



## **Repression against human rights defenders**

*October, November, December 2020*

### **Dossier No.17**

**Women in Black** is an activist group and network of feminist-anti-militarist orientation, consisting of women of different generational and ethnic backgrounds, educational levels, social status, lifestyles and sexual choices. Women in Black was founded on **October 9, 1991** in **Belgrade**.

Since the beginning of its work, Women in Black (1991) has faced various forms of repression, both by state and non-state actors.

Due to the escalation of repression against Women in Black activists in early 2014, the WUC began compiling Dossiers that deal in an analytical and systematic way with attacks on activists. Dossier no. 17 deals with events for the period October, November and December 2020.

In the first part of this file, we will deal with current events related to security, as well as the development of the situation regarding previous attacks in that period. In the second part, we will look at the current political and social context in Serbia.

#### **VERBAL ATTACK AND THREATS TO FAMILY MEMBERS, JOURNALISTS AND WOMEN AND MEN ACTIVISTS OF WiB IN FRONT OF THE BARRACKS IN TOPČIDER, October 5, 2020**

*As every year, Women in Black mark the anniversary of the deaths of the guards of the Serbian Army, Dragan Jakovljević and Dražen Milovanović, reminding of that crime and thus showing solidarity with their families. Namely, this case is still in the pre-investigation phase, despite the fact that domestic experts, back in 2005, and later forensics of the American FBI, established that based on all the evidence, it is clear that the death of these two young men did not occur as a consequence of murder and suicide, but that the guards were killed by a third person. It was assumed that this was done because they saw that something illegal was happening in the underground facility Karash within the Topcider barracks ("something they were not allowed to see")... A month after this year's commemoration of their suffering, on November 5, 2020, the European Court of Human Rights ruled that it could not act on the family's petition against the state of Serbia because not all domestic remedies, such as the initiation of private criminal proceedings, had been exhausted.*

*On that day, October 5, 2020, at the place where the anniversary of this crime is held every year and where Women in Black stood as before "wearing black and in silence", two men attacked them from a car, calling them traitors, foreigners and mercenaries", shouting that they should be ashamed of what they're doing, and they addressed similar words to the parents of the two murdered young men, the parents' lawyers and journalists.*

#### **Father of the dead guard Jakovljević: They are murdering my child again**

**After an incident caused by a middle-aged man in a black punt insulting the mourners present at the entrance to the Karash building at around 9.30 today, at the time when the commemoration of the killed guardsmen began in Topčider, we contacted Janko Jakovljević, father of Dragan Jakovljević, one of the two murdered soldiers.**

He shouted at the present members, the families of the killed guardsmen, lawyers and journalists through an open window with a series of brutal swearing, slander, insults and threats. He mentioned that he took part in two wars and that Serbian traitors were present here on this spot. When cameramen and photo reporters approached to take pictures of him, he went silent. Shortly afterwards, swearing and insults were heard again from a Škoda vehicle.

“It was terrible. He yelled at us, cursed and asked through a shout why we had gathered there at all and what we wanted. He first saw Women in Black lighting candles, then we who were in the procession, there was me, our lawyer Predrag Savić... And we have been in too much pain for 16 years, all we need is such incidents to occur,” said Janko Jakovljević and went on to explain that the car from which the man was insulting them was in a column. (Blic, 10/6/2020, TV N1)

“There were police, there was a big crowd, a convoy of cars. However, at one point, a car pulled up and the man started swearing through the window. Unpleasant and very painful,” says the father. Although he claims that he manages to resist everything and sadness these years, in a trembling voice, Janko says that he will not have peace until the case is resolved." As if there is no end to anything. It's like they're killing my child again. I hope that everything will be resolved once, but here everything is a secret", says Jakovljević.

## **INCIDENT AT THE STANDING OF WiB ON THE OCCASION OF THE 29TH ANNIVERSARY OF THE CRIME IN VUKOVAR**

On the occasion of the anniversary of the fall of Vukovar, Women in Black organized a standing in silence and wearing all black on November 18, 2020, in Knez Mihailova Street in Belgrade.

