

Mandates of the Special Rapporteur on the rights to freedom of peaceful assembly and of association; the Special Rapporteur on the right to education; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health; the Special Rapporteur on the situation of human rights defenders and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment

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(Please use this reference in your reply)

2 April 2025

Excellency,

We have the honour to address you in our capacity as Special Rapporteur on the rights to freedom of peaceful assembly and of association; Special Rapporteur on the right to education; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health; Special Rapporteur on the situation of human rights defenders and Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, pursuant to Human Rights Council resolutions 50/17, 53/7, 52/9, 51/21, 52/4 and 52/7.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning alleged violence by different actors against peaceful protestors and the stigmatization of the peaceful gatherings, the youth student movement, human rights defenders, civil society and social movements in general during demonstrations that took place on Saturday 15 March 2025, in Belgrade, leading to death and serious injuries, and including the apparent use of an undetermined acoustic weapon to unlawfully disperse the peaceful protest. This information raises questions regarding the full implementation of your Excellency's Government's obligations to respect and protect the rights and fundamental freedoms under international human rights law, in particular articles 7, 9, 19 and 21 of the International Covenant on Civil and Political Rights (ICCPR) and pursuant to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, including specifically the failure to protect protesters from harm.

According to the information received:

Context

On 1 November 2024, a concrete canopy collapsed outside Novi Sad's renovated railway station at 11:52 a.m., killing 15 people and critically injuring several others, which sparked immediate public outcry and criticism over alleged corruption, lack of transparency, and negligence surrounding the station's reconstruction. The reconstruction of the railway was part of a big project of revitalization of the Belgrade-Hungarian border railway, worth over \$1.2 billion, in cooperation with the Chinese Government and several construction companies, part of the Belt and Road Initiative.

In the wake of this tragedy, mass peaceful protests erupted across Serbia as citizens mourned the loss of lives and demanded a swift investigation into those responsible. On 5 November 2024, a large protest was organized by local groups and political parties in Novi Sad. During November, protests continued throughout Serbia. Citizens and students started to peacefully assemble in their cities to hold daily 15 minutes of silence for the victims of the tragedy. These silent protests in some cases were disturbed by “dissatisfied individuals”. On 22 November 2024, a student protest on the street in front of the Faculty of Dramatic Arts was attacked by a group of people that allegedly included members of the ruling party and public officials. Soon, other universities and faculties across Serbia joined the student peaceful protest.

Since December 2024, students have organised smaller peaceful blockades and protests, seeking the fulfilment of their requests. Among the requests, they have been demanding accountability for the attack against the students of the Faculty of Dramatic Arts, for which the trial has been postponed. Many of those protests were disrupted and attacked, including attacks with cars driving through the protesters, leaving people seriously injured.

From December 2024 to March 2025, students organised large scale protests (with more than 100.000 participants) in Belgrade (on 22 December, and 28 January), Novi Sad (on 1 February), Kragujevac (on 15 February) and Niš (on 1 March). Besides large protests, small local protests have occurred in virtually every municipality in Serbia; in this context, we have received information that this amounts to over 300 small protests every week.

Peaceful protesters have put forward specific demands, asking for full transparency about all the documents related to the restoration of the railway station, the investigation of the accident, and prosecution of those responsible; prosecution and, if applicable, loss of public office for the people who attacked the peaceful protesters; release from custody and dropping unlawful charges against peaceful protesters; and a 20% budget increase for higher education.

A camp was also set on 6 March 2025 in Pioneer’s Park in front of the National Assembly, demanding the resumption of classes. The information received indicates that the camp was coordinated by a group of students opposing the rest of the protests, but additional allegations point out to the fact that members of the governing party, public officers and other individuals were also taking part in this camp. On 14 March 2025, this camp was surrounded by over 200 tractors and other heavy machines without registration plates, that were left in the streets and drivers were absent.

In this context, the Government allegedly launched repressive measures including the arrest of over two dozen of peaceful protestors. Some people arrested were allegedly held in detention for weeks. Moreover, those carrying out arrests and those responsible for maintaining peace and providing protection during the protest often conceal their faces and hide their identification when apprehending citizens, activists, human rights defenders and opposition members before, during, and after protests. In this regard, we would like to recall the previous communication [AL SRB 2/2020](#) and the reply received, in

which similar concerns were raised regarding the July 2020 protests in Serbia.

There appears to have been increased repression and stigmatization of these gatherings that have been labelled by public officials as demonstrations “paid from abroad”, led by “foreign mercenaries”, aimed at attempting a “colored revolution”, and the “violent overthrow of the regime.”

