

# **THE 2007 ANNUAL REPORT ON THE POSITION OF LGBTTIQ PEOPLE IN SERBIA**

*Labris - lesbian human rights organisation  
Belgrade, 2008*

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**The annual report on the position of LGBTTIQ population in Serbia**

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# THE 2007 ANNUAL REPORT ON THE POSITION OF LGBTTIQ PEOPLE IN SERBIA

## INTRODUCTION

*The annual report on the position of LGBTTIQ<sup>1</sup> population in Serbia represents a compilation of all significant events during 2007 regarding individuals with different sexual orientation than heterosexual. Labris – lesbian human rights organization gathered data on these events and also, here Labris activities are presented. Apart from archiving all of these events, this report has a goal to inform the broadest public. Therefore, this report is submitted to all relevant state institutions, political parties, domestic printed and electronic media, domestic LGBTTIQ groups, non-governmental organizations working on the issues of human rights in the country and abroad and international LGBTTIQ organizations.*

We are pleased to state, when it comes to the position of lesbian and gay population, that most of the work done in 2007 has to do with the visibility of individuals of different sexual orientation than heterosexual and the visibility of the topic itself. Collect-

ing texts from the printed Serbian media on the LGBTTIQ as well as the video clipping, which Labris conducted first in 2007 have brought about a conclusion that lesbian and gay topic was discussed, written and reported on more than before, and that there are more lesbian and gay activists who publicly speak about the position and rights of the same sex oriented persons. Beside the media campaign Love for All, the year 2007 was marked by numerous joint activities of lesbian and gay organizations, cooperation with the local ombudsman and work development of the LGBT SOS hotline and the first Trans self-support group within Gayten – LGBT, the organization for promoting LGBT human rights. With legislation and rights protection of the same sex oriented individuals in 2007 there have been no progress, which is not surprising if we remember that Government forming after the Parliamentary elections lasted for several months, i.e. until mid May and the Serbian Parliament was out of session all this time. The entire political situation and especially dealings with Kosovo and Metohia status have left little if any space for many issues and also the question of enhancing human rights status. On the other hand, the visibil-

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<sup>1</sup> LGBTTIQ – Lesbians, Gay men, Bisexual persons, Transsexuals, Transgender, Intersexual and Queer individuals.

ity of LGBTTIQ population in the homophobic society where hate crime is still legally unrecognized as such had its consequence in the increase of violence against lesbians and gay men. The fear of reporting the violence they survived, and justifiable distrust with the authorities and its institutions, before all the police and court are still very much present among LBGTTIQ population so there have not been any court cases yet.

## **MEDIA**

### ***The Printed Media***

As of 2004, Labris – the lesbian human rights organization has analyzed the printed media writings on the lesbian and gay population and topics. During 2007 Labris conducted an analysis of three months duration with an objective to document basis characteristics of the reporting on the same sex oriented individuals as well as potential changes when compared with the previous years.

During three working months (May, June, July 2007) within eight dailies (Blic, Danas, Večernje Novosti, Politika, Kurir, Press, Glas Javnosti and 24 sata) and four weeklies (NIN, Vreme, Nedeljni Telegraf and Standard) there have been 268 articles on lesbian and gay (LG) population and LG topics published in total. Within this period there have been 166 (62%) articles fully dealing with the LG topic and individuals whereas the reminder of texts sporadically mentioned gay lesbian population.

LG topics were most present within the daily Blic (19%) and Danas (18%) while the Politika and Kurir had a smaller number of articles (11%), the Press (10%), 24 sata (7%) and the least number of articles dealing with LG topics was found in the Glas Javnosti and Večernje Novosti (5%).

Weeklies have LG topic most often found in NIN – within 4% of the total number of texts, The Standard and Vreme come in second with 3% each and Nedeljni Telegraf with 1% of the total number of analyzed texts.

Dailies publishing the largest number of texts fully dedicated with the LG topic are Danas (12%), Blic (11%), and Press (9%). The least of such articles were published in Večernje Novosti (3%)

whereas weeklies with most texts fully dealing with the LG topic were published in the Vreme and Standard (1%).

When we discuss the newspapers sections the observation is that most of the texts (31%) are found under Foreign Policy section, then under Entertainment section (16%), internal affairs (15%), Society (10%), and the Culture section (8%). As well as in the last years, most of the publications fully dealing with the LG topic fall under a category of small articles (33%). Out of 166 articles fully dedicated to the LG topic 39% deals with the relation towards lesbians and gays, 19% relates to the private lives, affairs and scandals while within 12% of the texts Gay Parade is in focus. It is noticeable that a very small number of texts relates to political actions and initiatives, legal initiatives and legislation (2%).

A positive change can be seen in the fact that the largest number of texts dealing with the LG topic discusses events occurring in Serbia (37%). Second in place are those discussing European events (34%) and the reminder of articles report on the events happening in the ex-Yugoslav countries, USA and other countries. A reminder: during the previous years of analysis most writings focused on events occurring outside of Serbia.

Sources of information are LG activists and organization in 23 texts (14%). The most common source of information are the media – 57 texts (33%), then the unidentified source in 26 texts (15%) and public figures within 25 texts (14%)

The analysis indicates that the source of information attitude in most texts has been neutral, 63% while texts with a negative source of information attitude make up 11%. The positive source of information attitude occurs in 8% of the total number of texts fully dealing with the LG topic.

### ***The Electronic Media***

During the last four years, Labris followed reporting of the printed media on the lesbian and gay population and topics and the project of tracking hate speech within the electronic media was supported by ILGA – International Gay and Lesbian Association and represents a beginning of starting to analyze electronic media. These were recognized by Labris as an important and not sufficiently explored source of forming different at-

titudes and stereotypes about the lesbian and gay population. Having in mind that the Law on Broadcasting regulating the work of the electronic media is one of the existing laws in Serbia explicitly stating sexual orientation as an illegal way of discerning – Labris believes it is important to track the implementation of this Law as well as producing reactions to the hate speech against individuals who are of different sexual orientation than heterosexual.

