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# REGIONAL REPORT ON HUMAN RIGHTS DEFENDERS





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- challenges and obstacles in the work on the protection and promotion of human rights in Bosnia and Herzegovina, Croatia and Serbia

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# CONTENT

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**Introduction** 4

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**Attacks, threats and intimidation of human rights defenders** 7

---

**Participation in socio-political life and involvement in the processes of creating public policies** 13

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**Exercising the right to public assembly and peaceful protest** 21

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**Social and institutional pressures and lack of public support for human rights defenders** 30

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## INTRODUCTION

The adoption of *the Declaration on Human Rights Defenders* by the UN General Assembly 25 years ago marked a significant turning point. It granted recognition to individuals and groups dedicated to human rights and their protection, empowering them to promote and protect human rights. The Declaration encompasses crucial rights, including freedom of assembly, freedom of association, freedom of opinion and expression, the ability to develop and discuss new ideas about human rights, access and communication with international bodies, an effective legal remedy, access to financing for their work's development, and the protection of human rights.

The Declaration on Human Rights Defenders not only marked a pivotal moment in history but also paved the way for significant legal and institutional developments aimed at protecting human rights. In 2000, the former UN Commission on Human Rights established the mandate of *the Special Rapporteur on Human Rights Defenders*, whose substantial contributions greatly facilitated the implementation of the Declaration. Similarly, in 2004, the African Commission on Human and Peoples' Rights took a parallel step by appointing *a Special Rapporteur for Human Rights Defenders*. This role involves monitoring the human rights situation in Africa and recommending effective measures for their enhanced protection. Drawing inspiration from these examples, the Inter-American Commission on Human Rights established *a Special Rapporteur for Human Rights Defenders* in 2011. This move aimed to protect defenders and amplify the crucial role they play in shaping a democratic society. The most recent institutional development in this regard is the appointment of the world's first *Special Rapporteur on Environmental Defenders*. This appointment, based on the Aarhus Convention, took place in June 2022.

The rights and status of human rights defenders are governed by numerous international acts and protective instruments. As early as 1975, *the Helsinki Principles* underscored the right of every individual to be aware of their rights and to take action for their protection. More specific measures within the Organization for Security and Cooperation in Europe (OSCE) were outlined in the 2014 *Guidelines for the Protection of Human Rights Defenders*. These guidelines delineate fundamental principles of protection, enumer-

ate measures to ensure physical integrity and security, and outline the essential components of a supportive environment for the activities of human rights defenders. Additionally, in 2007, the Office for Democratic Institutions and Human Rights (ODIHR) established a contact point for human rights defenders tasked with monitoring their situation, identifying challenges, and promoting as well as protecting their interests.

The Council of Europe has recognized the valuable contribution of human rights defenders in upholding human rights, the rule of law, democracy, and conflict prevention through a series of resolutions and declarations. The 2008 *Declaration of the Committee of Ministers* specifically urges member states to implement measures protecting the rights of human rights defenders and highlighting their crucial societal role. These measures include alignment with international protection standards, fortification of independent institutions, and ensuring full access to international protection mechanisms. The Commissioner for Human Rights of the Council of Europe, as part of their mandate, is dedicated to supporting and protecting human rights defenders while fostering a conducive environment for their activities.

The European Union's commitment to the promotion of human rights defenders is highlighted in *the Guidelines on Human Rights Defenders* from 2008, which were developed within the framework of the Common Foreign and Security Policy. In this document, the EU calls on third countries to provide space for independent opinion and free debate on government policies, as a proven way of establishing better protection of human rights. The EU recognizes the importance of human rights defenders in the development of relevant policies, the protection of the rights of victims of human rights violations, but also their growing vulnerability due to such actions. The EU also points to the importance of the gender perspective in protecting the rights of human rights defenders. The EU has also established a mechanism for the protection of vulnerable human rights defenders, which is continuously available and provides urgent support and assistance.

In relation to member states, *the EU Action Plan for Human Rights and Democracy 2020-2024* prescribes support for human rights defenders and their families, active recognition of their important social role and visibility of their work. The mentioned international protection mechanisms, especially within the framework of the UN, pay special attention to human rights defenders who partic-

ipate in peace building, defenders who fight against corruption, defenders who protect the rights of refugees, migrants and asylum seekers, and human rights defenders who advocate for improving the position of women as well as for a wide range of other human rights and freedoms.

Freedom of expression, freedom of association and freedom of assembly enable human rights defenders to improve individually and in community with others and advocate for the protection and realization of human rights in the society in which they live.

The Regional Report before you has been compiled based on thematic reports published by the Human Rights Houses of Banja Luka, Belgrade, and Zagreb<sup>1</sup>. These reports shed light on the position, significant challenges, and obstacles faced by human rights defenders. This report consolidates issues from these three countries into three main categories: *Attacks, threats, and intimidation of human rights defenders; Participation in socio-political life and involvement in public policy-making processes; Realization of rights to public assembly and peaceful protest; and Social and institutional pressures along with the lack of public support for human rights defenders.*

The regional report was created by synthesizing findings and conclusions from thematic reports. The methodology involved conducting qualitative research through semi-structured interviews with over 50 civil society organizations and human rights defenders actively engaged in areas such as refugee, migrant, and asylum seeker rights, women's human rights, provision of free legal aid, rights of LGBTIQ persons, transitional justice, environmental protection, democratization, transparency, and the fight against corruption. The process also considered the rights of persons with disabilities and socially and economically vulnerable groups. *The House of Human Rights Foundation's Manual*, encompassing international standards and principles for human rights work, served as a guide during report preparation, aiding in selecting relevant standards for Bosnia and Herzegovina, Croatia, and Serbia.

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1 Human Rights House Banja Luka (2023): [Human Rights Defenders in Bosnia and Herzegovina - Rights, Position and Obstacles](#), Human Rights House Belgrade (2023): [Report on the Position of Human Rights Defenders in Serbia](#), Human Rights House Zagreb (2022): [Human Rights Defenders: Challenges and Obstacles](#)



# ATTACKS, THREATS AND INTIMIDATION OF HUMAN RIGHTS DEFENDERS

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## Key issues:

- In Serbia and Bosnia and Herzegovina, organizations dedicated to advancing and protecting human rights, including those advocating for the rights of LGBTIQ+ people, women's rights, environmental protection, dealing with the past, and the fight for an independent judiciary and against corruption, are frequently targeted by physical, verbal, and hacking attacks.
- Serbia faces concerns about death threats, hate speech, and calls for violence against human rights defenders. Attacks on the premises of civil society organizations are also reported. Notably, environmental activists, who are often human rights defenders, face physical attacks.
- The lack of effective investigation, prosecution, and public condemnation of threats and intimidation against human rights defenders sends an unclear message about the unacceptability of violence.
- In Bosnia and Herzegovina, there are particular concerns about cases involving human rights defenders of LGBTIQ+ persons. Some have been forced to leave their residences due to the state's failure to protect them from physical violence, citing security reasons.

