



COMMISSIONER FOR HUMAN RIGHTS  
COMMISSAIRE AUX DROITS DE L'HOMME



Ref: CommHR/ EB/sf 106-2012

**Mr Ivica DAČIĆ**

Prime Minister and Minister of the Interior of Serbia

Strasbourg, 4 October 2012

Dear Prime Minister,

I have learned that the Belgrade Pride Parade, scheduled for 6 October 2012, has not been allowed to take place on grounds of public safety, as was also the case last year. The decision of the Serbian authorities was reportedly motivated by an assessment of the situation by the National Security Council.

The freedoms of expression and peaceful assembly are fundamental rights in a democratic society and belong to all people. Although a demonstration may annoy or cause offence to persons opposed to the ideas or claims that it seeks to promote, this, in itself, cannot be a reason to ban a peaceful gathering.

I would like to stress that European human rights standards prescribe the authorities' positive obligation to find solutions that guarantee both public security and the freedoms of expression and assembly. In cases where the authorities have grounds to fear for the security of the demonstrators they should provide effective protection and, when necessary, suggest alternative venues for the event.

A general ban for a peaceful demonstration can only be justified if there is a real danger of disorder which cannot be prevented by reasonable and appropriate measures. I recall that in 2010 the Serbian authorities made major efforts to ensure the success of the Belgrade Pride Parade. Under difficult conditions, the police played a key role in protecting the participants from hooligans and extremists who wanted to prevent the gathering.

I would therefore like to request further information on the reasons that led to the decision to ban the 2012 Pride Parade. I am particularly interested in finding out why the authorities deemed that the police would not be able to ensure the safety of the participants although they did so in 2010. In addition, I would like to know whether alternatives to the initial plans to organise the event were considered by the authorities in consultation with the organisers.

I look forward to receiving your reply and continuing a constructive dialogue with you and your government.

Yours sincerely,

Nils Muižnieks