

Serbia/Kosovo



LGBT activists hold a banner as they march in the Europride parade in Belgrade, on September 17, 2022. LGBT people vowed to march despite an earlier ban on the march by the authorities.

© 2022 Andrej ISAKOVIC / AFP via Getty Images

Serbia

Independent journalists continued to face intimidation, threats, and violence. War crimes prosecutions remained slow, inefficient, and marred by delays. A pan-European pride parade in Belgrade

took place with police protection, despite authorities having banned it, underscoring the precarious situation for lesbian, gay, bisexual, and transgender (LGBT) people in Serbia.

Freedom of Media

Journalists critical of the government continued to face threats and attacks, with inadequate state response.

Between January and late August, the Independent Journalists' Association of Serbia (NUNS) registered two physical attacks, three attacks on property, and 26 cases of intimidation and threats, including five bomb threats, against journalists and media outlets.

In June, unidentified [assailants](#) threw stones at a Bulgarian TV crew covering a story on alleged pollution at a mine in Serbia, close to the Bulgarian border. Police were investigating the attack at time of writing.

In April, deputy editor-in-chief for news website Autonomija, Dinko Gruhonjic, [received](#) a message on Facebook threatening to kill and sexually assault him, his wife, and his children in response to an article he had written criticizing Serbia's response to the war in Ukraine, just one among the many regular

threats he receives. An investigation into the threat by the Belgrade Prosecution Office was pending investigation at time of writing.

Also in April, N1TV broadcaster and daily newspaper Danas received death threats via emails, messaging apps, and [social media sites](#), threatening to “slaughter” employees of the outlets, referring to them as American mercenaries. It is unclear what prompted the threats. An investigation by the Belgrade Prosecution Office was pending at time of writing.

Following a March [article](#) profiling a Ukrainian refugee who had fled to Serbia, Danas journalist Miljko Stojanovic received multiple threats on social media, including threats of physical violence and “disfiguring” him. Police in March detained one suspect, but no charges had been brought at time of writing.

Pro-government media [continued](#) smear campaigns against independent journalists and outlets in connection with reporting critical of the government.

Accountability for War Crimes

Between January and August, the War Crimes Prosecutor’s Office launched seven new

investigations against war crimes suspects. As of August, 16 cases against 39 defendants were pending before Serbian courts. Ongoing proceedings were marred by significant delays and postponements.

In February, the Appeals Court in Belgrade overturned the guilty [verdict](#) of former Bosnian Serb army soldier, [Dalibor Krstovic](#), who in May 2021 was found guilty and sentenced to nine years' imprisonment for raping a woman prisoner detained in an elementary school in BiH town of Kalinovik in August 1992. The Appeals Court ordered a retrial.

In April, following a retrial, the Belgrade Higher Court, [found](#) former Bosnian Serb policeman Milorad Jovanovic guilty of torturing non-Serbian civilian prisoners, leading to one death. Jovanovic was sentenced to nine years imprisonment.

The first trial in Serbia for war crimes in Srebrenica [was yet again delayed](#) in July when a defense lawyer asked to be removed from proceedings. Seven Bosnian Serb former police officers resident in Serbia are charged with the killing of more than 1,300 Bosniak civilians in July 1995. An eighth suspect was excused from trial in February 2021, due to health problems. The trial has been postponed over 20 times since it began in December 2016 with the accused claiming to have poor health or simply failing to appear at hearings without sanction.

In May, proceedings against four former Bosnian Serb soldiers charged with the 1993 Strpci train massacre in BiH was delayed, as one of the defendants cited health concerns, prompting the Belgrade Higher Court to postpone proceedings.

Refugees, Asylum Seekers and Migrants

Between January and August, Serbia registered 2,653 asylum seekers, a 21 percent decrease from the same period in 2021, but only allowed 251 asylum applications to be lodged.

The asylum system remained flawed, with difficulties for asylum seekers accessing procedures, low recognition rates, and long delays. Between January and August, Serbia granted refugee status to two people and subsidiary protection to nine. Serbia granted temporary protection to 817 people, almost exclusively from Ukraine.

By end of September, 61 unaccompanied migrant children were registered with Serbian authorities. Serbia lacks formal age assessment procedures for unaccompanied children, putting older children at risk of being treated as adults instead of receiving special protection.