The state has an obligation to guarantee security to all its citizens. This includes guaranteeing security and protecting human rights defenders from threats, intimidation, and especially physical attacks to which they are exposed due to their work on the protection and promotion of human rights, especially vulnerable and marginalized social groups. Attacks, threats and intimidation of

human rights defenders, in addition to having a direct negative impact on the safety of human rights defenders and the work of human rights organizations, also have a deterrent effect on expressing public criticism and pointing out human rights violations. This is particularly worrying in the context of the lack of investigation and prosecution of the perpetrators of such criminal acts and the lack of public condemnation of attacks on human rights defenders.

In *Bosnia and Herzegovina* and *Serbia*, human rights defenders of LGBTIQ+ persons, national minorities, people in the movement or persons who report corruption, i.e. civil society organizations that question established social and cultural norms are at greater risk of attacks, threats and intimidation due to their work on protection and promotion of human rights.

“The space was covered with posters and stickers “Stop LGBT”, “No to the parade”, “Not in my town”. Hooligans knew exactly where to go, they knew locations and who was there, what they were doing, and the location of the assembly point. They destroyed our doors and windows, tried to break in, threw construction materials at the entrance, pipes, stones, tables, chairs, and barricaded the entrance. The space was physically attacked, solely motivated by hatred. We call it a hate crime, but it is up to the institutions to qualify the act. **Association for Independent Creators and Activists GETO**

“The latest attacks on our premises (2023) were hate-motivated attacks. On one occasion, they broke a window and took away the LGBT flag; another time, they broke in and left graffiti that said “KILL”. In one of the break-ins, they stole our projector. We reported everything to the police, and they came and investigated. All the tearing down of posters, breaking windows, overturning furniture... some of these intimidation attempts were motivated by hatred and connected to LGBT, and others were because we, as a group, are not rooted in the nationalist narrative but, on the contrary, challenge it and openly criticize it. All of this has greatly affected us. All of this is stressful; all of these are pressures – so either you go underground or leave the country. **BASOC**

“ Our premises were not attacked, but I believe that this is because we have always chosen them so that they are not visible, due to the experience of the Pride Info Center and other situations of attacks on activists’ apartments. We always chose the office so that it was not on the ground floor or that the windows did not face the street. Every office we have had so far has been tucked away and hidden. **Group Izadi** ”

There is no clear state response to physical attacks on human rights defenders, death threats, vandalism, and the destruction of property used by civil society organizations. Police investigations often lack thoroughness, and the prosecution of those responsible is inadequate. This failure not only results in the lack of punishment for those responsible but also fails to protect human rights defenders who are victims of criminal acts. Even when investigations are initiated, they prove insufficiently efficient in preventing new attacks and punishing perpetrators. This dire situation has led human rights defenders from Banja Luka to leave their place of residence.

“ The state has never protected us. The persons who attacked us were not prosecuted, because we have a total atmosphere of impunity. We experienced the most attacks because years ago we called for responsibility for war crimes. We experienced both physical and verbal attacks, as well as attacks on our premises. They come and vandalize our entire floor. We have cameras and evidence, but the police just come, record and later say they have no evidence. **Women in Black** ”

“ The state does not react adequately at all. Moreover, it very often constructs attacks itself. If it does not construct them directly, then a climate is created where such attacks are approved. I am not aware of any attack that has been prosecuted to the end. **A 11 - Initiative for Economic and Social Rights** ”

“ Because of the group whose rights they protect or promote, human rights defenders in BiH are often exposed to hate speech and hate crimes, which, as they emphasized, are not documented and sanctioned as such but are characterized as physical attacks or bodily harm, “considerably diminishing the significance of what happened, although it was, in fact, a hate crime. **Association of citizens “eTrafika”**

“ Vesna added that they reported the attack, but no one contacted them afterward. “The police didn’t completely ignore us, but they didn’t pay any additional attention to us either. ... In that initial moment, they should have not only called to see how we were but also had us go to the police station to give a statement. I, as a representative, was not even invited to give a statement at all”. **Association for Independent Creators and Activists GETO**

“ So, first of all, the state allowed the attack to happen, then the state failed to protect us after the attack, and we had to protect ourselves by leaving Banja Luka. In the end, we received legal protection by a group of lawyers who, while having a drink at a cafe, saw what was happening on social media and came to our rescue. These lawyers are still with us and are being funded by our donors. Regarding the state, I received no protection whatsoever. **Association of citizens “eTrafika”**

In addition to facing physical and verbal attacks, civil society organizations in Serbia and Bosnia and Herzegovina also encounter vandalism of property and premises. Furthermore, there are instances of hacker attacks on their websites, social networks, and digital data. Unfortunately, these incidents often lack adequate investigation and prosecution.

“ We had to remove the section on our team, complete with pictures and contacts, from the website due to an overwhelming number of emails and hacker attacks. The situation became unbearable, disrupting our daily operations. Regrettably, we have not yet received any feedback from the police regarding the prosecution or summoning of individuals for interviews related to attacks on our organization. Such information is currently unavailable. **Youth Initiative for Human Rights Serbia**

“ We are constantly exposed to hacker attacks; we have several of them every year, lasting on average 10-15 days each. The most serious and recent example is the summer of 2022 when our Facebook page was hacked. We managed to recover the page, but it was very difficult, and it took us two weeks. Our Facebook page has over 350,000 members; it is an extremely important resource for reaching our audience that was inaccessible for two weeks, causing significant damage. We reported the attack to the police, but we have never received any report. **Center for Informational Decontamination of Youth, “BUKA”**

“ We have a website, pravdazadavida.info, where we publish information, and everything was fine until one moment when a young programmer working for us noticed something strange happening with the website as it was difficult to access it. He said that the attack was serious, but we didn't know who was behind it. This was not the only time it happened; we barely managed to recover the site once, so we implemented additional security measures, but it was breached again at some point. Interestingly, this happened during significant moments for the group when new information related to the case was released. It indicates that our work is closely monitored, although it might not seem that way, it is indeed being tracked. **Civic Initiative “Justice for David”, Movement for Justice**

Attacks, threats, and intimidation against human rights defenders in Serbia and Bosnia and Herzegovina highlight the concerning position of these advocates, particularly those involved in promoting and protecting the rights of LGBTI+ individuals, addressing histor-

ical issues, advocating for environmental protection, and combating corruption. Physical assaults, death threats, calls for violence and hatred not only cast a chilling effect on the work of defenders but also represent the most severe form of political violence. Such behavior is entirely unacceptable in a democratic society and requires a prompt and serious response from the state, which is often lacking in these cases.

