

Mandates of the Special Rapporteur on the situation of human rights defenders; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the rights to freedom of peaceful assembly and of association and the Working Group on discrimination against women and girls

Ref.: AL SRB 2/2026
(Please use this reference in your reply)

30 January 2026

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on the situation of human rights defenders; Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; Special Rapporteur on the rights to freedom of peaceful assembly and of association and Working Group on discrimination against women and girls, pursuant to Human Rights Council resolutions 52/4, 52/9, 59/4 and 59/14.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning the **break-in at the house of woman human rights defender, Ljiljana Nešić**.

Ms. **Ljiljana Nešić** is a woman human rights defender, and President of the Citizens' Association of Women for Peace. She has been active in protecting women's rights and carrying out feminist and pro-peace activism as well.

Ms. **Marija Trajkovic** is a woman human rights defender, who works together with Ms. Ljiljana Nešić at The NGO *Žene Za Mir*.

The NGO *Žene Za Mir* (Women for Peace) is a human rights organisation founded in 2007 in Leskovac, Serbia. It runs a hotline for women and children who are victims of domestic violence and works to empower women survivors. Their mission is to promote, educate and protect women's rights, with a commitment to building peace and achieving non-violence.

According to the information received:

On 22 December 2025, the home of woman rights defender, Ljiljana Nešić, was broken into and ransacked by unidentified individuals in Leskovac, Serbia. The incident took place five days after her television appearance on 17 December 2025 on N1 TV, in which she publicly addressed recent incidents of femicides in Leskovac and the lack of response from the relevant authorities.

The woman human rights defender lives on the first floor of the house with her family, which has a separate entrance. She reported that she hadn't noticed anything unusual when she left home early that morning. Around 12 p.m. local time, her husband called to tell her that the ground floor had been broken into. Specifically, that he had discovered that the door was open, with its glass window broken. Shortly after, police arrived to the scene. All drawers and cupboards had been thoroughly ransacked, and the furniture was turned upside

down. However, nothing was taken from the property, despite money and other valuables having been left on the table.

On 26 December 2025, Ms. Nešić went to the Leskovac police station to give her statement regarding the incident. She told police officers that she believed the break-in was staged to intimidate her, because of her work as the President of *Žene Za Mir*. She also relayed that she had previously faced a series of attacks, related to her human rights work.

On 28 December 2025, she returned to the police station, where police officers showed her CCTV footage obtained from a neighbouring house. The footage was missing a 10-minute segment, which likely contained visual evidence of the perpetrators and the break-in itself. When Ms. Nešić asked why the footage was missing, the police said that it could have been a technical glitch or that the camera's sensor may have not picked up any movement. However, the CCTV footage appears to cut directly from an image of the ground-floor door intact to the same door with its glass window shattered. Moreover, the missing segment coincides with the time in which the break-in took place. This raises concerns that the CCTV footage may not be complete and may have been modified in a way that obscures the circumstances of the forced entry and the identity of those involved.

Since 2022, Ms. Nešić and her colleague at the organisation, *Žene Za Mir*, Ms. Marija Trajkovic, have become targets of harassment and intimidation. They have been threatened, faced cyber attacks, and have been subjected to smear campaigns and criminal complaints. Additionally, they have been physically attacked, stalked and surveilled by unidentified men and have received non-verbal warnings, such as suspicious damage to their cars and the repeated disappearance of their pets.

Without wishing to prejudge the accuracy of the above-mentioned allegations, we would like to express our serious concerns for the safety of Ms. Ljiljana Nešić. We are concerned that, as a woman human rights defender, she appears to have been targeted solely because of her legitimate work in the defence and empowerment of women's rights, specifically relating to gender-based violence and femicide. The circumstances surrounding the missing CCTV footage and the inadequate response from the authorities raise serious concerns about the investigation process and may point towards a culture of impunity concerning threats and attacks against women human rights defenders in Serbia.

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/or comment(s) you may have on the above-mentioned allegations.