At the same time, high ranking government officials have released public statements indicating that all foreign aid recipients are “foreign agents”, “criminals involved in money laundering” and involved in plans to “overthrow the Government”.

Civil society organizations, activists working on the defence of human rights and students have reportedly been targeted with harassment and stigmatization. Police raids on the offices of civil society organization receiving foreign funding, especially from USAID, have also been allegedly conducted.

Peaceful protest on 15 March 2025

The largest protest was held on 15 March 2025 in Belgrade, with several hundreds of thousands of participants (some information indicates that the number of participants could have been over 300.000), the biggest in Serbian history.

We received information about concerning statements and announcement of measures from officials, including the President, before the protest started, including information about alleged planned large-scale violence by protesters and messages such as “the State will show that it is a State, and we will blow the final whistle”, in order to discourage public participation.

In addition, prior to the official protest, a violent incident occurred when a car ran into a crowd at a pre-protest gathering in Žarkovo, injuring three citizens. Other reports include a serious incident at a police station in Belgrade, where a lawyer representing two young men arrested during a protest was physically attacked by police officers, resulting in injuries; the arrest and deportation of at least one non-Serbian politician; and the denial of entry into Serbia to foreign journalists.

On 15 March 2025, around 19:11, during the 15 minutes of silence honouring victims of the Novi Sad tragedy, participants in the gathering in Belgrade heard a loud and unpleasant sound accompanied by a sudden push of air, vibrations and a string wave, that ‘struck them from behind’, near the Presidential palace. We also received information about a simultaneous use of a sonic weapon in Terazije.

The sound caused an immediate disbandment of peaceful protestors and created a stampede, panic and injuries. Some of the protestors fainted, fell and vomited, presented rapid heartbeats, hearing problems, increase in body heat, body weakness, disorientation, leg paralysis and excessive sweating. Cases of epileptic seizure and heart attacks were also recorded. Many presented

emotional and psychological distress. The intensity and duration of symptoms varied: for some protestors, reactions lasted few minutes, while for others they persisted for hours or longer. People were also injured from the stampede, causing scrapes, sprained ankles, falls, bruises, etc.

It appears that a police vehicle with an acoustic hailing device mounted upon it was placed close to the location where the sound was heard. Although we have no confirmation, the device seems similar to an LRAD 450XL.

Around 19:26, peaceful protestors were attacked with bottles and stones thrown at them, from the Pioneer Park.

Following days after the protest of 15 March 2025

High level public officials, including the President of Serbia, denied accusations of the use of a “sonic weapon” or “sound cannon” against peaceful protestors, and stated that people “spreading ‘panic and lies’ would be held accountable”. The Chief Public Prosecutor’s office ordered the First Basic Prosecutor’s Office in Belgrade to identify individuals claiming that dozens of people were treated for the effects of a sound weapon and indicated that those claims may constitute a criminal act for causing “panic and disorder”.

On Sunday 16 March 2025, over 100 people, from young students to elderly persons, reported severe symptoms such as failure of pacemakers, high blood pressure, tension-type headaches, disorientation, nausea, hearing problems and anxiety, and sought medical assistance. Allegedly dozens of patients were denied medical attention in the emergency room of the University Clinical Centre of Serbia. According to the information received, hospitals were required to report and send information concerning “protest-related patients” to the Serbian Security Information Agency (BIA). On Monday 17 March 2025, a peaceful protest was held in front of the Clinic, demanding immediate attention.

Some days after the protest of 15 March, the Higher Public Prosecutor’s Office in Belgrade stated that 19 people were detained for violating the law on Public Order and Peace, mainly for misdemeanours including “threats with bombs and guns, throwing stones and balls at students, and carrying knives, scalpels, barbells, torches, firecrackers; misbehaving and insulting students while intoxicated, among other”. It was also reported that two people were detained for up to 48 hours due to the existence of grounds of suspicion for believing that they had committed a criminal offence, causing general danger by driving a vehicle into a group of students around 10:40 a.m. on 15 March 2025 at the intersection of Trgovačka and Ilije Đuričića streets, injuring three people.

Additionally, on 19 March 2025, the Prosecutor’s Office stated that there was no reason to believe that “organization units or security authorities involved in the protest used a sound cannon”. We received information that the Ombudsperson was also investigating reports on the use of a sound weapon, but had not yet presented any conclusions of the investigation.

As the protests have been ongoing until now, students have continued the blockades of the universities. In this regard, they have reportedly being threatened by authorities with missing the whole academic year if they do not end the blockades immediately.