**Recommendations:**

- ▶ States must guarantee swift and effective police investigations, and ensure the judiciary processes all cases of attacks on human rights defenders. Additionally, in instances of crimes motivated by hatred, they should be duly qualified and sanctioned in court proceedings.
- ▶ The highest state officials must promptly, clearly, and unequivocally condemn any attack on human rights defenders, thereby delivering a powerful political message against the social tolerance of violence.
- ▶ Without delay and with absolute commitment, states must ensure the safety and protection of all human rights defenders facing physical danger due to their work, to the utmost extent possible, and protect their right to home and family life.

# PARTICIPATION IN SOCIO-POLITICAL LIFE AND INVOLVEMENT IN THE PROCESSES OF CREATING PUBLIC POLICIES

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## Key issues:

- Declarative inclusion of civil society organizations in decision-making processes, as a mere form of satisfaction, weakens the possibility of participation and negatively affects the quality of public policies.
- Ensuring the right to access information for human rights defenders is challenging. The closure of institutions that facilitate dialogue and collaboration with civil society organizations and human rights defenders further restricts the space for civil action.
- Of particular concern is the reluctance to cooperate and the exclusion of civil society organizations and human rights defenders from the process. These individuals openly criticize the policies, practices, and actions of institutions.
- The absence of well-defined policies for the development of civil society hinders the systematic creation of a supportive environment for the work of human rights defenders and civil society organizations.

The closure of institutions designed for dialogue and collaboration with civil society organizations and human rights defenders is evident in all three countries. Civil society organizations commonly engage in proposing improvements to public policies, criticizing negative institutional practices, or condemning human rights violations. However, due to their advocacy work, these organizations are often excluded from participating in creating and adopting public policies and laws. Despite formal declarations of inclusion, the satisfaction of democratic standards for citizen participation is often superficial, merely involving civil society organizations in

the declarative aspects of policymaking processes or regulatory development. The lack of a key policy for the development of civil society in Croatia and Bosnia and Herzegovina is of additional concern, while in Serbia the quality of the implementation of the strategy adopted in 2023 is questionable. All the above affects the narrowing of the civil space for participation, the democratic character of societies is negatively affected, the quality of public policies is weakened and the consequent effect on the protection and realization of human rights.

In *Serbia*, organizations emphasize that civil society's involvement in decision-making processes is often merely declarative, aiming to legitimize the process without sufficient public discussion and dialogue. The presence of parallel civil sectors, represented by Government-Organized Non-Governmental Organizations (GON-GO), further limits the space for civil sector activity and diminishes citizen participation in legislative processes.

“

Despite our numerous appeals, the state completely ignored our concerns and, unsurprisingly, did not invite us to participate in the working group [during the process of amending the Law on Registry Books]. They went ahead and passed the law, amending Article 45 in direct contradiction to the 2017 judgment of the European Court of Human Rights. This judgment explicitly states that transgender persons should not undergo medical interventions leading to temporary or permanent sterility to change their personal documents in alignment with their gender identity. In terms of collaboration with institutions, I would rate it as the lowest. **Geten**

Another instance highlighting the disregard for the role of civil society organizations in *Serbia* is related to the new Law on Referendum and People's Initiative. The entire process of adopting this law lacked transparency, and the public debate was manipulated. Consequently, a significant number of citizens participated in protests, leading to road blockades in November 2021. Merely a month later, the National Assembly passed a revised bill, although improved due to public pressure, without any discussion or consultation with civil society organizations.



In *Croatia*, the frequently non-transparent and unsatisfactory process of nominating and electing civil society organizations to working groups on proposed laws and public policies is a cause for concern. Furthermore, it is troubling that, in some instances, members of civil society are included in working bodies even after the process of drafting public policy has concluded. This practice effectively hinders meaningful participation by civil society organizations.

“ In some cases, we are not even aware that working groups are being established nor that representatives are being appointed – we simply suddenly realize that a working group exists. At the same time, the biggest problem is that public authorities contact organizations directly, asking them to propose their representative. Sometimes there is no public call for applications, at least in some of our recent experiences. **B.a.B.e**

“ A CSO member was appointed to a working group on the amendments to the Act on the Right of Access to Information behind schedule, no less than two months after the working group had been formed and after the draft act had been completed. **Gong**

In *Croatia*, civil society organizations frequently highlight that working groups are sometimes treated as an end in themselves rather than as a means for genuine improvement or policy change. When organizations are appointed to these working groups, they often find it challenging to meaningfully participate in their work due to infrequent meetings or lack of involvement in the process.

“ So you are appointed to a working body somewhere, you don't get any invitations to meetings because they simply haven't been held for two years, so then the question arises – what is with this – were you appointed only as a matter of form so that someone could have said – here they are – but we did have a working group, for example related to public policies on climate change, and the fact is that this working group did not meet even once in two years. **Green Action**

In *Bosnia and Herzegovina*, “the termination of cooperation” and lack of engagement by institutions with civil society organizations focused on transparency, anti-corruption efforts, and the protection and promotion of the rights of LGBTIQ persons are causes for concern. Additionally, excluding an organization from a working body, which advocated for a comprehensive coordinated approach at the national level rather than an exclusive focus on the entity level, is also troubling.

“ When we applied for some working groups or commissions working on corruption issues, which are our narrow field of action and where we are the only organization practically dealing with that, we couldn’t get into those working groups. The situation is a bit different at other levels, at the state, even at the federal and cantonal levels, but in RS, everything is much more closed off. Everyone stopped cooperating in RS at one point, and then that cooperation was reduced to whether they would appear at an event we organized or not. Essentially, it depends on the specific subject matter, although there is also a consistent trend at the entity level where, for some who are willing to cooperate, there is a fear that they will be criticized for cooperating with us. **Transparency International BiH**

“ The CURE Foundation encountered a “subtler” way of terminating cooperation when the director of the Bosnian Cultural Center (BKC), instead of the usual market prices for renting space in this center, requested a staggering 12,000 BAM, “because we openly supported the holding of the BH Pride Parade”. **“CURE” Foundation**

“ We are no longer welcome in the Council for Children of Republika Srpska; we’ve known that for some time, because our associate, who was then in the Council, insisted on cooperation with the FBiH at that time and on unlocking the cooperation process and jointly drafting documents at the national level and so on. **Hi, Neighbour**

Civil society organizations also emphasize the pervasive challenge of obtaining information of public interest, which human rights defenders require for conducting research, crafting analyses, developing policy solutions, and engaging in public advocacy.

