

Repression of Human Rights Defenders in Serbia



Joint analysis, the strategy of protection, and resistance...

Working meeting on October 10 and 11, 2014

This two-day working meeting was attended by **32** people: *Women in Black (WiB) Network* activists from the following cities: Bajina Bašta, Belgrade, Dimitrovgrad, Leskovac, Vlasotince, Krusevac, Kraljevo, Novi Sad, Pancevo, Priboj (at Lim), Zrenjanin; participated, also, activists of the Network from Montenegro (Pljevlja), Bosnia and Herzegovina (Sarajevo), members of *YUCOM (Lawyers' Committee for Human Rights)* legal team, legal experts and attorneys at law, activists of other human rights organizations from Belgrade (*Helsinki Committee for Human Rights in Serbia, Humanitarian Law Centre, GSA – Gay-Straight Alliance*). With us there were our international friends: Ursula Renner from Berlin (Germany) and Andrea Rocca, the representative of international network *Front Line Defenders* from Dublin, Ireland.

At the working meeting of the legal team of *Lawyers' Committee for Human Rights* and *Women in Black*, held on September 16, 2014, was agreed to organize another working meeting and with more participants interested in this issue.

The goals of this, as well as of the previous meeting were:

- Exchange information about the attacks on human right defenders (HRD); actions of support and solidarity with WiB and other organizations for human rights;
- Analysis of various aspects of attacks: legal, political, security – sharing reflections among experts and activists;
- Analysis of legal protection measures – difficulties and challenges...;
- Analysis of state responsibility for violence against HRD by state and non-state actors;
- Exchanging views on goals of political repression of HRD, on the militarization of street actions of WiB;
- Analysis of the behavior and attitudes of international institutions: issues, challenges...;
- Creating measures of protection and resistance – developing strategies and actions with others, strengthening cohesion, mutual support...

Friday, October 10

Chronology of attacks/events from March to September 2014

– reactions on those – solidarity – local, regional, international...; short version about those in the **Annex 1**.

Talk about the safety of activists - questions:

- How we feel after traumatic experiences (assaults, risks, dangers...)?
- What mostly threatens the safety of peace activists and HRD in Serbia?
- What is the most concerning issue in the socio-political context here and now, i.e., in Serbia?

The session was moderated by Ljiljana Radovanovic and Milos Urosevic.

Vladimir Jevtic, Bajina Basta: I am worried about the silence of the 'Other Serbia', i.e., our allies. As time goes by in Serbia, everything is less about issues of human rights, discrimination, and the least talk is about issues of facing the past.



The safety is endangered by the state and its structures in physical, moral, and material sense. They are trying to thwart and suppress activities of our group by all means.

A large number of people is materially compromised, and there are more frequent threats of job loss, especially if you are not in connection with the ruling Serbian Progressive Party (SNS).

Through control there is a moral degradation of minorities on any basis, all in order to their elimination from society. I feel a little weak and sometimes I have the feelings that we're going in the same circle, and we are failing to step up from it. Today, Serbia is numb community where the regime has closed all the roads and blocked all chances for better life.

Goran Lazin, Pancevo: I feel fearful and furious after the attack in Valjevo (July 8, 2014). We were driven out from there and it made me angry. I do not care so much for my own safety, but I'm bothered with the safety of people close to me. I am aware of the risk. *I'm threatened by the manner on which human rights activist are discredited.*

Milica Lupsor, Zrenjanin: I participated in some of the strikes in support of workers of Sinvoz, Beko, Jugoremedija. Some things have changed. When we have held strikes before, we were alone, but as the time was going the police joined us, and now the place of the strike is under 24 hours police siege. *At the last protest of Jugoremedija, the police presence was five times bigger than other days.* It is creating anxiety among the people and they say to us: "What are you doing, you're harassing us, and we cannot live peacefully because of you?" And people are without work, children with no prospects, so they are leaving the country.



Marija Kovacev, Novi Becej: I was on commemoration in Bela Reka (it was 10 years since the murder of Guardsmen in Topcider). There were about 15 patrol cars, in every one of them 5 police officers. In front of the house of the parents whose son was assassinated and who wanted to commemorate this day, the police was with us the whole time. I felt very humiliating; police have no business being there. It's a compulsion; the state deliberately works like that. Sets all the cops to scare others, because they know we are not afraid. On the way back from the village we have managed to escape the police. *Country jeopardizes the safety of defenders.*

Sabina Talovic, Pljevlja: My problem is not so much the state but society. The dominant feeling for me is fear and tremendous anger and a kind of helplessness. I am living in trauma because I'm an activist who speaks and disturbs, facing both the state and society with what they have done in the past, but also with what they do every day.

As an activist, I am discredited, discriminated against, and ostracized in all communities except for my family.

They are putting the things they want for you to hold on your back. In Montenegro it has never been more frightening situation than now. We live in terror and we are all interconnected. We have a master who controls us all.

My problem is the so-called democratic world around us - the European Union and the United States, because in the totalitarian regime under which I live, they see as democracy.

And that regime is the leader in the region as a criminal one, for harassing and beating its citizens, executing pressure for voting. It seems to me that for us it is worse now than during the war. It is worse because of so-called intellectual elite that is detached from citizens. The hypocrisy of citizens hurts me - when you are alone with them they give you the honors, agree with you apparently, but when you resist, when you raise your voice, you stay alone and exposed. As much as I blame those who terrorize us, I also blame those who remain silent and watch the terror. Anybody can beat me, and go away without any consequences, because I am marked, we are marked. We are tagged. I'm sick and poor and excommunicated...

Milka Rosic, Leskovac: Since I joined Women in Black activities, I felt constant insecurity. As the years passed, the number of police officers on our actions was increased, and by that my feelings of fear and insecurity were increased too.

The militarization bothers me - huge police presence in our actions.

