



# YUCOM

Lawyers' Committee  
for Human Rights

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## PRESS RELEASE

### CRIMINAL VERDICT FOR A HATE CRIME REACHED FOR THE FIRST TIME

Lawyers' Committee for Human Rights – YUCOM informs the public that on Friday, November 2<sup>nd</sup>, the first criminal verdict was reached, where, imposing a sentence on a criminal offense, a hate crime, as a special aggravating circumstance, was taken into account.

In December 2012, Article 54a *Special circumstances for determination of a sentence for a hate crime*, stipulating that crimes motivated by hate due to race and religion, national or ethnic origin, sex, sexual orientation or gender identity shall be considered as a compulsory aggravating circumstance, was introduced to the Criminal Code of the Republic of Serbia. We recall that since then it has not been taken into account in any single verdict, despite numerous claims filed by NGOs and individuals.

In the proceedings, led by Kristina Todorovic, YUCOM's lawyer, where domestic violence was motivated by the fact that the victim is a LGBT person, a final verdict of the First Basic Court in Belgrade was reached for the first time, and within the process of fining the sentence, Article 54a of the Criminal Code was applied having in mind the motive of the criminal offense.

According to a survey conducted by organizations that advocate for LGBT rights, these persons, due to their sexual orientation, in 40% of cases experience violence among family members. Therefore, this verdict is of a particular importance for protecting not only the rights of LGBT people, but also of members of other minority groups, and we hope that it will affect court practice in these and similar cases.

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