



RESOLUTION ON THREATS TO FREEDOM OF EXPRESSION, PEACE, AND STABILITY IN BOSNIA AND HERZEGOVINA, KOSOVO, MONTENEGRO, AND SERBIA

The Assembly of Delegates of PEN International, meeting virtually at its 89th annual Congress, 26 to 28 September 2023, expresses serious concern over growing challenges to freedom of expression in Bosnia and Herzegovina, Kosovo, Montenegro, and Serbia, and the threats they pose to peace and stability in the Western Balkans region.

PEN International's upcoming report on Bosnia and Herzegovina, Kosovo, Montenegro, and Serbia, details the myriad pressure, intimidation, and threats aimed at stifling independent voices. Writers, journalists, publicly engaged intellectuals, and civil society activists face a range of challenges, including disinformation and smear campaigns, physical threats and violence, economic censorship, and abusive Strategic Lawsuits Against Public Participation (SLAPPs), aimed at silencing their opinion and critical reporting. The space for alternative voices is shrinking, particularly for those who oppose dominant – often nationalistic – political narratives. At the same time, hate speech is on the rise, not only through online harassment by trolls and bots, but also by politically powerful actors who use it to manipulate public opinion. The ongoing stigmatisation by political leaders of independent voices and the failure to prevent and sanction such acts fuel a climate of growing anxiety, fear, and insecurity. Many critical voices feel they have no choice but to self-censor. This divisive rhetoric is particularly dangerous in Bosnia and Herzegovina, Kosovo, Montenegro, and Serbia – which continue to experience ethnic tensions – and directly threatens peace and stability in the region.ⁱ

In the 1990s, nationalism and populism, fuelled by Slobodan Milošević and its Socialist Party of Serbia, tore apart the former Yugoslavia, causing one of the cruellest wars in Europe and Central Asia since World War II, claiming over 130,000 lives and displacing four million people. For over 24 years, the International Criminal Tribunal for the former Yugoslavia investigated genocide and war crimes, including summary executions of civilians, conflict-related sexual violence, and the destruction of cultural heritage. With wounds still unhealed, Bosnia and Herzegovina, Kosovo, Montenegro, and Serbia have yet to fully achieve truth, justice, and reparation. By restricting freedom of expression, these post-conflict societies face new divisions and possible new grounds for conflict.ⁱⁱ

The Assembly of Delegates of PEN International calls on the authorities of Bosnia and Herzegovina, Kosovo, Montenegro, and Serbia to fully uphold the right to freedom of expression and to create an environment in which free public debate can thrive. The very first steps towards this must include:

- Immediately end the glorification of war criminals, revisionist narratives and hate speech, and the denial of war crimes and genocide.
- Publicly, unequivocally, and systematically condemn all acts of violence and targeted attacks against writers, journalists, and activists.
- Ensure impartial, prompt, thorough, independent, and effective police investigations into all alleged crimes against writers and hold those responsible to account. Dedicate the resources necessary to investigate and prosecute attacks.

- Bring laws, policies, and practices pertaining to freedom of expression and media freedom fully in line with their international obligations and commitments.
- Recognise SLAPPs as a growing threat to freedom of expression and adopt anti-SLAPP legislation.

The Assembly of Delegates of PEN International further calls on the international community, in all bilateral and multilateral talks, to remind the relevant national authorities of their national and international obligation to uphold the right to freedom of expression, and to send a clear message that pressure and violence against writers, journalists and activists, will not be tolerated.

ⁱ For more information, see PEN International, Bosnia and Herzegovina (Republika Srpska): Drop criminal defamation bill, 22 May 2023: <https://www.pen-international.org/news/bosnia-and-herzegovina-republika-srpska-drop-criminal-defamation-bill>; Freedom House, Nations in Transit 2023, Kosovo, available at: <https://freedomhouse.org/country/kosovo/nations-transit/2023>; PEN International, Montenegro: Authorities must stop harassment and intimidation of the Montenegrin PEN Centre, 10 October 2022, available at: <https://www.pen-international.org/news/montenegro-authorities-must-stop-harassment-and-intimidation-of-the-montenegrin-pen-centre>; PEN International, Serbia: Investigate death threats against writer Marko Vidojković and hold those responsible to account, 12 February 2023, available at: <https://www.pen-international.org/news/serbia-investigate-death-threats-against-writer>

ⁱⁱ For more information, see Visit to Serbia and Kosovo - Report of the Special Rapporteur on the promotion of truth, justice, reparation and guarantees of non-recurrence, Fabián Salvioli (A/HRC/54/24/Add.2), 10 July 2023; OHCHR, Bosnia and Herzegovina: Divisive post-conflict politics and a failure to address conflict drivers must be addressed to prevent violent extremism and terrorism, says UN expert, 20 January 2023, available at: <https://www.ohchr.org/en/press-releases/2023/01/bosnia-and-herzegovina-divisive-post-conflict-politics-and-failure-address> ; Human Rights Council Working Group on the Universal Periodic Review Forty-third session 1–12 May 2023, Montenegro, Compilation of information prepared by the Office of the United Nations High Commissioner for Human Rights, available at: <https://www.ohchr.org/en/hr-bodies/upr/me-index>