This year at the vigil for Srebrenica (July 10, 2014) I felt very upset. You turn around yourself and see a first ring of police, the second ring of the gendarmerie, and the third ring of special intervention units. I was wondering what I did. Are they all there because of solidarity with the victims?

When the vigil was over, we were escorted by police to the Office of Woman in Black and to hostel. The police said, "You should not go by foot!" Police gave orders to taxi driver, and he was not able to drive without a police escort. When we entered the hostel, the taxi driver had forgotten to charge us because he was so confused! And there were policemen in plainclothes and in uniform. They've got orders to "keep us". We protested, since it bothered us. I had the impression that they were breathing down my neck. Policemen were in the hostel all night. And the next day when we went to Srebrenica, they followed us all the way there and back. I went to the station to take a bus to Leskovac and in the park I saw policeman in civilian clothes, and I thought he was following me. Maybe he didn't. When I sat in the bus, I told myself that I was safe. What worries me is anarchy. Now anyone can shot anybody, and as time goes on, the worse it gets. With the arrival of the current prime minister in power, none else can be heard, everyone should listen, be silent and approve anything he said.

Violeta Djikanovic, Belgrade: I am an activist who has gone through the 90's in this group and Milosevic was a miserable amateur in comparison to this one. Back then, I thought it was the worst possible.

The thing that most threatens the security of defenders is degradation, public slander in the media; anyone can attack us, do anything they want to do with us.

What scares me is the flirting of EU and USA, with A. Vucic and other authorities from here. I am very worried that they will bring in Putin's law on non-governmental organizations.



Svetlana Saric, Vlasotince: I will be and activist and I will care about others, I will speak about war crimes, and all that means that I am constantly at risk. *I am an activist since 1996; I chose to be at risk of being unsafe, to be attacked, and to be in a danger.*

I will be who I am because I do not want anyone to manipulate my feelings. All together we have a great responsibility to speak about the crimes and because of that we will be at the margin. That's not bad thing for us, it is a success of all of us together. What scares me is a safety of my daughter, also activist, who does not dare to go in a café, since she goes to Srebrenica. The media will always talk bad about us. They deal with us in order to hide the poverty of the citizens of Serbia. What most confuses me is a fascist behavior of young people – their patriotic behavior and the promotion of patriotism as something important to them. We work with young people and we are hearing what they're saying.

Social repression scares me, it is constantly on and we don't know how to deal with it. Our poverty is always around our necks. *Being an activist in a small town means to be constrained by everybody, rejected by the family and the encirclement. At the end, it means being alone.*

I'm safe in this community because I am with like-minded people; we share the risk and the pain, but also the joy. For me to be at risk is a success, because I'm doing something that will be good for future generations. Talking to children about Srebrenica is good. That's what we will do for them to deal with what was done in their name.

Anelija Dimitrova, Dimitrovgrad: I feel unsafe and threatened. *The state is the one that makes and allow us to feel and be unsafe.* There is no political will to change things for the better.

Marija Vidic, Belgrade: I am an activist since 90's and I know about police brutality and remember attacks of *Beli orlovi* (White Eagles – pro-fascist paramilitary organization), and other things. *But now I am facing something new – a pressure on my son's friends' parents to ban their children to play with him.* This is very clear and brutal pressure, but it is not a direct one. I am facing this kind of pressure for the first time and it is very difficult to break it. It is easier for me to deal with acute pressure than with this one and on everyday basis. Otherwise, when I talk to those parents they agree with me, our opinions do not differ. They, also, believe that criminals and war criminals should be convicted. Like during our recent vigil for Drazen and Dragan (Guardsmen killed in 2004), a passer-by was talking to a policeman, who told him: "They are those who hate Serbs!" As Dragan and Drazen were not Serbs, but came from Mars! Also, I am frightened by the situation in media.

Dragan Protic, Belgrade: I'm with Woman in Black from the beginning. I feel anger and responsibility to exchange my experience and invest in new generations. I would not deal with self-victimization. It is hard, and we are where we are, but Women in Black have a great platform and they are an inspiration and I want to recognize this new force in them. *What threaten us and worrying us is the ignorance and passiveness of civil society. The anger and responsibility can change and influence the microsphere on passiveness and ignorance.*

Snežana Obrenović, Kraljevo: In the town where I live, I am notions of *black* and of *woman* and it is seen as a quite dangerous phenomenon. To my encirclement the easiest way to deal with that is to circumvent me a wide berth and they do not want to open up issues that I want to open. How is it that the people around me are quite interested to support the myths and falsehoods, and not interested in the truth? How they can listen to hours of trivial and superficial things and they never have time to come to face the truth that I'm trying to convey? *What concerns me most is the current Prime Minister and his absolutist rule. He uses every opportunity to abuse everything he can, so he abused the Pride Parade. He used the parade to praise those who stayed at home and did not express their violent behavior in this situation.* Whenever I hear him, he usurps rights and freedoms, addressing just the Serbian nation, although we are multiethnic society. The state has mainly managed to clean the room of the others, but they are still here. I am fully experiencing the political context as a hostile one, as well as the community is hostile.

If the police want to provide us a protection, how come that in situation when we are endangered, none of them is responding? Did they get a command for that?

Nadezda Kostic, Krusevac: I do not feel fear, I feel the rage and I want to turn that anger into some energy. We may not let them frighten us; we need to do more actions, to endanger them, so to make them to care more about us, with even more cordons of police and gendarmerie. Family Jakovljevic in Bela Reka was very disturbed by police cars in front of their house. It was horrible and it created a rage in me, which I cannot easily calm. *I'm concerned about the political situation and I believe it is the state that does it all.* When the state wants to control bullies, it is done; we have seen that at Pride Parade. The state has leaned hooligans off the streets and just because they need to get some points.

