OSCE ODIHR
HATE CRIME REPORTING

Information contained in this report was compiled as part of ODIHR's 2022 Hate Crime Report.
For more information, including on previous years' reporting, please visit: hatecrime.osce.org/serbia

For more information about ODIHR's Hate Crime Report, visit: hatecrime.osce.org/our-methodology

1 2022

Summary

Serbia regularly reports data on hate crimes to ODIHR. In 2018, the Office of the Prosecutor General, with the support of the OSCE Mission to Serbia and ODIHR, developed *Guidelines for the prosecution of hate crimes in the Republic of Serbia*. A network of contact persons working on hate crime within the prosecution services was established and, with the OSCE Mission's assistance, the Judicial Academy has developed, integrated and implemented a hate crime training plan and programme.

Hate crime data collection in Serbia
Support for hate crime victims in Serbia
Hate crime capacity building in Serbia
Serbia's hate crime legislation

ODIHR's Key Observation

ODIHR recognizes Serbia's efforts to regularly report hate crime data to ODIHR and build the capacity of prosecutors to address hate crime. However, based on the available information, it observes that Serbia's recording and statistics do not sufficiently distinguish hate crimes from other crimes, and that law enforcement agencies of Serbia have not recorded the bias motivations of hate crimes. In addition, ODIHR observes that Serbia would benefit from raising awareness among and building the capacity of police to address hate crime.

Official Data

The above figures include the offences of incitement to hatred, defamation, and discrimination/violation of equality, all of which fall outside of the OSCE's definition of hate crime.

Year	Hate crimes recorded by police	Prosecuted	Sentenced
2022	94	11	6

National Developments

In 2022, the **Judicial Academy** followed a training plan and programme on prosecuting hate crime for contact persons within the prosecution for 2022 to 2024, developed in co-operation with the OSCE Mission to Serbia. The sessions included a presentation of the international legal framework and standards in the field of combating hate crimes, criminal prosecution and proof of hate crimes, the position of hate crime victims, particularly vulnerable categories of victims, the role of civil society organisations in supporting victims, and examples of practical actions undertaken by the competent authorities in cases of hate crime, as well as the practice of the European Court of Human Rights.

