

TOGETHER

AGAINST RESTRICTION OF RIGHTS AND FREEDOMS

We, the undersigned civil society organizations, independent media, citizens of Republika Srpska;

Gathered in order to protect basic human rights and freedoms, human rights standards, and free, critical and free-thinking society;

Hereby strongly oppose and condemn the announcements by the representatives of the institutions of Republika Srpska to have criminal offences determined within the Criminal Code of Republika Srpska that will criminalize defamation and insult;

At the same time, we express great concern that the announced adoption of the law on fake news will be used against independent media, journalists and activists in order to silence dissent within the society of Republika Srpska and prevent the free work of journalists, associations and individuals in Republika Srpska;

Convinced that Republika Srpska must be characterized in the future by the rule of law, democratic institutions, a pluralistic society and more freedoms for its citizens, we also express our disagreement with the expansion of criminal offenses against the constitutional order and the announcements of the adoption of new laws in this direction, as it is very possible that this kind of legal initiative is used to intimidate representatives of the media and non-governmental sector, as well as individuals who express views contrary to those held by the authorities in Republika Srpska.

We warn the public that changes to current laws and adoption of new announced laws would lead to the creation of a repressive environment and revanchism towards dissenters, which would represent a deviation from democratic ideals, which we hope Republika Srpska strives for.

In democratic societies, institutions should strive to strengthen the citizens' critical awareness, increasing their rights and freedoms, and not go in the opposite direction by trying to practically use the law to ban positions different to those that are desirable.

We believe that the *Criminal Code* and other laws must not be changed haphazardly, to the detriment of citizens' rights and freedoms. It would be especially dangerous if the adoption of new laws and the amendments to existing laws were carried out by an urgent legislative procedure.

If any potential amendments to certain laws were to be adopted, they should be based on practical, legal, social, economic and other reasons that point to the necessity of the amendments, all with the aim of improving the rights and freedoms of the citizens. Prior to that, it is necessary to consult experts and the general public and obtain approval from all political factors, and not impose a solution unilaterally.

Rewriting laws to the benefit individuals, a single party or certain interest groups is a characteristic of one-party systems or those that tend to be as such, in which there is no democratic consciousness, nor a true rule of law.

It is our duty to point out such events and ask the competent institutions to act in the name of freedom of expression and democracy, not in the name of individuals or certain political options.

*In Banja Luka,
February 7, 2023*

Helsinki Citizens' Assembly Banja Luka
(Helsinški parlament građana Banja Luka)

Transparency International Bosnia and Herzegovina
(Transparency International u Bosni i Hercegovini)

Banjaluka Centre for Human Rights
(Banjalučki centar za ljudska prava)

Centre for Environment
(Centar za životnu sredinu)

Journalists Club Banja Luka | BH Journalists
(Klub novinara Banja Luka | BH novinari)

“Zdravo da ste” Association of Citizens
(Udruženje građana „Zdravo da ste”)

“eTrafika” Association
(Udruženje „eTrafika”)

Centre for Informational Decontamination of Youth Banja Luka | Buka
(Centar za informativnu dekontaminaciju mladih Banja Luka | Buka)

Association for the Promotion of European Standards and Improvement of the Business Environment | Capital.ba
(Udruženje za promociju evropskih standarda i unapređenje poslovnog ambijenta | Capital.ba)