I am particularly disturbed with repression through the media. We no longer have a free press; we had it even in the time of Milosevic. Nobody writes about Woman in Black, they want to pack us up into a ghetto. As if we were Ebola, which will infect the rest of the world. *The regime is afraid of small groups of people who can infect others. The political situation in the country with A. Vucic leads into material and every other insecurity.*

Edvin Ćudić, Sarajevo: *We sent to the Ambassador of Serbia letters of support to Woman in Black. It is our duty, because they (WiB) took care of us in past twenty years. It is important political act of solidarity, it is important that the media convey that kind of news. Oslobođenje (Liberation – independent newspapers) has published all our news.*



Ruzica Karalic, Belgrade: I cannot wait for the attacks, because then sleepy people might join us and we can start a revolution. I am not afraid.

Police disturbed us a lot. Police separates us from the people. People would approach us if there isn't so much police.

Ursula Renner, Berlin: I am an observer from the side, but I will say what I saw. Two years I was not in Serbia and now I immediately noticed that the standard of living fell into the basement. That's what I saw on the faces of young people. I was used to see them as cheerful, noisy, and laughing. In those faces now I am noticing fatigue, exhaustion, hopelessness. They have no strength for anything and it worries me very much.

Mima Alajbegovic, Priboj: I consider society as a hostile one; it all lasts for so long now. Why is society passive and ignorant? It seems like it agrees with everything. *I perceive the state as an enemy. The state took everything from me, made me a creature without anything.* And that creature can go into a revolution, because it cannot lose anything, it can only gain. I do not understand EU. I feel lonely and helpless and I'm afraid that that the time will swallow all of us.

Snezana Tabacki, Belgrade: I feel resignation. The danger I see in the right-wing parties, and I believe that poor governance could be changed by elections. We now have *Obraz*, a variety of fronts, a church that speaks terrible things; we have Putinisation, because 85% of society see the future of Serbia with Putin's Russia. It scares me.

What is bad for us defenders is the fact that in the 90s there was the 'Other Serbia', now somehow it's all messed up. The prevailing is conformity of civil society. That endangers us more than the bad government.

Stasa Zajovic, Belgrade: Family Jakovljevic (whose son was killed in the barracks of the Serbian Army on October 5, 2004) is exposed to humiliation and defamation because of us. However, attempts to deter people from contact with us did not turn away family Jakovljevic from us. This is not a glimmer of hope, but a great light in this tunnel. I'm uncomfortable for awkward situation we put them in.

One part of the community refuses to be a victim. If we didn't have social support, we would not be here.

It worries me that a large part of the intellectual community is not a civic orientated because the conformity of the intellectual elite is a huge problem. It seems to me that society is even bigger problem, even though the state is the right-wing and totalitarian. Belgrade has shown provincially, medieval, bourgeois face to Pride Parade, and there was no intellectual elite there. Where are they with us?

This is a major fear ant it was not present even in the time of Milosevic.



I will continue to speak to representatives of the EU not to support the totalitarianism of the present government, as it is a huge chasm between what they do and what they are talking about. Our responsibility is to indicate.

Not all defenders are at risk here, just those who enter the risk, and the risk here are questions about the nineties. We know that.

I do not want to be a victim and what most offends me is when some people from the civil society want to reduce us to sacrifice. We are not victims, since we have consciously chosen position of risk because we live in this country. And the society is responsible because I am a 'victim' because they supported the positioning in which state has put me. Treating the defenders like the victims is the patriarchal strategy. In this dangerous time, we have to risk and we support one another and that give us hope.

Where civil society is invited to join the working group, as well as negotiations on those chapters (EU integration) I will try to warn everybody that we can criticize the government. I do not need the state, but I want institutions with which I can cooperate with.

What gives me the strength is how much support we have in the international alternative community. In contrast to this official international community, there is a cosmopolitanism of the alternative international community.

Education of defenders

(the importance of documenting violations of human rights, ethical principles in the process of documenting, the most important international documents on defenders (UN, EU directives, etc.).

Speakers: **Andrea Rocca**, Front Line Defenders, Dublin, Ireland: Thank you for allowing me to be with you and listen to you.

I will give a common ground, a common denominator in your testimonies:

- Right-wing groups are generator of insecurity;
- Attacks on you are organized, constant and systematic, they are not incidents or episodes - only in six months there have been many attacks on you;
- Excessive police 'protection' - is a form of control;
- Your activism affects the position of your family, the products is marginalization because of your engagement;
- Despondency and pessimism of community.

We need to remember the following:

- Because you are the targets, it means that your work is very efficient and visible and it should not be forgotten;
- They pay attention to you because you're effective - to live in this environment in the midst of hate speech, and have an impact on that environment, it means a lot, it's an incentive for continued engagement;
- It is necessary to record your experiences, to see that this is part of the same machine, it is important to monitor and record,
- On the legal level the government tries to prevaricate international resolutions which are adopted, to cancel them, to make them pointless, and so on.

One of the targets of the attack is the targeting of defenders and circumvention, stating that you need to stop working.

Later, Andrea Rocca has said something about international mechanisms to protect defenders of human rights (UN, EU, etc.).

In the end, Andrea said:

There's one thing activists and defenders know – they do not think about themselves. They always take care of others. We need to measure how much impact it has on our mental state, our health that we constantly care for others and not think of ourselves.

It is important to think about ourselves about our health and our safety. Many international organizations provide assistance in this regard.

"I do not want to tell you that help will come from the side, but the pressure has to exist among you - if civil society is responsible and autonomous. It is good that the two are combined as a strategy. I thank you very much. "

Joint activist-art design of street actions in connection with the defenders - preparing for important international dates: October 31 - 14 years since the adoption of resolution 1325 (Campaign Stop immunity against members of the UN mission, 29 November - International Day of Human Rights Defenders, December 6 - International day against femicide, December 10th - International human Rights Day, etc. working together with *art collective* Skart and Women in Black activists continued on 11 October and the final agreement will be listed at the end of this report.