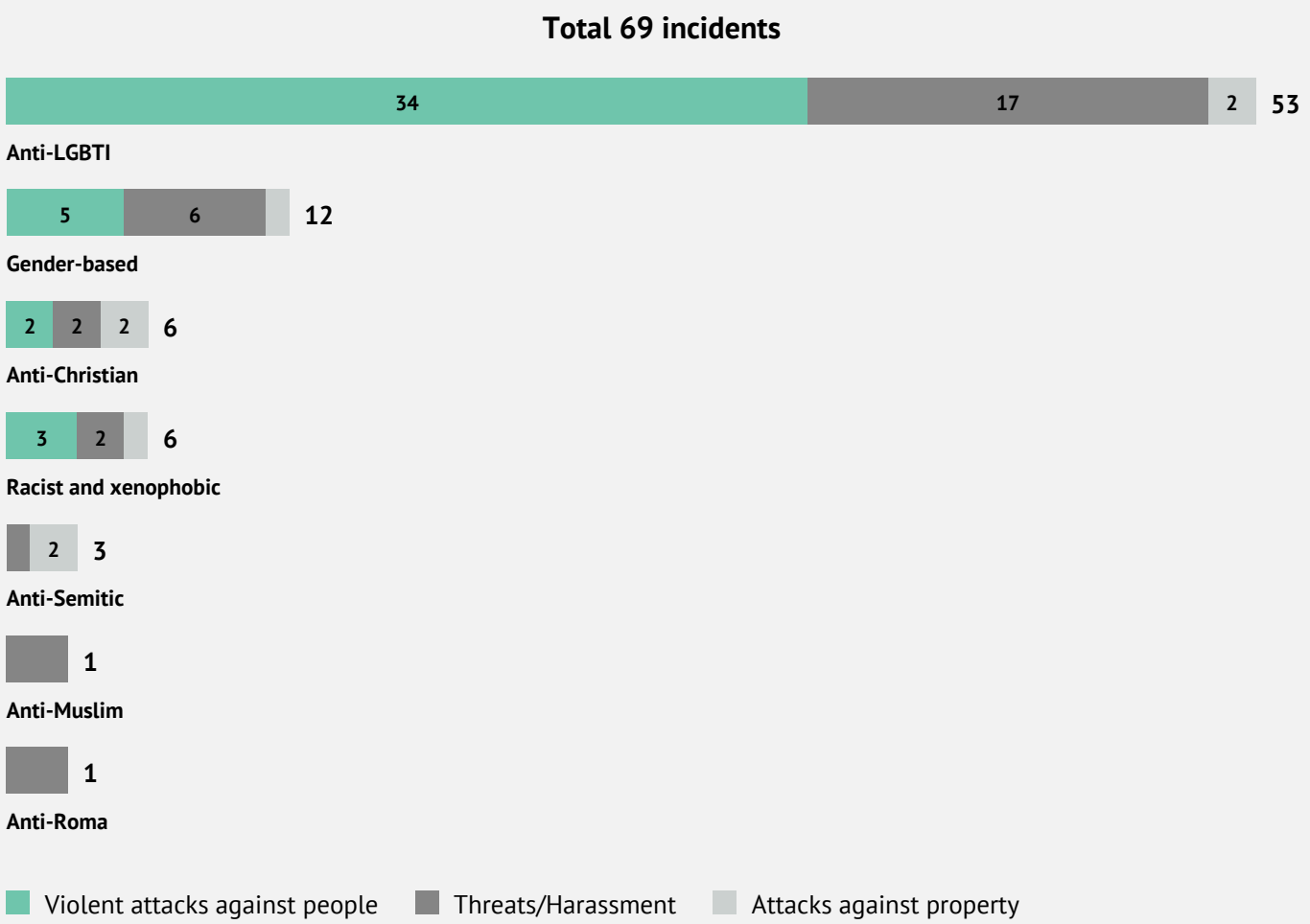
A representative of the Republic Public Prosecutor's Office took part in two co-ordination meetings of representatives of competent state authorities and civil society organizations aimed at hate crime prevention, organized by the Ministry of Human and Minority Rights and Social Dialogue and the OSCE Mission in Serbia.

In 2022, a number of **notable cases** were pursued. A criminal complaint was filed against two adults for committing the criminal offense of rape (Article 178 of the Criminal Code) and abuse and torture (Article 137 of the Criminal Code) committed against an adult male victim. The accused persons were charged with psychological, physical and sexual abuse of the victim in numerous humiliating acts in the victim's apartment out of bias against his sexual orientation. The court proceedings are underway.

In a separate case, a group of perpetrators was accused of using force on four occasions against victims due to their sexual orientation during May and June 2022. As a result, the victims suffered numerous physical injuries and were robbed of their mobile phones and money. The investigative procedure is underway.

