Complaint filed by V.K.K. and S.S. against councilor of Smederevo C.C. for discrimination on several grounds in area of public activity

The opinion was issued in the procedure acting upon the complaint filed by complain V.K.K. and S.S. on behalf and with the consent of Dr J.A., Mayor of S., against P.Dj., S. city councilor. The complainants stated that, during the session of S. City Council held on 24 December 2015, P.Dj. said as follows: “*A good thing would be to have A.P. as our mayor, a young and honorable man, instead of a pompous and hysterical old cow*”. In his justification P.Dj. stated that his statement, mentioned in aforementioned applications, was not true, that it was quoted out of context and that it was maliciously construed as an alleged proof of discrimination. In addition, in his explanation he declared that the phrase “*… a hysterical, pompous old cow*” was a general, figure-of-speech kind of description of traits that would be undesirable in a candidate for a mayor and that in uttering this phrase he did not have anyone in particular in mind and if the complaiants saw themselves or someone else as matching that description, he could not be held responsible. In the course of the complaints procedure, it has been ascertained that during the S. City Council session, city councilor P. Dj. said among other things: *“(…) This is simply unbelievable. Coming from whom? From the Mayor. Wait, there is more. All the time I held back, not wishing to be obscene and to respond in an insulting manner as she had done, insulting us. This time around I will not refrain and I will say it loud and clear. She keeps repeating the name of A.P. who is running for Mayor and wishes to be Mayor, which in itself is a legitimate pursuit. (…) Well, it would be better to have an honest, honorable, young man than a hysterical, pompous old cow*.” The Commissioner for the Protection of Equality is of the opinion that by using “*hysterical, pompous old cow*” P.Dj. had offended and depreciated Mayor Dr. J.A. on the grounds of her protected characteristics - gender and age. Namely, by resorting to such vocabulary City Councilor P.Dj. had expressed his view of the Mayor through stereotypes and traditional gender roles, through the lenses of gender and age according to which a woman can be referred to, regardless of her professional and career achievements, as “an old cow” or as “being hysterical” if her work and statements collide with another person’s values. The Commissioner for the Protection of Equality issued an opinion stating that the statement made by City Councilor P. Dj. at the session of S. City Council held on 24 December 2015 referring to S. Mayor Dr J.A., constitutes violation of the Law on the Prohibition of Discrimination. A recommendation was issued to P.Dj. to apologize to Dr. J.A. in writing within a period of 15 days from the day of delivery of this opinion and recommendation.