The result of tracking 13 different shows on four Serbian television stations and within two time cycles are three communications directed to the Republic Radio Broadcasting Agency and the reason for these is the hate speech against lesbian and gay population. These communications were made because of the contents of two shows on the TV Pink – Piramida and Bravo Show and in the program entitled the Kljuc which airs on the first program of the Radio Television Serbia (RTS). Tracking of the reporting by the electronic media on the lesbian and gay topic was done within two time cycles. Television stations and shows were selected on the basis of Labris' experience of lesbian and gay topics representation within the electronic media and data collected is relevant only for the used sample. The first cycle lasted from November 15<sup>th</sup> to December 15<sup>th</sup> 2006 and the second one from February 15<sup>th</sup> to April 15<sup>th</sup> 2007.

The major conclusions of this report contain facts that mentioned shows always brings up lesbian and gay topic within the entertainment programs and that these mostly involve happenings in Serbia. Topic televisions deal with almost ever is the relation towards lesbians and gays. Yet, it seems that all the others are invited to talk more about the same sex oriented individuals than these persons themselves, and LG activists, organizations or members of the LG population as the source of information seem almost inexistent. Also, the terminology used is oftentimes offensive and discriminating and TV stations, in opposition to that what the Law on Broadcasting obliges them, broadcast hate speech directed against individuals who are of different sexual orientation than heterosexual.

## HATE SPEECH, DISCRIMINATION AND VIOLENCE

### *Communications to the Republic Radio Broadcasting Agency*

Labris – lesbian human rights organization sent three communications to the Republic Radio Broadcasting Agency in 2007. These were made on the basis of broadcasting hate speech against lesbian and gay population and against women. It should be stressed that experts from the RRA, and after the communication made from Gayten LGBT, Centre for promotion of sexual minorities rights and Labris – lesbian human rights organization in November 2005 had already concluded once that there had indeed been support for discrimination against same sex oriented individuals in the TV show Piramida aired on TV Pink. Though, according to the RRA, TV Pink had violated Article 21, Para 1 of the Radio-diffusion Law when broadcasting that show on October 16<sup>th</sup> 2005, however, foreseen measures could not have been taken since at that time official frequencies' distribution had not been completed and TV Pink was not a broadcaster by law. Still, this report of the RRA represents a historical moment since this is the first time that an official institution clearly recognizes hate speech on the basis of sexual orientation i.e. that against lesbians and gays.

Labris submitted communications regarding hate speech occurring in the shows Kljuc (Radio Television Serbia), Piramida (TV Pink) and Bravo Show (TV Pink)<sup>2</sup> in 2007. It is important to stress that Article 14, Para 2 of the Law on Broadcasting is binding to Republic Radio Broadcasting Agency to inform the communications submitter about possible lack of grounds found in a communication. The Article 14, Para 3 of the same Law binds RRA to, if established that a communication is based, take appropriate measures against the broadcaster as well as to provide information to the submitter about ways to protect their interest.

Since there has not been any answer from the RRA for eight months after Labris communication subsistence nor an information about the submitted communications (during these eight months we have tried on numerous occasions to contact the RRA, as well as to make an appointment with Nenad Cekic, president of the RRA Council, but received no answer), Labris has submitted a

complaint to the Republic ombudsman<sup>3</sup>. At this time the procedure after Labris' complaint is still ongoing.

#### **Case of Antal Skendžić**

Regarding the media and hate speech against the same sex oriented population it is important to mention the case which happened late November and has to do with Antal Skendžić, a suspect in a murder case, that is the media lynch he was exposed to. Through connecting the sexual orientation of the suspect with his possible committing of the crime the media headlines *"Fag Kills Mother"*, *"Big brother – bisexual slits his mother's throat after a family party"*, *"Confessions of a gay murderer"*, supported hatred and discrimination against the suspect and Labris, jointly with the Coalition against discrimination and other gay lesbian organizations reacted to this case of classic hate speech example. Apart from condemning hate speech, Labris insisted on providing guarantees of physical safety and security of the suspect while in prison, and on following all procedures within the investigation process. More precisely, we asked the provincial ombudsman deputy Stevan Arambašić to make sure about professional police actions in this case and to visit Antal Skendžić personally in custody. We wish to indicate our cooperation with the provincial ombudsman as an example of good practice and credit his swift reaction in this case.

#### **Pravda and Kurir dailies**

The daily Pravda published an article written by their reader in September 2007 (September 6<sup>th</sup>, 2007) which was abundant with hate speech against lesbians and non-governmental organizations. Within this text there are statements of NGOs brainwashing sexually abused girls, that lesbians are sexually deviant and as such are unfit to work as therapists and provide counsel to victims of sexual violence. After this, the daily Kurir printed an alleged reader's letter and this was published on the day Labris organized a press conference where they falsely stated that this letter was a basis for the press conference.

#### **TV B92, "Big Brother"**

Another unacceptable case of broadcasting hate speech against lesbian and gay population occurred on Television B92 within the show "Big Brother" which was broadcasted on November 28<sup>th</sup> 2007. Here, some of the aired statements are given by which the participants of this show expressed their attitudes towards same sex oriented individuals:

- *"I would hang them all at the main Belgrade square"*
- *"Hitler was right"*
- *"They are all sick"*
- *"If they cannot be cured, they should be removed"*
- *"Man, banish them to some island, to some camps..."*

Since it was the case of a direct call for lynch of lesbian and gay population, supporting hate, discrimination, supporting stereotypes, prejudices and glorification of the Nazi leader's actions – Labris prepared and sent an official communication to the editor in chief of TV B92 after which an apology to lesbian and gay population followed, that is "to all that might have feel affected by the homophobic comments". Matic also promised that this television station will pay maximal attention regarding statements that could support discrimination. This is selected as a case of good practice, having in mind that this is the first such apology for broadcasting hate speech based on sexual orientation.

#### **"Love for All" Media Campaign**

In the beginning of 2007 Labris – lesbian human rights organization, in cooperation with other non-governmental organizations, started the media campaign entitled "Love for All" – a campaign against violence against lesbians and gay men. However, during several months of the campaign's realization different institutions and marketing agencies refused to publish promotional materials of this media campaign<sup>4</sup>. MediaMax, the fifth marketing agency to

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<sup>4</sup> Negotiations with the Masel agency lasted for over two months and after many consultations City Transportation Company representatives refused to put up the campaign panels stating too great a risk of bus damaging. Negotiations with the first agency Alma Quatro lasted for three months. We received a favorable bid (a 40% discount, otherwise a

have been contacted, accepted to work – with some stipulations<sup>5</sup> Labris had to make and sell their billboard advertising places. The degree of homophobia, violence and discrimination against lesbians and gays in Serbia can probably be best described by the graffiti/messages billboards set at twenty Belgrade locations were tainted with: *“Bat for all”, “You are shame for Serbia”, “Dirty outcasts”, “Sick for all”, “Death to fags”*. It needs to be noted that great number of billboards were destroyed and torn.