The following banners were displayed at the standing:

*We will never forget the crimes in Vukovar*

*Banner with a picture of the destroyed city and information about the suffering*

*Solidarity*

*Responsibility*

On that occasion, a stage action was performed: on the sidewalk it was written in salt: *Vukovar (1991-2020)*.

About fifteen activists were present at the protest. The media covered the protest, which was accompanied by police security.

An incident occurred during the protest. A man with a child in his arms poured a bottle of water over a box of salt, and then crossed his legs over the letters that were written on the sidewalk, thus scattering them all over...

*Two scenes during the standing...*

One activist handed out leaflets and had two meetings. One meeting with a group of high school

students and the other with two older men.

1.) When asked if they knew what it was about, one boy answered: "A lot of our people died in Vukovar." The activist then asked: "Who do you mean by our people?", To which he replied with the approval of everyone else: " The Serbs, of course. Croats were also killed, but we have nothing to do with them."

2.) Two older men asked the activist, "What are you doing? Shame on you! Are you Serbian? The Croats destroyed Vukovar."

<http://rs.n1info.com/Vesti/a673537/Mirovna-akcija-Zena-u-crnom-Nikad-necemo-zaboraviti-zlocine-u-Vukovaru.html>

## **JUDICIARY STILL WITHOUT RESPONSE TO THREATS TO THE WIB ACTIVIST TOMISLAV PERUŠIĆ AND HIS FAMILY**

At the end of April 2020, Tomislav Perušić, a longtime activist of the WiB, gave an interview to the Euronews TV service in Albania, and on that occasion said that the presence of Albanians in the Balkans even before the arrival of the Slavs is not being recognized in Serbia as a fact, and it does not recognize the persecution of Albanians in Kosovo experienced during the rule of Slobodan Milosevic.1)

This interview of Perušić, who is in Tirana for postgraduate studies in Historical Linguistics, was also broadcast by the media in Serbia, referring not so much to Euronews as to the Twitter account of the "Albanian Diaspora". In addition to Novosti, the site of TV B-92, the site of theworldnews, the site www.in4s.net, there were also reactions on social networks.

In an interview with Danas, Perusic also spoke about the threats of murder that he received on social networks, and he also said that his father and brother received threats and that they reported them to the police, which promised to file criminal charges. In that interview, Tomislav Perušić also talks about how he sees responsibility for the conflicts in Yugoslavia and emphasizes that he "learned a lot about it as an activist for Women in Black."

On 4/26/2020 at 9:14 am, an article appeared on the novosti.rs portal entitled "Student from Serbia provoked anger on social networks: With a double-headed eagle on his arm, he claims - Serbs expelled Albanians", in which he refers to an interview given by Tomislav Perušić, a graduate student of Albanian language and literature and master student of historical linguistics gave to Euronews Albania in November 2019 during his stay in Tirana, in which Perusic talks about the origins of the Albanian people from a linguistic perspective, as well as the crimes of the state of Serbia committed against Albanian civilians in 1998- 1999.

Then, at 9:49, a similar article appeared on the espresso.rs portal entitled "A SERB CAUSED ANGER OF THE NATION FOR A STATEMENT ABOUT ALBANIANS: A double-headed eagle on his hand - and he claims something scandalous!"

At 10:30, the same article was transmitted by the alo.rs portal under the title "SHAMEFUL ACT OF A STUDENT FROM SERBIA Tomislav claims with a double-headed eagle on his arm - Serbs expelled Albanians."

At 10:49, the article was also broadcast by the b92.net portal under the title "Student from Serbia for" Euronews ": Serbs expelled Albanians".

At 14:26, it was also broadcast by the objektiv.rs portal, calling Perušić a traitor, with the title "This country is too small for a big TRAITOR like you: Serbian student Tomislav (29) accused Serbia of expelling a MILLION Albanians ?!"