2. Please provide information about the steps taken to investigate the break-in at the house of Ms. Ljiljana Nešić, in particular in light of the CCTV footage which appears to have been tampered with, as well as to ensure full accountability for those responsible. Please also provide information about the steps taken to ensure the safety and physical integrity of Ms. Ljiljana Nešić and Ms. Marija Trajkovic of the NGO Žene Za Mir.
3. Please provide information as to what steps have been taken to ensure that human rights defenders, non-governmental organizations, journalists, media workers and media outlets in Serbia are able to carry out their legitimate and protected work, including by exercising their right to freedom of opinion and expression, in a safe and enabling environment, free from any physical, judicial or other forms of intimidation and harassment.

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(s) responsible for the alleged violations.

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

Mary Lawlor

Special Rapporteur on the situation of human rights defenders

Irene Khan

Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression

Gina Romero

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

Claudia Flores

Chair-Rapporteur of the Working Group on discrimination against women and girls

Annex

Reference to international human rights law

In connection with above alleged facts and concerns, we would like to draw the attention of your Excellency's Government to the relevant international norms and standards that are applicable to the issues brought forth by the situation described above.

In particular, the facts alleged, if proved correct, appear to be in contravention of articles 17, 19 and 22 of the International Covenant on Civil and Political Rights (ICCPR), succeeded to by Serbia on 12 March 2001. These articles provide for the rights to not to be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence and to freedom of opinion and expression. These articles shall be read individually and together with article 2(1) of the ICCPR which obliges States parties to respect and ensure the rights recognized in the ICCPR without discrimination, article 26 that guarantees equality before the law and equal protection of the law, and article 2(3), which provides for the right to an effective remedy for every person whose rights contained in the Covenant have been violated.

In its general comment No. 31, the Human Rights Committee clarified that article 2(3) entails an obligation to conduct prompt, thorough, effective, independent and impartial investigations into alleged violations and to ensure that those responsible are brought to justice (CCPR/C/21/Rev.1/Add. 13, paras. 15, 18).

Article 17 of the ICCPR provides that no one shall be subjected to arbitrary or unlawful interference with their privacy, family, home or correspondence. In general comment No. 16, the Human Rights Committee affirmed that States must adopt legislative and other measures to give effect to this protection and must ensure effective protection against interference by public authorities as well as by private individuals (U.N. Doc. HRI/GEN/1/Rev.1, paras. 1 and 10).

The Committee further stressed that States must ensure that any interference with the home is subject to effective safeguards and oversight and that individuals have access to effective remedies where violations are alleged (para. 11). The obligation to protect under article 17 therefore includes duties to prevent, investigate and provide redress for acts that interfere with the privacy and home of individuals, including when such acts are committed by non-State actors.

Article 19 of the ICCPR guarantees the right to freedom of opinion and the right to freedom of 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, protects the freedom of the press as one of its core elements and includes not only the exchange of information that is favourable, but also that which may criticize, shock, or offend.

In its [general comment No. 34](#), the Human Rights Committee stated that States parties to the ICCPR are required to guarantee the right to freedom of expression, including "political discourse, commentary on one's own and on public affairs, canvassing, discussion of human rights, journalism, cultural and artistic expression, teaching, and religious discourse" (CCPR/C/GC/34, para. 11). The Committee states

that article 19 also covers the right of a free press and other media able to comment on public issues without censorship or restraint and to inform public opinion and a corresponding right of the public to receive media output.

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). Recognizing how journalists and persons who engage in the gathering and analysis of information on the human rights situation and who publish human rights-related reports, including judges and lawyers, are frequently subjected to threats, intimidation and attacks because of their activities, the Committee stresses that “all such attacks should be vigorously investigated in a timely fashion, and the perpetrators prosecuted, and the victims be in receipt of appropriate forms of redress” (para. 23).

