

## HUMAN AND MINORITY RIGHTS OFFICE

Department for Human Rights

29th May 2020

### ANSWERS TO QUESTIONS – SAFETY OF WOMEN JOURNALISTS UN Special Rapporteur on Violence Against Women

**Answer to the Question No. 1 Please indicate whether there are cases of gender based violence and harassment against women journalists in your country. If so, please specify how these cases are documented, and describe the State response, or lack thereof, to such cases, including examples of good practice:**

In the Ministry of Interior there are no records of cases of gender-based violence and harassment of women journalists in Serbia.

The Ministry of Interior performs by law stipulated tasks and duties of state authorities, in order to ensure and improve the security of citizens and property; provide support to the rule of law; as well as exercise of human and minority rights and freedoms as defined by the Constitution and law. In this connection, the police officers, in accordance with the determined and reached standards for policing, taking into account the generally accepted standards at the international level, perform police duties for the protection of safety of life, rights and freedoms of persons performing tasks of public importance in the field of information, regardless of their racial, gender or national belonging.

The Ministry of Interior, Criminal Investigation Directorate, Crime Suppression Service, act in accordance with the Criminal Procedure Code, on requests for gathering necessary information in all cases where, according to the opinion of the competent Public Prosecutor's Office, a criminal offence to be prosecuted ex officio has been committed, including threats jeopardizing the safety of men and women journalists.

The Minister of Interior passed on 3 May 2019 *Instructions for acting of police officers in cases when persons aggrieved by a criminal offence or misdemeanour perform tasks of public importance in the field of information*. The instructions stipulate in detail the acting of police officers in the Ministry of Interior in cases when persons performing tasks of public importance in the field of information, related to the tasks they perform, are aggrieved by a criminal offence or misdemeanour. To that effect, 97 police officers from all police directorates have been appointed contact persons for such matters.

**Answer to the Question No. 2. Please indicate whether your country has early-warning and rapid-response systems in place, such as hotlines, online platforms or 24-hour emergency contact points to ensure that journalists and other media actors have immediate access to protective measures when they are under threat:**

In the Republic of Serbia *Permanent Working Group for the Safety of Journalists* was formed pursuant to the Agreement on Cooperation and Measures for Raising the Level of Safety of Journalists, signed by the representatives of the Republic Public Prosecutor's Office, Ministry of Interior and journalists' and media associations. Journalists and journalists' associations have in all cases of threats to safety of journalists a direct contact point in the Republic Public Prosecutor's Office, which shall order further actions to the competent public prosecutor's offices. The Working Group holds regular meetings and positive effects are evident and recognised by journalists' associations.

Furthermore, in accordance with the Action Plan for Chapter 23, and with the aim of establishing a system of measures for providing more efficient protection of journalists, therefore women journalists as well, by the criminal justice system, the following Agreements have been signed and implemented:

- Cooperation Agreement between the Republic Public Prosecutor's Office and the Ministry of Interior of the Republic of Serbia on 11 April 2016, and
- Agreement on Cooperation and Measures for Raising the Level of Safety of Journalists between the Republic Public Prosecutor's Office, Ministry of Interior of the Republic of Serbia, Journalists' Association of Serbia, Independent Journalists' Association of Serbia, Journalists' Association of Vojvodina, Independent Journalists' Association of Vojvodina, Association of Independent Electronic Media, Media Association and Online Media Association on 26 December 2016.

Since the introduction of the *National SOS helpline for women who have experienced violence (0800 222 003)*, total number of calls since the establishment of the helpline till the end of August 2019 was 2,350; as the result, the calls were of direct benefit for 1,200 women. The callers are 80% women, but there are also men who call as family members, acquaintances, friends, relatives, and the like. There are eight consultants answering calls on the SOS helpline on violence against women, one person responsible for professional support in competency development (individual and group supervision advisor) and the service manager.

**Answer to the Question No. 3 Please specify whether there are any programs in place aimed at addressing factors that increase the likelihood of violence and harassment in the world of work for women journalists, including discrimination, the abuse of power relations, and gender, cultural and social norms that support violence and harassment:**

The Government passed the *Women Empowerment Programme in the Field of Information and Communication Technologies for the period 2019-2020*. This Programme stipulates special goals and objectives for improving participation of women in the ICT sector; programme measures and activities whose implementations should contribute to reducing the gender gap in the digital sector; social and economic empowerment of women; as well as regional representation of women in this field. The target Programme groups are as follows: girl pupils attending the final grades of elementary school, girl students attending grammar schools, girl students attending secondary vocations schools, girl students attending technical faculties; women interested in acquiring knowledge and skills in ICT field; women media workers, women journalists – women from rural areas; women pensioners. The authority responsible for the programme activity implementation is the Ministry of Trade, Tourism and Telecommunications, while the partners in the implementation are the Ministry of Education, Science and Technological Development, faculties, non-governmental organisations, ICT companies, companies applying ICT technologies in their operations, IT community and others. On the fourth Thursday in April as of 2010, at the initiative of the Republic of Serbia, *Girls in ICT Day* is annually marked and celebrated around the world. The Global Network of Women ICT Decision-Makers project, established under the auspices of the International Telecommunication Union (ITU), includes, beside the involvement of the Ministry of Trade, Tourism and Telecommunications of the Republic of Serbia, the participation of institutions, sectors, universities and companies in the field of new technologies from around the world. The goal of the action is to bring closer to girls and women information and communication technologies, a field where women and girls are underrepresented. More than 240,000 girls and women participated to this day in 7,200 events in this field in 160 countries.