### ***Dom Omladine***<sup>6</sup>

An example of good practice is a case of canceling open discussion in Dom Omladine scheduled for September 2007. It was about a book “Homosexualitet” promotion by Jovan Veljkovic and the announcement of the event described lesbians and gay men as:

- *“tragic parental mistake”;*
- *“mega crime of the contemporary psychiatry”*
- *“...mass of millions apparently healthy, but essentially life long disabled individuals of both sexes due to a tragic mistake in the family, but before all ‘thanks to’ world organized psychiatric incompetence...”*

After Labris wrote to the Dom Omladine manager, where we appealed to the prevention of the public hate speech, this event was cancelled.

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standard for campaigns with a humanitarian character or working to promote human rights), but we received a last minute cancellation. The agency representative refused to send a written explanation on the reasons of the cancellation. The next two agencies that were contacted are the property of the Alma Quatro agency and they both refused immediately to work with us, without any negotiations. Akzent media accepted to put up posters, but when they received information on the nature of the campaign they withdrew their offer.

<sup>5</sup> Namely, regarding the locations previously selected, three were moved “because they were in schools’ proximity”, and Labris signed an annex to the contract where we accepted to pay for all possible damages that could physically occur to billboards.

<sup>6</sup> Youth culture centre

### ***December 10<sup>th</sup> – International Human Rights Day***

On occasion of the International Human Rights Day, the Coalition for Secular State organized a performance that took place at the Republic Square in Belgrade and was attacked by the members of cleric-fascist organization Obraz. Labris, in cooperation with the Coalition against Discrimination, reacted and judged violence that occurred in the centre of Belgrade. Also, with the same announcement<sup>7</sup> a statement made by Petar Ladjevic, director of Service for human and minority rights with the Government of Serbia that “conditions in the area of adherence to human rights in Serbia are very satisfactory”.

### ***Individual cases of discrimination and violence***

Previous year will be remembered for escalation of violence against the same-sex oriented individuals especially that close to night clubs and gathering places for lesbians and gays<sup>8</sup>. This increase in violence is directly connected to the increase of visibility in 2007. A great number of TV appearances by LGBTTIQ activists, more texts on the subject within the printed media, the media campaign during the first half of the year, parties and public gatherings – have all increased presence and visibility of the LGBTTIQ population and the homophobic country such Serbia is, the violence increased rapidly.

Labris – lesbian human rights organization has continued with the practice of gathering information on individual cases of discrimination and violence using our web site. During 2007, as well as during the previous year, Labris received e-mails reporting violence against lesbians and gays which occurred in public places and by unknown perpetrators. In one case, violence against a minor occurred when he came out to his parents after which he was physically and psychologically abused. Also, Labris received threatening e-mails (example: “In Serbia there are gallows waiting for all you sickos”).

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<sup>7</sup> Appendix 3

<sup>8</sup> Appendix 4 (Gay-Straight Alliance and Gayten LGBT Centre for promotion of minority rights report)

### **European Commission Report**

When we discuss discrimination and violence against lesbians and gays in Serbia, it is important to mention the last European Commission report discussing Serbia's moving forward within the process of joining the European Union. This report states that discrimination is widespread especially against Roma community, disabled people, national minorities and persons of different sexual orientation. The European Commission states that there have been incidents and attacks on organizations working to promote peace as well as those defending the right to different sexual orientation but there have been no reactions by the relevant institutions.

### **Racist and transphobic statements of VIP Club PR manager**

At Gay-serbia.com on 28.09.2007 a quotation of the VIP Club DJ appeared, it was directed mostly to gay men and lesbians, but containing racist and transphobic content:

- *“...it is not much of a recording, but you can see what to expect. The club has high budget furnishings and is decorated with taste, free entrance and I remind you that till midnight there are free cocktails, also, entrance is forbidden to Romas and allowed to a certain number of transvestites...”*

Non-governmental organizations working for the rights of the same-sex oriented individuals reacted with a public statement addressing these racist and transphobic statements and asked the club management to sanction the PR manager and called for boycott of this club until it stops discrimination and enables anyone to come, regardless of racial membership or gender expression.

## **ACTIVITIES**

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### **Love for All**

The campaign entitled “Love for All” was launched by Labris in cooperation with other LGBTTIQ organizations<sup>9</sup> and individu-

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9 Gayten LGBT Center for sexual minorities rights (Belgrade), Lambda Centre for promotion and LGBT human rights enhancement and Queer culture (Nis – Kragujevac), LGBT SOS (Belgrade), Novi Sad Lesbian

als in the beginning of 2007. Campaign's objective was to direct public attention to violence and discrimination lesbians and gay men were exposed to in homophobic Serbia. Also, not only did we want to warn the public about the degree of homophobia in Serbia but to start positive changes and produce space where a more tolerant society can be created, the society where equality and respect of all its citizens rights would represent one of the imperatives

Campaign included billboards set onto twenty different Belgrade locations and also postcards, posters and leaflets. All printed materials, including billboards, contained an image of an open book with the campaign slogan and a photograph of a lesbian and gay couple. The models we cooperated with were not professionals but come from everyday life and their acceptance to be photographed comes from their disagreement with violence and discrimination lesbians and gays in Serbia face, as well as from their solitary support to our initiative.

### **Queeria Calendar 2007**

Queeria<sup>10</sup> calendar entitled Friends originated as an activist response to violence and injustice individuals who are different when compared to dominant social patterns face. Queeria activists wanted, with the support of public individuals, to initiate broader discussions and open new spaces where there will be no hierarchy of violence and where all forms of intolerance will be equally treated before the face of Justice.

### **Seminars**

*During 2007, Labris – lesbian human rights organization arranged two seminars for lesbians, two seminars for media representatives and one seminar for youth from democratic political parties.*

Seminars entitled “The L Letter” were for lesbians and women of different sexual orientation than heterosexual and were held in June and November. These were organized in order to empower

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Organization (Novi Sad), Queer Belgrade, Queeria Centre for culture of non-violence and equality promotion (Belgrade), SPY Safe Pulse of Youth (Belgrade), Taboo (Zrenjanin), All different – All equal (Belgrade), DUGA Association (Sabac).