In *Bosnia and Herzegovina*, organizations note that deadlines for submitting information are often not adhered to. Frequently, they receive unclear or unspecified answers, particularly concerning “sensitive” financial topics, public procurement, or concessions. The initiation of mechanisms against administrative silence, including lawsuits due to non-delivery of data, further complicates the work of activists.

“ Obtaining information is quite challenging. Responses are often brief and formal, and when provided, they tend to be evasive. For instance, my colleague Melani received a response the other day that spanned three pages, yet it failed to address the original question and instead focused on an unrelated topic. Institutions sometimes share irrelevant information just to claim they’ve responded, without addressing the actual inquiry. I find it surprising when an institution replies promptly and directly. **Association of citizens “eTrafika”** ”

“ Accessing information is a persistent challenge for us. As an example, we’ve been in a legal battle for five years against the director of ZZO because we requested contracts for health institutions, institutes, and other places where funds had been allocated. Despite being in court for half a decade, they have yet to provide us with the information. It seems they are aware that any response, even unrelated to the actual question, fulfills the legal norm. As a result, these answers often deviate from the query, leaving us without the information we seek. While there are instances when we do receive the requested information, most of the time our inquiries are either ignored or inadequately addressed. ”

**Life Quality Improvement Association “Futura”**

In *Croatia*, issues concerning the right to access information are consistently highlighted in reports from the Commissioner for Information. The report indicates a concerning trend of illegal decisions denying the right to access information, insufficient use of the established practices of the Commissioner and the High Administrative Court by public bodies and authorities, and instances of administrative silence – the failure to address requests for access to information within the stipulated timeframe.

“The reluctance of some institutions to cooperate is even more apparent in the context of access to information, especially when it comes to the Ministry of the Interior, where it is actually very difficult to obtain information that should be public and that is necessary for our work (...) our queries are most often unanswered, and when we request information invoking the Act on the Right of Access to Information, they either extends the period for reply or cites administrative reasons to avoid responding. We have noticed the consequences of this practice in, for example, the context of preparing a report for the EU Agency for Fundamental Rights, in which case the Ministry of the Interior regularly refuses to provide information to us but delivers it directly to the Agency, despite the Agency requesting otherwise and although we are the subcontracted partner for Croatia.

**Center for Peace Studies**

In *Serbia*, civil society organizations highlight various challenges in accessing information. The provision of information often depends on the specific type requested. According to the report from the Commissioner for Information of Public Importance and Protection of Personal Data, obtaining information on budget expenditures, administrative procedures, and environmental protection proves particularly challenging. Timelines for procedures related to free access to crucial public information are frequently disregarded, resulting in delayed responses and, consequently, complaints due to administrative silence. Additionally, there are instances where the provided answers are incomplete and imprecise.

“

Most of the information that should be publicly accessible is not readily available on the institutions' websites. Our experiences vary depending on the type of information sought, but, in general, we only receive information following the Commissioner's intervention. Some information is never provided, even after the Commissioner's order. At times, we receive incomplete information, and we must subsequently demonstrate its inadequacy. This becomes particularly inconvenient when dealing with complex documents, such as the Local Register of Pollutants. On one occasion, we even received an empty envelope. **Team 42**

The issue of accessing public information in *Serbia* became particularly pronounced during the coronavirus pandemic. Despite numerous requests from civil society organizations and human rights defenders seeking information about healthcare and crisis response, the Commissioner, after ordering the release of requested data on the epidemiological situation in Serbia, faced non-compliance. Various information, including details about the procurement of medical equipment and vaccines, were arbitrarily deemed *de iure* or *de facto* secret without explanation. Consequently, the competent authorities refused to provide the requested information.

While experiences with institutions and involving organizations in decision-making processes vary, a troubling trend emerges from the above observations: institutions often show reluctance to cooperate with civil society organizations. This is coupled with a lack of meaningful consultation and dialogue, undermining opportunities for participation and adversely affecting the quality of public policies. Another concern is the unavailability of public information, which poses a significant challenge for civil society organizations working on refugee, migrant, and asylum seeker rights, as well as those focused on environmental protection, transparency, and anti-corruption efforts. This issue is particularly pronounced in Serbia, especially regarding information related to actions during the COVID-19 pandemic.

### **Recommendations:**

- ▶ States must implement decisive measures to facilitate cooperation between institutions and civil society organizations, fostering an institutional-political culture where decision-makers actively and meaningfully engage human rights defenders in the development of public policies and regulations.
- ▶ States must ensure the complete realization of the right to access information of public importance, making it readily available to all citizens.
- ▶ States should adopt robust and comprehensive policies to create a supportive environment for the work of human rights defenders and civil society organizations.

# EXERCISING THE RIGHT TO PUBLIC ASSEMBLY AND PEACEFUL PROTEST

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## Key issues

- In Bosnia and Herzegovina, exercising the right to public assembly is challenging due to varying and inconsistent laws across the Brčko District, Republika Srpska, and the Federation of Bosnia and Herzegovina. Notably, the latter two are not in alignment with international standards. Procedures for registering and organizing protest gatherings lack clarity, being both complex and excessively bureaucratized.
- In Serbia, the selective enforcement of the Law on Public Assembly often results in the abuse and misdemeanor punishment of activists and participants in peaceful protests, along with the prohibition of peaceful assemblies. The series of incidents and physical attacks on participants, journalists, and the police during Europride 2022 is especially concerning.
- In Serbia, the impunity for the excessive use of force by the police against participants in peaceful protests serves as a deterrent for those who seek to exercise this right.
- In Bosnia and Herzegovina and Croatia, gaining access to the most relevant socio-political public spaces for holding protests is becoming increasingly challenging. Meanwhile, in Serbia and Bosnia and Herzegovina, protests in motion and spontaneous demonstrations are often not recognized as a form of peaceful assembly.
- In Serbia and Bosnia and Herzegovina, the excessive presence of police can cast a negative image on protest participants, contributing to the perception of the militarization of non-violent public civil actions.
- In Bosnia and Herzegovina and Croatia, protest organizers face financial requirements similar to those imposed on organizers of commercial public gatherings. This unjustifiable burden negatively impacts the exercise of the right to public assembly.