The Government adopted on 30 January 2020 *Strategy for Development of the Public Information System in the Republic of Serbia for the period 2020-2025*. The Strategy's general goal is the improvement of the public information system through a harmonised framework of positive legal regulations guaranteeing the freedom of expression, freedom of the media, safety of journalists, media pluralism, developed media market, empowered journalist profession, educated citizens and institutions capable of applying statutory regulations. Special goals and objectives of this strategic document are as follows: 1) improved security, social & economical and professional conditions for work of journalists and media workers; 2) established functional, sustainable and fair media market protected against political influence; 3) functional, competent, professional and open institutions disposing of protective mechanisms against external pressures, and consistently applying public policies and regulations; 4) quality media pluralism and diversity satisfying the need for informing different social groups; 5) improved professional knowledge and developed digital competencies of citizens, institutions, media, journalists and media workers.

**Answer to the Question No. 4 Please specify whether online and ICT-facilitated violence against women is recognized as a crime, particularly cases of killings, threats of rape and harassment of women journalists:**

There are several criminal offences where the object of protection is personal Internet safety, of both men and women. First of all, the following criminal offences are in question: Endangerment of Safety (Article 138 of the Criminal Code), Stalking (Article 138a of the Criminal Code) and Racial and Other Discrimination (Article 387 of the Criminal Code).

**Answer to the Question No. 5 Please indicate whether transparent complaint mechanisms for cases of offline and online and ICT-facilitated violence against women journalists have been adopted, and if so, whether policies and procedures for reporting and requesting the removal of harmful content are available and easily accessible:**

Cyber attacks vary from attacks on the media information and communication infrastructure (e.g. the so called *Denial of Service*, breakthroughs in defence system and hacking, injecting malware and viruses) to threats, insults and jeopardizing the safety of journalists and editors coming mainly from anonymous users of social media. The *Law on Information Security*, passed in 2019, regulates protective measures against security risks in information and communication systems, responsibilities of legal persons in managing and using information and communication systems, and determining competent authorities for the implementation of protective measures, coordination between the protection factors and monitoring proper application of protective measures. The Law stipulates the establishment of special centres for the prevention of security risks in the information and communication systems in different sectors, whose records are kept in the National CERT. In the Republic of Serbia, beside the National CERT, there are nine separate CERTs, among which is also the CERT Share Foundation specifically involved in the protection of rights of civic and online media, providing at the same time technical and legal assistance related to the media information security. During the monitoring implemented by the Share Foundation, 487 cases of breach of digital rights and freedoms in the Republic of Serbia since 2014 have been documented.

**Answer to the Question No. 6 Please indicate what challenges are faced by women journalists when reporting on cases of gender based violence, and specify whether there are any good practices in this regard:**

After getting an insight into the records of the Ministry of Interior, in the period from January 2017 to February 2020, 77 physical and verbal attacks on the media representatives were reported on the occasion and in connection with their professional activity, of which 16 or approximately 20%

related to women engaged in this profession; while 59 or approximately 77% related to men; and in two or 2.6% cases to press crews consisting of both men and women. It is characteristic that when women are in question, nine or 24% physical attacks (total number of 38 attacks), and seven or 18% verbal attacks (total number of 39 attacks) were performed.

In 2018, the Journalists' Association of Serbia recorded 46 incidents (of which, verbal threats: five; insults: three; threats on social media: three; website taking down/profile hacking: three; bringing in: two; physical attacks: six; dismissal: one; pressure with charges: two; Tax Administration: one; disabling work: ten; other types of pressure: nine). The records of the Journalists' Association of Serbia show that in 2018 there were 86 incidents (of which, physical attacks: 6; pressure: 63; verbal threats: 17). Compared to 2016 and 2017, increase in the number of incidents has been recorded.

In 2017, three attacks on women engaged in this profession were recorded, while in 2018 and 2019 six in each year, and in January and February 2020 one attack. In this regard, against six perpetrators criminal charges were brought for six criminal offences; against two perpetrators requests for initiating misdemeanour proceedings were filed, and in other cases reports to the competent public prosecutor's offices were submitted. The Republic Public Prosecutor's Office submits on a quarterly basis a Bulletin: information on actions of competent public prosecutor's offices related to criminal offences committed against journalists to all member of the Permanent Working Group.