and civil liberties, however according to the overall placement, unlike the USA, which still ranks with the group of free countries despite this decline, Serbia is in a category of partly free countries, alongside Albania, Kosovo, Bosnia and Herzegovina and North Macedonia. The occurrence of problems, as well as failing to solve certain problems have practically confirmed such findings. The civil society's distrust of the sincerity of the authorities' intentions has been additionally amplified by their failure to solve "The List" affair, taking into account the fact that the investigation results have still not been officially published – the investigation conducted against several dozen of CSOs, media, journalists, and activists – as well as, that it still has not been ascertained who is responsible for exceeding authority, the abuse of legal mechanisms, and inflicting immense damage to those subjected to checks, but also to the civil society as a whole. CSOs distrust of the authorities, as well as the authorities' ignorant attitude towards the propositions, initiatives, criticism and suggestions of the civil society have left consequences in terms of a strained mutual cooperation in the field of production of strategies and legal acts, which in turn influenced the exacerbation of the normative framework relevant for the civil society's work and activities. As the response to such a treatment by the authorities, a logical decision ensued, made by a dozens of CSOs which refused to take part in the making of the Strategy for creating a stimulating environment for the development of civil society in the Republic of Serbia.

The consequence of such a relationship is the displacement of the centre of the fight for the protection and improvement of fundamental human rights and freedoms, from the institutional to the non-institutional arena. Throughout the year, and especially during the months of November and December 2021, citizens protested in great numbers in the cities and municipalities the violation of their right to participate in political life. The nominal reason was the undemocratic manner of the adoption of the Law on the Referendum and the People's Initiative, whose initial version drastically limited the rights of citizens to participate in crucial decision-making processes, however the motive for a general social unrest was contained in the general feeling of citizens' exclusion from the decision-making which has essential consequences for their lives, as it was the case with the issue of lithium exploitation in Serbia by the multinational corporation Rio Tinto. This non-institutional manner of action depicted the power of citizens, who with their activism managed to, at least temporarily, stop

certain dangerous projects and obtain the adoption of more favourable legal solutions, and at the same time, the institutions' weakness, who instead of opening up space for a broader social dialogue, reached for mechanisms for limiting civic activism and shrinking space for citizens' participation in significant processes through a number of misdemeanour charges and other forms of pressure on citizens who took part in the protest meetings.

Methodology

The report before you was created on the basis of methodology applied in the previous report as well, the report from 2020. The analysis follows findings which point to the shrinking space for action in the domains defined by the Matrix for monitoring stimulating environment for the development of civil society, which was created as the result of the Balkan Civil Society Development Network (BCSDN) and its members work. The matrix follows the situation in three broadly outlined domains, divided into subdomains:

Domain 1: Fundamental legal guarantees of freedoms

subdomain 1.1: The freedom of association (the right to establish formal and informal organisations and groups; freedom from state's unauthorised involvement in the internal matters of the CSOs; freedom to seek and provide financial resources from various domestic and foreign sources);

subdomain 1.2: Related freedoms (the right to freedom of peaceful assembly; the right to freedom of expression).

Domain 2: CSOs financial vitality and sustainability framework

subdomain 2.1: Tax/fiscal treatment of the CSOs and their funders (tax deductions for CSOs; stimulus for charity donations of individuals and legal entities)

subdomain 2.2: State support (financing CSOs, including institutional grants; transparent procedures and practice of distribution of public funds to CSOs; the system of responsibility, monitoring, and evaluation of public financing of CSOs; non-financial support of the state);

subdomain 2.3: Human resources (comparative treatment of profit and non-profit organisations; policies and laws on volunteering; promotion of civic activism and citizens' participation in the decision-making through the education system).

Domain 3: Relationship the Government – CSOs

subdomain 3.1: Practice for cooperation framework (strategic documents for the development of the civil society; institutional framework for cooperation);

subdomain 3.2: Participation in the processes of policy-making and decision-making (standards which enable the CSOs participation in the decision-making processes; transparency and availability of policies and decisions, including free access to information; CSOs participation in inter-sectoral working and advisory bodies dealing with decision-making and policy-making);

subdomain 3.3: Cooperation in the provision of services (provision of services by CSOs; state financing of services provided by CSOs; equality in the market of services and public procurement between profit and non-profit organisations)

In this report, Civic initiatives reports published during 2021 were used, firstly semi-monthly reports “Three freedoms under scrutiny”, created as a result of Three freedoms platform’s work. The Platform was signed by 20 organisations from Serbia in April 2019, and its aim is the protection and improvement of three fundamental freedoms determining the civil society’s position – the freedoms of expression, association and assembly. Within the Platform, which contains demands directed at domestic and international actors for advance of the Serbian civil society’s position, it is stated among other things, that its signatories will act as a mutual front of civil society organisations for protection of endangered freedoms and for the creation of conditions for undeterred citizens’ participation in the public matters through the civil society’s development. For the purpose of the creation of this report, data was collected through desk research, by accessing reports and studies of relevant domestic and international organisations and analysis of publications and posts in traditional and internet media and on social networks.

DOMAIN 1: BASIC LEGAL GUARANTEES OF FREEDOMS

Subdomain 1.1: The freedom of association

The case known as “The List” was not resolved during the 2021, when the Administration for the Prevention of Money Laundering sent out a query to business banks requesting insight into financial transactions of certain media, journalists, CSOs and activists for whom they thought there was a reasonable doubt of partaking in money laundering or financial

terrorism. CSOs were consistent in their demand that the public be notified about the results of the investigation launched, but also in their demand to ascertain the legal grounds the investigation had been based on, as well as who was responsible for the blatant unlawful action. While the domestic institutions in charge remained silent, International Body for the Prevention of Money Laundering (FATF – Financial Action Task Force) established that such control had been unfounded and warned Serbia not to abuse its authority granted by law. The obvious lack of willingness to solve this case which entails legal, professional, and perhaps even political responsibility of those who had abused the law, proves the dishonest invitations by the Government to the CSOs to take part in the process of preparation for the National assessment of non-profit sector's vulnerability to terrorism financing.

Civil society organisations were once again the victims of authority abuse through placing institutional pressure with the objective to aggravate their functioning. Unfounded and unjustifiably long tax and other forms of control have led to the practical obstruction of the CSOs work and caused them reputational damage in a way that by very initiation of such processes the decades long dominant narrative on non-transparency of the CSOs work and their financial and political dependence on foreign states and international organisations is only consolidated.

Parallel with the functioning of the GONGO organisations, whose aim is to discredit the work of CSOs and prevent relevant CSOs access to public financing, a new practise of disavowal of the work of media by establishing phantom web portals was also noticed. The point being that the newly established web portals completely take over the name and visual identity of the existing ones with the aim to cause confusion with the readers. The main activity of such phantom web portals aims to discredit the media whose identity is illegally taken over and co-opted.

The most severe blow to the freedom of association in Serbia came in July 2020, when the Administration for the Prevention of Money Laundering and the Financing of Terrorism sent out the query to commercial banks asking them to gain insight into financial transactions of a large number of CSOs, activists and journalists, due to the alleged reasonable doubt that money laundering had been carried out disguised in their activities. On the list the Administration created were more than 50 organisations and individuals who suffered great damage, first of all reputational, since by doing the before-mentioned, the stereotype

dominant in the last decades in the public that CSOs and investigative journalists are foreign mercenaries and enemies of the state only gets additionally consolidated and solidified. From the very beginning since the public was acquainted with the case, civil society organisations demanded explanation of the legal grounds the before-mentioned investigation had been initiated and conducted according to, the actions and evidence which constituted the reasonable doubt for any actor from the list to be involved in money laundering and terrorism financing, and insisted as well, that the authorities in charge publish the results of the investigation and establish responsibility of those who had initiated the whole case with no grounds whatsoever. During 2020, but also in 2021, the authorities of the Republic of Serbia in charge persistently refused to provide answers to these questions, instead offering clumsy justifications. Taking into account that in this way gravely serious accusations on the account of CSOs actions were stated, and indirectly also of their funders who are mainly from the EU, this topic quickly transcended the borders of the domestic issue of Serbia. The inclusion of international actors led to more concrete results in relation to the work of the domestic institutions. In this way, six months after the opening of “the List” case, the International Body for the Prevention of Money Laundering (FATF – Financial Action Task Force), reacted with a post that such check-up are unfounded and it established that the state does not have the rights to conduct that form of control, if there is no reasonable doubt that someone is participating in terrorism financing, which was not the case with any individual names from the list. This reaction came after the UN experts in November 2020 emphasised doubt that the state had abused its authority in order to come by data on those who had been critical towards authorities’ work and actions. It was clearly stated that the non-profit sector had to be included in the process of terrorism financing risk assessments willingly, and not by the abuse of the Administration’s authority, which was the response to the Government of the Republic of Serbia’s explanation that the aim of the inquiry in the banks’ data had been the preparation of the non-profit sector’s strategic analysis right before the inception of the process of new risk assessments’ creation. It is exactly because the reaction to this case came from international, and not domestic institutions in charge, that the group of civil society organisations pointed out to the state’s dishonesty in the case of the invitation they had received to take part in the preparation of the National assessment of non-profit sector’s vulnerability to terrorism financing. Besides the remark, the CSO group also sent out a request to stop this procedure until the responsibility for “the List” case was officially established. The Ministry of Human and Minority Rights and Social Dialogue and the Working group for the creation of terrorism financing risk assessment invited CSOs to fill in

the Questionnaire for the assessment of non-profit sector's vulnerability to terrorism financing. This invitation was not preceded by the previous presentation of the purpose and aim of the process of the assessment's creation, nor the methodology of collecting data and the manner of its later usage. This approach clearly points out to the fact that the procedure was not sufficiently inclusive and transparent from the very beginning, which is why the issue of declared intention that the "final risk assessment is a mutual result of the work of all institutions and civil society organisations" is rightly questioned. In this respect, one could claim that the state of Serbia has continued to ignore [MONEYVAL conclusions](#) and international standards in this domain and has refused to acknowledge civil society as a relevant and legitimate partner in the creation of strategic documents.

During 2021, the practice of creation of GONGO organisations, but also providing institutional support to their work continued. [GONGO organisation Judges and Prosecutors of Serbia Association](#) welcomed the press release issued by the High Court Council about the publication of the series of articles as part of the project "Be the judge of who judges" published by the web portal KRIK. In the said press release it is stated that by publishing property record cards of certain judges and cases they presided over, unfounded pressure and labels are put on those people. In their press release, Judges and Prosecutors of Serbia Association states how High Court Council has the obligation to name a person who will on behalf of that body respond publicly to all the attacks by international organisations and domestic civil society organisations, and in that way compellingly protect judicial independence.

Nevertheless, a more serious problem is the favouring of GONGO organisations by authorities in charge, as was the case during the creation of the Draft Law on Public Information. On that occasion, [The Journalists' Association of Serbia, The Coalition for Media Freedom and ANEM network](#) pointed out to a number of oversights upon the formation of the before-mentioned Working group for the creation of the Draft Law on alterations and additions to the Law on Public Information and Media. In the press release it is said that among the members of the group one can find representatives of organisations which often participate in the work of boards for the distribution of budget means in public competitions, but that on the other hand one cannot claim that they are active in the field of protection of journalist and media rights and freedoms. Additionally, it is also stated that from the decisions on naming group members one cannot tell whose representatives were

eventually not selected, although they had applied for participation in its work, as well as that not one concrete criterion for the selection to the Working group was met, bearing in mind that despite the clearly stated criterion, individuals who are not lawyers by profession were selected to be the members of the Working group. In the end, it is stressed that the meeting held by the sectoral minister Maja Gojković with the journalist associations of questionable authenticity which do not exist in official registries, nor can be searched on the internet – their web site or data on the number of members – is extremely contentious. It is obvious that behind such an attempt lies an intention to artificially include people who are not authentic journalist associations' representatives into the Working group, an act which undermines the position and representation of the prominent media associations, which can eventually have implications on the quality and content of the legal text.

[Tabloid newspaper “Srpski telegraf”](#) published an article with the headline “Western mouthpieces get millions”, in which they express unverified information on financial transactions, projects done by the media and civil society organisations, as well as funders, who support their implementation. Besides the doubtless attempt to discredit these actors by abusing the narrative created throughout the decades which accuses the civil sector representatives of being foreign mercenaries and enemies of the state and the people, in this particular case a question is left open of how and on what legal grounds did the “Srpski telegraf” journalists come into possession of confidential information on financial transactions between the funders and project implementers. In this particular case, it is obvious that it is not only a matter of an ugly attack and the spreading of hatred and intolerance towards the media and CSOs, but that there are strong indications that what occurred is a serious violation of the law and the abuse of authority and official position by those who enabled “Srpski telegraf” journalists' access to data protected by law. Due to the rate of such and similar campaigns, whose inception is almost without exception inspired by the president Aleksandar Vučić's public appearances, [more than 70 civil society organisations](#) wrote an open letter to the Minister for Human and Minority Rights and Social Dialogue, Gordana Čomić, demanding that she acknowledged, condemned and prevented attacks on civil society and media by those in power. In the letter, it is especially emphasised that the president Aleksandar Vučić's statements that CSOs avoid paying taxes are false, bearing in mind that it is exactly the civil sector which is the most transparent in terms of paying public debt and that their reports are subject to multiple internal and external controls. In the letter's conclusion, besides the appeal to minister Čomić, the CSOs also appeal to

domestic and international public to take a stand towards discriminatory campaigns led against civil society, stressing that such campaigns will not prevent, but will instead additionally motivate them to continue fighting for democracy, the rule of law and the protection and advance of human rights in Serbia.

Long-term practice of the establishing of GONGO organisations, which by their name, visual identity, field of activity, and in some cases by their manner of work emulate civil society organisations with several decades long history of activity, started to be applied in the domain of media as well. With the aim to confuse public and abuse someone's work which resulted in the creation of the recognisable brand, at the beginning of February 2021, [a plagiarised version of the web site "Južne vesti"](#) appeared, which differed from the original only in a different internet domain. This web site predominantly publishes news of neutral content, apart from those directly related to "Južne vesti" web portal, whose aim is to discredit the said media. In this way, the target of this portal's attacks was a journalist and "Južne vesti" editor, Gordana Bjeletić. In an article published on this phantom portal, Bjeletić is accused of working on intentional destruction of the ruling party's and Niš mayor Dragana Sotirovski's ratings, together with her colleagues, in exchange for huge amounts of money. It is indicative that the attacks on "Južne vesti" intensified after those in positions of power in Niš had started to confront journalists and refuse to provide answers to their questions. The owner of the domain where this web portal is registered is Ivica Golubović, and on the same address his company is registered at is the seat of the companies "TV Super-Sat Communication", and "Global Media Broadcast LLC" and "Info 24 media information company LLC" owned by Marko Aćimović. Very indicative fact which points out to the existence of the intention to use such actions to restrain the work of independent and objective local media is that the companies owned by Ivica Golubović and Marko Aćimović belong to the network of media stations "Info 24 Media LLC", whose president is Zoran Majdak, a man who executed an identical action related to "[OzonPress](#)" from Čačak in March 2020 through the same association. In the article which was then published by the original "OzonPress", it is stated that in 2012, Majdak and Aćimović were arrested for organising false SMS text message quizzes and contests on illegal "People's Radio". The two of them are also tied to an attempt of identity theft of the Valjevo web portal "Kolubarske.rs", and for insults directed at the editor in chief of the said portal, Darija Ranković – Majdak was sentenced to pay a fine. They attempted the same scheme in Gornji Milanovac where they tried identity theft of the "GM Info portal", and were unsuccessful, however, their company "Info 24" obtained 11.850.000

RSD from the local government, out of the overall 15 million RSD estimated. This data shows that this is no coincidence – it is about a systemic and locally supported attempt to overtake and shutdown local media. This process does not only imply identity takeover with the aim to create confusion, but also obtaining of money in competitions for co-financing of media projects, where phantom portals owned by those close to the ruling party existentially endanger media with long traditions, and leave citizens of those towns without the option to get adequate, truthful and objective information.