10 <http://www.queeria.com/>

participants through education, information and experience exchange on different issues and aspects affecting their lesbian existence. Participants came from Žitište, Novi Sad, Skoplje, Zrenjanin, Velika Plana, Bijeljina and Belgrade. Topics discussed at the seminars related to the questions of identity, stereotypes, prejudices, sexism, feminism and combating for human rights, legal situation of lesbian and gay population in Serbia, homophobia, internalized homophobia and violence in lesbian relationships. Participants had an opportunity to creatively and actively exchange experiences of their personal coming-outs.

Labris continued cooperating with the media representatives during 2007 when two seminars for journalists were held – in February and July. “Marginalized groups and responsible journalism” seminar aimed to establish the best possible understanding and public reporting on the position of marginalized groups, as well as establishing a long-term cooperation. Exchange of experiences represented a major working method. Topics dealt with on the seminar included: sex, gender and same sex orientation, stereotypization in the media, social mechanisms of homophobia, legal position of the same sex oriented individuals, and treatment of diversity in the media. In addition, the project “Promotion of Diversity” was presented by the Independent Journalist Association of Vojvodina.

For the first time Labris organized a seminar for political parties youth during 2007. “Different but equal” seminar was held in March and representatives from the following parties were present: Civic Alliance of Serbia, Social democratic Union, Liberal Democratic Party, League of Social democrats in Vojvodina and G17+. Seminar’s objective was to provide exchange of experiences and provide information on lesbian human rights and the position of LGBTTIQ population in Serbia through interactive working methods but also to plan joint actions for promoting the right of sexual orientation.

#### ***International Day Against Homophobia – May 17<sup>th</sup>***

On May 17<sup>th</sup>, the International Day Against Homophobia, Labris organized an open discussion on the premises of Liberal Democratic Party (LDP) with an objective to direct public attention on hate speech against lesbian and gay population in the electronic

media, i.e. the violation of the Law on Broadcasting. Labris – lesbian human rights organization submitted, during this period, three communications to the Republic Radio Broadcasting Agency on the basis of hate speech in TV shows Kljuc (RTS), Piramida and Bravo Show (TV Pink). Participants at the open discussion were: Mladen Priljeva Antonijević (Human rights team in the LDP), Dragana Vučković (Labris – lesbian human rights organization), Dragan Popović (Youth Initiative for Human Rights) and Jelena Milić (International relations Forum of the European movement in Serbia). The event’s goal was to indicate the degree of homophobia and discrimination against lesbian and gay population in our society and show efforts in establishing indivisible and non hierarchal human right principle. Video material comprising of different clips from television programs where hate speech was used against lesbian and gay population was screened at the open discussion. This open discussion event was organized in cooperation with the Youth group for human rights from LDP youth.

#### ***June 27<sup>th</sup> – The International Pride Day***

Labris – lesbian human rights organization sent a demand to the governmental authorities to adopt as soon as possible the general Anti-Discrimination Law on June 27 which is the International Pride day of lesbians, gay men, bisexual and transsexual persons. Having in mind that Labris receives information on daily basis about discrimination of lesbians and gays at work, in health and education institutions and reminding that three marketing agencies refused to publish billboards for the media campaign against same sex oriented individuals discrimination in the beginning of 2007 – we indicated that the state demonstrates irresponsibility when ignoring the existing draft of the Anti-Discrimination Law for years. “The non-existence of the general Anti-Discrimination Law, Republic Ombudsman, non-implementation of the existing legislations sanctioning discrimination on the basis of sexual orientation, refusal of the domestic health institutions to acknowledge same-sex orientation is not a disorder, health speech in the media – are only some of the reasons why June 27<sup>th</sup> is not celebrated in our country with a Pride Parade”, this is a quote from the press realize.

### **December 10<sup>th</sup> – The International Human Rights Day**

On the occasion of the International Human Rights Day, Labris – jointly with another 36 non-governmental organizations from Serbia – sent a demand<sup>11</sup> to president of the Parliament of Republic of Serbia, Oliver Dulic on December 10<sup>th</sup>. We demanded to include as soon as possible the draft of the Anti-Discrimination Law in the Parliament's schedule. The press conference of the Coalition against Discrimination was held for the same reason where, among other, criticism of the Anti-Discrimination Law draft composed by the Ministry of Labor and Social Policy and sent to the Venetian Commission of the Council of Europe. Reasons for this are that this model does not enable full and adequate protection to all marginalized groups and does not contain protection of special categories.

### **Transgender self-help group – Gayten LGBT Center for sexual minorities rights promotion**

Based on the information from the end of 2007, there are nine permanent members in the Transgender self-help group. This includes members from abroad (Bosnia and Herzegovina and USA) and there are some potential/new members (new members join after being interviewed). Meetings are sometimes attended by members' partners and two supervisors. The list of interested group participants is getting longer and the group will soon enlarge. Many individuals outside Serbia maintain contact with the group and are eager to participate in their work. The group has a set of working rules (safe space, confidentiality etc.), and responsibilities/obligations. Meetings take place twice a month and often if necessary. Topics dealt with are various and depend on the needs of members (there is a follow up on group process and needs). Topics are diverse: coming out to the family, friends; work; socialization; transition phases; transitional problems; parenthood, contact and information about medical teams, positive world practices. Apart from its regular meetings, the group organized and will continue to organize a series of activities including sports day or film projections. The group has its web page<sup>12</sup>

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11 Appendix 5

12 [http://www.transserbia.org/index.php?option=com\\_content&ask=view&id=12&Itemid=35](http://www.transserbia.org/index.php?option=com_content&ask=view&id=12&Itemid=35)

and information and working methods are also put up onto the safe (LGBTIQ friendly) web sites. Medical teams which include a psychiatrist, psychologist, endocrinologist and surgeon, lawyer specializing in the family law and these are in frequent contacts with the transgender population. The transgender group gathers literature dealing with transgender topics from abroad translates and distributes it to its members but also publishes original texts. Trans section has become a member of the first European transgender network – the European Transgender Network.