In the morning, immediately after the publication of these articles, Perušić received threats from various profiles via private messages in Messenger, such as: "You are dead" (Predrag Mihajlović, Bijeljina), "Pu, Shiptar shit" (Dusko Đorđević, Kragujevac), "mother\*\*\*\*\* traitor, come here and we'll expel you too" (Zeljko Janackovic, Zrenjanin), "Sold out soul" (Zarko Dojcinovik, Macedonia), "Traitorous garbage, if I were lucky enough to meet you, and we will meet" (Savic Ivan), as well as comments on Facebook such as: "A bullet is expensive for your head!" (Milos Jošović), "Break his legs if he ever steps into Serbia. Shiptar brat" (Stanojevic Nenad), etc.

Tomislav's father and brother went to the police the next day to report threats to Tomislav, where they were told that the report had been forwarded to the Belgrade Department of High-Tech Crime and that criminal charges would be filed for endangering security under the Criminal Code, Article 138, para. 1.

After this, Perušić addressed the media such as danas.rs and xxzmagazin.com, where he spoke about the threats he received, as well as presented his views on the whole situation and the way the State relates to the past.

To date, neither Tomislav Perušić nor members of his family have received any response from the police or the competent prosecutor's office regarding the threats they reported.

## **Legal measures taken by Women in Black and the Committee of Lawyers for Human Rights - results of misdemeanor and criminal charges**

**On the occasion of the International Day of Human Rights Defenders, November 29, WiB reminded in a press release that:**

"Instead of performing their duties and providing protection to victims, state authorities are abused to persecute dissidents. We remind you that eight Women in Black activists are still being investigated for a crime for which they are being threatened with a prison sentence, related to the feminist-anti-clerical protest organized on May 28, 2019, in front of the SOC headquarters in Belgrade.

The government-controlled media is openly creating an atmosphere of lynching towards anyone who critically views the regime's actions. These days, we are witnessing open and continuous attacks and

threats against those journalists and the media who still manage to do their job in accordance with professional and ethical principles. It is, indirectly, an attempt to silence all those whose criticism of the regime's policies can be presented to the public only through a small number of independent media.

We are witnessing the strengthening of fascist organizations in Serbia, which no longer hide their plans to deal violently with dissidents. It is more than obvious that behind these groups is a regime that determines their targets.

We consider the authoritarian regime of Aleksandar Vučić to be directly responsible for this situation. "

***Case of performance in front of the Patriarchate of the Serbian Orthodox Church: Even after a year and a half, the Higher Public Prosecutor's Office does not make a decision based on the pre-investigation procedure***

**Women in Black** still have no information on whether the Higher Public Prosecutor's Office in Belgrade has decided whether or not to continue the investigation against the participants in the performance "My Body - My Autonomy", held on May 28, 2019 in front of the SOC Patriarchate in Belgrade. The reason for this activist-artistic event was the celebration of the International Day for Women's Health and Reproductive Rights.

This procedure was initiated (by filing a criminal complaint) by Milica Đurđević Stamenkovski from the organization "Zavetnici". Based on her criminal report, the prosecution initiated a pre-investigation procedure, so during the period between 2nd and 8th July 2019, eight activists (Stasa Zajovic, Snezana Tabacki, Dasa Duhacek, Biljana Stojkovic, Violeta Djikanovic, Milos Urosevic, Mirko Medenica and Goran Lazin) were questioned in the police premises.

According to Article 317 of the Criminal Code ("inciting national, racial and religious hatred and intolerance"), this crime is punishable by imprisonment for a term of six months to five years.

Although, in the opinion of WiB, the criminal report is based on a misinterpretation of the nature of the crime and had to be rejected, a pre-investigation procedure has been initiated, and the Higher Public Prosecutor's Office does not have a legally prescribed deadline to decide on the investigation. It is known that, in some cases, this decision has been awaited for years. WiB considers that the behavior of the VJT, in which those who are being treated are kept in extreme uncertainty, is a clear pressure from the judiciary on that organization.

***The "Informer" case: Constitutional Court rejects WiB appeal, petition to the European Court of Human Rights in Strasbourg is being considered***

The Constitutional Court of the Republic of Serbia (Small Chamber and President of the Chamber Judge Vesna Ilić Prelić) at its session held on 13 February 2020 decided to reject the constitutional complaint of Women in Black, invoking Article 167, paragraph four, in conjunction with Article 170 of the Constitution Of Serbia. The appeal referred to the judgments of the High Court in Belgrade of March 8, 2018 and the Court of Appeals of August 15, 2018. The WiB found

out about this decision of the Constitutional Court on July 9, 2020, when it was delivered by mail.