Sexual Orientation and Gender Identity

Between January and September, Da Se Zna! recorded 30 incidents of hate motivated incidents against LGBT people, including 10 physical attacks. One of the incidents involved two police officers who allegedly assaulted a gay man in a bathroom in Belgrade in May. Investigations into the cases were pending at time of writing.

Authorities [sought to cancel](#) the September 17 pan-European Europride march in Belgrade, citing security concerns and the tensions with Kosovo as reasons. The move triggered international criticism including by EU Equality Commissioner Helen Dalli, Council of Europe Commissioner of Human Rights Dunja Mijatovic, and members of the European Parliament, who travelled to Belgrade to support the event. Organizers submitted notification of new limited route to the police, received reassurances from Prime Minister Ana Brnabic, and the march took place. Seven participants were attacked after the march. Investigations into the attacks were pending at time of writing.

On August 12, a man [entered](#) the Belgrade Pride Info Center, destroyed furniture and threatened staff. Police arrested the man on the scene and a criminal

investigation was pending at time of writing. It was the 13th attack on the Center since 2018. Right wing religious and political groups have pressured the ministry of education to ban “LGBT topics” in the [school curriculum](#).

People with Disabilities

The number of people with disabilities living in institutions increased since 2021. In three of the six institutions for children with disabilities, children [continued](#) to be housed with unrelated adults, which puts them at a higher risk of violence and abuse. Mainstream education for children with disabilities remained limited, with the vast majority of those in institutions [continuing to be segregated](#) into separate schools for children with disabilities or not given opportunities for education at all.

Key International Actors

Following a July visit to Serbia, Organization for Security and Co-operation in Europe Representative on Freedom of the Media, Teresa Ribeiro, [stressed](#) the need for more concerted action to ensure a safe, free, and pluralistic media landscape in Serbia.

In an April [statement](#) following Serbia's parliamentary and presidential elections, European Union Representative Josep Borrel and EU enlargement commissioner, Oliver Varhelyi, encouraged Serbia to show concrete results on the rule of law, accelerate reforms on the independence of the judiciary, and improve media freedom and war crimes accountability.

[The October EU Commission progress report](#) on Serbia said further efforts were needed to improve cooperation between civil society and the government as verbal attacks and smear campaigns against civil society organizations continued. The report also expressed the need to strengthen human rights institutions by allocating sufficient funds and human resources. The report stated that threats and violence against journalists remained a concern.

In July, the European Parliament [supported](#) Serbia's future membership in the EU but condemned restrictions to media freedom and independence, and harassment of journalists and civil society.

Kosovo

There was slow progress on accountability for war time abuses. Tensions flared after Kosovo authorities ordered that ethnic Serbs in the north may not enter Kosovo with Serbian issued IDs or license plates. Ethnic Serbs raised barricades close to the border in protest, and Kosovo authorities kept border crossings closed until barricades were lifted. Journalists continued to face attacks, harassment, and threats with a poor state response.

Accountability for War Crimes

Four war crimes cases were pending before the Hague-based international [Specialist Chambers for Kosovo](#) against eight former members of the Kosovo Liberation Army (KLA), including former Kosovo President Hashim Thaci. Charges relate to crimes committed during the 1998-1999 war in Kosovo. In May, the Chambers [added](#) additional war crimes charges against Thaci and three other former KLA members for detaining 12 persons without due process in Budakovo, southern Kosovo, between July 1998 and September 1998 and April 28-29, 1999.

The Chambers in June [extended detention](#) of Hashim Thaci and former parliamentary speaker Kadri Veseli, citing concerns with witness tampering and a

risk of absconding. The [trial](#) of former KLA commander Salih Mustafa heard closing arguments in September. A verdict was expected by the end of 2022. Mustafa is accused of the murder of civilians, torture, and arbitrary detention and was the first war crimes suspect arrested and transferred to the Specialist Chambers.

In September, the Pristina Basic Court [found](#) Kosovo Serb Svetomir Bacevic guilty of war crimes for having mistreated an older ethnic Albanian woman in Peja in 1998. Bacevic was sentenced to five years' imprisonment.

In March, the Kosovo Special Prosecution [filed](#) an indictment charging an ethnic Albanian man holding Serbian citizenship with war crimes in the village of Izbica in March 1999. The suspect, alongside unidentified members of Serbian police and military, is charged with participation in the execution of 130 people.