The right to public assembly, along with the right to association, constitutes a fundamental aspect of the effective work of human rights defenders. The state bears the responsibility to ensure the seamless conduct of peaceful gatherings and protests, providing access to the most pertinent social and political institutions. Moreover, the state is obligated to protect participants in public gatherings against threats, harassment, intimidation, and hate speech. The organization of public gatherings, including the registration process, should be accessible and straightforward for all citizens, with uniform treatment by institutions for all gathering organizers.

In *Bosnia and Herzegovina*, the process of organizing and conducting protests is far from straightforward, primarily due to varying regulations across Republika Srpska, Brčko District, and the Federation of Bosnia and Herzegovina. Unfortunately, these regulations lack alignment with international standards and mutual harmonization. The entire procedure, from registering a protest to obtaining a permit, is excessively bureaucratic and complex, dissuading potential participants. Moreover, organizers of the BH Pride Parade face additional police requirements not imposed on other protest organizers, signaling unequal treatment. It is further disconcerting that human rights defenders, committed to protecting and promoting human rights, are subjected to the same requirements as organizers of commercial public gatherings, despite their distinct goals and non-commercial nature.

“The procedures are actually very often unclear, and often, when we organize public gatherings, new requirements that we didn't have before started emerging. Every time we organize public gatherings, we have to contact a large number of institutions, even some private companies and whatnot... Then, there are requirements for security agencies, emergency services, firefighters, and these are things that we, as an organization, have to pay for, things that are required of commercial public events organizers. I don't think it should be the case for protests, non-commercial public gatherings, but they treat everything the same way. It's really an area that is bureaucratized, so to say burdened, with obligations for anyone who wants to organize a public protest, that I believe many people can get confused and may give up because it's not at all simple. **Sarajevo Open Center**



“ The procedures are very complicated. They demand things from us that nobody else is asked for, from additional fees to various lists we need to submit to the Ministry of Interior regarding the diplomatic corps, security staff, which cars will be at the beginning and end of the route, what the wristbands look like, accreditations, etc. – we have to submit all of this to the Ministry of Interior, which they don't demand from anyone else. This takes up our time and capacities. Not to mention that we would usually have 4-5 informative meetings with the police, something no one else does. You report a protest, you go to the protest, and that's it. **the Organizing Committee of the BH Pride Parade**

“ The procedure is not simple. At times, it poses challenges, particularly on March 8<sup>th</sup>. The sought-after spaces are consistently reserved in advance. Subsequently, they assess economic viability, and unfortunately, we lack the funds required for payment. As a result, they reject our request based on financial constraints. Additionally, the approval hinges on the nature of the public gathering, such as the theme—whether it involves femicide, violence, or constitutional changes, all of which we do not endorse. **“CURE” Foundation**

While the regulation of the right to freedom of assembly in *Croatia* is well-established at the normative level, human rights defenders have observed instances where attempts are made to depoliticize and commercialize public gatherings. In these cases, efforts are made to categorize public gatherings as manifestations or other events, leading to the application of different rules rather than those typically associated with protests. This not only poses a financial burden on the organizers but also serves as a potential deterrent to the exercise of the freedom of assembly.

“

I see something, a trend, that, from our perspective, has existed before and still exists, and those are efforts from city authorities or police authorities, made through formal or informal channels of communication, to qualify protests that clearly have a socio-political character as events, manifestations, festivals and then consequently charge for public services such as, for example, insurance or road closures or another service as if they were commercial events that the organizer may or may not profit from. This didn't happen to us, but there were attempts in the past that we responded to with complaints, objections, even lawsuits. This trend to reclassify as many protests as possible into events is visible, which has two negative consequences. One is an attempt to depoliticize public gatherings, and the other is to put pressure on the organizers to provide financial resources for paying for such public services related to the organization of events and manifestations in contrast to public protests, which must always be free and accessible to citizens by the laws and the constitution.

**Zagreb Pride**

Numerous cases in *Serbia* suggest a selective application of the Law on Public Assembly and its provisions. Human rights defenders, activists, and citizens expressing dissatisfaction through civil actions and peaceful protests face an increasing number of misdemeanor proceedings. Notably, protests organized by human rights defenders often prompt counter-protests by right-wing organizations, facing no prohibition or misdemeanor charges, despite instances of insults and threats against activists. The broad and vague definition of a spontaneous assembly frequently results in the abuse of regulations, leading to misdemeanor punishment for activists who fail to report the assembly, even when it arises as an immediate response to a specific event. This inconsistent treatment of spontaneous gatherings imposes financial strain and intimidation on activists, often compelling them to collect donations from citizens to cover misdemeanor fines.

“ We announced the gathering and painted the wall. Subsequently, seven activists faced more than 25 misdemeanor charges, and individual participants were subjected to criminal proceedings. Despite our efforts, the mural was eventually restored to its original state. Surprisingly, there is no information regarding any sanctions against those who attempted to redraw the mural three times. Although we tried to report these incidents, there was no timely response, and no state body stepped forward to inform the public. The entire process is both tiresome and disheartening. Managing these legal procedures requires dedication, with resources sourced from various projects. Each such action adds an extra layer of work that nobody should have to contend with.

**Youth Initiative for Human Rights**

“ Every May, we conduct a street action commemorating the anniversary of the forced mobilization in Kruševac and the conscription of men to the war in Kosovo, in collaboration with Women in Black. During our 2021 event, the Serbian Radical Party unexpectedly appeared at the same location. Despite only sending a notification to the Ministry of Interior rather than a formal announcement, somehow they got wind of it and scheduled their gathering just 10 meters from ours. As we were spelling out the word “Pamtimo” (We Remember) with table salt, they trampled on our display. Throughout our action, they threw objects at us. Initially, two policemen stationed across the road remained unresponsive until we insisted they move away from our designated space. The officers argued they also had the right to express their views, and while this is true, they do not have the right to vandalize what we had set up.

**Association of Women “Sandglass”**

One of the most notable instances of an attack on freedom of assembly in *Serbia* occurred with the prohibition of the Europride 2022 march. *The European Commission's 2022 report* highlighted the contradictory statements from authorities regarding Europride, creating legal and political uncertainty in the lead-up to the event. Throughout and following the march, a series of incidents and physical attacks

were documented against participants, journalists, and the police, leading to the detention of at least 31 individuals.