Civil society organisations were also the target of non-institutional undermining of their activities followed by the absence of the authorities' in charge reaction, but also the serious institutional pressure in the form of unfounded check-ups inflicting reputational damage and effectively obstructing their work throughout the duration of such check-ups.

Centre for Judicial Research (CEPRIS) was [under investigation](#), as ordered by the Prosecutor's office, for more than a month – the investigation was undertaken by the Tax Police department allegedly with the aim to ascertain the regularity of the organisation's financing. Regular controls represent common means of conducting work falling under the state authorities' competence, however the frequency of control and its unreasonable duration, as was the case with CEPRIS, point to the fact that it is the intentional application of institutional pressure on civil society organisations. It is indicative that such controls from those in power ensue after a months-long affair related to the memo used by the Administration for the Prevention of Money Laundering and the Financing of Terrorism at the end of July 2020, demanding that all banks in Serbia provide account and financial transactions' check-up in regard to 57 organisations, media and journalists. In this way, the right to association is fundamentally shaken and endangered and normal functioning of civil society organisations is seriously aggravated.

On the other hand, the target of non-institutional attacks was a civil society organisation [Partners-Serbia](#), which due to posting an edited photo of the alleged analysis on social media about stripping bar associations off public authorisation, were accused of direct attack on lawyers' profession. In the photo is a picture of the document's first page where it is noticeable that the project was allegedly requested by the Ministry of Justice, while next to the CSO Partners-Serbia memo and contact information is the name of Blažo Nedić, as the author of the said document. The case was reported to the authorities in charge who up until

today have not uncovered who the real author of this forged document is. So far it has been known that the lawyer Čedomir Kokanović was disseminating the photo on social media and Viber groups, but it remains unanswered if he is the author of the forged photo, which should be ascertained on the basis of the investigation conducted. One thing is certain, that it is a case of malicious action undertaken with the aim to discredit the work of Partners-Serbia and create a climate for a confrontation with the bar associations' representatives, which is why it is essential that the case is resolved as soon as possible.

Decades long propaganda whose aim has been to create hostility towards the CSOs existence and work has often led to the situation where the hatred generated crosses the line of verbal attacks and turns into overt physical confrontation with activists and vandalism in the form of property damage. The greatest number of such cases was documented after the citizens' protest due to the arrest of activists [Aida Ćorović and Jelena Jaćimović](#). The two of them were arrested after they had thrown eggs at a mural dedicated to the convicted war criminal Ratko Mladić, and the cause for their gesture was the Ministry of Interior's decision to ban the Youth Initiative for Human Rights' meeting in front of the said mural, with the explanation that there was a possibility of physical confrontation of citizens who do not share the same attitudes with the meeting's organisers.

The Initiative for Požega announced that the walls in front of their prominent members' residences in Požega, in the morning hours of November 11th 2021, [were graffitied](#) with a notorious sentence, "We are waiting for you", while in Požega's centre a graffiti "Ratko Mladić, a Serbian hero" appeared. The Initiative announced that these threats were interpreted as directed at the Initiative itself and that they supported Maslač family, which had been targeted by the inscription.

The Youth Initiative for Human Rights' (YIHR) premises in 4 Dobračina street in Belgrade, were graffitied twice with "Ratko Mladić, a Serbian hero". [The first case](#) took place on November 2021, and the second, only four days later, [when the same graffiti appeared](#). After the second incident, YIHR announced that the wave of attacks on opponents and those who publicly speak out against war criminals and warmongers had been going on for a week, as well as that institutions' representatives and tabloids close to them create an atmosphere in which these attacks take place, and eventually remain unpunished. Activists gathered around [Guardians of fire group announced that they had received a number of threats via messages](#)

[on Facebook](#), on account of their support to activists Aida Ćorović and Jelena Jaćimović and that they received photos of their members via said messages which showed them at the protests they participated in, or photos of their members obtained on social media. This group announced that it would be taking legal action and reporting the incidents and threats to the authorities in charge. [Regional Academy for Democratic Development also received threats](#), after it had officially supported the removal of Ratko Mladić mural, stating that they received on their address and their social media accounts “several hundreds open death threats, vile insults, calls to lynching, and threats to leave the country”.

[Balša Božović, Academy’s Executive board director also received threats](#), after he appeared in a TV Kurir programme “Usijanje” with Ratko Mladić’s lawyer, Branko Lukić. Besides Božović, other public figures in Serbia also received threats. In this way, Đorđo Žujović, Social Democratic Party of Serbia’s official, which is a part of the ruling coalition, [was forced to leave Belgrade](#) due to threats he received after he had thrown white paint on the Ratko Mladić mural. [Well-known actor and Movement of Free Citizens Executive Committee’s member, Sergej Trifunović](#), also received threats, after he had publicly expressed his views in relation to the Ratko Mladić mural.

After the protest called “*The mural must go*”, organised by activists in Belgrade on November 13th 2021, due to an attempt to remove the Ratko Mladić mural in Njegoševa street in Belgrade, [Women in Black organisation’s transparent was snatched and publicly burned](#). As stated in the YIHR press release, a group of right wingers, who gathered nearby the protest “*The mural must go*”, followed Women in Black activists, after the protest had ended, and then violently grabbed their transparent with the inscription “We will never forget the Srebrenica genocide”. Then they publicly burned the transparent, and posted a video recording of the burning on social media. YIHR announced that this case is a direct consequence of equating extremists and activists, “which is an indication to perpetrators that they can do as they please”.

Pride Info Centre’s shop window [was graffitied during the night, between December 23rd and 24th](#) with the writings extolling war criminal Ratko Mladić. As Belgrade Pride stated, Pride Info Centre had been attacked 11 times since it opened, and it is located near the buildings where the most important state institutions are seated, with twenty-four hour security protection. It was added that such assault came just before *the EuroPride 2022 event*, which

is set to take place in September 2022. [In the recording published by Belgrade Pride](#), one can see a group of seven young men graffitiing Pride Info Centre's shop window on that night.

It is essential to stress the case of Women's Association of Kolubara District (ŽUKO), which received [death threats](#) due to organising a dinner event for migrant children on November 7th 2021. As stated by this association, they received a telephone call from an unknown man who threatened to "kill them all" and "that they will all be dead". They said that the threats were directed at them due to the event they had organised on October 31st 2021, that is, the International dinner, where traditional cuisines of the countries unaccompanied migrant children come from were presented. The children were placed in Asylum centre in Bogovađa. It was said that the case had been reported to the police immediately and that the police reacted in a timely and adequate manner.

[Bird Protection and Study Society of Serbia](#) filed a criminal complaint to the Public Prosecutor's Office in Novi Sad, on account of the death threats directed at the Society at a hunting web portal srbijalov.com. The published comment at first supported the [demolition of the Society's official vehicle](#), which had happened two weeks earlier, and then death threats ensued. The society states that such comment provoked the feeling of fear and endangerment with all its members, bearing in mind that the forum is a meeting place of a great number of armed individuals. For years the society has faced threats coming from hunters, which is a direct result of their field activity of exposing poaching.

Subdomain 1.2: Related freedoms

Freedom of expression

Due to the unfavourable socio-political climate, doing a journalist's job has become one of the riskiest professions in Serbia, something that is supported by the fact that only in May 2021, 30 calls to SOS Helpline reporting violence and threats to journalists were documented, and only three of those reports were passed on to the Ministry of Interior and Prosecutor's Office in charge for further processing. The situation was not improved by the government's declarative commitment to improve journalists' position by establishing Government's Working group for the security and protection of journalists and normative

initiative for the criminal and legal incrimination of attacks on journalists and a different, that is, more rigorous legal treatment of such attacks in the future.

While physical assaults in certain cases were processed, verbal attacks and threats motivated by ethnic hatred or homophobic incidents as a rule remained without the adequate reaction of the authorities in charge. Such inaction contributes to a general fuelling of hatred and the creation of the breeding ground for further assaults and discrediting of journalists and activists.

The attacks on journalists and activists by officials have also become more common. The National Assembly podium was mostly abused as a site for this purpose. Despite the adoption of the MPs Code of Conduct, its consistent implementation was not provided and a number of instances of its violation went unpunished. Moreover, the advance of political awareness in public officials about responsibility for something spoken publicly did not take place.

The practice of criminalisation of journalists and activists with unfounded accusations about their connections with criminal structures which causes great reputational damage and seriously endangers their safety continued.

The position of local media was additionally aggravated, bearing in mind that journalists, besides having instances of exacerbated access to relevant information and being ignored by local officials, were also often the victims of overt censorship. The practice of dividing journalists into fit and unfit conditioned the impossibility of doing work for many local media who perform their job professionally and in accordance with the journalist profession's code of ethics and standard.

Local media are also faced with a new form of pressure which fundamentally jeopardises their work, but also their existential survival. Namely, it is a matter of SLAPP lawsuits which revolve around unrealistically high damage claims with the aim to financially drain the defendant, but also to dissuade the local media from publishing certain information and having a critical relationship towards the authorities' work and businessmen closely tied to them.

One of the chronic problems of the last decade is the non-functioning of the Regulatory Authority for Electronic Media (REM) which abuses its mandate with the aim to create

institutional pressure for professional media, while on the other hand it ignores its obligations when it comes to identifying blatant instances of the violation of the law by national frequency broadcasters.

Attacks on journalists and activists

In the recent years, attacks on journalists and activists have become so frequent that they have almost become a common part of a journalist's job, which is why institutional and reactions of the public are getting weaker and weaker. Attacks mostly stay in the domain of verbal insults, threats and attempts at discrediting, especially by trying to prove one's financial dependence on foreign countries and "foreign centres of power". Unfortunately, in certain number of cases, the line was crossed and verbal attacks transitioned into the field of physical assaults.

Definitely the most drastic case is the beating of the radio host, [Daško Milinović](#) by two men in Novi Sad, who firstly sprayed tear gas on his face and then hit him with a metal rod several times. Luckily, he only got minor injuries, since Milinović had managed to shield his head with his hands during the beating. The assault occurred early in the morning, and by the circumstances surrounding the case it is clearly an issue of previously planned assault. According to Milinović, the men were younger and they [had been following](#) him for several days before the assault, which confirms the presumption that it was a planned act. With a rapid police response, [two men](#) were arrested for committing a crime, while the third was arrested for instigating a crime, bearing in mind that he is suspected to have paid the two arrested men a certain amount of money in order to perform the assault. It is interesting that all three arrested men reside in Belgrade, and that the assault took place in Novi Sad, which indicates that it was not an incident motivated by uncontrolled emotion. The state of the society is perceived in the fact that one, considerable part of the public tried to rationalise this assault by quoting Milinović's controversial statements, which is absolutely unacceptable, since such statements, regardless of their content, cannot constitute a justification for physical violence and assault. Due to the assault on Milinović, but also the general atmosphere of rekindling fascist ideology, [a protest against fascism](#) was organised in Novi Sad by non-governmental and media organisations. On the same day, at the same time and place, after this event had been announced, another gathering of [right-wing and neo-fascist organisations](#) was also announced, with the aim to "pay respects to the victims of hatred towards Serbs and separatism". Before the arrival of the participants of the antifascist protest to the Raid

Victims wharf, several dozens of people had already gathered, however, they quickly left the venue upon the arrival of the citizens and serious incidents were not reported. As opposed to many other cases, in this particular case an arrest did happen eventually, as well as processing and punishing of the perpetrators, so that the two perpetrators [were convicted to prison sentences](#) with the duration of one year and two months, that is, ten months, while the instigator was sentenced to a prison sentence with the duration of a year and four months.

N1 Television journalists who reported from an anti-globalist meeting organised by anti-vax movement representatives in Serbia were faced with verbal threats and insults on more than one occasion, but also with physical obstruction to perform their work, while in one case N1 TV reporter [Filip Lukić](#) was hit by an egg. Reporter [Vanja Đurić](#) was exposed to the biggest threat, when her reporting was cut off by members of the so called “People’s patrols”, who while the broadcast was on stood in front of the camera and behind her back and shouted slogans, obstructing her reporting in this way. For safety reasons, the broadcast was interrupted.

Apart from journalists, the targets of physical assaults were also civil society organisations’ activists, but also political party officials. [Activists of the OSNA Association and Green Patrol journalists](#) were assaulted by the “Svetorog” company owner while they were filming the shore from the public ground where construction work was being done by the before-mentioned company. The company had been previously ordered by the Inspection for the environmental protection to stop all the work on the Danube shore. The activists were assaulted while they were filming the area by drone, and after the drone landed, the “Svetorog” owners tried to forcefully take and destroy it, probably with the aim to destroy the footage made on the occasion. After the incident, the police reacted, which is why all the participants of the incident ended up in a police station and were also processed.

[The League of Social Democrats of Vojvodina members](#) and members of parliament of the Autonomous Province of Vojvodina Assembly were also exposed to physical assault and received death threats. Saša Šućurović and Đurica Iličić were assaulted in one restaurant in Novi Bečej. The perpetrator was a man, previously convicted on various criminal charges, while his friends were filming the assault and did nothing to prevent it or stop it.

Verbal attacks on journalists and activists were far more numerous. In the majority of cases, those attacks came from far right organisations and individuals, were mostly motivated by

disparate political attitudes of those directing the threats in relation to the victims they were directed at, while in certain cases the motive for attack was even the ethnicity of the attacker's target. One of such repeated attacks was the attack on the Institute for European Affairs executive director, [Naim Leo Beširi](#) who was the victim of unknown perpetrators who used a Facebook page "Ustanak.rs" to accuse Beširi of being an "Albanian lobbyist", alluding to his surname. The consequence of such public targeting were a series of insults and threats directed at Beširi for days after the original post had been published. Unfortunately, this was not the first time that Beširi was the target of the nationalist campaign, bearing in mind that he had to face similar attacks a month before this attack, when insults and threats were directed at him via social networks by ultra right Serbian Radical Party activists. Apart from his surname which the nationalists associate with Albanian ethnicity, the motive for frequent attacks is also Beširi's civic activism and open campaigning for Serbia's accession to EU, as well as unconditional respect of human and minority rights. Apart from this case, Beširi was also a target of the attack by [Goran Karadžić](#), director of "Stara planina" public company, who expressed a number of insults at Beširi's expense while taking part in TV Pink programme. In his address, Karadžić spoke in derogatory manner about Beširi, especially emphasising his surname and at the same time alluding to his ethnicity with the aim to discredit his character and his work.

Nothing less of a scandalous was Karadžić's attempt to "apologise" during his second appearance on the same television station, when he conditioned his own apology with a question of whether Beširi was Serbian, obviously thinking that in case Beširi was not of Serbian ethnicity, the insults he hurled at him had thus been legitimate.

Nova.rs web portal's journalist, [Pero Jovović](#), faced similar problems when he received numerous threats while he was in Kosovo to report from the "Miredita, dobar dan" festival. After he reached Priština, Jovović published a check-in post on his personal Facebook account with a Kosovo flag emoji in his post description. This act was sufficient enough for right wingers to send him numerous grave death threats, and the overall number of such threats amounted to over 1500. Independent Journalists Association of Serbia ([NUNS/IJAS](#)), announced that this campaign against Jovović was just another in line of campaigns directed at certain journalists, whose aim was to present them as the "enemies of the state". ["Miredita, dobar dan" festival sent out a message of solidarity](#) with Jovović and added that persecution

of journalists, as well as activists, is unacceptable, especially in the domain of reporting on human rights, freedoms and discrimination.