Educational Material:

Guidelines for Women Human Right Defenders – brochure on 28p with following parts:

- Documenting human rights violations
- Defining responsibility and justice
- Important international documents re protection of human rights defenders



- International mechanisms, which treat protection of human rights defenders
- International organizations which are supporting human rights defenders
- Used literature

These Guidelines were published by Women in Black, October 2014, prepared by Staša Zajović, Layout and design by Marija Vidić.

Saturday, October 11 - in the morning

Legal aspects of repression against defenders: analysis of judicial authorities in case of an attack on Woman in Black; legal care and procedures that were launched by Woman in Black of R. Pocuca, about the attack that happened in Valjevo...

This session is practically merged with the next session **Joint consideration of political repression against defenders:** militarization of actions of Woman in Black by police (*what is politically objective of this kind of 'protection', suggestions, alternatives...*)

Participants:

The legal team *The Lawyers' Committee for Human Rights (YUCOM)* - Milan Antonijevic and Kristina Todorovic

Mario Reljanovic, *Faculty Union*, Belgrade

Nikola Barovic, attorney at law, Belgrade

Sonja Biserko, *Helsinki Committee for Human Rights in Serbia*, Belgrade

Aleksandar Sekulovic, lawyer, Belgrade

Mirjana Bogdanovic, *Gay-Straight Alliance (GSA)*

Marko Medenica, *Humanitarian Law Centre*

and activists of Women in Black Network

Session moderated by: Vladimir Jevtic and Stasa Zajovic



During this session we discussed a number of issues concerning the attacks on Woman in Black:

➤ **Alteration of qualification of the offense which was committed by R. Pocuca**

To remind: On the 31st of March 2014, the Lawyers Committee for Human Rights / Yucom, on behalf of the Women in Black, filed a criminal complaint against Anti-Terrorist Unit spokesman of the Ministry of Interior Affairs Radomir Pocuca "on suspicion of having committed a criminal offense - Racial and Other Discrimination" under Article 387, paragraph 2 and 4 of the Criminal Code of the Republic of Serbia". However, Higher Public Prosecution's office has changed, in April 2014, the qualification of the offense, so that it was modified to the criminal offense of endangering safety, which is punishable by lower sentence than an offense set forth in the application which on behalf of the Women in Black started the Lawyers Committee for human rights.

Milan Antonijevic spoke about this alteration: "There's a difference between compromising security and racial and other discrimination. However, prosecutors do not use a criminal offense (adopted 2009) 'racial and other discrimination', which states that anyone who interferes with the persons involved in the protection of human rights will be punished and that is to impose punishment. Prosecution, unfortunately don't want to respond, although it is a provision that directly protects all of us in this room who are dealing with the protection of human rights and promotion of gender equality. For this offense also there would not been such a heavy burden of proof on the victim (as is the case with the Women in Black), but the procedure would have been different, it would go to the responsibility of the perpetrators.

The court has the discretion to decide how to qualify a criminal offense. We can make the political pressure for them to change it, we can discuss with the Commissioner for Protection of Equality that they initiate a case. This is one of the options, but the prosecution is more effective way of sending a message.”

➤ **About the protest of ultra-right movement (Serbian Parliament Zavetnici (The Pledgers), April 5, 2014.**

In support of Radomir Pocuca, against the Woman in Black, near the office of “Woman in Black” the organization mentioned above held a protest. On that day, the whole area was blocked. The protest was attended by about thirty people, and there were twice more armed policemen. Police blocked the entrances to Green market, and legitimized the tenants, and it is due to failure to prohibit such a meeting was what upset the public. In short, the tenants of the building where the office is were disturbed by a huge police presence in front of the building during the protest.

Women in Black (21 July 2014), on the Law on free access to information (Article 15, paragraph 1), the Ministry of Internal Affairs of the Republic of Serbia, sent a request for information on all the relevant facts / information in connection with meeting of 5 April 2014, far-right organizations’ Serbian Parliament of the Protectors “because the police had abuse freedom of assembly, giving permission for the protest, which had violence as a motive, i.e. the support of R. Pocuca. Until this working meeting, the authorities did not respond.

Participants in this session are who are on the case said the following:

Milan Antonijevic, YUCOM

“We do not have any feedback from the Ministry of Interior Affairs about it. Motive of ‘The Protectors’ is hatred and persecution of those who support the promotion human rights. That case, like other cases relating to freedom of assembly should be recorded and it should be used later in proving various practices. For example, ‘Dveri’ were constantly walking in Belgrade, closing the streets. They have not done any study or pay compensation as they ask us to do”.

Stasa Zajovic, WiB

“Notification of “Zavetnici” from the Ministry of Interior Affairs for meeting on April 5, contains a couple of lines. It is known that their meeting was for support to Radomir Pocuca who called for violence. They gave them permission, although it is known that the motive was the violence. On the other hand, we have too much of police authorization. The police blocked the entire neighborhood, stopped traffic, and legitimized people who entered the building. They caused such hostility towards us that they were going hand to hand with ‘The Protectors.’ ‘The Protectors’ went from apartment to apartment, scaring the residents. They found allies in the building. Other tenants know what we do and we have good neighborly relations. It is amazing that the residents did not respond. I do not know how much media called me to ask me ‘if we know we are evicted from the building, hated...? All of this is a form of social oppression, extortion, and in the name of so-called ‘protection’. In fact, it is about the ‘legalism’ in the support of fascist groups against us. Message to society is that we are ‘undesirable elements’ and we need to be banished ... How are we going to take this *violation of the principle of equality before the law* in front of the state institutions? If the Woman in Black needs a hundreds required documents, and for “The Protectors” only two lines, what type of action against the state can we launch?