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## **CONCLUSIONS AND RECOMMENDATIONS**

At the present moment (early 2008) and within current political circumstances, Labris expresses concern and warns that discriminated groups are the ones chosen to be a "scapegoat" and are first to be affected by violence. We remind about the first Pride Parade attempt in Belgrade 2001 when dozens of persons were brutally beaten by the right-wing organizations' members, i.e. the fact that two days prior to this violence in the centre of Belgrade, ex president and a defendant for war crimes Slobodan Milosevic had been delivered to the Hague Tribunal. The police did not protect citizens and there were only several misdemeanor charges against the perpetrators. Seven years later in Serbia, the right to sexual orientation is still not equally acknowledged as other basic human rights. Homophobic statements of certain ministers and MPs are unacceptable, as well as the further declining to adopt and then implement legislations and measures protecting especially discriminated groups within the process of European integrations is also unacceptable. It is a fact that during 2007 Liberal Democratic Party completely stood out as a party openly and without reservations promoting right to sexual orientation but that there are also other, so called democratic political parties, which fully ignore lesbian and gay population. Labris most harshly expresses disapproval of selectivity in the human right protection and demands from the institutions and authorities to use responsible statements and professionally perform their functions thus send-

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ing a clear message about the treatment of all citizens. In that sense, we demand an urgent adoption of the Anti-Discrimination Law, revision of the Criminal Law by introducing recognition and sanctioning hate crimes as well as application of all existing anti-discrimination laws. A special demand is sent to the Radio Television Serbia, as a public service of all citizens in Serbia, to follow the Law on Broadcasting and stop broadcasting hate speech, i.e. to the Republic Radio Broadcasting Agency to sanction the broadcasters not following the Law, in accordance with its jurisdiction.

Having in mind slowing down that is stopping of the European integration process and after the proclamation of independence by Kosovo and Metohia there is an outlook of 2008 to be especially unfavorable for enhancing position of marginalized groups. Nationalism, xenophobia and violence are silently, and sometimes very openly, supported by the governmental structures and such atmosphere almost possesses no space for a systematic improvement of human rights.

**Dragana Vučković**

## APPENDIX 1

### 1. COMMUNICATION – KLJUČ, RADIO TELEVISION SERBIA

*To: Republic Radio Broadcasting Agency Council*

*Objective: Communication regarding hate speech*

No 52 /07

Belgrade, April 9<sup>th</sup>, 2007

To Whom It May Concern:

On behalf of Labris – lesbian human rights organization and on the basis of Article 14 of the Law on Broadcasting we are writing you this communication regarding the content of the broadcaster which represents hate speech, as stated under Article 21 of the same Law.

The concrete case of hate speech against women and against individuals of different sexual orientation is the TV show Ključ which was aired on March 26<sup>th</sup> 2007 on the first program of Radio Television Serbia. Show guests included Danica Maksimović, Marta Mratinković, Jelena Kajgo, Jelena Pantović and Jovica Stojanović. The author and host of the show is Nataša Miljković.

Bellow fragments of show transcript are quoted and these indicate hate speech and broadcaster actions against prohibition of hate speech under the Article 21 in the Law on Broadcasting. Hate speech was used by the show guest Jovica Stojanović. We are stressing the fact that the author and host of the show did not provide adequate actions and stopped the hate speech, i.e. parts of this show were not excluded in the editing.

**Jovica Stojanović:**

*“Women’s basic narcissism is widely known”*

.....

**Jovica Stojanović:**

*“I think that you women have made up love and planted it to us which is the greatest process in the world history... So we love you!”*

**Jovica Stojanović:**

*“It is my personal opinion, you are the uglier sex, and we are the weaker sex, and we should be protected from you. “*

**Jovica Stojanović:**

*“You are the uglier sex – let’s say you deteriorate psychophysically faster! Your bodies decline faster, that’s why you need liposuctions, liftings, preparatory, decorative... (Make-up) “*

## APPENDIX 1

**Danica Maksimović:**

*"But we grow up faster too. "*

**Jovica Stojanović:**

*"Exactly! You grow up faster and you rot faster! The faster something grows, the faster it rots. "*

**Jovica Stojanović:**

*"...And you women have, well, patented, and that field mine to us... we are also the dumber sex a bit... and that is a fact... and we always love you! How many of you women have killed yourselves for love? You haven't! Never have a woman killed for love, but because she dreamed a graveyard of men... any woman dreams one small graveyard of men who have been killed for her! "*

**Jovica Stojanović:**

*"No. I could have never become a faggot. I have too much testosterone in myself. So, I did tried but it just did not work.... Not for me... "*

**Danica Maskimović:**

*"Ah, and then you have tried? "*

**Jovica Stojanović:**

*"Yes, I tried everything... everything. Ok, I did not try that one. "*

.....

**Danica Maksimović:**

*"... That man has a name, a surname, his personality, character, right? Just like me... "*

**Jovica Stojanović:**

*"That you women love to shape things to your likings. "*

**Danica Maksimović:**

*"Well... probably that too. "*

**Jovica Stojanović:**

*"That is yours hidden aggression. "*

.....

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**Jovica Stojanović:**

*"Any woman fantasizes, apart from that graveyard, the same, harem.... Any man fantasizes to have him a harem of women. "*

**Jovica Stojanović:**

*"And all normal people think like this. If lesbians can marry, if that's western making for us to enter Europe, then I thank both Europe and America and I do not know how... then I will go among the penguins. It is about ... penguins have normal behavior! It is not normal for men... that law should not be legalized... everyone has the right to be a faggot and a lesbian, since homosexuality.... Actually homo means the same; there is no need to discuss this just... taking sex into an account. Here it is about that it is very abnormal and that we, Serbs are not famous for being faggots! But since it is one... one of the tickets for Europe, I think that some... I will vote against it and you... I think you here. "*

**Jovica Stojanović:**

*"As well as the Constitution grants us freedom of religion, the Constitution has not yet granted the freedom of sexual orientation! But marriages... between two men... they to marry... pederasty can be found in the animal kingdom. "*

.....

**Jovica Stojanović:**

*"Women love masters. "*

**Jovica Stojanović:**

*"Of course... I keep to women and mastering, and am an expert in that! "*

**Jovica Stojanović:**

*"When someone would ask women who should receive a Nobel Prize in the history of technical innovations I am sure it would be... "*

**Danica Maksimović:**

*"Marie Curie. "*

**Jovica Stojanović:**

*"...no, but the one how invented the mirror! Because you are always in front of that contour of the mirror! "*

.....

