



World Report 2015 - Serbia

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Events of 2014

There was limited progress in human rights protection in Serbia in 2014. War crimes prosecutions are slow and lack political support. The Roma minority continue to face attacks and harassment. The situation for journalists remains precarious, including attacks, threats, and lawsuits for reporting on sensitive issues. Hostility towards members of the lesbian, gay, bisexual, and transgender (LGBT) community continued and included threats and attacks.

Accountability for War Crimes

War crimes prosecutions progressed slowly in 2014 due to a lack of political support, resources, and staff at the Office of the War Crimes Prosecutor. Few high-ranking former military and civilian personnel have been prosecuted for war crimes. During the year, the War Crimes Chamber reached judgments in six cases, including two appeals. The Office of War Crimes Prosecutor indicted five people for crimes against civilians, including former Yugoslav Army General Dragan Zivanovic for war crimes in Kosovo in 1999. At time of writing, 6 trials were ongoing, indictments had been issued in 16 cases awaiting trial, and 20 cases were under investigation.

In February, the chamber sentenced nine former members of the Yugoslav Army to a total of 106 years of imprisonment for the killing of over 120 Albanian civilians in Kosovo in 1999. Also in February, the chamber sentenced Djuro Tadic to 10 years for participating in the killings by Bosnian Serb forces of 18 people, including a 13-year-old girl, in northwestern Bosnia and Herzegovina (BiH) in September 1992. Two co-defendants were sentenced to 11 and 10 years respectively.

At time of writing, the February 2013 war crimes protocol signed between BiH, Serbia, Croatia and Montenegro that details information sharing and cooperation, had not led to new prosecutions or convictions derived from case transfers.

In February 2014, a first instance court in Belgrade dismissed 12 Croatian ex-prisoners' civil lawsuits against Serbia for torture in detention in 1991 on the grounds the claim was time-barred and there were no criminal convictions for the alleged abuse on which to base the civil claims.

In January, the International Criminal Tribunal for the Former Yugoslavia (ICTY) appeals chamber upheld the crimes against humanity conviction of former Serbian Assistant Minister of Interior

Vlastimir Djordjevic for the murder, persecution, and forced deportation of Kosovo Albanians in 1999, but reduced his sentence from 27 to 18 years.

Also in January, the ICTY appeals chamber upheld its guilty verdict against former Yugoslav Deputy Minister Nikola Sainovic, former Yugoslav Army Generals Nebojsa Pavkovic and Vladimir Lazarevic, and former Serbian Police General Sreten Lukic for murder, deportation, and inhumane treatment of Kosovo Albanians in 1999. In doing so, a majority of the judges rejected the reasoning in the 2014 ICTY appeals chamber judgment in the Perisic case that an accused must have "specifically directed" assistance to commit crimes to be guilty of aiding and abetting.

Freedom of Media

Journalists continued to face threats, harassment, intimidation, and political and other interference. Between January and August, the International Journalist Association in Serbia reported five assaults on journalists, three direct threats, and 12 cases of political and other pressure.

In early July, FoNet News Agency Editor Davor Pasalic was severely beaten by three unknown assailants who demanded money and called him a Croatian fascist. Police were investigating at time of writing.

In May, online news sites Druga Strana and Teleprompter suffered cyber-attacks that temporarily shut down their websites, which had reported on the mismanagement and inefficiency of Serbian state institutions during severe flooding that the country experienced earlier the same month. The perpetrators of the cyber-attacks remain unknown. Srdjan Skoro, a former editor at the daily *Vecernje Novosti*, was dismissed from his post in May after speaking critically about the government's handling of the floods in a Radio Television Serbia broadcast.

The government commission established in 2013 to investigate the murders of three prominent journalists more than a decade earlier made progress in only one case, resulting in four people being charged. The seven-member commission is tasked with analyzing all prior investigations, ascertaining why they failed, and gathering evidence to assist future criminal investigations.

Treatment of Minorities

Attacks and harassment against the Roma minority continued.