Nova.rs journalist [Vojislav Milovančević](#) faced serious threats mostly sent out via profiles which hide the identity on social media network Twitter, after he had published an article referencing a rape case at the Faculty of Orthodox Theology in Belgrade. Not long afterwards, an organised internet witch-hunt was launched with several dozen people taking part, writing insults, but also openly uttering and writing death threats to Jovović. In this one, as in many other cases, it is not a matter of accidental attacks by certain social media users, but coordinated actions organised via communication platforms in groups which often count several hundreds or thousands members. We are reminding you that Vojislav Milovančević was also a victim of physical assaults, when during the July 2020 protests he suffered bodily harm – he was beaten with a heavy object and sustained blows to the head while he was reporting from the demonstrations.

[Marko Vidojković](#), a writer and a co-author of “Dobar, loš, zao” (“The good, the bad and the ugly”) programme on Nova S Television, received death threats after in one of the episodes of the show he expressed his attitude that in July 1995, a genocide was committed in Srebrenica. United Media Company, which owns Nova S Television, filed a criminal complaint due to such threats, and a number of domestic and international organisations also expressed concern. Taking into account the seriousness of such threats, international organisation [Reporters Without Borders](#) stated in its press release that an option of police protection for Vidojković should be taken into account. The reaction to the case was also offered by the [Government Working group for protection of journalists](#). According to them, during the Working group meeting, attended also by the international organisations, The Republic Public Prosecutor Deputy, Branko Stamenković, presented the attendees with the ins and out of the case, as well as with the steps the Ministry of Interior and the Prosecutor’s Office in charge had undertaken. A few days after the threats were made, the Ministry of Interior, by checking IP address, established that the threats were sent from [Austria](#), which is why Interpol was also additionally included in the investigation. Marko Vidojković was a target of threats and assaults once again when [he and his colleague Nenad Kulačin](#) received a number of threats on account of Vidojković’s swearing at the President Aleksandar Vučić, expressed in the programme “Dobar, loš, zao” they co-author together. The threats intensified after [Vučić’s appearance](#) in the programme “Hit Tweet” on television Pink, in which he

spoke at length about Marko Vidojković's comments. The situation definitely got out of hand after [Nenad Kulačin's mother](#) had been a victim of a verbal attack in Bor where she lives, and in the threats she received at the time, her son, Kulačin had been mentioned. Soon afterwards a man who threatened Vidojković and Kulačin via social networks was arrested and a criminal proceedings were initiated against him.

Journalist of the "Danas" newspaper, [Snežana Čongradin](#), was also the target of the attacks. She received threats via Facebook social network from an employee of the Football Association of Serbia (FSS), after her statement for the FoNet news agency. After appearing in the "Kvaka 23" programme, she received a number of insulting messages from the Association's employee, saying among other things, that "from now on, she is his only concern". Alongside the text messages, she also received both audio and video recordings in which he continues commenting on and insulting the journalist.

Another journalist also faced insults and threats – Vojvodina Research and Analytical Centre (VOICE) journalist, [Ivana Gordić](#). She received threats for reporting about the conditions the workers from Vietnam employed at the construction site of the "Linglong" factory in Zrenjanin work in. Gordić was recorded and photographed while she was going into the field, she was physically prevented from moving freely during the reporting, and right after that, the threats ensued.

One of the most dangerous types of journalists' labelling took place after one of the many citizens' protests against the adoption of the Law on the Referendum and the People's Initiative and the Law on Expropriation. In the early morning of December 17th 2021, [in the streets of the town of Šabac posters in the form of "warrants" appeared](#) with a photo of the "Podrinske" web portal editor in chief, Isidora Kovačević, a lawyer from Šabac, Dragan Mijailović and one underage person. Web portal "Podrinske" stated that this targeting represents a proof that journalists in Serbia were the most endangered and that they lacked any type of protection. They said that this incident was motivated by the atmosphere before the upcoming elections at the time, as well as the uncovered malversation in relation to the Šabac mayor, Aleksandar Pajić, someone "Podrinske" had written about previously. In regard to this case [Coalition for Media Freedom and The Three Freedoms Platform](#) issued reactions, inviting the authorities in charge to immediately find the perpetrators, that is, those who ordered and printed these posters.

After Crime and Corruption Reporting Network (KRIK) shared an article from an [Italian newspaper](#) in which it is said that the President's son, Danilo Vučić, is the manager of one of the most wanted Serbian professional football players, Dušan Vlahović, [KRIK journalists received death threats](#) on Twitter social network. As KRIK has said, the threats were typed under a post about a police officer who erased a secret recording of the Minister of Interior, Nebojša Stefanović's father, but from the threat's content and context one can conclude that the real reason for the threats was a story about the role of the President's son in the football manager world.

Besides receiving threats, media, journalists, and activists were the subject of a negative campaign led in pro-government tabloids and on television stations with national frequency broadband almost on daily basis. The objective of these campaigns was the discrediting of the media, journalists and civil society organisations or certain activists, most often by connecting them to "the foreign factor", in the context of political support, and all this with the aim of the alleged destabilising of the state of Serbia and its President.

Probably the most brutal campaign was led against the journalists of the Crime and Corruption Reporting Network (KRIK) and its editor in chief Stevan Dojčinović, who were targeted by an organised campaign of the pro-government media, after the portal published an [article](#) in which parts of the Veljko Belivuk hearing transcript are quoted – Belivuk was the head of the organised crime group suspected of a large number of serious crime cases. The reason behind the attack lies in the fact that during the hearing, Belivuk made claims that he had been the ruling party member since as far as 2011, as well as that he had been seeing the President of Serbia, Aleksandar Vučić, for whom he committed a number of crimes, the rights and freedom of the citizens violations, among others, during Vučić's inauguration service in 2017, when the journalists and citizens gathered were physically assaulted by private security service. The campaign is, among other things, based on inaccurate claims that it was exactly Belivuk who leaked information to KRIK, which is a very dangerous misinformation and a lie, that not only discredits the work of research journalists, but it also directly jeopardises their physical safety. The same issue was emphasised in [The Human Rights House](#) press release, adding that "when government representatives and media closely tied to them constantly accuse independent journalists and media that they are traitors, foreign mercenaries, opposition's agents, that they are ignoramuses and liars, coronavirus' victory advocates, and now even the associates of those suspected of the most serious

organised crimes, it is exactly the government and the media closely tied to them who bear full responsibility for compromising journalists' safety, freedom of the media and the absence of the rule of law".

In the press release, it is demanded that the institutions in charge, firstly the Prosecutor's Office and the Regulatory Authority for Electronic Media, take appropriate measures in order to prevent such dangerous targeting of the media and journalists. [Inter-sectoral Working group on Freedom of Expression and Media and the Working Group of the National Convention on the European Union for Chapter 23 \(NCEU\)](#), also criticised this campaign, stressing that its aim is an attempt to divert attention away from the topic of interconnectedness of the highest state structures with organised crime groups, which is something KRIK reported about both after the arrest, and in the years preceding it.

[The Coalition for Media Freedom](#) stressed in its press release that a journalist's job is to work on the issues representing problems in the state, and especially if those issues include suspicions about the connections between crime and politics and that no one should be endangered for doing a journalist's job. For this reason, the Coalition called on authorities in charge to do everything in their legal power to stop the campaign against KRIK. This campaign was condemned by international organisations, first and foremost by [Committee to Protect Journalists \(CPJ\) and Reporters without Borders \(RSF\)](#). CPJ Europe and Central Asia Program Coordinator, Gulnoza Said, said that it was necessary to immediately stop the attempts to silence KRIK, as well as that the state had an obligation to protect all journalists. Reporters without Borders EU and Balkan representative, Pavol Szalaj, stated that confusion is intentionally created with such campaigns to equate journalists with criminals, reminding the public that it was exactly organised crime groups in the past that endangered KRIK journalists' safety, which was why the latest campaign became particularly serious. Additionally, Szalaj stressed that it was also particularly alarming that a similar campaign had already been run against KRIK in March this year, and that there was obviously a continuity of systemic pressures on journalists.

In certain cases pro-government tabloids led particularly bizarre campaigns against political opponents and civic activists, accusing them of impossible and unbelievable things. One such case happened when ["Ne davimo Beograd" Initiative](#) representatives, together with the European parliament member, Viola von Cramon, visited the Vinča landfill, where in the

days prior to the visit there had been a fire which caused a serious air pollution in the greater part of Belgrade. On that occasion pro-government tabloids accused them of setting the fire on the before-mentioned landfill. Front pages and [articles](#) of these tabloids ran a hypothesis connecting the presence of the Initiatives' representatives and Viola von Cramon with the cause of the fire, discrediting their work, but also jeopardising their security, bearing in mind that the accusations in question are unfounded and very serious. Similar campaign was led against Transparency Serbia, a civil society organisation, which warned of potential corruption in terms of the issued tender for the Dorćol Sports centre lease, calling upon the fact that the competition's conditions were defined in such a way that those conditions could only be fulfilled by a company owned by Novak Đoković's family. Immediately afterwards, a scandalous accusation by Mayor's deputy, [Goran Vesić](#) ensued. Instead of responding to questions and dispelling doubts in regard to potential corruption, Vesić accused Transparency Serbia Programme Director, [Nemanja Nenadić](#) of attempting to banish Novak Đoković from Serbia.

Public officials endangering freedom of expression

Unrepresentative composition of the National Assembly in which, in the middle of the election's boycott, there are no opposition representatives, influenced an additional exacerbation of parliament members' and public officials' rhetoric towards journalists, civil society organisations and activists. The absence of real opponents shaped the artificial creation of political opponents of the government in the form of civil society, and accordingly the running of the identical campaign against them to the one led against opposition parties and leaders. For such campaigns, media space was mostly abused during the National Assembly sessions' broadcast, and one can conclude that the ruling majority members of parliament spent more time trying to explain why and to what extent people not present in the room and not doing the politician's job are such bad people, instead of explaining why the proposed legal solutions are not good or acceptable.

The ruling Serbian Progressive Party's member of parliament, [Biljana Pantić Pilja](#), on more than one occasion, attacked Nova S web portal and television journalists, calling them domestic traitors and foreign mercenaries. The reason for one of the attacks was the news that the management of the newly established newspaper daily "Nova" would be printing its daily circulation of the newspaper in the upcoming period in Croatia, due to the lack of conditions

to perform it in Serbia. Instead of opening the issue in public of how it is possible that the production of daily newspapers is almost disabled in Serbia, this member of parliament abused the fact at hand for a new barrage of insults, but also for the dangerous labelling of journalists. The encouragement for such a move is certainly reflected in the absence of legal and political sanctioning after the previously expressed accusations of the same content were communicated by her in the National Assembly.

[N1 Television journalist Milan Nikić](#) was insulted during his stay in Batočina, reporting from the local parliament session. Nikić said that the ruling Serbian Progressive Party members of parliament and the municipality president Zdravko Mladenović had threatened him and also asked if he had announced his attendance in the session, called him names, such as “ram” indicating that he was stupid, told him to leave the hall, while Mladenović threatened to call the security and police, however neither came. Nikić stated that he hadn’t argued with the members of parliament, but instead asked to get an answer if the session was open to public or not, as well as that he had tried to announce his presence at the session, but that no one had answered the official institution’s telephone.

After the civil society organisations heavily criticised the Draft law on Internal Affairs saying that it undermines fundamental rights and freedoms of the citizens, the Ministry of Interior withdrew the said draft law from the [procedure](#). Instead of admitting that the proposed draft law is of poor quality, the Minister of Interior, Aleksandar Vulin, expressed a series of insults on account of civil society, stating in the [official press release](#) published on the Ministry’s website that the Draft law was withdrawn due to the pressure coming from “the Western intelligence agencies” and their “agency networks in the media, non-governmental organisations and political parties” which prepared mass and violent street protests.

Although Ministry of Interior stated that the new legal solutions were a result of the increased security with aim to prevent crime, civil society organisations and media associations expressed criticism, saying that biometric surveillance undermines freedom of speech and the right to privacy, as well as that it clashes with a number of standards in the domain relying on the Law on Personal Data Protection and General Data Protection Regulation (GDPR). Claims made in the Ministry of Interior’s press release, as well as the rhetoric used in the official address of a state institution, represent a continuation of a dangerous narrative on “foreign mercenaries” whose aim is to stifle critique and intimidate organisations and

activists, all of which further contributes to the shrinking of space for Serbian civil society's activities.

After a number of pro-government tabloid's attempts to present KRIK as the extension of the criminal clan gathered around Veljko Belivuk, members of parliament, firstly Serbian Progressive Party member and member of parliament, [Aleksandar Martinović](#), got involved in the KRIK smear campaign. In one of his speeches, he accused KRIK, saying that it was a criminal organisation which did not pay taxes and was involved in money laundering. Such discourse was met with much condemnation, both from domestic and international public, and among the first of them to condemn such rhetoric was [Viola von Cramon](#), member of the European Parliament and European Parliament's Rapporteur for Kosovo. In her statement, she denounced attacks on journalists and civil society and reminded the public of regulations of the newly adopted Members of Parliaments Code of conduct, stressing that this attack represents a gross violation of the code which also renders it meaningless. [Consultative Committee](#), as the advisory body of the European Parliament and European Commission, also denounced the ruling majority member of parliament's behaviour, emphasising that this practise could have a negative impact on Serbia's accession to EU. Additionally, concern over an attempt to criminalise civil society organisations, media and journalists is stated, and an appeal to the Government to provide protection and conditions for unobstructed work of the civil society and media is emphasised. Continued attacks did not bring about the state of Serbia's institutional reaction, but did indeed condition such reaction from the European Parliament. For this reason, the European Parliament members sent a [new amendment on the Report on Serbia](#) due to an attempt to criminalise free media and civil society, but also another amendment pointing out to the fact that the Radio Television of Serbia and Regulatory Authority of Electronic Media did not succeed in gaining back the trust of the public and doing their work in accordance with the required standards.

KRIK web portal was under attack by the [High Court Council and the Republic Ombudsman](#) due to the "Be the judge of who judges" project, in which property records of certain judges were published, as well as details from the cases they presided over. The High Court Council denounced the publishing of the database which they found had been created intentionally, to present the judges in a negative light. The Republic Ombudsman, Zoran Pašalić, went a step further, stressing how in this way "judges are made targets of". Such attacks point to the lack of understanding of the positions and roles of both judicial authority and research journalists. Judiciary authority is independent and any pressure it faces is unwanted and prohibited,

however, judges and prosecutors are not exempt from the research journalists' field of work and their interest in the work of judges is absolutely legitimate and contributes to the realisation of public interest in a way that it provides the citizens with information on one of the branches of government's organs.