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**Jovica Stojanović:**

*“Slovenians have, well, been the first to invent the marital rape. We, thank God, have not yet come to that to adopt sickness ...”*

**Danica Maksimović:**

*“What do you mean invent, I suppose it happened? ”*

**Jovica Stojanović:**

*“No no no... But look! It is about a legislator belief if you are in relationship with a person, a marital one, then sexual relations are taken for granted and rape de facto is not possible! Sexuality inherently comes, amongst other things, love, marriage, provides economical, sexual, psychological, existential, metaphysical needs. ”*

**Jovica Stojanović:**

*“All women in Serbia love a millionaire! It is strange they do not love something else! ”*

**Jovica Stojanović:**

*“For me it is love when I meet a woman who is an average Serbian cow and I make a goddess out of her. And then I am full of myself. ”*

We wish here to indicate that in the quoted statements of a show guest Jovica Stojanović, aired on the first program of Radio Television Serbia, i.e. the Public Service for which all citizens are legally obliged to pay monthly bills, there is a support for hatred and discrimination against women and against gay and lesbian community in Serbia and thus break the rules provided by the Law for broadcasters.

We ask the Council to establish a violation of the rule of broadcasting under its authorities prescribed in Articles 17 and 18 of the Law on Broadcasting and sanction appropriately the broadcaster.

## 2. COMMUNICATION – BRAVO SHOW, TELEVISION PINK

*To: Republic Radio Broadcasting Agency Council*

*Objective: Communication regarding hate speech*

*No 50 /07  
Belgrade, April 4<sup>th</sup>, 2007*

To Whom It May Concern:

On behalf of Labris – lesbian human rights organizations an based on the Article 14 of the Law on Broadcasting we are sending this communication about the broadcaster program content

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which represents hate speech, as stated under Article 21 of the same Act.

The concrete case of hate speech against persons of different sexual orientation was broadcasted in the show "Bravo Show" on RTV Pink on March 7<sup>th</sup>, 2007. Show guests were Dražen Žerić, Slađana Delibašić and Snežana Babić, the show host was Jelena Bačić Alimpić.

Fragments from the show transcript indicating hate speech and broadcaster violation of prohibition of the hate speech as stated under Article 21 of the Law on Broadcasting are given bellow.

**Jelena Bačić Alimpić:**

*"Ok Žero, how's your girl? "*

**Dražen Žerić:**

*"I don't have a girl. "*

**Jelena Bačić Alimpić:**

*"No, no, no...it's impossible that there are no girls around you... well... please... There are no boys, are there!?"*

**Dražen Žerić:**

*"No, no, no, I have my girls... God forbid boys! Although, that's the latest thing in Zagreb, but... "*

**Jelena Bačić Alimpić:**

*"It's the latest thing in Zagreb? "*

**Dražen Žerić:**

*"It's trendy here? I expected all, but to find that here... And in Sarajevo! Luckily it's not yet in Sarajevo! "*

**Jelena Bačić Alimpić:**

*"Not yet? You wish! "*

**Dražen Žerić:**

*"But there is... that little Deen... what's his name... singer... he's a bit like them. "*

**Jelena Bačić Alimpić:**

*"A little bit like? (laughter) Ok...He's the one spoiling you that macho picture, right? "*

**Dražen Žerić:**

*"It's not a macho picture. Normal are a man and a woman. Man and man are not normal. "*

.....

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**Jelena Bačić Alimpić:**

*“...Then yours Valentino, your colleague Zijo Rizvanbegović, we did an interview some 18 years ago, and then I asked him something about nationalism and he said: “At that time in Sarajevo it was a bigger insult if someone said you were homosexual than a nationalist.”*

**Dražen Žerić:**

*“Naturally. There is no chance to have this... gay parade there.”*

**Jelena Bačić Alimpić:**

*“No chance, right?”*

**Dražen Žerić:**

*“Well no! Hvar is now such a destination in Croatia you know...”*

We want to indicate that quoted statements support hatred and discrimination against gay and lesbian population in Serbia and thus violate broadcasting rules prescribed by law. We indicate that the host did no interventions to stop the hate speech but supported the homophobic statements.

We demand that Council, in accordance to its legal authority given under Articles 17 and 18 of the Law on Broadcasting, establish the violation of the broadcasting rules and provide suitable measures to the broadcaster.

We stress the fact that RTV Pink had already supported discrimination against same sex oriented individuals (show Piramida), which was confirmed by the RRA expert service after communication sent by Labris – lesbian human rights organization and Gayten – LGBT, Centre for sexual minorities rights promotion.

After considering the communication, the RRA expert service concluded that statements made by Toma Fila and the host show Branka Nevistic discrimination against same sex oriented individuals is supported as described under Article 21, Para 1 of the Law on Broadcasting, which, in accordance with the Para 2 of the same Article, represents a basis for sanctions by RRA. This also sanctioned under Article 38 of the Law on Public Information.

We also remind that the RRA expert service, in accordance with Article 14, Para 2, sent a communication to the broadcaster after receiving it so that TV Pink could respond, but the broadcaster did not do so within the given deadline by which Article 14 of the Law on Broadcasting was violated.

We hope that you will take our communication into consideration and during that process detect a repetition of supporting discrimination against same sex oriented individuals by the same broadcaster, in accordance with the Article 18 of the Law on Broadcasting.

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### 3. Communication – Piramida Show, Television Pink

*To: Republic Radio Broadcasting Agency Council*

*Objective: Communication regarding hate speech*

*No 51 /07*

*Belgrade, April 4<sup>th</sup>, 2007*

To Whom It May Concern:

On behalf of Labris – lesbian human rights organization and based on the Article 14 of the Law on Broadcasting we are writing you a communication regarding broadcaster's program content which represents hate speech, as stated in the Article 21 of the same Act.

The concrete case of hate speech against individuals of different sexual orientation is the show Piramida on RTV Pink, aired on March 18<sup>th</sup> 2007. Guests present were: Ivana Žigon, Goran Paunović and Aleksandar Filipović and show host was Branka Nevistić.

Quotes from the show transcript are here given which indicate hate speech and broadcaster's actions contrary to the hate speech prohibition stated under Article 21 of the Law on Broadcasting.

**Ivana Žigon:**

*"So, the human rights, it seems to me they no longer protect that dignified and human within a man, but we hear more and more, I don't know, about the rights of some pathologic and deviant occurrences. Let's say, the rights of homosexuals, the rights... well I don't know whether there had been so many drug addicts while Europe and the West did not start to instruct us in the ways of life. "*

.....