As this constitutional appeal of the WIB has already been discussed in one of the previous issues of the Dossier (lawsuit against Dragan Vučićević, editor-in-chief of the tabloid Informer), we will only recall the merits of the appeal: the WUC considered that his to a fair trial under Article 32, paragraph one, of the Constitution of Serbia, as well as under Article six of the European Convention for the Protection of Human Rights and Fundamental Freedoms. The Constitutional Court based its decision on the rejection of the constitutional complaint on the provision of the Constitution (Article 170) according to which the right to a constitutional complaint is exercised only when all "prescribed legal remedies" have been exhausted. against the challenged second instance verdict declare a revision. With regard to the WIB's reference to Article 6 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, the Court considers that this protection is also provided by the Serbian Constitution, "and the assessment of possible violation or denial of rights in constitutional appeal proceedings The Constitution ”.

As this constitutional appeal of WiB has already been discussed in one of the previous issues of the Dossier (lawsuit against Dragan Vučićević, editor-in-chief of the tabloid Informer), we will only recall the merits of the appeal: WiB considered that their rights to a fair trial guaranteed under Article 32, paragraph one, of the Constitution of Serbia, as well as under Article six of the European Convention for the Protection of Human Rights and Fundamental Freedoms, have been violated. The Constitutional Court based its decision on the rejection of the constitutional complaint on the provision of the Constitution (Article 170) according to which the right to a constitutional complaint is exercised only when all "prescribed legal remedies" have been exhausted. The Court declared a revision against the challenged second instance verdict. With regard to the WiB's reference to Article six of the European Convention for the Protection of Human Rights and Fundamental Freedoms, the Court considers that this protection is also provided by the Serbian Constitution, "and the assessment of a possible violation or denial of a right in the procedure on a constitutional complaint is performed in relation to the right guaranteed by the Constitution”.

WiB with the Committee of Lawyers for Human Rights is considering drafting a submission to the European Court of Human Rights in Strasbourg.

## POLITICAL AND SOCIAL CONTEXT

At the beginning of autumn, a new wave of the epidemic of the Covid-19 disease hit Serbia, and the government turned out to be completely unprepared, at least according to the decisions made by the Crisis Staff, the Government and the President of Serbia. The epidemic flared up, and the measures that were adopted lost their effectiveness due to untimeliness or the impossibility of adequate implementation. It was still more than obvious that everything depended on the will of Aleksandar Vučić, who suddenly changed his strategy from the one imposing a state of emergency during the spring, to constantly repeating not only that his priority was to maintain economic relations in the country but also Serbia to become "the best in Europe in terms of GDP".

Apparently in accordance with his "vision", the first session of the regular session of the Serbian Parliament was held on October 24, and the new government would take the oath four days later, on October 28. So, almost three months after the constitution of the new convocation of the Assembly of Serbia, on August 3, and four months since the elections that were held on June 21.

The state leadership, in which, in fact, only Aleksandar Vučić decides, no longer has any limits, neither legal nor professional and moral, in fulfilling his personal ambitions and needs. According to these ambitions and needs, it is allowed for the privileged to disrespect the epidemiological measures, to ignore them at the funeral of the Patriarch of the Serbian Orthodox Church Irinej (who passed away from Covid), on the day of the so-called Black Friday and whenever it was in favor of the rating of the President and his immediate surroundings...

During that time, it is clear that Serbia will not and will not open any new chapters in the EU accession process in 2020, that the government is focused on settling accounts not only with the opposition, but with anyone who publicly criticizes and demands from him in any way to change his approach to this extremely difficult period. Full of self-praise, based on data manipulation, it obviously pushes the vast majority of citizens into extreme poverty with the latest changes in tax laws and unscrupulous "debt collection" (even outdated or non-existent), in order to be "first in Europe"...

*Nastasja Radović, with the support of: Kristina Todorović, Miloš Urošević, Tomislav Perušić,  
Belgrade, December 25, 2020*