The most active when it comes to insults and attacks were the members of parliament, [Marko Atlagić, Nebojša Bakarec and Aleksandar Martinović](#). In one of his outbursts, Atlagić accused an opposition leader, Vuk Jeremić, of "constantly working for Šiptari" (a derogatory Serbian term for Kosovo Albanians, an ethnic slur), which is undoubtedly an instance of hate speech. Member of Parliament, Nebojša Bakarec, in his address accused another opposition leader, Dragan Đilas, of planning a murder of the President Aleksandar Vučić, in collusion with an ex-head of the Security Information Agency, stressing that in Russia such problems are dealt with in a manner "that a person in question is just no more, he/she just disappears", abusing his member of parliament mandate to incite to violence. Member of Parliament, Vladimir Orlić, designated certain media as "tycoon media" and accused them that their sole purpose is to run campaigns against the President Aleksandar Vučić's family. Member of Parliament and the National Assembly's Vice-President, Vladimir Martinović led the way in accusations on account of activists and accused CRTA Programme Director, Raša Nedeljkov, of being on the frontlines during the attack on the seat of the President of Serbia, with the aim to violently break in the building and topple Aleksandar Vučić. Complaints were filed against these members of parliament by CRTA organisation and Open Parliament to the National Assembly Administrative Board of the Republic of Serbia on account of MPs Code of Conduct violation, however this body [rejected](#) the complaints against Marko Atlagić, Vladimir Orlić, Aleksandar Martinović and Nebojša Bakarec. Moreover, it was stated that the complaints filed represent the Code's abuse, as well as that terms "Šiptari" and "Cigani" are not ethnic slur with derogatory meaning and negative connotation. One member of the board, Branimir Spasić went a step further, emphasising that the Assembly needs to find a mechanism to defend itself from such attacks and to determine sanctions for those who file complaints, a thing which is probably a precedent in comparative parliamentary practice.

Perhaps the one who went too far was the Novi Beograd municipality president and the Serbian Progressive Party's vice president [Aleksandar Šapić](#). Journalists and co-authors of "Dobar, loš, zao" programme, Marko Vidojković and Nenad Kulačin filed a criminal complaint against Šapić on account of death threats he had uttered to them in a private

conversation, and later confirmed during his appearance on Pink television. These threats were first uttered in a telephone conversation when Nenad Kulačin telephoned Aleksandar Šapić to invite him to be the guest on their show, and the reason for uttering them is that Šapić found insulting certain statements about him, expressed in previous episodes of the programme the two co-author and present. Instead of an adequate reaction from the institutions in charge, a [complaint](#) submitted by Šapić against Kulačin and Vidojković followed, claiming 1,1 million RSD in damages.

In the complaint it is stated that the podcast's authors, on more than one occasion, called Šapić insulting and derogatory names and also undervalued his intellectual capacities, which is why Šapić suffered mental anguish. On the other hand, Vidojković estimates that Šapić's complaint is only a continuation of Šapić's stand-off with this podcast and that the complaint's aim is to intimidate them as part of preparations for the forthcoming elections.

Censorship and obstruction of the journalist's work

After the domestic and international public got acquainted with the inhuman conditions the Vietnamese workers are living and working in at the "Linglong" factory in Zrenjanin, a number of journalist crews attempted to film containers in which they are living and factory premises in which they work. Unfortunately, besides the inhuman and cruel treatment of the workers, the journalists did not do any better, regardless of whether they were from Serbia or abroad.

N1 Television crew was prevented from leaving the Zrenjanin Industrial Zone [Jugoistok](#) on November 2021, after reporting on the position and conditions for work of the Vietnamese workers from the construction site of the Chinese factory Linglong. N1 crew presumes they were stopped by one of the site's managers of lower rank, who firstly telephoned, and then recorded the N1 crew's car.

On November 20th *Deutsche Welle* editorial board and *VOICE* web portal journalists [were prevented from reporting on the moving of a part of Vietnamese workers](#), employed to work as part of the "Linglong" construction site in Zrenjanin. *VOICE* journalist, Ivana Gordić, stated that the road ahead of them was blocked by the same person [who previously also blocked an N1 crew's car](#), and who was revealed to be one of the managers at the before-mentioned construction site. In the end, the journalists managed to reach the village where the

workers were accommodated, but the road ahead of them was blocked again by another person, who soon withdrew, after he had realised that the journalists were using phones.

“Linglong” factory in Zrenjanin security prevented, and later also assaulted a journalist crew from the Netherlands, while they were trying to interview a Citizens’ movement activist, [Ivan Živkov](#). Right there the Chinese security investor tried to stop *Nederlandse Omroep Stichting* journalists from filming the interview, with the explanation that filming is prohibited, despite the fact that the filming was not taking place on the factory premises, but in public space 100 meters far from the factory gates. Afterwards they tried to block the cameraman by standing in front of him and consequently tried to prevent journalists from doing their job, and it all culminated in physically pushing the journalist and the camera used for filming the interview. At the same time, private security was taking photographs of the journalists present, their vehicle and registration plate. While the incident was taking place, no police was present.

Unfortunately, physically preventing journalists from doing their job did not happen only in the Linglong case – instead it has become such a common thing that a case of prevention and physically hindering reporting from the church memorial service was also documented – namely, [N1 Television crew was prohibited from entering the churchyard of the Srbobran church](#) in which a memorial service was being held on the occasion of the 79th anniversary of the Bačka raid, when around 4500 people had been killed by Hungarian fascists, and among the victims were mainly Serbs, Roma, and Jews. Bačka Eparchy secretary, Vladan Simić, forbade entrance to journalists of this television station with a message that they “do not have any business in the churchyards of the Serbian Orthodox Church on the territory of the eparchy”. He justified his actions with the N1 Television manner of reporting on events related to the Serbian Orthodox Church, as well as with a wish that everything went well that day, while N1 Television with its kind of reporting is not working in the public interest. However, [a study by the Bureau for social research \(BIRODI\)](#) has shown that a claim that N1 Television is doing unprofessional reporting about events related to the Serbian Orthodox Church is untrue, but that the tone of reporting on SOC is 89,2% neutral, 6,7% positive and only 4,1% negative. Besides SOC representatives and citizens, the memorial service was also attended by Autonomous Province of Vojvodina’s Assembly President, Ištvan Pastor, as well as the Province government’s President, Igor Mitrović, neither of whom, not even in the days after the incident [found it fit to issue an apology, nor did they condemn the Bačka eparchy’s](#)

[actions](#). Likewise, the reaction from the very Serbian Orthodox Church was missing, despite the N1 Television calls to the Patriarch's cabinet and the Holy Synod of the Serbian Orthodox Church Office.

[Nova.rs web portal's journalist crew was attacked](#) during the reporting on the demolition of the pre-war palace which had been sold to a private investor, despite the fact that it met all criteria for obtaining the monument of cultural heritage status. On that occasion, two men, who introduced themselves as the investor's representatives, tried to check the crew's ID documents, and after the crew refused to show any documents, on the account that the men in question did not have the authority to do that, the journalists and cameramen were told in a threatening manner that they would smash their camera if the crew continued to film the public space and the demolished remains of the building. Not long after the incident, "LR FRUIT" company, which is the owner of the said building, sent out [an apology](#) for as they stated, primitive and uncivilised behaviour by the contractor Bojan Dimitrijević.

Apart from verbal attacks and discrediting by members of parliament and ruling party officials, a case of expulsion from a local official's and a Minister of Youth and Sport's press conference was documented as well. Namely, web portal SOinfo journalist, Savo Majstorović, [was prevented from reporting from a press conference](#) of the Sombor mayor, Antonije Ratković, and the Minister of Youth and Sport, Vanja Udovičić. Majstorović was at first allowed in the conference hall, but soon after the security physically removed him from the event. Majstorović states that he did not get any explanation why he was kicked out of the conference, and neither the government of the town of Sombor, nor the Ministry of Youth and Sport issued any statements on the matter.

Professional media journalists reporting from press conferences of the most prominent government officials were often treated by politicians as political opponents and personal enemies in the last couple of years, a behaviour reflected in responses, and in some cases in accusations and insults directed at them. However, even in such conditions they were allowed to at least pose some questions that were in the public focus. Sadly, last year abounds in cases in which journalists were stripped of that right, which practically prevented them from doing their job, and citizens were prevented from obtaining true and accurate information and relevant answers to essential questions.

Prior to and during the German Chancellor Angela Merkel's visit to Serbia, independent media journalists were again the victims of the discriminatory and degrading treatment by the President of Serbia, [Aleksandar Vučić](#). The problem reached a climax during the Chancellor Merkel's visit and their mutual press conference, which a certain number of media were not allowed to attend, while the right to pose questions was granted only to Radio Television of Serbia and TANJUG agency. Despite of the fact that they sent a request regularly to obtain accreditation, Newsmax Adria journalist crew were denied attendance at the conference, an act justified by the President of the Republic's media advisor, [Suzana Vasiljević](#), by the reasons of epidemiological nature, with a stress on the fact that N1 Television crew, a television owned also by the United Media Group, was already present, which in her own words was all the same. On the other hand, it remained unclear why TANJUG private agency was the only one allowed to pose a question, apart from the RTS, while the same right was denied to other private televisions.

[NewsMax Adria television journalist, Jasmina Dobrilović](#), and the television's cameraman were prevented by the security from obtaining a statement from the National Assembly's President, Ivica Dačić. At first, Dačić ignored the questions posed by the journalist Dobrilović, at the same time talking to pro-government media journalists, however the security later asked the cameraman to stop filming altogether and in the end they physically prevented them from doing so. Instead of answering the questions posed, Dačić entered into a private argument with the journalist Dobrilović, accusing her of an aggressive approach.

Besides the objective limitations in view of availability of relevant information, local media journalists suffered even more and were the victims of censorship and obstruction of doing their work. This censorship was often entirely overt, like in the case when the municipality of Bujanovac president, Nagip Arifi, at the Municipality assembly session on December 25th, 2021, announced that the [Bujanovačke](#) web portal would be prohibited from reporting from this institution's sessions. He made the decision after the previous articles had been published on this web portal, which described Arifi's threats directed at the media and the warnings not to publish his personal family photographs.

In other cases more moderate methods of censorship, such as a failure to invite certain specific media to public events were used. [Television Sandžak](#) often failed to receive such invitations, and in a specific case it was the only media in Novi Pazar which did not receive

an invite for a February 16th 2021 event, when the Minister of Construction, Tomislav Momirović, was visiting the town. This is not the first case of the kind, which is a clear indication that it is not about an accidental omission of this media, which not only influences their right to do their job, but also the public interest in terms of the citizens' right to be informed.

As opposed to the previously specified indirect forms of censorship, JSP production house and N1 Television were faced with its classic form due to their broadcast of the episode entitled [“A Serbian mother”](#) about the life and work of the folk singer Svetlana Ražnatović as part of the series “Heroes of the Evil Times”. It is a series dealing with the analysis of the business and political ascendancy of figures who played very negative roles during the 1990s, and who now take up important positions of power in the state structure and have an influential position in the society. With the aim to stop the broadcast of the before-mentioned episode, a legal representative of the folk singer Svetlana Ražnatović, sent a written request to the JSP production house and N1 Television. In the letter it is said that the singer protected her image and how the publication and broadcast of the episode in question could cause harm to her reputation, in which case she would be forced to seek legal protection. Bearing in mind that by positive legislation in Serbia it is not possible to stop reporting, writing and publishing about any person and their work, such request represents an instance of overt pressure and an attempt to intimidate journalists with the aim to elicit self-censorship, which is something the series' author and N1 representatives did not agree on. The series' author, Jovana Polić, stressed that in the preparation of the episode they followed all requests provided by law and journalist codes of conduct and that Svetlana Ražnatović was invited to be interviewed for the episode, but that her PR press refused the invitation. Lawyer and a former Commissioner for Information of Public Importance and Personal Data Protection, [Rodoljub Šabić](#), stressed that such a request could not have a legal ground in any state, not even in one-party systems, reminding that the undermining of the free flow of information and of the media editorial autonomy is prohibited by law. Despite much pressure, the episode was aired regularly and had great ratings, both on direct broadcast and on the internet platforms. However, not long after it was aired, [the episode was taken down from YouTube](#), due to the alleged copyright infringement. In this way, the most overt censorship of the media content was executed, with the aim to protect private convenience of a public figure, and all this at the expense of the journalist profession and the freedom of expression as the basic principle of a democratic society.

SLAPP Lawsuits

The most pernicious form of the attempt to obliterate freedom of expression and restrict the work of professional media was reflected in the inflation of the so-called “SLAPP lawsuits” (Strategic Lawsuit Against Public Participation) whose victims were mostly local media with minor economic power. This phenomenon did not originate in Serbia, but was also previously used in other countries, and its dominant aim is to intimidate journalists and media, to financially drain them, which brings them on the verge of existence or completely destroys them, and the final aim is to stifle media freedom, discipline “disobedient” media and intimidate them into self-censorship. It is achieved by filing a lot of lawsuits against media and journalists and claiming enormous amounts of money for damages. On the other hand, the amount of the damage claims directly influences the amount of court taxes that the defendant is obliged to cover, while in the case of losing the suit, the defendant, in this case media or journalist, would be forced to also pay the total amount of prosecutor’s court expenses, beside the damage claim sum. In practice, both foreign and domestic, the plaintiffs are usually financially extremely powerful individuals or companies to whom the eventual failure in the court case causes insignificant economic damage, while on the other hand, losing the case on the part of the defendant, usually represents the end of their work, since it brings about insurmountable financial problems.

“Info Vranjske” web portal from Vranje and “JUGPress” from Leskovac reporting from the press conference of the opposition People’s Party, served as the justification for filing a lawsuit by the “Milenijum tim (Millennium team)” company, which claimed damages in the amount of 100.000 Euros ([Info Vranjske](#)), and 200.000 Euros ([JugPress](#)). The “Millennium team” is one of the most powerful companies doing business in Serbia, and its name is connected to both the those in power and to a number of affairs, among which certainly the biggest is the one in which this company’s vehicles were used during the violent demolition of the Savamala settlement in 2016. The reason for filing a lawsuit is the reporting of the People’s Party officials’ statements, who said that the state enabled this company to become the owner of several objects in Vranjska Banja, and to pay below the market price for them.

Besides the enormous amount of the damage claim, the real intention behind this lawsuit is reflected in the facts that not one of the two web portals were asked to publish the retraction

of the news piece, as well as that the lawsuit was directed against the media which literally reported politicians' statements, while no legal action was undertaken against those who made accusations against the "Millennium team" and evaluated their work. In the same way [Ne davimo Beograd initiative](#) was targeted, against whom the same company filed a lawsuit due to the publishing of the article about the urbanist plan changes, which enabled this company to demolish the Goša Research and Development Institute and instead build a residential and commercial complex in its place. It is indicative that "Info Vranjske" web portal, its editor in chief Saša Stojković and journalist Slavomir Kostić were previously also under attack of the local ruling party leaders and their press releases in which the leaders expressed the vilest insults on the journalists' account. After the public got acquainted with the trend and the real motives and objectives behind the filing of such lawsuits, an atmosphere was created in which this problem was acknowledged as real, which is why a number of civil society organisations demanded the authorities in charge to find a way to prevent the abuse of the right to file a lawsuit and in this way protect the local media from persecution and constant pressure they found themselves under.

Not long after that, the "Millennium team" owners announced that they had given up on the unrealistically high damage claims and that they decreased it to symbolic amount of 100 Euros. In the elaboration of their decision, they state that not for one second did they want to abuse the lawsuit, but that they only cared about establishing the truth. That these claims are false, is confirmed by the fact that not long after these announcements, new lawsuits ensued. The Millennium team owners, Ivan Bošnjak and Stojan Vujko, filed a new lawsuit against the JUGpress Regional information agency's editor in chief, [Ljiljana Stojanović](#), emphasising a damage claim amounting to 2 million RSD, and the same lawsuit awaited "Info Vranjske" web portal, more precisely, their editor in chief, [Saša Stojković, as well The Integration team](#) which is the official publisher of the portal.

The lawsuit claim demands immaterial damages compensation amounting to 2 million RSD, which is a clear indicator that it is just another SLAPP lawsuit in line filed by the Millennium team and persons connected with them against the media and journalists in Serbia. As in the cases of previous lawsuits with millions in damage claims, in this case as well the grounds for the lawsuit is the reporting of the opposition leader Vuk Jeremić's statement about the Millennium team's suspicious business.