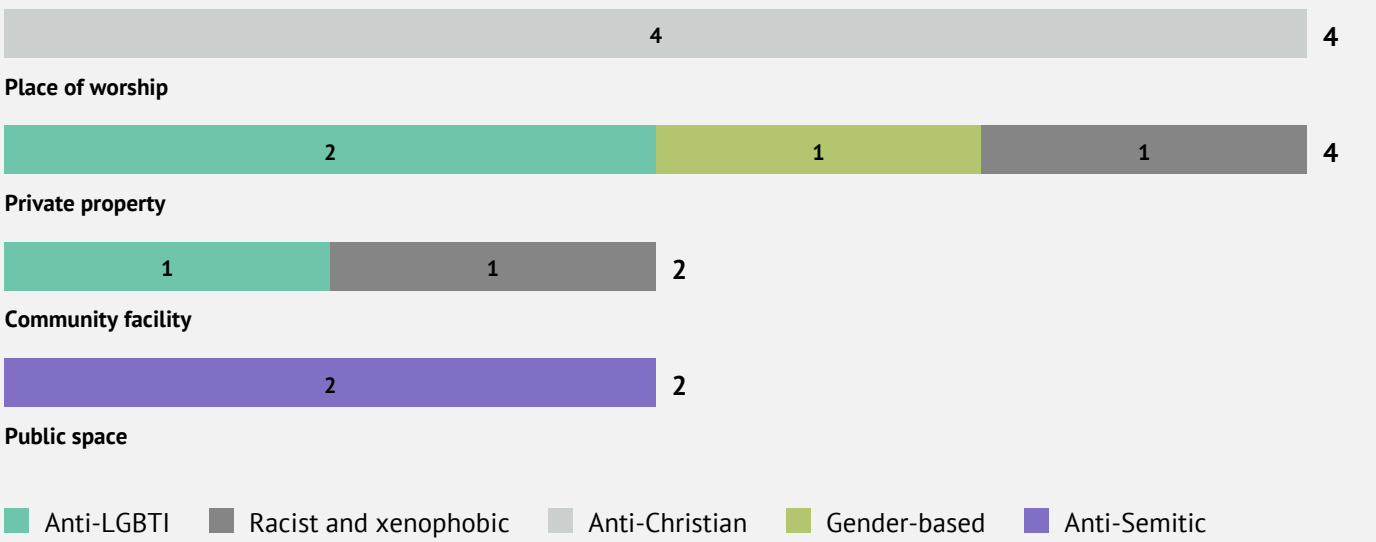
A criminal complaint was filed with the Basic Public Prosecutor's Office in Lebane against an adult for committing the crime of grievous bodily harm (Article 121 of the Criminal Code) against a minor belonging to the Roma community. The court proceedings are underway.

Incidents reported by civil society

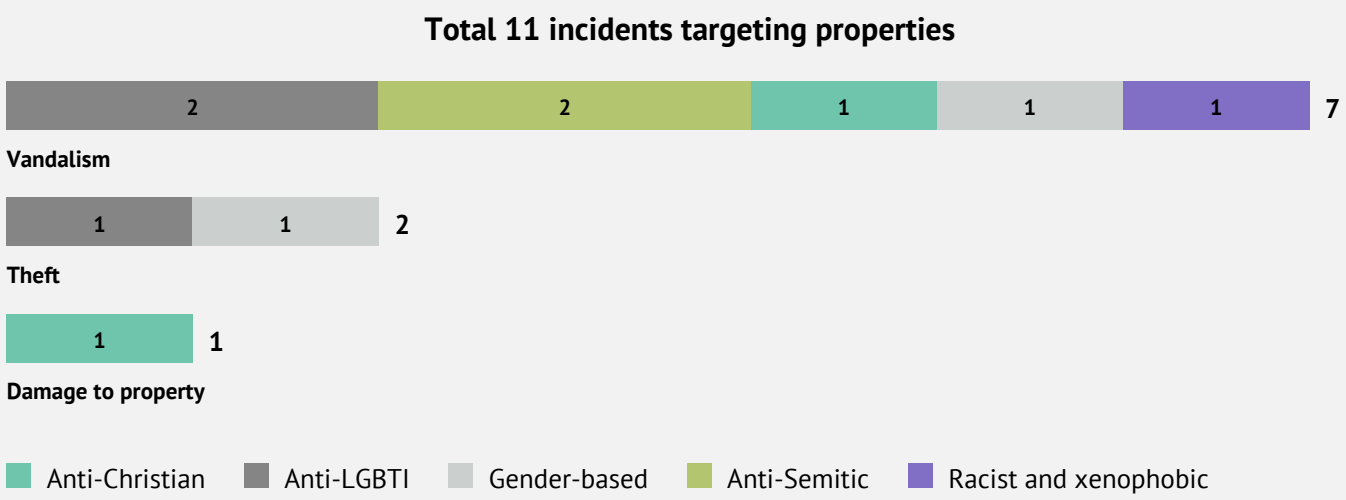


Please note that the total number of incidents may be lower than the sum of incidents presented in the breakdown chart above, as some incidents involve multiple bias motivations.

Targeted properties



Type of property attack



View civil society incidents for Serbia, 2022