“ Prime Minister Ana Brnabić initially endorsed Belgrade’s candidacy for Europride, only to have the President of Serbia later unconstitutionally ban this peaceful gathering, expected to draw a large number of participants. The president cited longstanding issues with Kosovo as the reason for the ban. Despite the Prime Minister’s support, the Administrative Court also prohibited Europride without providing clear reasons for the decision. The complex situation in Kosovo has persisted for years, with various threats left unanswered. Public discourse focused on the number of victims attacked during Europride, highlighting the lack of reaction to assemblies where LGBTQI individuals faced severe insults and threats. While legal remedies are available, the effectiveness of these measures depends on the application within a context where an independent judiciary and institutions are lacking. **Geten**

In *Bosnia and Herzegovina*, civil society organizations highlight the prohibition or impracticality of holding protests on public spaces such as streets and squares near key political institutions. Additionally, there are instances of reported protests being relocated to unsuitable locations, away from busy areas where citizens can easily witness and hear the protesters and their messages.

“ It is absolutely limited, in Banja Luka, we have Krajina Square and Mladen Stojanović Park. For instance, if you need to protest in front of the court or the prosecutor’s office, you are formally forbidden, which is beyond reason. We have organized protests in front of the prosecutor’s office, and even though the police accused us of violating the Law on Public Assemblies, the courts acquitted us of responsibility. I had also organized a press conference in front of the Prosecutor’s Office where the media and many citizens came. A month after, the police accused me of violating the Law on Public Assemblies and not filing a request. **Civic Initiative “Justice for David”, Movement for Justice**

“It is limited, for example, when we applied for a protest, I received a call from the police to come for a meeting. I asked why they were calling me, they said it was because of the protest, but they didn't specify anything. Then they told me that the protest could not take place at the desired location because there is a Decision, I don't know from what year, which prohibited the gathering there, and how we had to hold the gathering in the parking lot near the Health Center, where no one could see you, and the whole point of the public gathering was lost. We wanted to hold the protest in the main square in Lukavica, and we ended up in a parking lot where there were not many people walking around.

**Coalition for the Protection of Rivers in Bosnia and Herzegovina**

“We have experienced activists being sued for these spontaneous gatherings. A group from Doljanka received, I think, over 10,000 BAM in fines because they disrupted the work of an investor for 15 minutes. Similarly, another group was fined 100,000 BAM for trespassing. So, spontaneous gatherings, in practice, can be problematic.

**Coalition for the Protection of Rivers in Bosnia and Herzegovina**

In *Croatia*, organizing peaceful gatherings and protests on St. Mark's Square in Zagreb remains challenging, limiting citizens' right to public expression and protest in a politically significant location where their voices can be heard and seen by elected democratic representatives and officials they address. Public gatherings on St. Mark's Square require prior notice, and access is only possible through police checkpoints implemented after the shooting incident at the Government building in late 2020.

“When it comes to public assemblies, I would mention the closing and fencing of St. Mark's Square as an example of an ugly image for democracy – I would say that the image of the square is the image of a police state, which Croatia is not, despite many issues in its democracy and its decline.

**Gong**

“ I believe that the closing of St. Mark’s Square after that attack was used to prevent public gatherings and general access to the Parliament and the Government in the long term. **Centre for Peace Studies**

Human Rights Defenders in Serbia and BiH highlight an issue regarding the freedom of peaceful assembly – the excessive police presence at their announced and non-violent gatherings. This situation turns peaceful protests into closed events, potentially fostering a negative perception of protesters and discouraging participation due to a chilling effect.

“ During our March 8 walk, the noticeable police presence raises questions about whom they are protecting and from whom. Sometimes, the police intervention is more than necessary, leading to route changes or unnecessary directives. The challenge arises when there are too few police, making the event vulnerable to attacks, while an excessive police presence can hinder people from freely joining the assembly.

**The Alternative Girls’ Center**

“ The two most important institutions we communicate with are the Ministry of Interior of the Sarajevo Canton and the Ministry of Transport of the Sarajevo Canton. We have experienced various attempts to obstruct and complicate the process of obtaining approvals from both of them. Throughout the years, the Pride Parade was treated very restrictively with militaristic measures, where the Parade was isolated, and no one could approach the walk and the route. Half of the city was blocked, and this reflected on the activists, as if they were to blame for it, not the authorities. This is one of the problems we are trying to solve and address. This year (2023) was somewhat more open, but it still wasn’t ideal because some parts of the city were closed. We still had entrances to the Parade that no other protest had, and until we open the Parade so that anyone can join, we would never be an equal protest.

**the Organizing Committee of the BH Pride Parade**

The challenges and obstacles surrounding the realization of the right to public assembly in *Serbia* and *BiH* underscore the urgent need for consistent application of the highest human rights standards. This requires addressing legal uncertainty and political pressures, primarily through legislative changes, standardization of court practices, simplification of procedures, and enhanced collaboration between institutions and gathering organizers. In *Croatia*, while the legislative framework is deemed satisfactory, obstacles persist, such as the inability to hold protests on St. Mark's Square and attempts to categorize public gatherings as manifestations or other events, hindering the full exercise of the right to public assembly.

### **Recommendations:**

- ▶ States should align their national regulations with the highest international human rights standards, including the OSCE Guidelines on Peaceful Assemblies, the Venice Commission's Guidelines, and the UN Human Rights Committee's General Comment on the Freedom of Peaceful Assembly. This alignment is crucial to guarantee the complete and unrestricted exercise of the right to public gatherings, particularly in high-traffic public areas housing essential political and social institutions.
- ▶ States should guarantee the uniform enforcement of regulations and the fair and equal treatment of both the police and other entities involved in facilitating and protecting the right to public assembly.
- ▶ States should ensure that peaceful human rights protests are not treated as commercial public gatherings. This means that protest organizers should not be burdened with the costs of insurance, cleaning, and other communal services.
- ▶ States must ensure that the use of force by the police is both legal and subject to subsequent oversight by competent state bodies.

# SOCIAL AND INSTITUTIONAL PRESSURES AND LACK OF PUBLIC SUPPORT FOR HUMAN RIGHTS DEFENDERS

## Key issues:

- Human rights defenders and their organizations face SLAPP lawsuits seeking high damages with the intent to intimidate, censor and silence their work. These procedures are often long-lasting, expensive and exhausting for human rights defenders and their organizations, and the prosecutors are often prominent persons in positions of power.
- In Bosnia and Herzegovina and Serbia, institutions misuse standards related to transparency and prevention of money laundering to create pressure on human rights defenders and their organizations.
- There is a lack of public support for human rights defenders and their organizations, especially those who protect the rights of LGBTIQ persons, the rights of national minorities, refugees and migrants, women's human rights, and who work on the topics of transitional justice and dealing with the past, the fight against corruption or advocate for environmental protection.
- Discrediting and delegitimization of human rights defenders in the public by ultra-conservative and populist politicians is still a present issue. Cases of discrediting by the highest state officials are of particular concern, further complicating the work of human rights defenders and relativizing the value of human rights in a democratic society.
- Politicians and officials continue to fail to clearly and unequivocally condemn the threats and discrediting of human rights defenders. This sends an indirect message to the public that such behavior is approved, leading to the social normalization and acceptance of a certain level of hate speech and threats. These actions are condemned only when they go to extremes.