We need to deal with the unequal treatment of victims and perpetrators – it is a total asymmetry, all in favor of the perpetrators. We have sent a letter to the Ministry of Interior Affairs in order of violating the principle of equality in the case of the meeting in support of the inauguration of the government of the SNS (27.04.14.). The only thing we got as a respond to it are these words: “On 27.04. there was a ‘spontaneous gatherings of people in support of the government and it was gathering of tens thousands of citizens’ and ‘they have come to the place of assembly one by one, and in small groups’, etc. This is not true, because it brought together nearly a hundred thousand of people, and it was organized with the buses to and from the entire Serbia.

Mirjana Bogdanovic, GSA

“The Law on Public Assembly does not recognize the ‘spontaneous gathering of citizens’ as such and it is not allowed during the sessions of the National Assembly”

Sonja Biserko, *Helsinki Committee for Human Rights in Serbia*

“Relativisation and attitude towards right-wing groups is a problem. This is the attitude of the state towards the right-wing groups, which they use to complete some of their work to homogenize, and to complete the ethnic concept of the state... The international community, primarily the EU does not take sufficient account of right extremism in Serbia which is more and more taking hold in the society. This small amount of organization that remained recognizable on that line, it’s been implementing new measures of repression on them. We had to remove the door panel with the inscription of my organization because the tenants protested. Creating the atmosphere in the office building that is unpleasant.



It a matter of time when they will suffocate recognizable organizations.

There is an increase of non-governmental organizations that are under the control of the authorities and they have support for getting projects. These are new methods of repression which are not so visible.

In the civil sector to which we belong, we have a generation change. The people who were pushing it all are leaving. And new people are coming who are not efficient enough and not recognizable. The media are no longer open for anything. Within the civil sector it should be made a reorganization that will use social networks, that has to be unite, because we no longer have access to the media and they are not interested in us even when we criticize. Media marginalize us. EU and Western countries who support us agree on that, because Serbia still has not choose which way to go through and that is why they look through our fingers. Serbia is still at the edge, where it is not known which side will prevail.”

Stasa Zajovic, *WiB*

“Pride Parade is clearly a very important thing: when the government wants to control the fascists, then they do. It is clear. We cannot control violence and violent people, that’s not true, there is no political will for that. Now when they were pressed by the EU they have shown they can. Momir Stojanovic, president of the security committee in the National Assembly of the Republic of Serbia said that “right-wing organizations in this country are not a threat,” that “their activity is meaningless,” and in the last six months, there was largest number of attacks”.

Nikola Barovic, attorney at law

We can ‘make’ state to do something only in a political way, there are no legal provisions for such a thing. The state is applying laws and regulations as it wants. This huge securing of small groups shows a couple of things:

- First, the government prevents the holding of meetings of these groups thus legitimating, meaning the meeting was not free. Thus violating the right to free assembly.
- Second, the police work with violent groups. ‘Zavetnici’ want to help R. Pocuca. If they want to protect him, then they should go to the Government, and instead, they go to a place where victims are. Here the police and the state have joined Pocuca in breach of Women in Black, because they did approved meeting outside the office of Women in Black.
- Third, the fact that a meeting is not prohibited in front of your office is the threat to your safety. State helps to violence

In the opinion of the participants the target of political repression against human rights defenders in Serbia, among other things are:

- *to silenced critical voices in Serbia*
- *Isolation of human rights defenders - a strategy of militarization of our street action is a strategy of attrition, deterring us and others from further activity (Stasa Zajovic)*



- *Demonization, slander in public, blaming defenders* - "...there is a woman who has been moved into the building next to mine. She constantly waited for me, and even beat me twice, and eventually I had to call the police, but half of the police station was on her side." (Sonja) "It's very uncomfortable when they start to spit on you in public..." (Stasa Zajovic) "because they mobilize as many police forces to 'protect you' which implies costs, is the message that they say on how much you cost the citizens" (Nikola Barovic)
- *Attempt is to make a Disneyland from you, to feign that there is anything that Europe said there is* - and that it in fact does not exist, that's why they are tolerating you. The way they 'provide you safety' shows that you need to be toys. They are counting on the people that chase you. It is terror, but it's not still terrorism which is punishable by law. The fact that you cannot maintain a meeting without a divisions of cops - is a form of terror, but it is still not a criminal offense (Nikola Barovic)
- *To secure legitimacy* - the government would not be able to survive without economic help from Europe. Without the EU there is no escape from economic collapse. Government has the problem that they can't offer to people future and security. No one feels safe. There is no one government with legitimacy here and that is a problem (Nikola Barovic)
- *Repression against defenders is what makes government protecting itself* - tomorrow they will have no money for salaries and pensions, which will cause even greater dissatisfaction. There is no way that the conditions will change. (Sonja Biserko)
- *Preserve the values that exists in this society since the 90s* - you are the bearers of a different value system and the government knows that if the dominant system of value fails, then the entire government will collapse. By defending their system of values they are defending their survival. That's why they attack you (Aleksandar Sekulovic).