Without wishing to prejudge the accuracy of the above-mentioned allegations, we express our serious concerns at what appears to be an increasing restriction on the right to freedom of peaceful assembly in the country. The apparently unauthorized sound device that has led to multiple further allegations of injury and illness arising from this weapon also creates concern about the compliance of the Government with the absolute prohibition of torture and ill treatment and obligations under the Convention against torture and other cruel, inhuman or degrading treatment or punishment (CAT). These reported episodes are bound to have a chilling effect and create an atmosphere of fear with regards to the exercise of the right to freedom of peaceful assembly and expression, especially in relation to dissent and critical voices, and result in the shrinking of civic space. “Failure to respect and ensure the right of peaceful assembly is typically a marker of repression” (CCPR/C/GC/37, para. 2).

The International Covenant on Civil and Political Rights obligates States to respect, protect, and ensure the rights outlined in the Covenant, including the right to peaceful assembly. While restrictions on this right can occur, they must be justified by law, serve a legitimate aim, and be necessary and proportionate in a democratic society. States are prohibited from unjustly blocking or disrupting peaceful assemblies and must ensure any restrictions are in line with democratic values such as pluralism, tolerance, and broadmindedness.

The alleged use of an undisclosed sound weapon is a matter of particular concern. Under the overarching obligation to prevent acts of torture and other ill-treatment (including pursuant to article 2 of the CAT), Serbia has obligations to regulate and monitor the production, procurement and use of police and law enforcement equipment (A/78/324; A/HRC/31/66). Extra caution is required in the deployment of experimental weaponry, which sonic devices would fall into this category, as they are not well known, nor the full medical and other consequences of their use is adequately researched. These weapons and devices pose a risk of causing temporary or permanent hearing damage, depending on the model, distance and duration of exposure. They can be misused indiscriminately against a crowd or to inflict injury (A/78/324, annex 2). Their reliance on sensory disorientation and for such weapons when their impacts are general as opposed to targeted, can lead to dangerous stampedes and erratic behaviour, affecting protesters and bystanders alike. While we cannot confirm that such a weapon was used in this context, the evidence we have received appears to show the use of such a weapon created a mass panic, which is against the principle of precaution. Any use of sonic devices should be used only if fully regulated by law, with specific higher order authorization in the specific context, and that decision taken with great caution. Monitoring and transparent reporting on such use would also be required. The international rules of deployment requiring reasonable, proportionate and discriminate force, and appropriate to the situation, would also be required to be met. Proper training would also be required.

Additionally, if such weapons were used to disperse an assembly that was peaceful, without posing any risk, it would be an unlawful disbandment of a peaceful

protest. The use of the alleged weapon at a time when the participants of the assembly were mourning in silence would be disproportionate and cruel and may have been intended to cause the greatest psychological and emotional impact.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and any comment you may have on the above-mentioned allegations.
2. Please provide information regarding the management and use of force during the above-mentioned protests, and report on the numbers and types of injuries of protesters.
3. Please provide information about any investigations opened concerning alleged violent acts occurred during the protests (of both civilians as well as law enforcement personnel) and the stage and/or outcome of those proceedings. Please provide information about any investigation opened against participants in the protests and those exercising their freedom of expression.
4. Please provide information on measures taken by your Excellency's Government to carry out a prompt, impartial, independent and effective investigation into the allegations of excessive use of force against peaceful protestors, civil society activists, lawyers, and other participants, bystanders and supporters, and into the alleged use of a sound / acoustic weapon to unlawfully disperse the peaceful assembly on 15 March 2025, including the legislative basis for such weapon, prior authorization and chain of command involved and the description of the justification of such employment.
5. Please provide information on measures taken by your Excellency's Government concerning the plans to advance justice and reparation, including measures to ensure non-repetition.
6. Please provide information on the stock of less lethal weapons that have been purchased or manufactured by your Excellency's Government, including acoustic or any other sound wave emitters.
7. Please provide information on the injuries (numbers and types) caused by the deployment of this device.

This communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be

presented to the Human Rights Council.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person responsible of the alleged violations.

We may publicly express our concerns in the near future as, in our view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that we have been in contact with your Excellency's Government's to clarify the issue/s in question.

Please accept, Excellency, the assurances of our highest consideration.

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Special Rapporteur on the rights to freedom of peaceful assembly and of association

Farida Shaheed
Special Rapporteur on the right to education

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Mary Lawlor
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Alice Jill Edwards
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Annex

Reference to international human rights law

In connection with the above alleged facts and concerns, we would like to refer your Excellency's Government to the International Covenant on Civil and Political Rights (ICCPR), succeeded to by Serbia on 12 March 2001.