Social and institutional pressures aim to silence, intimidate and deter human rights defenders and civil society organizations from their work on the protection and promotion of human rights, protection of the rule of law, promotion of democratization of society and other similar activities. In the case of Bosnia and Herzegovina and Serbia, these pressures are manifested, among other things, in the malicious application of standards in the field of transparency, abuse of the legislative process and court procedures with the aim of social delegitimization of human rights defenders.

In *Bosnia and Herzegovina*, Republika Srpska announced the adoption of the Law on the Special Registry and Publicity of the Work of Non-Profit Organizations. The proposed legal text is problematic and designates associations that receive internal donations as “agents of foreign influence”, which is a stigmatizing legal qualification that can harm associations and even expose them to threats or public attacks. An additional issue is the limitation of the “political activities” of civil society organizations, which are so broadly defined that they can prevent any activity of citizens’ associations in the direction of improving legislation and achieving better protection of citizens, which is why associations are formed.

“ The process of selection is present everywhere and it affects the cohesion of civil society. About 35 organizations have signed an open letter calling on the authorities in Republika Srpska to withdraw the proposed amendments to the Criminal Code of the RS and the Draft Law on a Special Registry and Publicity of the Work of Non-profit Organizations. Such bills divide civil society. Most of them stand back and wait to see what happens in order to preserve their funds. There is a special pressure on those who are partially or fully financed by the city, entity or from any public budget. On the other hand, there were also those who were awakened by these moves of the government and who joined us and started cooperating with us. **Helsinki Citizens’ Assembly Banja Luka**

In Serbia, in 2020, there was institutional pressure on the activities and work of civil society organizations. The Administration for the Prevention of Money Laundering of the Ministry of Finance

of the Republic of Serbia sent a request to banks operating in the territory of the Republic of Serbia to provide insight into all transactions through accounts held by civil society organizations dealing with the rule of law and human rights, media associations since the beginning of 2019, as well as prominent activists and journalists. In its request, the Administration for the Prevention of Money Laundering referred to the Law on Prevention of Money Laundering and Financing of Terrorism. On the occasion of this event, the United Nations special rapporteurs expressed their concern that Serbia used its powers to supervise the financing of the fight against terrorism in a broad and arbitrary manner against non-governmental organizations and individuals and in violation of Serbia's obligations under international law. Six months after the public found out about this request of the Administration, The Financial Action Task Force (FATF) reacted, judging that such inspection was groundless and that "the requests without grounds for doubt are not in accordance with FATF standards".

“ We are witnessing an increasing imposition of pressure by the state apparatus. As a non-optimist, I anticipate a more restrictive environment in the near future, with additional attacks and pressures on non-governmental organizations becoming more likely. **CHRIS Network** ”

A concerning trend affecting human rights defenders is the rise of SLAPP lawsuits (*Strategic Lawsuit Against Public Participation*) and strategic legal actions targeting activists, individuals, organizations, and media outlets. These lawsuits aim to intimidate, demotivate, and force the abandonment of their work through the threat of hefty monetary damages and fines. The primary objective for those initiating these proceedings is not necessarily to prove a violation and obtain compensation. Instead, the main goal is to censor activists and media, stifling criticism and suppressing the exposure of legal violations by politicians and companies.

In *Serbia*, the target of SLAPP lawsuits are citizens' initiatives, civil society organizations, the media and individual activists. The majority of such lawsuits target environmental activists, the media, as well as activists who protested and organized protests. Most often, it is about litigation for claims for compensation for damage due to injury to honor and reputation. It is often multiple lawsuits

and millions in compensation claims, and in the case of an activist from the movement “Save the Forests of Fruška Gora”, even a year in prison was requested.

“ Supporting local organizations is crucial. We must not abandon the informal civil movements that have emerged; instead, we need to maintain and strengthen them. It is essential to actively connect these movements with mainstream media in Belgrade, donors, and every possible form of support. This is not only to facilitate real change but also to ensure their safety, a critical aspect. Additionally, providing some financial support is necessary for these organizations to survive and continue their local work. **Group Be one**

A large number of SLAPP lawsuits against journalists and the media are still the issue in Croatia, and organizations dealing with environmental protection also face SLAPP lawsuits. Seeking excessive compensation claims, along with delaying the procedure, entails issues in the form of financial burden, waste of time and capacity of human rights defenders, as well as their negative perception in the public.

“ I think here it is important to mention that in essence, these types of investors have a lot of support from the authorities at all possible levels, because no one has protected us at any point in this procedure or taken a position that these procedures may be conducted for their own sake and not because we actually did something. This has been going on since 2017, and the prosecutor has not even taken any steps to prove what it is that we did exactly, what kind of damage we allegedly caused. **Green action**

In active court cases against journalists and the media in *Croatia*, the amount of claims ranges from several hundred euros to tens of thousands of euros, while the longest court case lasts as long as 32 years. It is particularly worrisome that the prosecutors are often people from public and political life, including politicians in power, legal persons and judges.

In *Bosnia and Herzegovina*, the target of SLAPP lawsuits are citizens' initiatives, media and civil society organizations that speak critically about corruption, demand transparency or protest. Court proceedings are long-lasting, and sometimes it is a series of proceedings against the same persons, which significantly consume resources, leave consequences for physical and mental health, but also have a chilling effect on the work of human rights defenders.