➤ **What to do? What measures can be taken?**

- *Refer to the Constitutional Court, for violation of constitutional rights* - because measures are not taken against those who disturb the meeting, it confirms that the police was interfering with the meeting and that it does not allow it (Nikola Barovic)
- *Refer to the regular court* because it is an abuse of power (Nikola Barovic)
- *Write a complaint to the Ministry of Internal Affairs and the Prosecutor's Office Valjevo* – because of the attack on July 8, 2014.
- *Contact the Commissioner for Protection of Equality* - because of the case of R. Pocuca, permissions for 'The Pledgers' meeting, complaint of hate speech against attack in Valjevo, etc.
- *In addition to legal institutions, you should include international institutions* - stationed in Belgrade - to the Council of Europe, EU, European Commission and others, it's the only way to get the problem to a higher level, that the state may then react. It is important to draw attention to the fascism that flourished here. These institutions should be constantly informed about the reaction of the state to these cases. (Sonja Biserko)
- *Address the UN and the OSCE, the European Court of Human Rights in Strasbourg* - and before in the country you can contact Cassation and the Constitutional Court (Nikola Barovic)
- *You must put pressure on international institutions* - all shifts in Serbia in terms of human rights, came as the fulfillment of the obligations under external pressure. The state will allow the use of human rights not only to defenders, but generally to all citizens only if it is necessary for the accomplishment of certain foreign policy goals. So we should find a strong ally in the international factor because they can influence the creation of internal policies. Internal policies depend on foreign policy. My opinion is that this is one of the ways in which we can and must act (Mario Reljanovic).
- *Write petitions/complaints to Mission of the EU, the UN mission, the UN, OSCE, CoE* - for that there is no established form, but it should be a short form - should be related to actions taken, which violate the right and argument that it is contrary to the constitutional state. It is important to know that most of the UN committees are looking shadow reports written by non-governmental organizations (Mario Reljanovic)
- *Political pressure on the state should be exercised by independent civil society* - I think that it doesn't matter when we get into the EU, but to take advantage of reform, opening up the country and more liberal view of the world (Mario Reljanovic).

- *Civil society organizations (CSOs) should be agreeing about contact with international organizations* - do we have consensus that we constantly call upon the state, because it is responsible for the violence of state and non-state actors? If the state wants integration processes, we can 'help' asking its responsibility! (Stasa Zajovic)
- *The state has a strict liability* - legal mechanisms to achieve our rights may be varied. The state needs to distance itself from the group causing the violence; it must allow us to enjoy the rights that are guaranteed by us. You can sue the state for violating the right to a fair trial in the case Pocuca (Mario Reljanovic)
- *Greater visibility of human rights defenders on social networks* (Biljana Pekusic)
- *Continue with action that the denial of genocide should be establish as a criminal offense* (Aleksandar Sekulovic)

Sonja Biserko talked about the problems related to the lack of critical intellectual elite in Serbia:

"The problem is our intellectual elite, who should be the bearer of bourgeois concept, and it has always been a clientelistic, always in the service of state policy and those who are in power. This is one of the key issues in this society, and the lack of balance of the war policy and position of Serbia in relation to the international community. The current government, like all previous, survives in power with the help of the concept of a highly centralized ethnic state, with not so clear goals in Bosnia and Herzegovina, it is still an open question. The idea of Kosovo as a country is abandoned, because the country is close to economic collapse. Even nationalists gave up from Kosovo. However, the idea of divided Kosovo still lives.



The problem is the international context which feeds the illusion of nationalists, Russia that plays 'the game', Serbia serves to Russia only for the connections with EU.

Our civil sector is fragmented; there is no consensus, so to say, about independence of Kosovo. Most of them advocated the position that Kosovo is not independent. In the civil sector there is such a dilemma, despite the fact that with the help of the Brussels's Treaty Serbia got the opportunity to start negotiations with the EU. For the EU it is most important to address the issue of Kosovo. Its priority is to stabilize the issue. Unfortunately, the EU itself is going through some turbulence as our elite see it as a possibility of cancellation of that trip.

➤ **Evaluation:** Participants believe that this working meeting was:

- *Useful, important, effective* - and offered opportunities for legal protection of human rights defenders, specific guidelines for initiating action and action in terms of "production and hopes and struggles against powerlessness and how to continue to work together despite the difficulties, we must not stop, but we should go with small steps in the long term,"
- *We learned a lot/I learned from legal experts* - especially on international mechanisms for the protection of defenders, Defenders Guide provides useful information
- *Space to testify about the position of defenders* - to talk about what is happening to us in the field.

➤ **Arrangements** - working together with *art collective* Skart and Women in Black activists will continue on October 11 and we agreed on the following actions in the following period:

- **October 31, 2014 – Stop Immunity to UN Peace Keeping (Blue Helmets) Soldiers** – is a global campaign within WiB International Network, started by WiB Belgrade and WiB London. On that day, which marks the endorsement of UNSCR 1325 (Women, Peace and Security) an appeal will be forwarded to the Ministries of External Affairs and of Defense of Serbia. The similar, respective actions will be held by other WiB International Network activists.

- **November 9, 2014 – International Day against Fascism, Anti-Semitism, Xenophobia** – a street action will be held in Belgrade, with participants from WiB Serbia Network.
- **November 29, 2014 – International Day of Women Human Rights Defenders** – a street action will be held and action from the state demanded.
- **December 6, 2014 – International Day against Femicide** a street action will be held focusing sexual violence against women, including different peace keeping forces (such as Blue Helmets).
- **December 10, 2014 – International Human Rights Day** – a street action will be held.

*Prepared by: **Staša Zajović***
*Transcription by: **Miloš Urošević***
Belgrade, October 2014



Annex 1

Attacks against Women in Black in the period March - September 2014

Brief overview

Women in Black is an activist group and network of feminist-pacifist orientation, made up of women of diverse generations and ethnicity, levels of education, social status, lifestyles and sexual orientation. Women in Black was founded on 9th October 1991 in Belgrade.

Since its inception (1991), WiB has been confronted with various forms of repression, both on the administrative-state level, and also on the social and cultural plan. Its members have often been the target of assaults, because of their engagement for human rights and the rights of the others and the different (in the ethnic, political, sexual sense).

This repression has been particularly marked after the action "We remember the crimes committed in Kosovo" was organized on 26th March 2014.

I The Chronological order of attacks in 2014:

26th March Women in Black protest – We remember/Kujtojmë: on the occasion of the 15th anniversary of the crimes committed against Albanian civilians in Kosovo: Women in Black - Belgrade, supported by the art troupes Art Clinic from Novi Sad and Dah Theater from Belgrade, marked on 26th March, in Republic Square, the 15th anniversary of the crimes committed against Albanian civilians with a peace action called "Reconstruction of a crime". On that occasion, the spokesperson of the anti-terrorist unit of the Ministry of Internal Affairs, Radomir Počuča, launched an appeal to hooligans for lynch of Women in Black on his Facebook status.

