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To the National Assembly of the Republic of Serbia
The President of the National Assembly, Mrs. Maja Gojkovic and
The Chairperson of the 14th session of the National Assembly, Mr. Vladimir Marinkovic

OPEN LETTER TO THE NATIONAL ASSEMBLY OF THE REPUBLIC OF SERBIA Prevent hate speech and abuse of rights from the Rules of Procedure of the National Assembly!

Dear Mrs. Gojkovic,

We are addressing this letter to you, as the President of the National Assembly of the Republic of Serbia, but also to Mr. Vladimir Marinkovic, who chaired the Fourteenth Extraordinary Session of the National Assembly on July 16, 2019 with the intent to indicate to the serious abuses of the rights of the members of the Assembly clearly set forth *in the Rules of Procedure of the National Assembly* and the violation of *the Constitution and laws of the Republic of Serbia*.

Namely, at the fourteenth extraordinary session of the National Assembly of the Republic of Serbia, member of the Assembly, Mr. Vojislav Seselj received the word at the beginning of the session under Article 287 of *the Rules of Procedure of the National Assembly*. In his speech, Mr. Vojislav Seselj requested amendments to the *Criminal Code of the Republic of Serbia*, while he was cruelly insulting and degrading a journalist of the daily newspaper Danas, Mrs. Snezana Chongradin, activist Stasha Zajovic and the late Biljana Kovachevic Vucho, as well as civil society organizations Youth Initiative for Human Rights and Women in Black.

As in particular case of Mr. Vojislav Seselj's speech, it was not about **seeking information and explanations from Article 287 of the Rules of Procedure of the National Assembly**, but the lectern of the National Assembly of Serbia were grossly abused to spread the hate speech and insult persons who have been advocating for the respect of the rule of law and international obligations which Serbia has undertaken, in this case, it is obvious that this is an abuse of rights stipulated *in the Rules of Procedure of the National Assembly*.

Article 107 of *the Rules of Procedure of the National Assembly* stipulates that **the speaker is obliged to respect the dignity of the National Assembly**. The member of the assembly, Mr. Vojislav Seselj, who should be one of the bearers of the reputation of the National Assembly, **with his speech discredited and insulted journalist and human rights defenders, spreading hate speech**, as a form of discrimination explicitly forbidden by *the Constitution of the Republic of Serbia* and *the Law on the Prohibition of Discrimination*. This has not been the first time that, with his speech, Mr. Seselj encourages discrimination, hatred or violence against a person or group of people, disturbing and insulting the dignity of these people, thus creating an

atmosphere of lynch in society, but also violating the freedom of expression and freedom of association. This type of statements not only that violate the reputation of the National Assembly, but also openly violate the Constitution and the Law.

We also remind that in accordance with Article 109 *the Rules of Procedure of the National Assembly*, the member of the Assembly, Mr. Vojislav Seselj, **had to be sanctioned as he used abusive language, but also abused *the Rules of Procedure***, since in his speech he did not seek an explanation or information from the President of the National Assembly, or any another body, and he misused the National Assembly's lectern to spread hate speech. If this kind of speech will not be competently sanctioned in the future, the National Assembly will show to the public that it stands behind the words of Mr. Vojislav Seselj and approves hate speech at the Assembly's lectern.

In the latest report of the European Commission is stated **that the authorities in Serbia have to react promptly and condemn publicly any hate speech and threats against journalists to ensure freedom of expression in Serbia**. The report also states that is necessary to make efforts in achieving cooperation between civil society and organs of state, as **non-governmental organizations play a key role in increasing awareness of civil and political rights in a climate that is not open to criticism** with negative statements made by government officials and echoed by the media on civil society. Tolerating such negative behavior in the National Assembly against journalists and civil society organizations does not positively contribute to the Serbia's joining process to the European Union.

It is necessary to highlight that Serbia is obliged by the Declaration on the Rights and Responsibilities of Individuals, Groups and Social Bodies in the Promotion and Protection of Universally Recognized Human Rights and Fundamental Freedoms, which guarantees the right of individuals and organizations to be protected by the state in such cases, and that **its officials should create a suitable environment for human rights defenders**.

We also note that current situation could have been prevented if it was acted in accordance with paragraph 3 of Article 88 of *the Law on MPs*, which stipulates that the mandate expires before the expiry of the term to which it is elected in case it is sentenced by a final court decision imprisonment for a term of at least six months. Mr. Vojislav Seselj was sentenced by the International Criminal Tribunal for a 10-year prison sentence for incitement to persecution, deportation and forcible transfer of civilians in 1992, which created conditions for the application of the mentioned article after the pronouncement of the final verdict.

We expect that you, in accordance with your competencies, participate in maintaining the order at the National Assembly sessions and prevent any gross violation of the Rules of Procedure, and to warn and sanction every form of hate speech, as it creates an atmosphere of lynching and intolerance in society and seriously violates the already affected reputation of National Assembly of Serbia.

In Belgrade,
July 17, 2019



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