**Ivana Žigon:**

*"I care about a man, who is either romantic or macho, but to be alive, to be the least of a gay parade. "*

.....

**Branka Nevistić:**

*"... And why is that Ivana? I did not understand that.... Maybe people are of different... sexual orientation, maybe they are the ones who are most romantic? Why, a man to man let's say... "*

**Ivana Žigon:**

*"You mean the most imaginative? To recognize something romantic within that. "*

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**Branka Nevistić:**

*"Perhaps imagination is a part of romance. "*

**Ivana Žigon:**

*"No! When it represents a sickness, then it should be helped, but when it becomes a field of interest ..."*

This time we want to indicate for the fourth time that quoted statements, aired on TV Pink hatred and discrimination against gay and lesbian population are supported and thus violated broadcasting rules prescribed by the law.

We ask from the Council to establish a violation of broadcasting rules and insist on adequate measures against the broadcaster which is in its authority according to the Articles 17 and 18 of the Law on Broadcasting.

We stress the fact that RTV Pink already have supported discrimination against same sex oriented individuals (Piramida Show), which was concluded by the RRA expert service after a communication sent by Labris – lesbian human rights organization and Gayten – LGBT, Centre for sexual minorities rights promotion.

We hope that you will take our communication into consideration and during that process detect a repetition of supporting discrimination against same sex oriented individuals by the same broadcaster, in accordance with the Article 18 of the Law on Broadcasting.

## APPENDIX 2

No. 59/07

*To: Mr. Saša Janković,  
Ombudsman*

*Belgrade, December 5th, 2007*

### COMPLAINT

Dear Mr. Janković ,

We are writing to you since you in the capacity of the Ombudsman and in accordance with the Article 25, Para 1 of the Ombudsman Act. The complaint is made because of the work of Republic Radio Broadcasting Agency to which we sent three communications during April 2007 (two sent on April 4<sup>th</sup>, and one on April 9<sup>th</sup> 2007). All three communications were about the broadcasters' program content which contained hate speech on the basis of sexual orientation.

The communications were sent on the basis of Article 14 of the Law on Broadcasting and we state here that all three communications were sent to the broadcasters – Radio Television Serbia, Television Pink, for whose work is Republic Radio Broadcasting Agency actually in charge (Article 8, Para 7 of the Law on Broadcasting).

The Article 14, Para 2 of the Law on Broadcasting is binding to the Republic Radio Broadcasting Agency to inform the submitter of a communication about possible lack of grounds for such communication. The Article 14, Para 3 of the Law on Broadcasting is binding to the Republic Radio Broadcasting Agency to, if it establishes that a communication is well based, take appropriate measures against the broadcaster as well as to inform the communication's submitter about methods of protecting their interest.

Hereby, we want to indicate to a fact that there have been eight months since we had submitted the communications and no answer have come from the Republic Radio Broadcasting Agency. Also, we stress the fact that we have tried to get in contact with the RRA secretary on several occasions who is in charge of giving information on the communications but the secretary was always outside the building and she has never returned our calls. After that, we sent an official letter to Mr. Nenad Cekic, president of the RRA Council on October 11<sup>th</sup>, 2007 where we suggested a meeting where we would be informed about our communications, but again – we received no answer.

We kindly ask you to take actions regarding this complaint, in accordance with your authorities. We enclose a copy of communications sent to the RRA, as well as a copy of the letter directed to Mr. Nenad Cekic.

## APPENDIX 3

### *Press Release*

#### **COALITION AGAINST DISCRIMINATION**

*Belgrade, December 11<sup>th</sup>, 2007*

The Coalition Against Discrimination most harshly expresses disapproval of the last night attack on the Coalition for Secular State by the members of clero-fascist organization Obraz. The attack occurred during performance "We don't want back" organized to mark the International Human Rights Day. We believe it is impermissible to have calls upon lynch and murder, shouting of threats and hate speech allowed – despite the presence of the police.

Hereby we want to express our reaction to the yesterday's statement made by Petar Ladjevic, the Government of Serbia human and minority rights Service director, quote: "conditions within the area of human right upholding in Serbia are at a satisfactory level", and put forward a question to Mr. Ladjevic whether he gives such an opinion when thinking about the violence produced by fascists at the Novi Sad gathering two months ago, recurring beatings of gay men in the night clubs proximities, position of children and adults within confinement institutions, prevention of "Pescanik" discussion in Arandjelovac, hate speech on daily basis within the Serbian Parliament or the intention of the Topola municipality president to surround a Roma settlement with a fence and thus prevent Serbian citizens of Roma nationality to move within certain city areas. It is unacceptable to differentiate between victims of human rights violations in Kosovo and that in Serbia since such an attitude represents an insult for all victims of human rights violations. The statement that the biggest problem within the area of human rights it that of the respect of human rights in Kosovo represents a politically driven misuse.

Lack of seriousness and inadequate reactions to daily violence and human rights violations within the current Serbian authorities sends a message that the lastnight's 'zig hail' saluts and calls "Kill, slaughter so that there is no faggot left!", "There will be blood", "We will butcher Croats" – something that is tolerated and left unpunished.

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### GAY STRAIGHT ALLIANCE DISCRIMINATION REPORT<sup>13</sup>

On the eve before the Eurovision Song Contest finals, between May 11 and 12, 2007 a group of unknown young men assaulted J.D. (27) from Banjaluka. The assault happened within the nearby night club "Alijansa" on Obilic Venac square and J.D. suffered minor injuries. During our interview with J.D. we have come to a conclusion that one of his attackers was standing next to students' mass "Tri kostura" and watched over who was coming out of the club after which he reported over the cell phone to the rest of the group which was situated near Tanjug building. The group waited and beat the victim using curses and insults directed against his assumed sexuality. After the beating, the victim was robbed.

The next attack was registered by GSA on the night of the ESC final, between May 12 and 13, 2007 presently after Marija Serifovic's victory was announced. Wanting to participate in the organized celebration, P.K. (24) from Belgrade made his way to "Alijansa" club. Nearby the National Museum in Vasina street a group of those who gathered to "celebrate" attacked and beat him because of his assumed sexuality. Shouting "Faggot!" they knocked the victim on the ground and kicked him.

