

Zagreb, 7 August 2016

REPORT on violation against anti-war activists in Croatia

Several civil society organisations decided to organize a peaceful protest entitled "Anti-War Protest on the occasion of the Celebration of a Victory in War", announced for the 4th of August 2016 at the main square in Zagreb, Croatia, the day before the national holiday named Victory and Homeland Thanksgiving Day and the Day of Croatian Defenders. The organizer, Croatian Government this year included pro-fascist singer Marko Perković "Thompson" in the official celebration in city of Knin.¹

The organizers of the protest were as follows: Centre for Women War Victims - ROSA (Zagreb), Women in Black (Belgrade), Women's Network of Croatia, Serbian Democratic Forum (Zagreb), Freedom Activists (Zagreb), Centre for Civil Courage (Zagreb), Association for Social Research and Communications - UDIK (Sarajevo).

With this protest, the organizers wanted to express their discontent with the way that the war victory was being celebrated and also wanted to remind the people of the responsibility of the political regimes in time of war : „The responsibility of the Croatian regime lies in its urging Serbs to stay and promising them protection and security, in crimes during and after the operation "Storm" and in the destruction of property as well as the lack of prosecution of persons responsible for the committed crimes. The responsibility of the Serbian regime and its "Krajina" satellites lies in urging people to leave their homes. Finally, the international community is responsible for passively watching the murdering of people, burning of houses and looting of property of exiled Serbian population. War profiteers were celebrated after the war. They were and still are glorified as successful entrepreneurs. They have been provided with a political support and promotion. Nationalist myths are continued or newly created. Streets and squares have been renamed; monuments have been erected after the persons responsible for war crimes.“²

This was supposed to be the third year that the peaceful protests has taken place at Zagreb's central square with the same organizers. The previous two protests went well in general. Although some citizens were verbally aggressive and spitting towards the protesters, others were approving and encouraged them. The police protection was provided a minimal police presence of only several policemen.

This year, however, was very different. Following the first public statement from the 31st of July, several internet portals (such as Dnevno.hr) started a hate-mongering campaign and some organizers received dead threats. On the 3rd August 2016 the Ministry of the Interior and the Minister Vlaho Orepić himself banned a peaceful assembly.³ Because of that the organizers decided to hold another peaceful protest to warn about the fact that this decision of the Ministry was in direct confrontation with the European Convention for the Protection of Human Rights and Fundamental Freedoms, as well as the Constitution of the Republic of Croatia. Both documents guarantee the freedom of

¹ Concerts of this singer have often been called off after the authorities of several European countries became aware of his lyrics (Switzerland, Netherlands etc.) For example, Swiss authorities cancelled his concert in July 2016 because his lyrics breached anti-racism laws. Marko "Thompson" Perkovic is controversial for songs in which he uses a WWII fascist slogan 'Za dom spremni' ('Ready for the Home[land]'), as well other songs promoting Ustasha units. Thompson's audience wears uniforms or symbols belonging to the fascist Ustasha regime that ran the pro-Nazi Independent State of Croatia (NDH) during World War II. The Ustasha killed hundreds of thousands of Serbs, Jews, anti-fascist Croatians, Roma and others in concentration camps during the war.

² The integral version of the Invitation from the 31st of July 2016 is attached to this Report as Annex 1.

³ The integral version of the public statement from the 3rd of August is attached to this Report as Annex 2.

expression and freedom of assembly. And the Police was informed about this plan in advance in accordance with the law.

Ten people attended the peaceful protest at the Zagreb's central square on the 4th of August. Participants were attacked by a group of neofascists who hurled threats such as „We will slaughter you“, „Kill a Serb!“, „You Chetnik whores! We will rape you!“, „Gypsies!“, „Faggots!“. Neofascists were constantly chanting “We Croats do not drink wine, but blood of Chetniks from Knin”. They glorified the Nazi Independent State of Croatia, its leader Ante Pavelić and raised hands in the fascist salute. They stormed towards the participants of the peaceful assembly trying to physically attack them. They threw various objects. Five participants were hurt. The attackers took the banner from the hands of one of the participants.⁴

Even though the police didn't allow all of the presented threats to be carried through, the police allowed a significant disruption of the public assembly. It allowed attackers to be in a very close proximity to the participants during the assembly. It allowed attackers to throw objects at participants continuously during the assembly. It allowed attackers to continue throwing objects until the participants reached the police station. The police didn't respond to threats of violence. It also tolerated glorification of the Independent State of Croatia, fascist symbols on the T-shirts of attackers as well as fascist salutes. As far as we know, the police didn't detain offenders who were throwing objects, who clashed with the police and who tried to attack the participants.

