

SERBIA - VIOLENCE AGAINST WOMEN JOURNALISTS

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.

Yes, there are cases of gender based violence and harassment against women journalists in Serbia. Not every attack or pressure is gender based, however, there are some very serious forms of insults and threats to the safety of journalists that are. While some of these cases are prosecuted, others remain without any legal actions taken. Since journalists respond differently to attacks, in agreement with them, cases are recorded in the database www.safejournalists.net, part of a Independent Journalists' Association of Serbia (IJAS) led regional effort to record and detail attacks and threats against journalists in the Western Balkans since 2014. The safejournalists.net database contains information about the attack, the reaction of representatives of the authorities and other associations and the actions of the competent institutions in individual cases. In 2019 IJAS recorded 11 cases of attacks on woman journalists and 24 gender mixed incidents. Only in minority of cases, the response of the state authorities was swift and effective. Examples of such cases are the verbal attacks and threats to Tatjana Vojtehovski and Zana Cimili, which are also examples of good practice. In the first case, the journalist and her daughter were threatened on Twitter. The case was reported and the police and the prosecution reacted quickly and arrested the suspect. In Zana Cimili's case, a threat occurred via social networks, after which the police in consultation with the prosecution, responded urgently and found a suspect who confessed to the threat. On the other hand, there are examples of attacks and threats against journalists where the police and the prosecution do not respond as well, such as in the case of journalist Verica Marincic. In case of Marincic the authorised individuals allegedly doubted the journalist's claims and were slow to react because of own prejudice against her based on a local hear-say about her private life – a case of additional gender-based victimisation.

In cases of online verbal attacks, prosecutors expect from the victim to collect and flag the threats themselves and submit them. This is a serious form of secondary victimization, especially in serious cases. Another problem are incidents bordering with offenses, as well as those that are privately prosecuted and the poor response by the prosecution and police. The police do not provide assistance to the injured parties in collecting information (except upon urgent request of the injured party in a previously initiated court proceeding, at the discretion of the judge – which is very rare). One such example is the continued pressures, insults and threats to journalist Jovana Gligorijevic, especially on social networks. Judges and prosecutors often decide that these incidents do not contain elements of criminal offenses prosecuted *ex officio*, but they do leave grave consequences on the injured journalist. Women journalists are often left alone, without the support of those authorised to collect data and conduct proceedings. Additional issue is the lack of condemnation by government officials – quite the contrary - there are dozens of cases in which the representatives of the government encourage attacks on journalists, especially from the members of the National Parliament like Vojislav Seselj, Marijan Risticovic and Aleksandar Martinovic, all of which were not held accountable for it.

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 December 2016 a Working Group for the raising safety of the journalists was established gathering representatives of the prosecution, police and journalist associations. It includes a special procedure that involves all representatives - they have designated their specific contact points for reporting incidents and monitoring of the prosecution and police actions. The police and the prosecution have adopted but not fully applied specific

instructions for handling cases of attacks against journalists, where officers must respond and act promptly and, specifically, notify relevant contact points. In cases where journalists are not satisfied with the reaction of institutions, the Group has a mechanism that allows representatives of the association to address the issue.

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.

There are no specific programs related to gender based violence. Within the Working Group an analysis of on-line attacks on journalists is underway, which aims to determine the real status, trends and causes of attacks against journalists. So far, we have only noticed the intention of the Republic Public Prosecutor's Office to intensify the reaction to the attacks on women journalists and examples of good reactions are the above mentioned cases of threats against Tatjana Vojtehovski and Zana Cimili.

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.

While gender based violence against women on social networks are not recognised as a crime in the Code, the Working group for safety of journalists pays special attention on such cases. The most serious cases are threats of rape, and serious harassment of journalists. On the other hand, in practice, there is a rather unclear line between insults and pressure. It often happens that it is not possible to succeed in proving crimes and that the attacks are reduced to various forms of pressure.

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.

Apart from the above mentioned contact points mechanism and specific practice of prosecutors with direct rapid reporting to the Special Prosecution Office for High-Tech Crime (where journalists can reach deputies directly), there is no other specific transparent reporting mechanism. Also, there are no specific policies and procedures for removing harmful content that are readily available. Journalists must do this by contacting the social networks and providers on whose servers the portals operate.

One of the problems is that even after threats and convictions, certain content remains on social networks. Prosecutors' offices do not specifically require removal and courts do not adjudicate unless there are special requests.

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.

The biggest problems are misunderstanding of the severity of the attack and the negative consequences especially by male police officers and, slightly less so, prosecutors, lack of sensitivity of officials, severe secondary victimization, lack of close support and misunderstanding from colleagues, friends, neighbours, fellow citizens, especially in small communities. Special Prosecutor's Office for High-Tech Crime actions in the last 6 months seem like a beginning of a good practice, but we are yet to see how it will treat unsolved and new incidents, both against women and men.