Unfortunately, filing such lawsuits is not only the Millennium team's practice, but also the practice of "Adria Media Group" [the founder of the "Kurir" tabloid](#), who filed lawsuits against "Danas" daily, "Cenzolovka" web portal and "Raskrikavanje" web portal and the Centre for Intercultural Communication civil society organisation (CINK), claiming damages amounting to the unbelievable 11 million RSD.

[Predrag Koluvija, who was charged with organising the production of more than a ton and a half of marijuana in the "Jovanjica" case](#), filed a lawsuit against Crime and Corruption Reporting Network (KRIK) claiming that he suffered mental anguish due to KRIK's reporting from the trial, when he was labelled the "accused drug lord". Koluvija rejected all the charges and found that KRIK, with its reporting, had undermined the presumption of innocence. On the other hand, KRIK specifies that it respected the standards of journalist reporting in this case and that world media when reporting from criminal trials use the phrase "accused drug lord" or "accused crime boss". Another lawsuit was filed against KRIK then by a [businessman Bogoljub Karić](#). The reason behind this lawsuit is the publishing of an article about the Karić family connections with the Belorussian president Aleksandr Lukashenko, which is why they have a privileged position in that country. Karić claims that his "reputation and honour" were damaged, and that he also suffered material damage since his son and the companies owned by the family were blacklisted by the European Union and the American Treasury. KRIK further claims that all statements in the said article were backed up by official documents from Serbia and Belorussia, while Karić states that the said article caused him to suffer mental anguish which is why he is claiming damages in the amount of 600.000 RSD. [From KRIK they have announced](#) that they are buried in businessmen' and persons' closely connected to the government lawsuits, who are claiming 90 million RSD in damages from this web portal on account of research articles about them. The very lawsuits represent enormous burden for the editorial board bearing in mind that the documentation for each lawsuit has to be thoroughly analysed, and then the editorial board has to additionally prepare for the trial, which prevents them from doing their regular research journalist work.

[Solidarity with their KRIK colleagues was also expressed by the Independent Journalists Association of Serbia \(NUNS/IJAS\)](#), which called piling up of the lawsuits an orchestrated pressure on the KRIK portal that not only financially drains, but also compels research journalists to deal with new lawsuits, instead of doing their job.

Security Information Agency's Director, [Bratislav Gašić](#) filed a lawsuit against KRIK for publishing a [text](#) which mentions quotes from the Zoran Jotić Jotka trial. The lawsuit states that by publishing the said text, Gašić was directly insulted and his honour and reputation suffered due to a malicious interpretation of the statement by the journalist Milica Vojnović. In the course of the said trial, a recording of the bugged conversation of one of the accused was played in which it was claimed that Jotić was protected since he was paying off Bratislav Gašić. In the lawsuit it is claimed how the false interpretation caused psychological and physical problems to Gašić, as well as that media needs to know that there are boundaries they have to respect. KRIK editor denied the claims that by publishing the text legal norms and professional and ethical standards were violated, adding that Gašić refused to answer journalists' questions and offer his take on the situation. Bearing in mind that this lawsuit claims damage compensation in amount of a half a million RSD, it is clear that it is about the continuation of a new trend of filing SLAPP lawsuits against journalists who publish texts which are critical of the current government policies and actions or point to a potential violations of the law and the abuse of public position. In this way, the work of independent journalists is jeopardised, and the enormously high lawsuit claims endanger the financial existence of the media.

Aleksandra Jovičić, "Niveus team" agency owner and Milan Tadić, "Niveus team" representative in public procurement from Gornji Milanovac, filed a lawsuit against five journalists, the editor and the publisher of the [Vojvodina Research and Analytical Centre \(VOICE\)](#) due to the publishing of the text on suspicious public procurements. Both lawsuits demand damages compensation in amount of one million RSD each, which is a significantly higher amount from the one regularly quoted in similar lawsuits, and this undoubtedly points to another SLAPP lawsuit case, whose aim is to intimidate and financially drain the media critical of law violations and dangers to public interest.

Although in the majority of such cases the plaintiffs are financially powerful companies, there were also cases in which a natural persons resorted to this mean in order to stop the writing and reporting on illegal actions in which they participated, as well as on pending criminal and other legal procedures and court actions. In relation to that, Miroslav Aleksić, professor accused for the rape of four students and who faces five criminal charges of sexual harassment in which the victims were mostly underage girls, his female students who

attended his acting classes in the school he owned and in which he worked as one of the lecturers. The first to be targeted by Aleksić's lawsuit was a journalist, Ivana Mastilović Jasnić, who was the first to publish an interview and a testimony of the now acclaimed young actress, Milena Radulović, after which the Serbian public got acquainted with wrongdoings that had been covered up for years. As a reminder, in the past, journalist Mastilović Jasnić also faced a number of lawsuits for reporting on the sexual harassment court case of Marija Lukić by the former Brus municipality president, Milutin Jeličić Jutka.

Apart from Mastilović Jasnić, also targeted by the lawsuit was a dramaturge and a professor at the Faculty of Dramatic Arts, [Biljana Srbljanović](#), who publicly expressed her views on the case, which is why, according to the lawsuit claims, she damaged Aleksić's and his wife's, who is also a professor at the before-mentioned faculty, honour and reputation.

Additionally, the cases of pressuring activists in Novi Pazar are indicative, where the General hospital's acting director, Meho Mahmutović, filed 37 civil lawsuits due to defamation, against activists and certain medical doctor colleagues who were criticising his behaviour and actions during the peak of the pandemic. Out of this number, as many as 7 lawsuits were filed against an activist and the Initiative of Free Citizens' of Novi Pazar founder, [Aladin Paučinac](#), who has been leading the protests against the hospital management since last year, where he calls out those responsible due to the bad conditions the health system in this town is in and the high number of coronavirus fatalities.

Despite all the before-mentioned examples, in which the activists are threatened with unrealistically high amounts in damages, especially worrisome are the lawsuits filed by private investors against CSOs "Defence of Fruška gora forests" and "Fruškać" activists who fight against illegal construction in protected areas, demanding damages in 2 million RSD, but also a year long prison sentence for the "Defence of Fruška gora forests" activist, [Dragana Arsić](#), due to a crime of defamation, reputational harm and the loss of credit solvency.

Serbia has still not established a mechanism to adequately prevent the abuse of rights in view of SLAPP lawsuits filing, which is why in the future we can expect a rise in the number of such lawsuits and additional exacerbation of the media and civil society organisations' position. What is especially concerning even more than the lawsuits themselves is the fact

that there is a lack of political will to solve this issue; instead the phenomenon of SLAPP lawsuits is still perceived as convenient means to resort to in cases when it is necessary to ensure obedient journalists and activists.

(Non)functioning of the Regulatory Authority for Electronic Media

During 2021, Regulatory Authority for Electronic Media (REM/RAEM) continued to successfully ignore its responsibility and mostly remained silent to numerous instances of television broadcaster legal and ethical norm violations. Cases in which RAEM initiated procedures and imposed penalties due to regulation violation are extremely rare, and with its actions it did not influence the improvement of a concerning state of the media which do not provide even the illusion of a nuanced and balanced reporting and equal media representation of political actors, nor the objective and timely informing of the public. Unfortunately, in practice, more frequent are cases in which prominent representatives of the RAEM Council, first and foremost, Olivera Zekić, abused their position for political confrontations with those who criticised the work, or more precisely the absence of work of the said institution.

On political instrumentalisation and coaching of this body speaks the fact that besides common practice according to which supervision is conducted over television stations with national frequency licences, RAEM Council also made a decision to place under its supervision [N1, Nova S and Al Džazira television stations](#), “as televisions with significant ratings”. Additionally, it is said that a number of inconsistencies were spotted in the “Mentalno razgibavanje” (“Mental warm-up”) show, airing on Nova S television, so that the RAEM Council decided to inform the Luxembourg Independent Authority for Audiovisual Media (ALIA), the European platform of regulatory authorities (EPRA), the European Regulators Group for Audiovisual media (ERGA) and Organization for Security and Co-operation in Europe (OSCE). Formally, such action is justified by the fact that the licence for the provision of media service was issued to Nova S by the Luxembourg Independent Authority for Audiovisual Media (ALIA). Such cynical mentioning of the state of Luxembourg is a clear allusion to the accusations N1 and Nova S are constantly receiving from the governing party representatives as well as from the President of the Republic, and whose aim is to discredit these media in the public and to present them as someone who does not respect the legal order of the Republic of Serbia.

The decision to place these television stations under supervision obviously represents a political act, first and foremost taking into account the state's relationship to them, but also the ignorant relationship of the RAEM Council towards those television stations whose work they are obliged to monitor, and which constantly on daily basis violate regulations and standards, but almost never receive any penalties, let alone appropriate sanctioning. In this context, one should view the news that [the RAEM Council suspended the procedure against Pink television](#) led due to a murder threat expressed during a reality programme broadcast on the said television. In the decision's explanation it is said that the Council was led by the decision of the Prosecutor's office in charge to reject the criminal charges since it is a crime not processed ex officio, but is processed via the civil lawsuit. Such elaboration clearly points to the fact that the RAEM Council members searched for a reason that would clear them from doing what falls under the domain of their authority, and this is why the before-mentioned argumentation had been used.

The most drastic case which RAEM failed to react to, is the case of the President Vučić's, Prime Minister Ana Brnabić's, and Minister of the Interior, Aleksandar Vulin's press conference, where morbid photographs of the victims of the Veljko Belivuk mafia clan's arrested members were shown to the public. On the occasion, the photographs of the severed body parts were shown, and apart from impropriety of the content, it is also problematic that the photographs of the victims were presented without victims' families' consent, and in some cases even without the families' prior knowledge on the existence of such photos. To make the matters even worse, some of the victims' families found out right then and there for the first time that their missing children had actually been murdered. Previous [appeals from the parents](#) pleading with the President Vučić not to publish the photos since in that way he expresses disrespect towards the victims and their families, did not yield any results. On this occasion, besides [the mother of one of the murdered young men](#), [Journalists' Association of Serbia](#) released a statement in which it appealed to the media not to disturb the public, as well as to remember that they are obliged to respect the right for the dignity of victims. In the press release it is also added that by publishing the photos, The Ordinance on the Protection of Human Rights in the field of Media Service Provision was violated, as well as the Article 4 of the Serbian Journalists' Code of Ethics. Due to the publishing of such photos on Pink Television, RAEM Council member, [Judita Popović](#), announced pressing charges against the television in question, however she stressed that according to the experience so far in the practice of the said body, she did not expect that her initiative would be supported.

The fact that the institutions in charge would remain silent on the matter was supported by the RAEM Council President, [Olivera Zekić](#)'s statement, who said that the publishing of the photos was a content of educational character, justifying it by saying that it was essential that the citizens got acquainted with the actual situation in the country and with the justification to fight crime. This institution remained silent, both in relation to this case, and to the dangerous campaign led against the KRIK journalists, but also against the opposition members who were also associated with Veljko Belivuk organised crime group without evidence.

Nevertheless, members of the [Socialists and Democrats Group in the European Parliament](#), reacted. Their representative, Demetris Papadakis, stated in his speech that the practice of associating opposition with organised crime groups, without providing an opportunity for the accused to respond to such claims, had to cease immediately. The RAEM Council concluded that showing photographs of dismembered and disfigured bodies at the President's, Prime Minister's and the Minister of Interior's press conference, on televisions with the national frequency licence, did not disturb the public, which means that consequently it does not require a reaction of that body.

RAEM Council President, [Olivera Zekić](#), explained the decision with the existence of the public interest, emphasising that the evaluation was arrived at on the basis of the council's majority of members' votes. The council's member, Judita Popović, stressed that she had not received an answer which public interest was served with the presentation of the photos, which again shows that the RAEM Council's decisions are essentially not made at its sessions, but outside of this institution. In her statement, [Judita Popović](#) stressed that by publishing and publicly showing the photos, the dignity of victims and their families had been violated, but also that the very criminal procedure which was ongoing had been compromised. The RAEM's ignorant relationship towards obvious violations of the law by television stations with national frequency licence clearly prove that last year's endeavours within inter-party dialogue, in which the role of RAEM was especially emphasised, did not yield expected results and that additional reforms in the area are imperative.

Institutional pressures on journalists and activists

Low level of institutional functioning in Serbia was not reflected only in the institutions' political submission to the source of political power, that is, the ruling party, and a

consequential absence of reaction in certain situations when the reaction was much needed, but also in overstepping their own authority and in having excessive reactions to certain figures. In this way, a clear message was sent that institutions are excessively expedient and proactive in cases where they evaluate there is ground for processing journalists and civic activists, while on the other hand they were inadmissibly passive in those situations when the same actors required protection.

Civic activist [Zoran Čičak](#) was taken to a police station to give a statement due to his funny tweet describing the at the time the current situation regarding the holding of elections for city municipalities in Novi Sad. On that occasion, Čičak alluded to a nickname of one of the more prominent Serbian Progressive Party's activists who was in the same photo as Andrej Vučić, the President of the Republic's brother. This move is not the result of the misunderstanding of the said tweet, but a continuation of the practice of intimidating political opponents, bearing in mind that this is but one in the line of instances of taking people into custody after one has given a public statement in which they are directly or indirectly criticising the government.

A civic activist and Odbranimi reke Stare planine (“Defend the Rivers of Mt. Stara”) Association representative, [Aleksandar Jovanović Čuta](#) found himself in a similar situation, when he was taken into custody to give a statement after his appearance in “Utisak nedelje” (“The Impression of the Week”) show. As an explanation for the arrest the need to examine the possibility to commit criminal offence was stated, due to the announcement of the mass gathering in Belgrade, called “Ecological uprising”, as well as the announcement, that if necessary, the activists would be blocking some roads. The authorities in charge did not respond to questions of what constituted the grounds for his detention, as well as why was taking statements from citizens conducted by the special police unit for combating organized crime. Such actions represent the grossest violation of the right to freedom of expression, and the aim of such actions is not only to punish citizens for expressed views, but also to intimidate them with the aim to accomplish self-censorship and curb critical voices in the society and prevent civic activism.

The most drastic case of unlawful action of the authorities in charge was the case of physical abuse of the opposition activist, Konstantin Katić. On September 29th, the People's Party legal team filed a [criminal complaint](#) to the Prosecutor's Office for Organised Crime against

several employees of the Security Information Agency due to the claim that they had tortured The People's Party activist and member, Konstantin Katić. According to the Party's claims, Katić was held at the Belgrade airport and was interrogated and tortured for his Twitter post, in which he had showed his support for "Dobar, loš, zao" ("The Good, the Bad and the Ugly") podcast presenter, Marko Vidojković. His legal representatives stated that they would not give up on this case, and that they would demand political and social responsibility for those held accountable.

[Milena Dimić, "VranjeNews" web portal journalist](#) received a warning from the police that she would be prosecuted in case she took part in the announced civil protest. The Ministry of Interior's members, without any legal grounds and against the service regulations, came on the day of the protest to journalist Dimić's flat, with the aim to intimidate her into not taking part in the said civil protest. She had previously been invited to give a statement in the local police station after the same protest had been held the previous Saturday, that is, on November 27th, 2021, when it was ascertained that she was invited "by mistake", since the police did not know that she was a journalist and that she was doing her job.

Furthermore, the police also "warned" [CentralMedia](#) web portal from Jagodina journalist about the "consequences" of violating the Law on Public Peace and Order, if the journalist went to the announced protest.

