



PRESS RELEASE

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SERBIA AND MONTENEGRO: UN REPORT URGES GREATER RESPECT FOR FREEDOM OF EXPRESSION

ARTICLE 19 welcomes comments made by the United Nations Human Rights Committee in their July 30th concluding observations on Serbia and Montenegro's initial report on the implementation of the International Covenant on Civil and Political Rights. The Committee echoes two concerns highlighted in a shadow report by ARTICLE 19, namely, the possibility for trial of civilians by military courts for disclosing state secrets and the high number of defamation proceedings against journalists.

In its report, the Committee recommends that the government of Serbia and Montenegro “give effect to its aspiration to secure that civilians are not tried by military courts”.

At present the military authorities in Serbia and Montenegro are able to prosecute journalists, such as Vladan Vljaković, charged with disclosing state secrets, because of the failure by the governments of Serbia and Montenegro to introduce legislation to transfer the competence for such offences to the civilian courts, in line with their constitutional obligations.

The Committee also calls upon the authorities to consider two important principles when applying the law on criminal defamation, namely, that public figures should tolerate greater criticism than private individuals and that freedom of expression can not be restricted for political purposes.

Since the overthrow of Milosevic, civil society organisations in Serbia and Montenegro have documented numerous cases of journalists being sued for libel by high ranking public officials for articles investigating issues of public interest, such as abuse of position, organised crime and war-time atrocities. For example, in June 2002, the Minister for Agriculture, Dragan Veselinov, sued Novi Sad daily *Gradjanski List* for 1.5 million dinars, claiming damage to his reputation for an article alleging he had abused his official position by poaching in Serbian hunting grounds.

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Notes to Editors:

1. Concluding Observations of the Human Rights Committee: Serbia and Montenegro can be found at [http://www.unhchr.ch/tbs/doc.nsf/\(Symbol\)/CCPR.CO.81.SEMO.En?Opendocument](http://www.unhchr.ch/tbs/doc.nsf/(Symbol)/CCPR.CO.81.SEMO.En?Opendocument)
2. ARTICLE 19's submission to the Human Rights Committee can be found at <http://www.article19.org>
3. Vljaković was charged in a military court with the unauthorised disclosure of classified information following publication of his book “Military Secrets”, investigating the so-called “Perisic affair”.