Asylum Seekers and Displaced Persons

Between January and August, the Kosovo Ministry of Internal Affairs registered 301 forced returns to Kosovo, the majority from Germany; 38 were

children. Of those forcibly returned, 6 were Roma, 13 Ashkali, and rest ethnic Albanian. During the same reporting period, the ministry registered 28 voluntary returns to Kosovo. The ministry said it had no data on the ethnicity of those who voluntarily returned. By mid-August, Kosovo had registered five asylum seekers from Ukraine.

Freedom of Media

Between January and August, the Association of Journalists of Kosovo [registered](#) 22 cases of attacks, threats and intimidation against journalists and media outlets. The association reported that in most cases journalists face harassment, threats, and intimidation on social media platforms. According to the association, criminal investigations move slowly when they are initiated.

In February, Prindon Sadriu, husband of Kosovo's president's and a high ranking official in the Ministry of Foreign Affairs, in a Facebook post labelled journalists and media in Kosovo as "a joint criminal enterprise." In March, the prime minister's chief of staff, Luan [Dualipi](#), in a Facebook post, connected Kosovo's media to "criminal businesses" and called on citizens to boycott them. Such statements risk

undermining public confidence in media and creating a hostile environment for journalists.

Women's Rights

Domestic violence survivors continue to face obstacles to obtaining protection, including few prosecutions and failure by judges to issue restraining orders against abusers, and reduced sentences in cases of the murder of women by their husbands, according to the [Kosovo Women's Network](#).

The August gang rape of an 11-year-old girl in a public park in Pristina [triggered large demonstrations](#) across the country, protesting poor state response to violence and sexual violence against women and girls. At time of writing, five suspects, including three under 18, were in custody and investigations were pending.

The 2018 mechanism set up to provide financial compensation for the estimated 20,000 wartime survivors of sexual violence continued to have limited reach. [Shame and fear of stigma](#) prevent some victims from seeking compensation.

Sexual Orientation and Gender Identity

The Centre for Equality and Liberty, a civil society organization that works for lesbian, gay, bisexual, and transgender (LGBT) people in Kosovo, recorded five cases of threats and attacks against LGBT people in Kosovo, four of which relate to violence by family members or partners against transgender persons. The center expressed concerns about anti-LGBT statements by private and public figures, particularly on social media.

In March, the Kosovo parliament [rejected legislation](#) aimed at allowing same-sex civil partnerships.

Kosovo Pride was held in June without any major incidents.

Accountability for International Institutions

No progress was made in financially compensating members of the Roma, Ashkali, and Balkan Egyptian communities who were victims of lead poisoning in now-closed camps for displaced persons run by the United Nations Mission in Kosovo (UNMIK). A

2016 report by the Human Rights Advisory Panel (HRAP), an independent body established to investigate complaints of abuses by UNMIK, recommended that the United Nations pay individual compensation and apologize to victims. To date, the UN has done neither. Only one state has contributed to the voluntary UN trust fund set up for community assistance project set up in 2017.

Key International Actors

In July, US Secretary of State Anthony Blinken met with President Vjosa Osmani and Prime Minister Albin Kurti in Washington DC, stressing the importance of normalizing relations between Kosovo and Serbia. In September, Kosovo was one of 18 countries surrounding Ukraine to receive US military [aid](#) (\$2.2billion total) as a result of being “potentially at risk of future Russian aggression.”

Following her June country mission to Kosovo, Council of Europe Commissioner for Human Rights Dunja Mijatovic [raised issues](#) regarding the safety of journalists and obstacles to their work. The commissioner also noted concerns with access to education for women and protection of survivors of domestic violence.

In a [statement in May](#), the EU ambassador to Kosovo flagged concerns regarding public smear campaigns, threats, and physical attacks on journalists in Kosovo and called on authorities to improve their response to such attacks.

In a [July resolution on Kosovo](#), the European Parliament condemned political pressure against journalists and expressed concern at high level of domestic and gender-based violence and lack of implementation of legal protections for LGBT people.

The October European Union Commission progress report on Kosovo noted slow and inefficient administration of justice prone to undue political influence. It also noted outstanding concerns with public smear campaigns, threats, and attacks against journalists, as well as the need to ensure gender equality in practice, and stressed the need for further measures to protect the rights of minorities, in particular Roma, Ashkali, and Balkan Egyptians.