The Independent Journalists Association of Serbia (NUNS/IJAS) demanded that the police investigated these incidents and said that such "warnings" only motivated distrust in the security forces and that the police did not understand the role of the journalist profession. IJAS also announced that, as of December 7th 2021, four complaints for intimidating journalists to not take part in the protests had been received from journalists from Vranje, Niš, Jagodina and Novi Sad.

Several journalists who spoke at the protests organised due to the lawyers dissatisfaction over the Supreme Court of Cassation (VKS) legal views that it is permitted that banks agree upon the credit processing expenses, as well as those who took part in the closed Viber group discussion, [were taken into custody to be questioned](#). Lawyer Miroslav Živković stated that he was taken into custody due to his speech delivered at the protest, in which he had given an example from legal history about a corrupted judge from the writings of Herodotus, while he

was explaining that the lawyer Emilija Petrović had been taken into custody “for a discussion in a closed Viber group”, in which she mentioned that “the Supreme Court of Cassation judge Dragiša Slijepčević will give a lecture on Srebrno jezero regarding the credit processing expenses”. He also added that a lawyer Slaven Bilčan was interrogated for his speech at the protest, together with a lawyer Čedomir Kokanović and another colleague also on account of the closed group Viber discussion. At a separate press conference at which he stated the order of events, Živković said that it was the system’s repression against the protests’ organisers and that they had been taken into custody on judges’ orders.

Apart from the unjustified persecution by the institutions in charge, public companies as well as state institutions also stood out in endangering freedom of expression, and by blatant violation of the law attempted to dissuade their employees from expressing attitudes and criticism on account of the companies and institutions they work for.

This is how Saša Bigović, [Public Enterprise Elektroprivreda Serbia employee](#) in Obilić municipality was removed from his position as a disciplinary measure pronounced by his employer due to his having given a statement for N1 Television where he stressed how the company does not respect the collective agreement provisions on the workers’ rights.

Another similar case is the memo sent to employees in which the [Clinical Centre of Vojvodina’s management](#) (KCV) reminded its employees of the KCV Business Code of conduct, which had been violated on several occasions according to the said memo, when the employees published information on KCV work and business dealings on social media. The memo especially stresses that the employees are “obliged to guard the dignity of KCV”, to “express the highest level of loyalty to it” and “not take part in activities which would damage the KCV reputation”. It is also stated that employees should always report on KCV work in a positive manner, while critical attitudes have to be expressed via internal channels and mechanisms. This is not the first memo of this kind, bearing in mind that at the onset of the COVID-19 pandemic, the employees were informed about the prohibition to express information and to comment on the epidemiological situation in Vojvodina, under threat of getting fired.

After several years long lawsuit, finally [the first instance court verdict](#) was reached in the case of “Žig” portal journalist, Milan Jovanović’s house arson. The court decision stated that

two men were sentenced to prison sentences for participating in the crime, and a former Grocka Assembly president, Dragoljub Simonović, was sentenced to a prison sentence in the duration of 4 years and 3 months, on account of him ordering the execution of this crime. The trial abounded in obstructions by the defendants' lawyers who postponed the court hearings on many occasions on account of most unbelievable explanations, all with the aim to not have it finalised by the end of the year, when the acting judge, Slavko Žugić, was to be retired, after which the procedure would have to start from the beginning. Unfortunately, not long after the first instance court verdict, it was [revoked by the Court of Appeal](#), based on the complaint the defence filed on account of the alleged important violations of the procedure. On the other hand, The Court of Appeal rejected the complaint submitted by the Acting Deputy Public Prosecutor Predrag Milovanović, which requested the increase of the punishment for those charged. In the revision of the procedure, judge Žugić will not be presiding, although he had shown integrity and resilience to political pressure, since in the meantime, he has fulfilled criteria for retiring. Additionally, by the decision of the Republic Public Prosecutor, neither will prosecutor Milovanović be taking part in the procedure, after he was elected as the member of the Serbian State Prosecutorial Council, and after a few days later he received a [decision](#) which prevented him from leading the case of the journalist Milan Jovanović's house arson. These actions represent a clear indication that the real intent was to give release to the former Grocka municipality president and the ruling party official, and that despite the public's expectations and the Prosecutor's and Judge's endeavours in the first instance procedure, in this case as well, the perpetrators will be released and that yet another assault on journalists will go unpunished.

Freedom of Association

A great number of protests marked 2021, but unfortunately so did the great number of instances of freedom of association violations committed by the state. As opposed to past years, with the novel practice of limiting this right, cases of previously warning the citizens that they would be criminally prosecuted or prosecuted for the misdemeanour if they took part in the protests and gatherings appeared in 2021.

During a number of protest meetings, first and foremost during the months of November and December 2021, numerous instances of the right to association violation were documented, as well as a large number of incidents in which citizens protesting suffered bodily harm in

assaults by the ruling party activists. Additionally, cases in which police officers overstepped their authority and used force arbitrarily against the protest participants were reported, but also there were many more cases in which it was ascertained that the police members did not do their job and did not protect the safety of citizens and property.

As the main means to limit civic activism, mass citizen punishment was used – namely citizens were flooded with misdemeanour charges sent to them after the protests had ended. The sole objective of these measures was to intimidate the citizens and prevent them from further taking part in activism.

The practice of banning meetings by the police departments in Serbia has always been at the unacceptably high level. Issuing decisions on the banning of the meetings was as a rule followed by the warning to the organisers that to hold the meeting despite the ban was punishable by law and that they could be prosecuted for it. Nevertheless, what was undocumented in Serbia up until last year is the practice of police officers coming to people's homes, not only of the organisers, but also of the potential protest participants, as well as issuing oral warnings that in case they appeared at the said protest, they would be prosecuted and punished. This is exactly what started happening after the mass civil protests and unrest due to the adoption of the Law on the Referendum and the People's Initiative and the Law on Expropriation, when the citizens in more than several dozen places in Serbia blocked the busiest roads to express protest. The mass nature of the protests at the end of November 2021, and the explosive reactions of the public to cases of violence documented at the time pointed to the fact that protests planned for December 4th 2021, could get even more massive. Aware of the fact that banning such protests would be impossible and their violent breakup extremely complex and politically unpopular, the government representatives opted for the method of intimidation – to intimidate activists with warnings into believing that their attendance at the protest would constitute a violation of the law.

Intimidation prior to protests

After inviting citizens to take part in protests via Facebook social network, [Milorad Petković from Ub](#) was visited by the local police, who entered his apartment with a court order due to the reasonable doubt that he was involved in arms and drug trafficking. Petković stated that he had no connection to the crimes he was suspected of and that he believed that the coming

of the police was tied to his inviting people to protests, since the police came to his home one day after his Facebook post announcing the protests had been published.

[Ljiljana Bralović of the “Suvoborska greda” Association](#), said that she was visited by the police when they “warned” her not to invite citizens to protests. [Citizen group “Critical mass” representative in the municipality of Kula Assembly, Rade Obradović](#), was also “warned”. Two policemen waited for him in front of the building where he works. [Several civic activists from Novi Pazar](#) claim that before the protest in that town they received calls from persons who introduced themselves as inspectors from the Police station in Novi Pazar, and “warned” them to stop inviting citizens to an illegal meeting. The police also visited [the Democratic party in Kovin municipality council president, Srđan Vukša](#), and told him that the gathering was not allowed since it had not been properly reported, as well as the [Democratic party in Užice Town council president, Željko Bacotić](#), who was told not to come to the protest organised in that town. [The Initiative for Požega](#) stated that their members received telephone calls to private telephone numbers from the local police. The local police in Valjevo visited [Valjevo Local front activists](#) and warned them that the meeting was not allowed although it had been reported, and that coming to the protest would constitute the violation of the law. [The Freedom and justice party member from Vranje, Mirjana Ilić](#), was also warned. Two uniformed policemen told her that they knew she had been to the previous protests and that she would be processed in court if she took part in the meeting planned for December 4th, 2021, in Vranje. The police also visited [activists in Niš](#), among others, activist, Danijela Vujošević, the opposition People’s Party city council president in Niš, as well as the activist of the National Coalition for Decentralisation (NKD), Saša Stojiljković. On that occasion [NKD announced](#) that they had received reports from overall 8 citizens who had been intimidated prior to the protest planned for December 4th, 2021. The police warned Gliša Vidović from “Sloga” United Trade Union and Dragan Aleksić from “Sloga” Association, [who then filed complaints](#) to the Ministry of Interior for “police misconduct”.

The atmosphere of intimidation was aided by the fact that the Ministry of Interior, besides the visits and calls directed at activists, [also published and advertised a separate telephone line number](#), which was set up for reporting protest blockades. The Ministry also stated that it was not obliged to protect unreported or illegal meetings of the kind. On account of the Ministry’s press release [Human Rights House Belgrade and The Belgrade Centre for Security Policy](#) reacted, stating that the Ministry of Interior should stop exacerbating the conflicts in the

society by inviting citizens to report protest blockades, and that they also reminded the Ministry of the constitutional obligation to secure the peaceful protests which were not previously reported as well.

Incidents during the protests

Unprofessional treatment and misconduct of the police, which was largely not present at the protests or did not react in situations when disturbing the public peace and quiet took place, led to the jeopardising of the citizens safety and to open physical confrontations in which several people were injured.

Certainly the most drastic incident took place in Šabac [during the blockade of the Šabac bridge on river Sava](#). On that occasion in the line of stopped vehicles was an excavator, whose driver tried to pass through the protesters using force. In that moment, out of several cars, which as it later turned out were the town of Šabac official vehicles, a group of men armed with hammers and wooden bars stepped out and lunged at citizens protesting, and all that after the police cordon had withdrawn and the traffic police failed to react. Based on the witness statements with whom [Civic initiatives](#) had contact with, dozens of present called the local police service during the incident, but the line kept disconnecting constantly. Civil society organisations reacted to the incident in Šabac and filed a number of requests for proceeding to the Higher Public Prosecutor's Office in Šabac, the Ministry of Interior Internal Control Sector and the Republic Ombudsman, to shed light on the events regarding the before-mentioned incident. The organisations state that the incident has shown gross violation of the police legal obligations in protecting life, citizens' rights and freedoms and the support to the rule of law.

During the incident several citizens were injured, and the consequences would certainly have been far more serious, had one of the citizens not succeeded in stopping the excavator which tried to pass through the protesters. The citizen in question, Dragan Milovanović, entered into a fight with the excavator's driver and managed to prevent him from seriously hurting the citizens who had gathered to protest. [Milovanović was arrested the same night](#) and was ordered a 48 hour detention, after which he was released pending trial. He is accused of inflicting serious injuries, a criminal act punishable by a 5 year prison sentence. On the other hand, no criminal proceedings were initiated against the excavator driver and the men who

attacked the citizens with wooden bars and hammers. Apart from the legal persecution he has been subjected to, Milovanović has become a target of [serious attacks and threats](#) by people who told him that they were looking for him for revenge. Afraid for his safety and justifiably distrustful of the police to offer him protection, Milovanović left the town of Šabac, and is still thinking of the possibility to leave the country.

A new incident in Šabac took place several days later when the ruling party meeting, that is Serbian Progressive Party activists' meeting was organised as the response to the civil unrest. On that occasion, a physical confrontation ensued and several people ended up injured for making remarks about the ruling party members and activists who after that lunged at them. Two people sought medical help in the local ER due to injuries they suffered [after the conflict with SPP members](#), one of them a person who claims not to have taken part in the verbal conflict with those gathered.

[Photographer Andrija Vukelić](#), who tried to take photographs of the two beaten up young men was also assaulted – he was prevented from taking the photos by the SPP activists who had physically assaulted him. A similar incident took place in [Gornja Sabanta](#) near Kragujevac, when a man, dissatisfied with the road blockade, firstly verbally, and then physically assaulted the N1 Television journalist. The police again failed to react – it was N1 Television who filed a complaint against the assailant.

Institutional pressure during the protest

Apart from pressure prior to public gatherings and an ignorant attitude of the police which resulted in a number of incidents at the very meetings and protests, the freedom of association has been largely limited by putting institutional pressure and police officers' overstepping authority, even in the course of protests. The biggest number of those cases was documented during the November and December protests. The most distinct incident occurred during the traffic blockade at the Mostar interchange in Belgrade, when the Ministry of Interior member [Aleksandar Krstić, Savski venac police station commander](#), physically assaulted two people. Using excessive force, he lifted a woman and threw her over the highway bumper, while he physically assaulted another citizen, when he came up to him and pushed him during an argument on the road. On the same day, the same officer tried to hand in a [decision on the meeting ban](#) to the organiser of the blockades, Savo Manojlović, of the “Kreni-Promeni”

campaign, who refused to receive the ban act. Regarding this incident, the Belgrade Centre for human rights (BCBP) filed an initiative to the Ministry of Interior and the Republic Ombudsman, to review responsibility of the said official. It is said that Krstić acted “unlawfully, unprofessionally and in a degrading manner” towards the citizens gathered.

Besides Belgrade, these incidents were reported all over Serbia. In [Kula](#), one person was injured during a police intervention, and afterwards arrested, while another person in [Lazarevac](#) was arrested after it had helped an official to get up from the road, and this person was accused of “an assault on an official”. In [Zrenjanin](#), members of the Party of Freedom and Justice (SSP) were arrested, and as Sonja Pernat, a party member who had been arrested on that day said, when she had asked the policemen why they were bringing her in, they responded that they were acting “on orders”. Pernat also stated that before the arrival of the police they had been physically assaulted by unknown men, and that some of the participants of the protest suffered injuries. In [Preljina](#), several people were taken into custody to give statements, and in Požega, 12 people were taken into custody, plus a “[Ne damo Levač](#)” (“We Won’t Give up Levač”) Association’s president, while several dozen people received misdemeanour charges and warrants. In [Novi Sad](#), 7 to 8 people who gathered were arrested, after the police had attempted to “break up” the blockade.

Especially controversial were the behaviour and actions of the Ministry of Interior’s members during a protest gathering of high school goers in Čačak, who protested against [lithium exploitation in Serbia](#). The protest was attended by several hundreds of Čačak high school students, with the support of their professors and the Trade Union of Education in Čačak. With the intent to ascertain who organised the gathering, police members [photographed and recorded protest participants](#), which is, bearing in mind that the persons in question were minors, unacceptable conduct whose aim is to intimidate participants and their parents and to dissuade them from taking part in the protests. Such actions are contrary to the international recommendations and standards in the domain of peaceful gathering, which prescribe that the recording can only take place within the clearly defined boundaries, when there is reasonable doubt that the gross violation of the law will take place, such as violence or the use of fire arms.

Very common are the cases in which the police, without adequate legal grounds took action against citizens who were protesting. It was mostly unreasonable identity checks and taking the citizens into custody.

One such case happened during [the Novi Beograd 37 block residents' protests](#) who spent weeks in the street protesting the construction of new buildings without planning or regulation in their neighbourhood. After the trucks and other machinery appeared again at the place, despite the previous statements from the city authorities, citizens gathered again spontaneously in order to prevent the beginning of the construction work. According to one of the neighbourhood's residents, on that occasion, The Ministry of Interior members checked the identity of the citizens protesting, which was a novelty and had not occurred previously. The citizens were not provided with an explanation then as to why they were being checked and why their personal data was being collected, which is why they understood this as an attempt to put pressure with the aim to dissuade them from gathering and protesting again.

Additionally, many cases of activists being taken into custody were reported, as well as police members undertaking other actions which were not in accordance with the law and regulations of the police conduct.