The ICCPR imposes the obligation on States parties "to respect and to ensure" all the rights in the Covenant (art. 2 (1)); to take legal and other measures to achieve this purpose (art. 2 (2)); and to pursue accountability and provide effective remedies for violations of Covenant rights (art. 2 (3)). The obligation of States parties regarding the right of peaceful assembly thus comprises these various elements, although the right may in some cases be restricted. States are obliged, not to prohibit, restrict, block, disperse or disrupt peaceful assemblies without compelling justification, nor to sanction participants or organizers without legitimate cause. (CCPR/C/GC/37).

Articles 19 and 21 of the ICCPR guarantee the rights to freedom of opinion and expression, and of peaceful assembly. These rights can be subjected to restrictions only as narrowly defined by the ICCPR, if such restrictions are clearly established by law for a legitimate aim and be "necessary in a democratic society" and proportionate to the achievement of the legitimate aim. There must be a 'pressing social need' for the interference in the enjoyment of these rights (A/HRC/20/27), and States have to ensure that any restrictive measures fall within the limit of what is acceptable in a "democratic society".

"States not only have a negative obligation to abstain from unduly interfering with the rights of peaceful assembly and of association but also have a positive obligation to facilitate and protect these rights in accordance with international human rights standards [A/HRC/17/27, para. 66; and A/HRC/29/25/Add.1]. The right of peaceful assembly is, moreover, a valuable tool that can and has been used to recognize and realize a wide range of other rights, including economic, social and cultural rights. It is of particular importance to marginalized individuals and groups. Failure to respect and ensure the right of peaceful assembly is typically a marker of repression" (CCPR/C/GC/37).

Where the presence of law enforcement officials is required, their action should be focused on facilitating the assembly and enabling it to take place as intended, with the objective of minimizing the potential for injury to any person and damage to property. Law enforcement officials are obliged to exhaust non-violent means and to give prior warning if it becomes absolutely necessary to use force, unless doing either would be manifestly ineffective. Any use of force must comply with the fundamental principles of legality, necessity, proportionality, precaution and non-discrimination, and those using force must be accountable with the requirements enshrined in international law, guided by standards such as the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and the United Nations Human Rights Guidance on Less-Lethal Weapons in Law Enforcement (CCPR/C/GC/37).

Besides, the dispersion of an assembly must be a last resort option, only used in exceptional cases when "the assembly as such is no longer peaceful, or if there is clear

evidence of an imminent threat of serious violence that cannot be reasonably addressed by more proportionate measures, such as targeted arrests. In all cases, the law enforcement rules on use of force must be strictly followed. Conditions for ordering the dispersal of an assembly should be set out in domestic law, and only a duly authorized official may order the dispersal of a peaceful assembly”. (CCPR/C/GC/37, para 85).

Public authorities also have specific duties to protect citizens from harm being perpetrated by private or non-state entities such as those in the context of public protests. Standing by or taking inappropriate or inadequate action also implicates a State’s due diligence responsibilities to protect its citizens, and depending on the full scope of circumstances this obligation includes protecting citizens from harm tantamount to torture or other cruel, inhuman or degrading treatment or punishment (See Committee against Torture, *Dzemajl et al. v. Yugoslavia*, CAT/C/29/D/161/2000).

As the Human Rights Committee stated, “all law enforcement officials responsible for policing assemblies must be suitably equipped, including where needed with appropriate and fit-for-purpose less-lethal weapons and protective equipment. States parties must ensure that all weapons, including less-lethal weapons, are subject to strict independent testing, and that officers deployed with them receive specific training, and must evaluate and monitor the impact of weapons on the rights of those affected. Law enforcement agencies must be alert to the potentially discriminatory impacts of certain policing tactics, including in the context of new technologies, and must address them” (CCPR/C/GC/37, para. 81).

As included in the Model Protocol for Law Enforcement Officials to Promote and Protect Human Rights in the Context of Peaceful Protests, before a protest a thorough evidence-based risk assessment needs to be conducted to anticipate potential risks and to develop concrete measures for the prevention and mitigation of those risks, as well as to prepare accordingly the objectives, type of the operation, planned tactics and tactical deployment of personnel and equipment needed. This includes to “develop protection strategies aimed at securing protest participants and bystanders from other actors, including counter protesters, external threats and other violent elements, provocateurs and non-State actors.” (A/HRC/55/60, para. 70, 71).

