

For action to:

Balkans CAP Coordinators,
Balkans CAP Groups,
HRDs Network,
LGBT Network,
All sections Campaign Coordinators

From : Balkans Team
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**Serbia: Human Rights Defenders at Risk
(Special Focus on Belgrade Pride 2010)**

CAPA 34/9 Update 1

1. Introduction

This action update makes specific recommendations for campaigning activities by sections and groups on Human Rights Defenders (HRDs) in Serbia who are working for the rights of lesbian, gay, bisexual and transgender (LGBT) people.

The timing of the action is crucial – it is issued days before the Belgrade Pride, which is scheduled to take place on 10 October. Therefore, all campaigning activities are entirely focused on ensuring that the Pride goes ahead safely and unobstructed.

Please, note that update of the situation of human rights defenders working on other human rights issues (including war crimes and discrimination against Roma) will be issued separately at a later stage.

Amnesty International is concerned that with the approaching of the date of the Pride (10 October 2010) far-right groups increasingly resort to threatening discourse in the public domain, including on the internet. We have also learnt of numerous attempts to intimidate individual LGBT activists whom AI considers to be HRDs.

The authorities in Serbia are obliged under international and domestic law to guarantee the rights to freedom to assembly, expression and association to the LGBT community and their supporters. Impunity for perpetrators of attacks against LGBT people must not be tolerated!

Support the Belgrade Pride! Take immediate action by sending appeals to the Serbian authorities. Urge your own country embassy in Belgrade to provide all necessary support to the organisers and participants of this year Pride.

2. Background

LGBT people in Serbia are not guaranteed the right to freedom of assembly, expression and association. Since 2001 the LGBT community in Serbia has been unable to hold a Pride Day parade due to serious threats from far-right and homophobic organizations.

HRDs working for the rights of LGBT people continue to be subject to threats and attacks. Relatively few persons suspected of such attacks have been brought to justice, and in cases where prosecutions have taken place, lesser 'misdemeanour' charges have often been filed.

2.1. 2001 Belgrade Pride

In 2001, the police failed to protect participants of the first Pride in Belgrade from attacks by members of a counter-demonstration. The Pride Celebration Day took place in the capital, Belgrade, on 30 June 2001, but was marred by violence from counter-demonstrators who threatened and assaulted participants in the march. Amnesty International received reports from several sources that the police initially stood by while the assaults took place, and that the police only responded at all when they themselves came under attack.

2.2. 2009 Belgrade Pride

Last year, the Belgrade Pride march, which was scheduled for September 2009, did not take place after the authorities at the last moment refused to provide security to the Pride participants on the agreed route through the city centre because of threats from far-right groups.

2.3. Impunity for acts of threats and intimidation against LGBT people

Despite the requirements of national law, the authorities have failed to bring to justice those responsible for issuing threats to the organizers and supporters of the 2009 Pride.

The Serbian Ant-Discrimination Law explicitly guarantees the rights to freedom of assembly, expression and association to the LGBT people. Threats that aim to disrupt the rights of freedom of assembly and expression of others, and which amount to incitement to discrimination, hostility or violence against Pride organisers and participants, violate international human rights law, and also appear to violate Serbian law, such as Article 387 of the Serbian Criminal Code, on Racial and Other Discrimination.

2.4. Belgrade Pride 2010

Activists from Serbian lesbian, gay, bisexual and transgender (LGBT) organizations announced that they will march together with their families, friends and supporters from other organizations on 10 October in central Belgrade.

The far-right groups have been increasingly resorting to threatening discourse in the public domain, leading up to the march. Threats against organizers and participants of this year's Pride were posted on the internet, including on facebook. There have been reports on threatening media statements by far-right groups leaders in the media, as well as graffiti calling against the Pride. Amnesty International has also learnt about attempts to intimidate individual LGBT activists.

The attitude of the authorities in Serbia this year has improved in comparison to last year. This is clearly a result of strong international pressure from human rights organizations, European Union institutions and its member states. So far the authorities, including the Prime Minister, Minister of Interior, the President and the Minister for Human Rights and Minorities have been responding accordingly. They have publicly condemned all discriminatory statements against LGBT people and declared that attempts to intimidate Pride organizers would not be tolerated.

However, taking into account the scale and seriousness of the threats, it is important to continue providing public support to the Pride organisers urging the authorities to ensure that their declarations are followed by concrete actions.

2.5. Organizers of Belgrade Pride 2010

Belgrade Pride 2010 is organized by Gay Straight Alliance (GSA) and Queeria - center for the promotion of culture of nonviolence and equality (Queeria center), with the support and assistance of the Group for Support of Gay Men from Novi Sad and other LGBT activists.

Visit their website for more information and regular updates on the Pride:

http://www.parada.rs/index.php?option=com_content&view=category&layout=blog&id=10&Itemid=13

2.6. Amnesty International supports the 2010 Belgrade Pride

Amnesty International supports the Belgrade Pride 2010. A delegation of over 20 Amnesty International activists will participate in the Belgrade Pride to express the movement's support for the LGBT people in Serbia. Furthermore, we ask you to take action by sending e-mails to Serbian authorities and your country's embassies (please read full details below).

3. Take Action!

3.1. Send an email to the Minister of Interior of Serbia, copied to the Prime Minister, the President; and to the Minister of Justice.

In the email:

- state that you are a member of Amnesty International, and that you are concerned at increasing threats made against the participants of the upcoming Belgrade Pride and its organizers;

- remind the Minister of Serbia's obligations to ensure that participants in the Belgrade Pride are guaranteed their rights to freedom of assembly, expression and association;
- urge the Minister to ensure that
 - o all participants and organizers of Belgrade Pride are protected from physical attack and abuse;
 - o prompt, impartial and effective investigations are opened into any persons suspected of making threats or attacks against the organizers and participants in the Belgrade Pride, (including verbal threats and threats made in the print and electronic media), so that the perpetrators are brought to justice.

IF YOU PERSONALISE THE EMAIL, PLEASE MAKE SURE YOU ARE USING POLITE LANGUAGE AND SALUTATIONS!

3.2. Send a copy of the above email to your country's embassy in Serbia. Additionally, urge your embassy to

- provide all possible support to LGBT activists and organisers of this year's Pride,
- act to protect human rights defenders, in accordance with the EU policy as set out in Ensuring Protection - European Union Guidelines on Human Rights Defenders.

SHOULD ANY ATTACKS OCCUR, WATCH OUT FOR AN URGENT ACTION!!!

Appendix 1 - Addresses

First Deputy Prime Minister and Minister of Interior

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Serbia

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Email: kabinet.zpv@sr.gov.yu

Salutation: Dear Minister

Minister of Justice

Snežana Malović

Ministar pravde

Republičko Ministarstvo za pravosudje

Nemanjina 22-26,

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Serbia

Fax: +381 11 3616 549

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President of the Republic of Serbia

Boris Tadić

Predsednik Republike Srbije

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Prime Minister - President of the Serbian Government

Mirko Cvetković

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