In February, a group of non-Roma attacked members of a Romani nongovernmental organization (NGO) in Novi Sad, northern Serbia. The Roma managed to escape into their office and called police for help, who refused to assist, according to the European Roma Rights Centre (ERRC). In March, four members of the NGO were brutally beaten by two non-Roma carrying sticks. One Roma man received serious head injuries and two others suffered lighter head injuries. Police were investigating at time of writing.

In April, around 15 men threw Molotov cocktails at a Romani Protestant church in the village of Bosnajce in southern Serbia, setting fire to the room where church ceremonies are held. Nobody was injured. According to the ERRC, three people were convicted in April in connection with the attack and sentenced to 30 days in prison.

Sexual Orientation and Gender Identity

LGBT people continue to face intolerance, harassment, and in at least one case, physical violence.

In September, a 27-year-old German LGBT activist was brutally beaten by a group of men and suffered serious injuries that required hospitalization. Police arrested three suspects. In April, the Gay-Straight Alliance received repeated emails calling for the murder of LGBT people and cleansing of LGBT organizations in Serbia. Three weeks prior, Gay-Straight Alliance members received death threats over the phone. A local LGBT group reported that the police had failed to identify the perpetrators.

In February, the Commissioner for Equality Nevena Petrusic issued an opinion that held that the Belgrade Bosko Buha theatre discriminated against a gay magazine by refusing to allow it to have information about one of its shows for publication.

The May Belgrade Pride March, which had been cancelled for three consecutive years due to alleged security reasons, was held in late September amid heavy police security and was attended by 1,000-1,500 people, including three Serbian ministers, the European Union representative in Serbia, and several foreign diplomats. No violence against LGBT supporters was reported.

Asylum Seekers and Displaced Persons

In the first eight months of 2014, Serbia registered 6,974 asylum seekers, a significant increase from 2,567 during the same period in 2013. Syrians comprised the largest national group (3,696 people).

In 2014, three new reception centers opened in Serbia, adding to the existing two. For the first time since it assumed responsibility for the asylum procedure in 2008, the Asylum Office granted refugee status to one asylum seeker and subsidiary protection to three others. But its asylum procedures remain inadequate with thousands of pending claims.

By September, there were 96 unaccompanied migrant children registered in Serbia. According to the United Nations High Commissioner for Refugees (UNHCR), there are no formal age assessment procedures for unaccompanied migrant children, putting them at risk of being treated as adults and not receiving special protection. Guardians appointed to represent the interest of unaccompanied children are not sufficiently trained to accommodate their needs and rarely visit them after first contact.

Serbian authorities made little progress towards finding a durable solution for refugees and internally displaced persons (IDPs) from the Balkan wars living in Serbia. According to data from UNHCR, as of July there were 44,251 refugees in Serbia, most from Croatia, and as of September 204,049 IDPs, a majority of whom are from Kosovo.

Key International Actors

In April, Catherine Ashton, EU high representative for foreign and security policy, commended the new Serbian government's commitment to fight corruption and establish law and order, but failed to emphasize Serbia's human rights obligations.

EU Enlargement Commissioner Stefan Fule in May praised Serbia's progress towards EU membership and emphasized the need to strengthen rule of law, but did not mention Serbia's human rights record.

The European Commission's October progress report on Serbia stressed the need to enhance the constitutional and legal framework to ensure an effective independent judiciary, and expressed concerns about freedom of expression, including continued threats and violence against journalists. The report also noted the limited number of war crimes investigations by Serbian authorities against high-level officers in domestic war crimes and lenient sentences handed down by Serbian courts in such cases.

The United States State Department 2013 human rights report on Serbia highlighted discrimination and attacks against minorities, especially Roma, and harassment of journalists as the most serious human rights issues during the year.

In May, Organization for Security and Co-operation in Europe (OSCE) representative on media freedom, Dunja Mijatovic, expressed concern about online censorship in Serbia, citing cyber attacks on websites that report critically on the government's response to the flooding crisis.

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