On the night between May 25 and 26, 2007, another attack was registered on Obilic Venac square. This time N.M. (31) from Podgorica was attacked. The scenario was completely the same as with J.D. attack and this victim was robbed after beating.

At the "Baron" club on Ada Ciganlija a gay party was organized on June 30<sup>th</sup>, 2007. Since this club is the first in the row of clubs on Makis side great number of Ada Ciganlija visitors, on their way back from other clubs, learned that there is a gay party. During the night and within a time frame of 15 minutes a group of dozen men coming back from Ada Ciganlija entered the Baron club and saw gay and lesbian couples after which they loudly expressed their repulsion.

Also, additional security problem was the fact that this party was only protected by private security and the police was not notified about this event.

Five younger men interceted D.F. (19) and his partner P.J. (27) near the parking on the entrance to Ada Ciganlija and started beating P.J. Managing to escape, D.F. went for a bus station "Fabrika secera". The same group caught up with him and beat him.

When violence against LGBT population in Serbia during 2007 is discussed about, the attack on "Diversity Parade" must be mentioned. This event was organized by a group of NGOs gathered

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<sup>13</sup> <http://www.cups.org.yu/kpd/index.php?str=publikacije>

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in the “All Different, All Equal” campaign in Novi Sad on July 12, 2007 during the Exit music festival. Besides the iconography of the manifestation, which to a certain degree resembled that of a gay movement, the inspiration for this attack came from a Novi Sad gay activist Vlatko Salaj in the form of announcement that there will be a Pride Parade organization during the Exit festival. Weeks before Exit, neonazies arranged attacks to the Pride Parade participants. Although the alleged Parade and attack to it was announced on the Internet, the physical violence transferred from the virtual into the real space.

*“Biljana Simonović, the PR of the campaign stated for B92 that parade participants while animating the passers-by made their way through the Danube Park where they were attacked by, as Simonovic states, a group of six bold youths. The perpetrators knocked over one of the parade participant off the stilts which caused him to be injured to the head and arms, she reports and adds that five more parade participants sustained minor injuries”.*

As well as all other guests, two men, aged approximately 20 entered the Alijansa club on the night between October 12 and 13, 2007. They paid for their entrance, ordered drinks and stayed for an hour within the club premises. They made acquaintance with two regular guests (P.S. and I.M.) and after some time they invited them out – “for some fresh air”. All four of them left outside and made their way to Obilic Venac. By the Tanjug building a group of young men appeared and started beating two of the regular Alijansa guests. Two men that ‘picked up’ the victims took part in the beating. One of the victims suffered bruises while the other was taken to the Emergency Centre with a broken nose.

During the night of November 3 and 4 two assaults occurred on the Belgrade gay clubs guests.

Unknown perpetrators throw tear gas causing great panic in the VIP club. According to one of the guests testimony there has been no private security within the club and there has been a big problem at the exit since it was blocked by bar stools. The Belgrade police stated, at the meeting with GSA after the attack, that there have been 130 guests and no tear gas shell has been found.

Also, a group of 8 to 10 unknown young men tried to attack a group of Alijansa club guests who were waiting for a cab on the corner of Vasina and Zmaj Jovina Street after leaving the club. The guests reported that attackers pulled out knives and started chasing three male and one female club guests. The guests managed to escape.

An attack on a man was registered in the park on Sarajevska and Nemanjina corner in the night of October 27 and 28, 2007. As in all other cases, the group of young men attacked the

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victim whom they concluded to be gay on the basis of his appearance. They knocked him on the ground and kicked him. The victim received treatment in the Emergency Centre for his wounds.

None of these attacks was reported to the police by the victims fearing embarrassment from the police officers and outing their sexuality to their immediate family and friends.

### **GAYTEN LGBT CENTRE FOR SEXUAL MINORITIES RIGHTS PROMOTION, DISCRIMINATION REPORT<sup>14</sup>**

With transgender individuals most common examples of discrimination and violence come in the forms of pressure from the family and closest environment as threats, harassment, public denouncement, eviction, economical violence as well as outing transgender issues to a wider audience. Also, partners of transgender individuals suffer from these pressures. Special example of transsexual problems reflect in the legal recognition of their relationships/unions and parenthood/foster parenthood. Taking into consideration the complexity and all risks involved in the sex change operation some transsexuals want to provide security leaving all their assets to their partners in the event of their death, however there are numerous legal difficulties and obstacles when exercising this right.

Transgender parents are exposed to a multiple discrimination and violence and this is not recognized enough within the existing legislation so there are no mechanisms for protecting individuals in such situations. Not only are transgender individuals affected by different pressures, discrimination and violence but these affect their children too. All mentioned relates to many other LGBTIQ persons who are parents, and to their children.

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14 <http://www.cups.org.yu/kpd/index.php?str=publikacije>

**APPENDIX 5****AN OPEN LETTER TO THE PRESIDENT OF THE NATIONAL ASSEMBLY OF REPUBLIC OF SERBIA**

*To: Oliver Dulić,*

*President of the National Assembly of Republic of Serbia*

*Belgrade, December 10<sup>th</sup>, 2007*

Dear Mr. Dulić,

In light of December 10<sup>th</sup>, the International Human Rights Day, we would like to request that a proposal of the Anti-Discrimination Law (first proposed by the member of the National Assembly Čedomir Jovanović on October 8<sup>th</sup>, 2007) be placed on the agenda of the National Assembly.

We believe it is unacceptable that the Serbian government still, in the year 2007, does not recognize passing the Anti-Discrimination Law as its priority. Respect for human rights and lobbying for anti-discrimination are actions by which the level of civilization of a nation is measured, as is the readiness of those as the highest positions in the government of that society to provide means for the equal respect and protection of all citizens. We would like to remind you that passing the Anti-Discrimination Law one of Serbia's obligations in the process of European integration. We would also like to point out that Republic of Serbia is one of the very few countries in Europe and the region without a general law against discrimination.

We want to express our conviction that the draft of the Legal Prohibition of Discrimination, presented to the Venetian Commission (Council of Europe) by the Ministry of Labor and Social Policy, does not provide an adequate and complete protection for all the marginalized groups, and does not offer any protection for certain categories.

Thus, we request that the proposal for the Anti-Discrimination Law - lobbied for by the majority of NGOs in Serbia for years - be placed on the agenda of the National Assembly as soon as possible.