29th March – another appeal for lynch of Women in Black: on his Facebook status, "Boris Knežević" wrote: "I call upon all our brothers, wherever they see those whores in black, to immediately lynch and burn them!!! Justice for Počuča", etc., which was followed by hundreds of threats and offensive comments, as a direct consequence of the public call for lynch, launched by R. Počuča.

1st April: fabricated interview against Women in Black on the Facebook "Online Reporter": among other things, it says that Radomir Počuča "came under attack of this infamous women NGO, who are threatening to publicly rape him in Republic Square until Počuča apologizes to them in public or until he dies of exhaustion". On the same day, numerous comments appeared on the Internet against Women in Black, of which I quote only a few: "A bullet in the forehead..."; "those are heartless filthy women WHORES!"; "They are evil, they have made up those so-called rapes in Bosnia and Kosmet, they would be happy if anyone wanted to rape them..."

4th April – the police issued permission for a rally against Women in Black: The Public Peace and Order Department of the Belgrade Police Administration allowed a rally to be held on 5th April in front of the building where Women in Black premises are located (18, Jug Bogdanova St, at the largest city bus terminal Zeleni venac), by the Serbian Congress 'Zavetnici' (Pledgers), in support to the spokesperson of the anti-terrorist unit of the Ministry of Internal Affairs of Serbia Radomir Počuča, who called for lynch.

5th April. protest of the ultra-rightist movement "Srbski sabor Zavetnici": as a sign of support to Radomir Počuča, and against Women in Black, in the vicinity of Women in Black premises. The entire area was blocked. The demonstrators demanded that a law be adopted in Serbia which would ban the activities of non-government organizations, like in the Russian Federation. The protest rally was attended by thirty-odd persons, while twice as many heavily armed police officers were present. The Police blocked the access to Zeleni venac, checked the tenants' IDs and disturbed the public even more, by failing to ban such a rally of the 'Pledgers'. In short, the tenants were alarmed by the massive presence of police forces in front of the building and inside it during the protest.

The campaign for the eviction of Women in Black: A consequence of failing to ban the rally was the information that the tenants of the building announced a petition to have Women in Black evicted from its premises. On the site "Srpski sabor Zavetnici" the information appeared, announcing that "Srpski sabor Zavetnici will support the efforts of the tenants living at 18, Jug Bogdanova St. to get rid of the NGO 'Women in Black' and we will lend them all form of support, legal and other, to that end". This campaign has continued. Numerous printed media have been joining this persecution of Women in Black - tabloids with headlines such as " No one likes Women in Black, move out of here"; "Women in Black deplore Albanian victims, disregarding the Serbian victims"; "We will do everything we can to chase Women in Black away from this building".

5th April – calls for murder and liquidation of Women in Black activists: on the Facebook page of the online magazine "Press Online", the following appeal appeared, signed by FB user Aleksandar Balaban: "*They have to be eliminated urgently. I offer 100,000 euros per capita of those whores to whoever wastes them... the only condition is that they must be slaughtered with a jagged blunt knife... the offer remains valid as long as they live...*" This was followed by brutal, violent, misogynous comments against Women in Black, coupled with the bid to "... ban Women in Black and all the NGOs...", etc.

8th July – attack against Women in Black in Valjevo: on the occasion of the 19th anniversary of the Srebrenica genocide, Women in Black and the participants of the initiative "Peace activism – activist cycling - Srebrenica 2014" organized a peace action on the main city square in Valjevo, a silent vigil in mourning "*We will never forget the Srebrenica genocide*". A group of men, wearing T-shirts with the inscription "The Chetniks of Valjevo", as well as T-shirts bearing the picture of Ratko Mladić (indicted for the Srebrenica genocide, who is currently being processed by the Hague Tribunal), hurled insults and threats, throwing objects at the activists, ultimately building up a genuine atmosphere of lynch. The police did not manage to prevent the breaking of the picket lines by the pro-fascist group, so that during the assault, amid an atmosphere of lynch and calls for annihilation, Staša Zajović, Ljiljana Radovanović, Miloš Urošević and Dejan Gašić were hurt. Following this event, the persecution of Women in Black continued on social networks, with the vociferous messages: "*Women in Black are a national disgrace!*", "*Ban once and for all these creeps!*", "*There is no place in Serbia for Women in Black*", etc.

22nd July, assault on Staša Zajović, Women in Black coordinator: at the bus stop at Zemun, an unfamiliar man hurled the worst insults at her, as member of Women in Black, coupled with the threat: "We are invisible, we come out of the dark and work in the dark, we are everywhere...The American commandos won't be able to save you ..."

II Legal protective measures undertaken by the Lawyers - Committee for Human Rights /Yucom and Women in Black

31st March: The Lawyers' Committee for Human Rights /Yucom, on behalf of Women in Black, filed a criminal complaint against the spokesperson of the anti-terrorist unit of the Ministry of Internal Affairs of Serbia, Radomir Počuča, "because of reasonable doubt that he committed the criminal offence "Racial and other forms of discrimination" from article 387. paragraphs 2 and 4 of the Penal Code of the Republic of Serbia".

21st July, request submitted to the Ministry of Internal Affairs: Invoking the Law on free access to information (article 15, paragraph 1), Women in Black submitted a request to the Ministry of Internal Affairs of the Republic of Serbia, to be provided with information on all the relevant data/information related to the rally of the ultra-rightist organization "Srpski sabor Zavetnici" held on 5th April 2014, in view of the fact that the police manipulated the provision of freedom of assembly, issuing permission for a protest whose motive was violence.