During a protest, if a dispersion of a demonstration is considered lawful, law enforcers should “inform participants of the decision to disperse a protest in a clear, audible and understandable manner by providing specific reasons for dispersal, instructions on how to disperse safely and reasonable timing for voluntary dispersal”. After a protest, law enforcers should document any use or damage, of equipment, including the use of less-lethal weapons and digital technologies; and conduct debriefings “to review and evaluate the law enforcement operation, any operational or logistical errors and the possible human rights impacts of applied tactics”. Besides, “where any allegations or suspicion exist of misuse of authority or force or other misconduct leading to human rights violations in the context of protests, such as torture and other ill-treatment (...), law enforcement agencies should ensure that self-reporting is completed by officers who were deployed at the time of the incident and were in the vicinity of the incident” (A/HRC/55/60, para. 76, 77(a), 78, 83, 84, 86).

Besides, “pursuant to the United Nations Guiding Principles on Business and Human Rights, States and private companies should ensure accountability and due

diligence regarding the design, production, transfer, procurement and use of any weapons, equipment and technology used by law enforcement officials in the context of peaceful protests” (A/HRC/55/60, para. 31).

In her “Thematic study on the global trade in weapons, equipment and devices used by law enforcement and other public authorities that are capable of inflicting torture and other cruel, inhuman or degrading treatment or punishment” (A/78/324), the Special Rapporteur on torture included acoustic weapons and devices in the list of goods that ought to be regulated at national and international levels, as while they have a legitimate use, they can be misused for torture or other ill-treatment and therefore necessitate some level of oversight.

Article 19 of the ICCPR guarantees the right to freedom of opinion and expression, which includes the right “to seek, receive and impart information and ideas of all kinds, either orally, in writing or in print, in the form of art, or through any other media”. This right applies online as well as offline and includes political discourse, commentary on one's own and on public affairs, discussion of human rights and journalism among others, encompassing not only the exchange of information that is favourable, but also that which may criticize, shock, or offend (CCPR/C/GC/34, para. 11). The Committee further asserts that there is a duty of States to put in place effective measures to protect against attacks aimed at silencing those exercising their right to freedom of expression (para. 23). Any restriction on the right to freedom of expression must (i) be provided by law; (ii) pursue one of the legitimate aims for restriction, which are the respect of the rights or reputations of others and the protection of national security or of public order (*ordre public*), or of public health or morals; and (iii) be necessary and proportionate for those objectives. The Human Rights Committee stated that the restrictions must be “the least intrusive instrument among those which might achieve their protective function” (CCPR/C/GC/34, para. 34). In line with these norms, States shall also not impose any unjustified or arbitrary restrictions on the access of foreign journalists.

Pursuant to the fundamental principles set forth in the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, also known as the UN Declaration on Human Rights Defenders, in particular, articles 1 and 2 of the Declaration which state that everyone has the right to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels and that each State has a prime responsibility and duty to protect, promote and implement all human rights and fundamental freedoms. Article 5 of the Declaration states that everyone has the right, individually and in association with others, (...) to meet or assemble peacefully.

Furthermore, we further recall Serbia's obligations under article 12 of the International Covenant on Economic Social and Cultural Rights (ICESCR), to which Serbia succeeded on 12 March 2001, which guarantees the right of everyone to the enjoyment of the highest attainable standard of physical and mental health. Accordingly, States have the obligation to ensure accessibility of health facilities, goods and services to everyone without discrimination, (Committee on Economic, Social and Cultural Rights, general comment 14 para. 12 (b)). In addition, by virtue of article 2.2 and article 3, the ICESCR proscribes “any discrimination in access to health care and

underlying determinants of health, as well as to means and entitlements for their procurement, on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth, physical or mental disability, health status (including HIV/AIDS), sexual orientation and civil, political, social or other status, which has the intention or effect of nullifying or impairing the equal enjoyment or exercise of the right to health” (Committee on Economic, Social and Cultural Rights, general comment 14 para. 18).

We would like to draw the attention of your Excellency’s Government that the right to education is enshrined, among others, in Article 26 of the Universal Declaration of Human Rights, Articles 13 and 14 of the International Covenant on Economic, Social, and Cultural Rights (ICESCR), Articles 28, and 29 of the Convention on the Rights of the Child, and Article 24 of the Convention on the Rights of Persons with Disabilities (CRPD).

Furthermore, the UN Committee on Economic, Social and Cultural Rights (CESCR), in its General Comment No. 13 (1999) on the right to education, interpreted the provisions of Article 13 of the ICESCR, emphasizing that education is a fundamental human right, and that access to education must be non-discriminatory, available, and accessible to all.

Additionally, Article 15 of the Convention on the Rights of the Child (CRC) explicitly protects the right of children to freedom of association and peaceful assembly, stating that “States Parties recognize the rights of the child to freedom of association and to freedom of peaceful assembly (1). No restrictions may be placed on the exercise of these rights other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others (2)”.