Any restriction on the right to freedom of expression must be compatible with the requirements set out in article 19(3) ICCPR. Under these requirements, restrictions 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 State has the burden of proof to demonstrate that any such restrictions are compatible with the Covenant, proving “in specific and individualized fashion the precise nature of the threat, and the necessity and proportionality of the specific action taken, in particular by establishing a direct and immediate connection between the expression and the threat” (CCPR/C/GC/34, para. 35). The Human Rights Committee recalled that the relation between right and restriction and between norm and exception must not be reversed. In this regard, 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).

After her visit to Serbia and Kosovo in 2023, the Special Rapporteur on the right to freedom of opinion and expression made, among others, the following recommendations to your Excellency’s Government:

- (b) Ensure that all cases of threats and attacks against journalists, human rights defenders and activists are investigated promptly, effectively, thoroughly and impartially and that perpetrators are brought to justice;
- (d) Provide appropriate training and capacity development for prosecutors and judges on issues relating to hate speech, the safety of journalists and freedom of expression;

We also remind your Excellency’s Government that the right to freedom of association is an essential component of democracy as it empowers individuals to “express their political opinions, engage in literary and artistic pursuits and other cultural, economic and social activities, engage in religious observances or other beliefs, form and join trade unions and cooperatives, and elect leaders to represent their interests and hold them accountable”, as enunciated in the Human Rights Council resolution 15/21. Article 22 of the ICCPR protects the right to freedom of association. Article 22(2) permits restrictions on this right only under strict conditions, namely

where they are prescribed by law and necessary in a democratic society in the interests of national security, public safety, public order, the protection of public health or morals, or the rights and freedoms of others.

In addition, article 9 of the ICCPR guarantees the right to liberty and security of person. While this provision is often associated with protection against arbitrary arrest or detention, the Human Rights Committee has clarified that the right to security of person has an autonomous meaning and is not limited to situations of deprivation of liberty. In its general comment No. 35, the Human Rights Committee acknowledges that the “security of person concerns freedom from injury to the body and the mind, or bodily and mental integrity” (para. 3). It further affirmed that “States parties must respond appropriately to patterns of violence against categories of victims such as intimidation of human rights defenders and journalists.” (para. 9). The Committee emphasized that this protection applies to acts committed by State agents as well as to reasonably foreseeable threats emanating from private acts. Where individuals are exposed to repeated threats or acts of intimidation linked to the exercise of their rights, the obligation to ensure security of person requires timely and effective action by competent authorities.

We would also like to refer your Excellency's Government 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, we would like to refer to 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 12 of the Declaration requires States to take all necessary measures to protect individuals and groups against violence, threats, retaliation or arbitrary action because of their legitimate human rights activities.

Furthermore, we would like to further reiterate your Excellency's Government of its obligation under the International Convention on the Elimination of Discrimination against Women (CEDAW) through its ratification on 12 March 2001, in particular article 7, which provides that States shall take appropriate measures to eliminate discrimination against women in the political and public life of the country. Also, articles 1 to 5 of the CEDAW require States to eliminate discrimination against women and to ensure the effective protection of women's human rights. The CEDAW Committee has clarified in general recommendation No. 19 (U.N. Doc. A/47/38) and general recommendation No. 35 (CEDAW/C/GC/35) that gender-based violence against women constitutes a form of discrimination (para. 1) and that States have obligations to act with due diligence to prevent, investigate, punish and provide remedies for acts of violence committed by both State and non-State actors (para 24 b)).

As stressed by the Working Group on discrimination against women and girls in one of its thematic reports to the Human Rights Council (A/HRC/23/50), stigmatization, harassment and outright attacks are used to silence and discredit women who are outspoken as leaders, community workers, human rights defenders and politicians. Women human rights defenders are often the target of gender-specific

violence, such as verbal abuse based on their sex, sexual abuse or rape; they may experience intimidation, attacks, death threats and even murder. Violence against women defenders is sometimes condoned or perpetrated by State actors. The Working Group recommended to accelerate efforts to eliminate all forms of violence against women, including through a comprehensive legal framework to combat impunity, in order to fulfil women's human rights and to improve the enabling conditions for women's participation in political and public life.