“These were proceedings related to alleged disturbance of public peace and order, alleged violations of the Law on Public Gatherings, violations related to laws on infectious diseases during the COVID-19 pandemic. All of this was used to target us, intimidate us, and stifle our work. I've been keeping records and archives of all these proceedings; I wanted to preserve all of this for the future, precisely because of conversations like these and because of us, and literally all of these fell in court, and we were acquitted of any responsibility. I also had numerous informative meetings to which I was invited by individuals in police uniforms. I duly responded and would lose several hours of my time on each occasion. The stress I went through affected both my physical and mental health, no matter how hard I tried to remain calm and composed. **Civic Initiative “Justice for David”, Movement for Justice**

“When we work on investigative stories on our portal about crime, corruption, and so on, then we receive defamation lawsuits. So far, we haven't lost a single one, although it takes about 5-6 years of legal proceedings. The essence is that I would never publish anything without evidence or if it's not in the public interest. I adhere to that, and I would publish it even if it involved a family member. I'm just like that; I want us to serve the truth, and that's it. **Portal Tacno.net**

Systematic and continuous public support of officials and decision-makers for the protection and promotion of human rights is lacking. In *Bosnia and Herzegovina*, public support from politicians

is periodical and does not represent a pattern of behavior of the authorities and politicians. This is particularly noticeable in Republika Srpska, where the highest representatives of the government often verbally attack human rights defenders, discredit their role in society and declare them “traitors”, “foreign mercenaries” and “enemies”. Statements made by the highest authorities are rarely questioned and condemned by other officials.

“ I think that no one supports us precisely because of the topics we deal with, which are social justice, the culture of memory, facing the past, where social justice also includes feminism and the fight for LGBT rights. And when you work on these topics, you are characterized from the very beginning as enemies and traitors of the state. And anyone who would provide us with help or support would be sanctioned and segregated, as many people who are employed in public institutions have told us. Some of them have loans, some have children, and there were professors at the college who told us: “Turn off all the phones, hide them in your bag”, and then say: “We appreciate your work, what you do is great, but we must not publicly support you”. **Oštra nula**

“ From the point of view of environmental activists, the public support of officials is often in conjunction with the interests of investors and “there is a greater chance that they will support you if you want to protect an area than if you oppose something being built, because in that case they have to resent the investors. And during that time, while you are protesting, the investor and the government have usually already built mutual connections through the process of obtaining permits, usually to the detriment of the public interest.” **Coalition for the Protection of Rivers in Bosnia and Herzegovina**

“ When it comes to support from institutions, it is very limited and rather neutral, such as the Ministry of Human Rights and Refugees of BiH or the ombudsmen have had very brief statements, mostly related to holding the Pride Parade or if there was an attack, which is, I would say, insignificant because it is all somehow generic since LGBTI human rights and the Parade are not mentioned, just general support. What was explicit and direct was the support of Our Party, which has been providing concrete and very clear support since around 2020, and it is willing to participate and assist in the ongoing processes to a certain degree. **the Organizational Committee of the BH Pride Parade**

“ It is interesting that the mayor of Sarajevo gave gold coins to the Antidayton movement, which publicly called for the banning of Kvirhana, which we organized, and for the dismissal of the director of the History Museum. And no public support for LGBT people since she became mayor. **Sarajevo Open Center**

In *Serbia*, there is also a lack of public support from state officials, bodies and institutions for human rights defenders and their organizations, while the discrediting of human rights defenders in the public often comes from high public officials.

“ A11 was attacked in the Parliament by SNS representatives. An entire address lasting at least half an hour was directed at Biljana Đorđević, a member of our Board of Directors. It was an attack on her, but in that context, we served as a tool to make her work meaningless and belittled. Our financial reports were used and interpreted in a very unprofessional and malicious manner. **A 11 - Initiative for Economic and Social Rights**

“ In a television show, Boško Obradović calls transgenerism a depravity. Related to this, the Commissioner issues an opinion that he does not call for violence. As if this, in itself, is not a form of verbal and psychological violence. On the other hand, the opinion states that he violated the Law, but the only measure is a public apology and a meeting with representatives of LGBTI+ organizations, with the aim of getting to know our issues. It is the theater of the absurd. **Geten**

In *Croatia*, there is still a lack of public support for human rights defenders and their organizations from politicians and representatives of institutions. Human rights defenders point out the institutions of the ombudsman's office as institutions that give them real support in their work, while the public support of other institutions at the national level is almost exclusively declarative or non-existent. Additionally, the portrayal of human rights defenders and civil society organizations as consumers of the budget, idlers and those who harm the interests of the state is worrying.

“ I believe that politicians' support is limited. As far as institutions are concerned, I think that the only support we received in the past four years was from the Ombudswoman. Not only was there no support from the others, but cooperation was also absent precisely because we are human rights defenders. **Centre for Peace Studies**

“ I don't think there is anything favorable regarding the politicians in power, the Prime Minister and the President, I don't think that human rights organizations are treated and portrayed well. In fact, I think that institutions often attack and call them out. (...) They are almost portrayed as, how should I say, breadtakers. Like those who suck resources from the budget and don't contribute, or like, as Prime Minister Plenković called us, professional applicants, let's say. **Gong**

“ Both the general public and the narrow political circle tend to speak based on existing prejudices without any real interest in our work (...) Specifically, when it comes to President Milanović, he simply rambles on in his statements and does not know when to stop (...) he makes statements based on personal opinion based on prejudice and stereotypes, completely without basis. And of course, after our response, he does not admit his mistake but continues on. He is certainly not alone in this, because often when talking negatively about women’s organizations, ‘those hags’ is used, which is sometimes directly aimed at us, and sometimes others who do similar or the same work as we are identified with our name. **B.a.B.e.**

“ And the third thing that comes to mind is that the very top of the government and the Prime Minister often calls those he wants to discredit in this way—namely those who oppose him—activists, implying that organizations are a breeding ground for his political opponents and those who want to politically destroy this country (...) He completely redefined the terms activism and activist and put them in a negative context and that serves him, as far as I can see, he is constantly pulling it out of his sleeve. As if it was illegitimate for someone to actively work in an organization and then throw themselves into politics, while the fact that a bunch of gynecologists and doctors have their own private practices and then go in as politicians and shape public policies, he doesn’t have a problem with that. So, I think that organizations are smeared in different ways and that those who should take care to protect the reputation of organizations are not doing their job, while organizations are too busy with their activities and reports to defend themselves, and besides, why should they defend themselves. **RODA**



## Recommendations:

- ▶ States must ensure the protection of journalists and human rights defenders involved in public participation from clearly unfounded or malicious court proceedings and harmonize their legislation with the provisions of the EU Anti-SLAPP Directive.
- ▶ Republika Srpska to, in accordance with the joint opinion of the Venice Commission and OSCE/ODHIR, withdraw the previous Law on the Special Registry and Publicity of the Work of Non-Profit Organizations.
- ▶ Politicians and state officials must unequivocally and clearly condemn the threats and discrediting of human rights defenders and provide them with public support in their work.
- ▶ Politicians and state officials must refrain from verbal attacks on activists in the public space, especially from the misuse of institutions such as the parliament to spread hatred towards defenders of human rights.