21st July, request submitted to the Ministry of Internal Affairs: Invoking the Law on free access to information (article 15, paragraph 1), Women in Black submitted a request to the Ministry of Internal Affairs of the Republic of Serbia, to be provided with information on all the relevant data/information related to the assault on WiB in Valjevo, on 8th July 2014.

22nd September, request to put R. Počuča in remand – The Lawyers' Committee for Human Rights /Yucom demanded that the authorities verify allegations that Radomir Počuča is currently in Ukraine and to undertake all the necessary measures to ensure his presence during the procedure that has been launched against him because of the criminal charges brought against him to the competent court, as it is now clear that it is his intention to avoid appearing in court. In this respect, the

Court also has the power to impose a restricting order on abandonment of place of residence, and to confiscate his travel documents / passport.

III Measures undertaken by the state concerning the attacks, the state response to the requests submitted by Women in Black and the Lawyers' Committee for human rights

28th March: The Ministry of Internal Affairs of the Republic of Serbia most energetically "condemns the act of the spokesperson of the anti-terrorist unit of the Ministry of Internal Affairs Radomir Počuča", whose service contract expired in April and has not been extended.

Ombudsman *Saša Janković* strongly condemned the calls for lynch of "Women in Black" and proposed that the Ministry for Internal Affairs initiate criminal and disciplinary procedures against the spokesperson of the anti-terrorist unit R. Počuča.

Commissioner for Equality *Nevena Petrušić* condemned most energetically the call for lynch of the non-government organization Women in Black.

7th April: R. Počuča, former spokesperson of the anti-terrorist unit of the Ministry of Internal Affairs of Serbia was arrested, because of his call for lynch of Women in Black. On the same day, the Prosecutor-s Office for high-tech crime of the Ministry of Internal Affairs of Serbia began a preliminary legal procedure against R. Počuča.

7th and 8th April: Hearing of Women in Black activists (*Staša Zajović, Ljiljana Radovanović and Violeta Đikanović*) before the Department for combating high-tech crime of the Ministry of Internal Affairs of Serbia, in relation to criminal charges pressed against R. Počuča; the hearing took place in the presence of lawyer *Kristina Todorović* (Lawyers' Committee for Human Rights).

Because of constant threats to WiB, the Ministry of Internal Affairs assigned a 24/7 police patrol to the building where WiB premises are situated, which continued on 8th April.

11th and 14th April: The High Public Prosecutor's Office launched a preliminary investigation against the suspect Radomir Počuča. The witnesses' statements were taken – from WiB activists *Ljiljana Radovanović, Violeta Đikanović and Staša Zajović* in order to collect evidence against R. Počuča, suspected of having committed the criminal act of threatening personal safety. It is noteworthy that the initial qualification of the criminal act was altered into that of threatening personal safety, which incurs milder sanctions than the one referred to in the criminal complaint submitted on behalf of Women in Black by the Lawyers' Committee for Human Rights.

13th May: Ministry of Internal Affairs (Police Directorate, Police Administration for the City of Belgrade): the statements were taken from WiB activists *Ljiljana Radovanović, Staša Zajović and Violeta Đikanović* regarding the threats addressed to them by *Boris Knežević*.

20th June: The trial scheduled before the Higher Court in the case of attacks against WiB was cancelled due to the lawyers' strike.

8th and 9th July: The police arrested 11 persons in Valjevo because of the attack against activists of the non-government organization "Women in Black". Four men who were also suspected of having committed the criminal act of assault on an official on duty and the criminal act of violent behavior, were first sanctioned with one month of custody, but they remained in remand only one day, and were released afterwards. The pre-trial Criminal Chamber of the Municipal Court in Valjevo ruled out the decision on a one-month custody with the explanation that the Law on criminal proceedings had been violated in the process of assessing the gravity of the acts that were attributed to them.

8th July: The Municipal Public Prosecutor's Office in Valjevo took the statements from the injured activists: *Dejan Gašić, Ljiljana Radovanović, Miloš Urošević and Staša Zajović*.

23rd July: the trial of Radomir Počuča, indicted of violating the security of Women in Black was postponed because the defendant-s lawyer failed to appear in court.

17th September: The trial scheduled before the Superior Court concerning the case of attacks against WiB was cancelled because of the lawyers' strike.

And R. Počuča, former spokesperson of the anti-terrorist unit of the Ministry of Internal Affairs of Serbia wrote on his Facebook profile that he had gone to Ukraine to fight on the side of the pro-Russian forces.

IV Support and solidarity of the local and international networks and international institutions

The civilian society of Serbia and the Western Balkans immediately voiced clear support to Women in Black. Actions of support in solidarity have been numerous, thus confirming the reputation that Women in Black enjoys within the civil society organizations/OCD, and which were also aimed at defending their own dignity and survival.

Amnesty International condemned (on 28th March) the calls for lynch of WiB and called on Aleksandar Vučić, the first deputy Prime Minister of Serbia to "publicly condemn the call for lynch of Women in Black".

Regarding the assault in Valjevo (8th July), and the threats addressed to Staša Zajović (22^{ne} July), the most important international human rights, peace and women human rights organizations, as well as members of the most renowned academic institutions throughout the world, reacted, expressing solidarity and support to Women in Black, and voicing requests to Serbian authorities that the perpetrators of acts of violence against Women in Black be sanctioned.

The representatives of international institutions have also raised their voices, expressing their outrage because of the attacks against WiB. The leading figures of this outcry have been: Luca Bianconi, First Secretary and Chief of the EU political delegation in the Republic of Serbia and Marija Rauš, UN Human Rights Advisor in Serbia. In the course of numerous contacts with the UN and EU representatives which were held in this period, WiB activists brought forward the facts concerning these attacks, as well as their views on the political context in which the violence against human rights defenders and peace activists took place.

Prepared by: **Staša Zajović**

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