During the execution of the procedure of the compulsory collection and eviction from the apartment of the Colonel [Gojko Lalović, five Joint Action "Roof Over Your Head" activists were taken into custody](#). The activists gathered with the intention to prevent the 15th attempt of eviction and on that occasion, physical conflict with the police broke out, but also with a group of ununiformed persons whose presence there remained unclear. The most serious incident took place in the moment when the police officers started dragging an activist who was endeavouring to block the entrance to the Colonel's flat with her body. After the arrest, according to the activist [Ivana Anđelković](#), one of the arrested protest participants was stripped off her clothes completely by the police, which is an absolutely unnecessary and legally problematic measure. It is clear that police exercised an excessive use of force during the search and that the measure was exaggerated, bearing in mind that in the particular case it would have been sufficient to perform a search, that is, gain insight into her clothes and shoes – by going over the body and clothes, asking the person to empty her pockets, using the detector, etc.

"Ne damo Jadar" Association ("We Won't Give Up Jadar") stated that their activist [Zlatko Kokanović](#) was taken into custody to give a statement in regard to the incident which took

place on October 28th, 2021, in the Gornje Nedeljice village, nearby Loznica, on the occasion of the European Parliament's member Viola von Cramon and a few opposition party politicians and activists' visit. They were met by the ruling party (Serbian Progressive Party) group of activists, who entered into a verbal altercation with von Cramon, shouting "Kosovo is Serbia", after which the police also arrived.

[The Local front Valjevo](#) Initiative activists were arrested and accused of the obstruction of a public officer in the performance of public duty by refusing to step aside from the part of the road a vehicle with the President Aleksandar Vučić was supposed to drive through. On that occasion, two activists, Željko Trifunović and Adam Radosavljević unfolded a banner saying "You are not welcome" in one section of the road, and the arrest happened for refusing to comply with the police officer's orders to step away from the road due to the passage of the VIP. In the police press release it is said that the arrested persons resisted the arrest, however it remains unsolved how it is possible that a VIP's physical integrity is endangered by unfolding of the banner.

Local activists of the Paraćin municipality, gathered around the "Defend Baba mountain, Plana and Lešje" group protested due to problems with the local quarry which endangers the water source, house walls as well as local roads due to the trucks transporting stone overload. People protesting endured the pressure of the police, and one of the policemen [threatened](#) them on the occasion of one protest taking place on October 7th, 2021. During the several month long protests, at one point, [activists' and locals' identities were checked](#) by the police at a protest held on September 23rd, 2021.

[Odbranimo planinu Babu, Planu i Lešje \("Defend mountain Baba, Plana and Lešje"\) Association activist](#) was a victim of the physical assault by the Paraćin Police Department police officer during the blockade of the part of the road between Plana and Lešje. On that occasion, after an altercation with a police officer, an activist Stevan Miljković, was assaulted by the said officer. In this particular case, excessive use of force by the police officer was exercised, and an injury occurred, as well as gross violation of the right to peaceful protest. Activist Stevan Miljković was previously also the victim of the investor's pressure for photographing the quarry – on account of which he was interrogated in the Paraćin Police Administration, however as his behaviour did not bear any characteristics of a crime, no proceedings, either criminal or offence, were initiated against him.

“Cobra”, Official security of the President of the Republic’s members, [temporarily seized banners](#) from Suzana Đorđević and Aleksandra Kostić, with which they wanted to express their protest against Aleksandar Vučić’s visit to Kragujevac, at the manifestation of arms and military equipment. One of the banners said “Girl means courage”, and represented a response to recent incidents the President Vučić had taken part in and who in the heat of the argument with one opposition party representatives called his opponents “girls” in a derogatory manner, and the other banner said “You are not welcome here”. These women’s initial idea was to express protest by lifting the banner up while the President was passing by, which when compared with the objective properties of the banner printed on simple paper, clearly points to the fact that the President’s safety was not and could not have been jeopardised in any way.

Penalties and pressure in the protests’ aftermath

Taking into account the fact that the attempts of previous intimidation with the aim to dissuade citizens from participating in the protests did not yield results, as well as that repressive measures applied during the very protests additionally motivated citizens to go out in the streets in even greater numbers to express dissatisfaction, the government resorted to the third modality of the freedom of association restriction – punishing participants after the protest was over. Under attack of those in power were not only activists, but also media representatives who had, both in the private and official capacity, taken part in the protests.

[Activists Ljiljana Spasić and Branislav Spasić](#), both members of the Independent Journalists’ Association of Vojvodina and “PančevoSiTi” web portal, received misdemeanour warrants for taking part at a protest blockade held on November 27th, 2021, in Pančevo, although they had not been identified by the police at the very protest. Activist Spasić states that the misdemeanour warrants contain their personal data, although the police officers never identified them at the very gathering. Additionally, she states she will be requesting court decision on the misdemeanour warrant and finds that the warrant is “meaningless”. The misdemeanour warrant specifies paying a fine in amount of 5000 RSD for violating The Law on Road Traffic Safety, that is due to “moving along and idling on the road”. On account of the case, [Independent Journalists’ Association of Vojvodina](#) issued a reaction stating that the

Ministry of Interior's behaviour represented the intimidation of local activists and offered legal aid to all its members.

Citizens who took part in the protests and road blockades on December 4th and 11th massively faced receiving misdemeanour fines in amount of 5000 RSD on account of the alleged Law on the Road Traffic Safety, that is walking along the road or idling. According to the Civic Initiatives' data, up to and including December 17th, 2021, at least 70 people, mostly from smaller local environments which had less protesters, received misdemeanour warrants according to which they needed to pay the prescribed amount. This is only a smaller part of the overall number of warrants, bearing in mind that a number of associations and organisations already offered citizens who had received fines legal counsel and aid. Among other things, several participants of the December 4th 2021 protest in [Smederevo](#) received misdemeanour warrants, stressing that they had not been stopped and checked by the police at the very protest, which was why they did not understand how the police had their personal data.

A press release of the similar content was issued by the opposition parties, the Party of Freedom and Justice and the Democratic Party, emphasising that a number of citizens of [Užice](#) received misdemeanour fines, and „[Libergraf](#)” organisation from Užice stated that it had received more than 10 reports from citizens who received fines, and offered them legal aid. As reported by the local web portals, around 50 persons from [Novi Pazar](#) received misdemeanour warrants due to the road blockades. The local police in [Užice](#) wrote misdemeanour charges again after the protest of December 11th, 2021, and as confirmed by the locals, there were around 20 such charges issued. Several citizens received charges in [Subotica](#), and they had been recognised with the use of the video surveillance system.

Misdemeanour charge was also received by [Predrag Voštinić](#) of the Kraljevo Local front, as well as the town of Bor Assembly member, [Dragan Marković](#). Many people from [Kragujevac, Jagodina and Rekovac](#) also received the same charges. On the other hand, Miloš Jovanović from Rekovac, living in Belgrade, who was returning to Belgrade at the time of the blockade was asked by the police to produce identity documents, and several days later was notified that [he was charged for the obstruction of the public officer in the performance of a public duty and not complying with his orders](#), which is punishable with a fine between 20.000 and 40.000 RSD or a month long prison sentence. Miloš Simić, who also found

himself in the middle of the road blockade standing by the side of the road, was asked to produce identity documents by the police officer. He was charged [with disruption of the traffic and failing to comply with the official's order.](#)

After the protest in Niš held on November 11th, 2021 was over, two policemen, in civilian clothes, [asked "Južne vesti" journalist Tamara Todorović and another person to produce identity documents.](#) Police officers followed the journalist while she was leaving the protest, asked another young woman also leaving the protest to produce identity papers, and when asked by the journalist why they were doing that, and also why they were photographing the identity cards, the policemen answered that it was also part of the identification process. Police officers also said that the young woman they identified would receive a misdemeanour charge, but that the journalist might not. After the officers announced that the misdemeanour charge would be sent to the young woman for walking along the road, journalist Todorović asked if they had seen her crossing the road, to which they replied that they had not, but that there were people "filming everything".

[Journalist and activist Minja Delić from Senta](#) is charged with unlawful organisation of a public gathering, which is punishable by a misdemeanour fine of 100.000 to 150.000 RSD. Delić claims that the police charged her with organising the citizens' protest meeting in Senta, on December 11th 2021, and that a similar case is being processed in regard to ecological protests in Serbia at the moment. She states that she did invite citizens to gather, but that the reason behind the charges is the fact that she is an administrator of a Facebook group on the topic of environmental protection in Senta, and that she has "obviously enraged many people with her ecological activism".

The distribution of misdemeanour warrants to citizens who participated in the ecological protests all around Serbia continued. Many associations and organisations expressed solidarity with the aggravated protests participants and offered legal aid and financial support. The Civic Initiatives were among those organisations, documenting 146 cases in which misdemeanour warrants were issued, and offered the aggravated parties to cover their misdemeanour fines. On account of that, the Civic Initiatives launched a campaign "[One has to pay for freedom in Serbia](#)", in which they invited Serbian citizens to donate funds to cover the payment of the before-mentioned fines. The Civic Initiatives have stated that the citizens in the streets were defending their environment, as well as the right to a dignified life.

[Criminal charges](#) were brought against three civic activists in Leskovac due to the alleged violation of the health and epidemiological measures during the pandemic. They are charged with organising weeks-long citizens protests against the investor who was planning to construct a building in the spot which is currently a park. According to Aleksandar Rangelov from the “Dubočica u srcu” Association, who is facing the charges, the whole process is unfounded bearing in mind that the protests were spontaneous gatherings of citizens and neighbours from around the neighbourhood, which is why there is no question about the responsibility for the protest’s organisation, nor the failure to comply with the epidemiological measures at the protests. The misdemeanour charges were also brought against two professional building maintenance managers who had previously filed complaints regarding the Master Plan of Leskovac which takes into account the construction of the said building. What is specific about this case is the fact that the investors who own the company contracted to execute the construction work are at the same time lawyers in the office which filed criminal complaints.

Members of the Communal police [wrote fines to citizens](#) who supported the Joint Action “Roof Over Your head” protest in front of the Seat of the President of the Republic of Serbia, due to the family Kocić eviction from their apartment, despite of the fact that the whole amount on behalf of the debt had been paid for, which is why the creditor gave up on the execution. Among the protest participants were the members of the Kocić family who, seeking shelter from the public enforcement officers, attempted to enter the building of the Seat of the President, however they were stopped by the communal police. The communal police brought misdemeanour charges against the citizens present at the protest, and one of the reasons for this was the fact they had not placed their belongings to a proper place, belongings the Kocić family took with them in the course of the eviction.

[Ne davimo Beograd Movement member, Dobrica Veselinović](#), received the Misdemeanour Court in Belgrade decision, ordering foreclosure in the amount of 40.000 RDS by enforcing a part of his salary, on the account of the deadline overdue to cover the fine, which Veselinović has to pay because of the court decision for an unreported public gathering. In December 2018, Veselinović [organised a public gathering “A Heart for David”](#), as a sign of solidarity with the “Justice for David” movement gathering in Banja Luka on account of the unsolved murder of David Dragičević. Veselinović states that this case is but one in 30 court cases led

presently or in the past against “Ne davimo Beograd” members, used as a form of pressure on the very movement.

[Basic Court in Novi Pazar, reached a decision on October 7th, 2021, against an activist, Aladin Paučinac](#), on account of insulting the acting director of the General hospital in Novi Pazar, Meho Mahmutović. In the court decision it is said that Paučinac, by shouting insulting remarks impaired Mahmutović’s dignity and reputation. Paučinac’s legal representative states that the decision is contrary to the rule of law and practice of the European Court for Human Rights in the domain of freedom of expression. Paučinac states that he was surprised by the court decision, but that he was expecting such an epilogue, due to the court practice which is “well-known to the Novi Pazar citizens”. Additionally, he stated that he would be appealing the decision. Since last year, Paučinac has been leading the protests against the General hospital management.

DOMAIN 2: CSOs FINANCIAL VITALITY AND SUSTAINABILITY FRAMEWORK

During 2021, no measures to help the civil sector take care of the exacerbated functioning and its consequences as a result of the previous year and the global coronavirus pandemic were adopted or implemented. It is a well-known fact that the said pandemic practically disabled the normal functioning of a large number of CSOs.

The practice of non-transparent conducting of open calls on civil society organisations’ co-financing of projects and projects of public interest realised by media associations continued, despite numerous appeals and initiatives to adapt the normative framework to the real needs and to improve it through the introduction of legal obligations regarding open calls, but also through a clearer defining of criteria used to evaluate submitted projects and later the decision-making on the funds distribution.

After 2020, when a number of open calls for co-financing civil organisations’ projects and media projects of public importance were cancelled, during 2021 the practice of open calls was continued. The practice of non-transparent conduct, arbitrary treatment when deciding on the distribution of public funds and an absolute neglect of public interest and real needs of the media and CSOs who applied with their projects to gain institutional support, unfortunately continued. Despite the numerous initiatives whose objective was a higher quality normative regulation of the domain, they were not adopted, so that the legal framework still abounds in

many weaknesses like non-transparent procedure, the lack of legal obligation to announce an open call, the lack of clear criteria upon project evaluation and distribution of funds, nor any additional evaluation of the supported projects.

Bearing in mind that the open call co-financing is one of the key sources guaranteeing the existence of a number of organisations, as well as that alternative ways of financing are insufficiently developed, the shortcomings that go with announcing the open call leave long-term negative consequences. As well as with previous years, often those elected to win the financing were actually GONGO organisations, while many CSOs who with their work proved competency in various domains, remained empty handed and without support. That it is not a matter of arbitrary and subjective evaluations of the author, but an accurately ascertained fact is proven by the project done by BIRN Serbia in partnership with the Civic Initiatives and a team of researchers from 17 local CSOs. It is an online database on public open calls where data on overall 1657 open calls realised from 2019 until 2021 can be found.

The analysis includes open calls announced by units of local self-government, the Autonomous Province of Vojvodina, and the ministries in charge. The analysis shows that in the period between January 2019 and September 2021, 6,2 billion RSD were awarded for financing of CSOs projects, that is, 5 billion RSD for co-financing projects in the domain of public information.

Apart from the separate cases whose detailed description follows, certain commonalities were determined which reappeared in a number of cases. Firstly, it was ascertained that the availability of information about open calls is very unsatisfactory and that it is necessary to increase transparency in that domain. Additionally, an inconsistency was determined in view of open call procedure standardisation, which through administrative obstacles exacerbates CSOs' access to public resources. The key shortcoming is the issue that the circle of CSOs which receive support is rather tight, which is supported by the fact that the overall number of registered civil society organisations is five times bigger than the number of those whose projects are supported through open calls, while almost 4000 organisations appear as the winners of means each year, which only corroborates the thesis of the CSOs unequal position and treatment in this domain.

The analysis also explicitly showed that in a great number of cases instead of support to concrete, thematically rounded projects, it is the regular work of a certain association or media that gets funded from public funds. Data that as many as 4032 projects do not have

defined names speaks for itself and supports this finding, while in 285 cases it was explicitly stated that it is about financing the regular work of a certain organisation. The tendency of co-financing of projects without a clearly defined aim which could be qualified as public interest is especially conspicuous in the domain of open calls announced by local self-governments.

After the Ministry of Environmental Protection announced [an evaluation and ranking list proposal of civil society organisations' projects in the area of environmental protection](#), the “Open about Open Calls” Coalition sent out a public request that the open call be annulled and a new one announced in a transparent and legally defined manner. With the [analysis of the proposed list](#) it was ascertained that as many as 70 million RSD was dedicated to various students' unions, sport associations and unions and other organisations which do not meet the basic open call criteria. In a great number of cases, it was ascertained that those are organisations in whose statutes environmental protection is not presented as the aim of their foundation and activism, which was an obligatory formal prerequisite for the participation in the open call. Moreover, the list proposal also suggests that significant means should be awarded to organisations which do not have any previous experience of working the area, nor in the implementation of projects, while some of them did not fulfil even the most basic formal criteria in terms of the request that as applicants they have to be registered as citizens' associations, foundations and endowment funds. Apart from these easily verifiable legal shortcomings, numerous other questions remain open in terms of criteria based on which the evaluation of projects is conducted, and consequently the legitimacy of the results of the process is also questionable.

Apart from that, [Bird Protection and Study Society of Serbia](#) announced that it was suggested to them through informal channels that if they wanted to obtain funds in an open call, they would have to take part in corrupted acts, which is something they refused, and notified the public and institutions in charge about. Instead of the swift and professional reaction, what followed was an [inappropriate press release](#) issued by the Ministry in charge, which denied the apparent oversights and accused civil society organisations that they were leading a campaign against the Ministry, due to unfulfilled personal ambition.

The attempt to deflect public's attention by referring to a case in which a technical mistake occurred in terms of writing an organisation's name wrongly, which is why it could not be searched in the Serbian Business Registers Agency's database, had the objective to mask a

number of inconsistencies and illogicalities in the procedure. Among other things, [in the memo](#) which was sent to the Ministry, all the inconsistencies perceived, as well as organisations whose participation in the open call was debatable, were clearly stated. In that way, it was determined that more than 7 million RSD was allocated for the financing of 8 organisations which do not have environmental protection in their statute as their work and activities' main objective. As many as 12 million RSD was allocated to associations which in the year when the open call was announced changed their statute, adjusting in this way their activities to the formal open call conditions, which is supported by the fact that they were never involved in those topics. It was also ascertained that as many as 47 proposed associations do not have an Internet presentation, out of which 27 do not have any other channel of communication via the Internet and social networks. Unfortunately, instead of the serious investigation into how such irregularities could pass unnoticed by the open call board, the Ministry accused civil society of unfounded attacks and in this way attempted to get rid of the responsibility for such negligent behaviour. [The final decision](#) about the allocation of funds confirmed the accuracy of the “Openly about open calls” Coalition, bearing in mind that some of the suggestions had been accepted, however one question still remained open – how the evaluation of the projects was conducted, which criteria was used, and why a number of CSOs which have a considerable experience in the domain remained empty handed.

During 2021, another case of questionable open call implementation was documented – it was an open call by [The Ministry for Family Welfare and Demography](#). At those open calls, as many as 658 million RSD was allocated and later awarded. Among overall 107 organisations whose projects were supported, there were [18 entirely unknown](#) organisations which were awarded 450 million RSD, that is, around 70 percent of the overall amount of funds. All the other organisations, precisely 89 of them, shared a disproportionately smaller amount – 200 million RSD. The indication that it is a case of suspicious decision-making is underlined by the fact that it is exactly the same 18 organisations which also appear in the [questionable open call announced by the Ministry of Labour, Employment, Veterans and Social Affairs in 2014](#), which was subsequently annulled due to abuse, owing to the civil society organisations who had pointed out to this abuse. Such actions represent a reasonable doubt that in this case as well, the law was violated and public funds were allocated unjustly, by which not only the budget was damaged, but also the civil society organisation's activities and financial survival. Bearing all this in mind, organisations gathering around “Openly about Open Calls” Coalition demanded the Ministry for Family Welfare and Demography review

those decisions and to shed light on the criteria based on which those controversial decisions had been made, but also to reveal the criteria used in evaluating projects of the organisations which had applied and to publish reports on projects implemented by the organisations which had been awarded the funds. Should this not be done, it is said in a press release that a review of criminal responsibility would be demanded from the Minister, Ratko Dmitrović, and others responsible for the determined oversights.

DOMAIN 3: GOVERNMENT – CSOs RELATIONSHIP

The overall evaluation of cooperation quality between the Government and the civil society is that CSOs suffered an inadequate treatment by the Government and that they were not perceived as equal participants or a relevant interlocutor in the processes of the creation and adoption of strategies and legal solutions, which in the end mostly impacted their quality.

Formal increase of the level of cooperation between these actors by closing the Office for cooperation with civil society on the level of the Ministry of Human and Minority Rights and Social Dialogue did not influence the improvement of the relationship quality. Social dialogue did not come to life as a common form for solving problems and the creation of policies, so that besides declarative and formalistic improvements, some essential change did not take place.

The Ministry's practice of ignoring activists and civil society organisations and the lack of reactions to dangerous campaigns led against them are also problematic. Declining one's jurisdiction in solving of these problems is a politically unacceptable act which brings into question the justification of such ministry's existence, and in any case opens up a question of political responsibility of the relevant minister, Gordana Čomić.

During 2021, after the relative stabilisation and gradual return to the regular manner of living and working, the cooperation between the Government and other state organs and civil society organisations intensified, especially in the domain of creating strategic documents and the change of relevant legal framework. Unfortunately, besides the frequency of mutual work, the increase of quality of cooperation did not come about, so that it can still be described as an involuntary formal fulfilling of the state's obligations towards the civil society which are required by law. This is corroborated by both the quality and the very flow of the processes mentioned, and the quality of the proposed legal solutions, which are a result

of that work, and which only to a smaller extent acknowledged the suggestions of the CSOs. To the non-existence of the elementary trust, as the basic precondition of success of every cooperation, the long echo of unresolved affairs from previous years has certainly had its impact, and prior to that “the List” case. The attempt by those in charge to cover up this case, avoiding the obligation to establish responsibility of those who overstepped their authority, abusing the law and causing great immaterial damages to civil society, are a proof of the insincere relationship the Government has had for years towards a part of the civil society which does not hold back from openly, but compellingly, pointing out to bad procedures of the government and proposing alternative solutions it finds better than the existing ones or the ones proposed by the Government.

For this reason, [more than a dozen of CSOs](#) evaluated the invitation of the government to the civil society to take part in the drafting of the National assessment of non-profit sector’s vulnerability to terrorism financing as a simulation of the dialogue. To corroborate this, we have data showing that the Working group for the creation of the risk assessment of terrorism financing and the Ministry of Human and Minority Rights and Social Dialogue arranged a meeting with civil society representatives only after the deadline for the filling out of the [Questionnaire for the assessment of non-profit sector’s vulnerability to terrorism financing](#) had expired.

From this action, one can undoubtedly read the Government’s reluctance to include the civil society in the process from the very beginning as an equal, that is, that an officially declared intention to “make the final risk assessment a mutual result of the work of all institutions and civil society organisations” was absolutely insincere, bearing in mind that in this way civil society was presented with a *fait accompli*. Instead of such an approach, CSOs pointed out to an example of positive practice from the neighbourhood, that is in North Macedonia, where the institutions in charge made a mutual group with civil society organisations, which coordinated the process of informing civil society about the preparation of the risk, collection and data analysis. Together they also defined the recommendations for removing the possibility of non-profit sector’s abuse. This process lasted for several months, as opposed to a month which was a duration set for consultations with the civil society in Serbia, however the effect of such a process in North Macedonia was also positive.

Besides the fact that “the List” affair has not been solved, frequent tabloid paper campaigns attacking civil society in Serbia, as well as a continued violation of the MPs Code of conduct,

who abused their position with impunity to spread lies, label others and intimidate activists and CSOs, influenced the decision, and later also the confirmation of the great number of CSOs that there are [no conditions for their participation in the work on the creation of the Strategy for stimulating surrounding for civil society](#).

In their press release, CSOs pointed out to an unacceptably passive relationship of the Ministry of Human and Minority Rights and Social Dialogue, whose obligation is to influence the provision of the most basic conditions for civil society's work and activities. Instead, this Ministry, on more than one occasion declared itself incompetent for the solution of the problem of pressure and assaults on civil society. CSOs which remained consistent in their stand that until basic conditions are provided, they would not be taking part in the creation of the Strategy, stated in their mutual press release that "to enjoy high standards of contemporary democracy, open society and media freedoms, nurturing the culture of dialogue and the creation of the tolerant social ambience, it is necessary that the key social and political actors see civil society as the essential partner whose activities are directed towards the improvement of all living conditions for all citizens of Serbia."

Dissatisfied with the ignorant relationship towards the frequent and more and more radical attacks on civil society, [over 80 organisations sent an open letter to the Minister, Gordana Čomić](#), in which they are asking her to condemn the attacks and to join in the fight against frequent waves of government assaults on civil society and media, and to which all the relevant international organisations reacted in the reports. It is especially concerning that the leading role in these campaigns is the President of the Republic's role, who on more than one occasion expressed severe accusations on account of the civil society organisations, labelling them as actors employed by foreign countries, under direct control of domestic and international tycoons. Apart from arbitrary insults, Vučić stated a series of specific accusations whose inaccuracy is easy to prove, like the one that "CSOs do not pay taxes in Serbia and that they object to the imposition of such an obligation". Such relationship of the highest representative of the executive power, as well as the indifference of the minister in charge, speak volumes about the fact that in its quality, the state's relationship towards civil society does not surpass the level of basic tolerance, while in some situations this relationship falls even below that level.

Leaving out relevant civil society organisations from the make up of the Working group for the creation of amendment and supplementation to the [Civil Procedure Law](#) resulted in

publishing the draft of the document which caused a very contrary and explosive reactions of the public. The proposal of the text, apart from the procedural aspect, that is, the manner in which it was created, and which does not meet even the minimal standards of transparency and inclusion, is also questionable in terms of content, but also in terms of legality and constitutionality, bearing in mind that its retroactive usage is assumed.

Certainly the most questionable solution is the introduction of the obligation of court tax advance under threat of losing the right to participate in the court case. Bearing in mind that the amount of court tax directly depends on the amount of the damage claim, in practice this would mean that financially less powerful individuals and organisations without sufficient funds to pay for court taxes would not be able to take an active part, that is, to actively defend themselves, which means that the court decision would be reached without their participation. The problem is potentially more serious, taking into account the trend of filing SLAPP lawsuits against local media. The combination of SLAPP lawsuit effects and such a solution could have fatal effects on local media and smaller civil society organisations – the same model was used in the 1990s to close many media and in that way introduce censorship. Thinking that the existing draft is impossible to improve through amendments, as well as that the process of its creation was contrary to standards foreseen by the Law on the Planning System, civil society organisations demanded its [urgent withdrawal](#). Owing to the civil society's and professional association's huge engagement, first and foremost bar associations, such a draft law was temporarily withdrawn.

The second instance of non-transparency of the process of legal framework change is connected to the [Law on free Access to Information of Public Importance](#). The work on alterations of this law started in 2018, but it was finalised only by the end of 2021. In January 2021, the Ministry of Public Administration and Local Self-Government formed a new Working group for the creation of the Draft law on amendments and supplementation of the Law, in a way that did not include the participation of the public. For this reason the organisations gathered around the Coalition for Free Access to Information, The Coalition for Access to Justice, and the National Convention on the European Union in Serbia (NCEU) expressed public protest on account of the manner in which CSOs had been practically excluded from the process of this act's change, after which they were allowed to present their ideas to the Working group. Despite all of this, and the previously established proposals, the civil society suggestions were insufficiently implemented in the Draft's text, and consequently later in the adopted Law, which is why we can conclude that an excellent

opportunity was missed to advance the normative framework in this domain. Additionally, the bad practice of rejecting relevant CSOs proposals without proper explanations of such decisions continued.

Serious problems were noticed in view of working on the alterations of the Criminal Code with the aim to adopt solutions which would increase journalist safety. The media associations' representatives took part in the Working group, however, their proposals were mostly rejected by other group members, which is why very controversial suggestions in view of the legal definition of the term "journalist" came to the fore, but also other solutions which would essentially represent the narrowing of the rights domain and civic and media freedoms. Starting with the significance of this domain and the significance of the future law for citizens' everyday life, the Working group for Chapter 23 and Inter-sectoral working group for freedom of expression and media of the National Convention on the European Union (NCEU), sent out a [request for the prolongation of the public debate](#) to the Ministry of Justice, regarding the Draft on amendments and supplementation of the Criminal Code of Serbia, as well as an invitation to take part in the dialogue on this Draft within a mutual NCEU session.

The amendments to the Law on the Referendum and the People's Initiative represented an obligation established with the 2006 adoption of the Constitution, in order to adjust legal matters to the solutions required by the Constitution. The first attempt to carry out this process happened at the end of 2019, when the first Draft law on amendments and supplementation was published, and when the first round of public debate was conducted. The coronavirus outbreak and the declaration of the martial law, and afterwards the elections and the forming of the new Government set this process aside, which is why it had to be done all over again.

During 2021, the work in this domain was taken up again and a [new Draft](#) was presented to the public, a draft which essentially in terms of quality did not differ much from the previous one from 2019, which only supports the fact that the government had refused to realise the potential problems and accept solutions the CSOs had been suggesting. Key [complaints of the civil society to the Draft law's text](#) had to do firstly with the introduction of the obligation to pay the signature certification for the launching of the people's initiative, an act which imposes an unreasonably high financial obligation to the citizens and dissuades them from using this right and in the end, renders the very institute of people's initiative ineffective.

Moreover, it was insisted that the participation of the initiative board representatives be provided during the entire duration of the procedure, which also includes the possibility of the discussion at the session deciding on the initiative, but also that more efficient legal mechanisms of protection be introduced in case of the failure to proceed or in case of irregular proceeding of the National Assembly. Such proposals were continually ignored or rejected, with the explanation that their implementation was impossible.

It should also be stressed that the possibility of delivering explained proposals was seriously limited, bearing in mind that with a technical slip-up, a wrong email address had been published on the Ministry's official web site, which is why some of the proposals sent were not delivered to the proper address. However, after mass citizens' protests during the end of November and the beginning of December 2021, held precisely due to the adoption of this law, but also another questionable law, The Law on Expropriation, the government decided to adopt requests presented to the public by one of the organiser's of the protest and Kreni-Promeni Association's representative, Savo Manojlović.

Those are requests identical to the complaints civil society organisations submitted to the authorised petitioners as far as 2019, and then also in 2021. In this way, the government clearly sent a message that without the creation of the great amount of pressure from the public, constructive proposals will not be taken into consideration since there is no political will for essential solutions of this issue.

The end of 2021 was marked by the drastic acceleration of the process of creation and adoption in the National Assembly of the act on the Constitution's change and consequently its putting to the referendum vote by the citizens. Despite of the fact that several public hearings in which civil society representatives took part were organised, the very process of change can not be deemed transparent. Civil society representatives warned timely that taking over the 2018 draft as the basis was a bad solution and that shortening the time for a proper public discussion would have consequences for the quality of the proposed text. [Working group for Chapter 23 of the National Convention on the European Union coordinator](#), Jovana Spremo, said that the procedure acceleration with the aim to meet deadlines from the Action plan in this specific case influenced the quality of the text in a negative way.

On this same occasion, many other civil society organisations, renowned legal experts, lawyers, and professors who had not been consulted during the creation of the act on

constitutional changes, commented on the matter. Work group for Chapter 23 of the National Convention on the European Union rejected the invitation to take part in the dialogue with the state institutions regarding the referendum during the referendum campaign.

[In the Working group's press release](#) addressed to the Prime minister Ana Brnabić, it was said that the participation in the dialogue on the topic of referendum during the referendum campaign could jeopardise the National Convent's credibility, as well as the legitimacy of the referendum process, in accordance with articles 27 and 28 of the Law on the Referendum and the People's Initiative. The Prime Minister, Ana Brnabić, stated that this is a "huge embarrassment for Serbian civil society" and that this is "a huge slap in the face of democracy that the democracy in Serbia has never witnessed before", commenting on the Working group's decision. Unfortunately, the CSOs suggestions were not taken into account again, which had consequences not only for the proposed act's text, but also for the general socio-political atmosphere in which the referendum had been organised and conducted.