Participants were harassed by police officers at the police station. Police officers mockingly addressed the participants of the assembly. Police officers questioned the need for such a public assembly. A police officer asked an activist of Women in Black Belgrade why he is not protesting in Belgrade. A police officer explained to a participant a way how to sit politely. Police officers informed the participants that they don't intend to file criminal charges. Participants were told that they cannot file criminal charges because threats were not personally addressed.

The same day the organizers sent a public statement in which they asked the Municipal State Attorney's Office in Zagreb to initiate criminal proceedings for criminal offenses - making threats, public incitement to violence, public incitement to hatred, violation of the right to public assembly, violation of the right to protest, violent behaviour - all of which are connected with the hate crime.

Evening news on the national Croatian television reported that there were no attacks against the protesters, although the event was filmed by media and activists and video clips were broadcasted on N1 television (an independent broadcaster) and some other channels and social media.

On the 6 August 2016 the organizers pressed a criminal charge to the Municipal State Attorney's Office, and sent a complaint to the Administrative Court in Zagreb against the Minister's decision to ban a protest.

The same day Minister of Interior Vlaho Orepić stated on N1 TV: “The police banned that protest, i.e. I banned it personally because its goal was to vilify the military operation Storm. It is not becoming to hide yourself behind some NGOs or withhold other rights that you claim for yourself”. He added that they asked organizers to understand the circumstances and explained that the same protest could be held two days before or after. Minister Orepić concluded: “But the provocations are inadmissible”.

⁴ The integral version of the public statement from the 4th of August is attached to this Report as Annex 3.

Minister's statement clearly positioned the Government against the fundamental rights of human rights defenders and it supported the brutal attacks against them. Media had a role in the way that they did not publish a real purpose and messages of the protest. Hate-mongering on internet portals and death threats to organizers continued after the 4th of August. The parliamentary elections are scheduled for the 11th of September 2016, less than a year after the last elections were held on the 8th of November 2015.

ANNEX 1

INVITATION

Zagreb, 31 July 2016

AN ANTI-WAR PROTEST ON THE OCCASION OF THE CELEBRATION OF A VICTORY IN WAR

Teach the children that the heroes are not those who go to war, but those that fight against the outbreak of the war!

The anti-war protest on the occasion of the celebration of the military operation "Storm" will take place on the 4th of August 2016 at 18 h. With this protest we want to point out the consequences of war. A war is a cruel event and its anniversary should point out that during the war everybody loses. Therefore, it should be grieved and not celebrated. The last war left behind almost 30 000 dead and 500 000 refugees and displaced citizens of the Republic of Croatia.

We think that the wars can be prevented by the suppression of interethnic hatred and tension. Interethnic tensions are useful for Croatian and Serbian political elites because they are always used for political purposes, which create the basis for the growth of nationalism, which ultimately leads to new wars and victims.

With this protest, we express our discontent with the way that the war victory is celebrated and we remind of the responsibility of the main actors then. The responsibility of the Croatian regime lies in its urging people to stay and promising them protection and security, for crimes during and after the operation "Storm" and for the destruction of property as well as for the lack of prosecution of persons responsible for the committed crimes. The responsibility of the Serbian regime and its "Krajina" satellites lies in urging people to leave their homes. Finally, the international community is responsible for passively watching the murdering of people, burning of houses and looting of property of exiled Serbian population.

War profiteers are celebrated after the war. They are glorified as successful entrepreneurs. They are provided with a political support and promotion. Nationalist myths are continued or newly created. Streets and squares have been named; monuments have been erected after the persons responsible for war crimes.

We ask for this practice to be stopped!

For now, the following organisations take part in this anti-war protest: Centre for Women War Victims-ROSA (Zagreb), Women in Black (Belgrade), Women's Network of Croatia, Serbian Democratic Forum (Zagreb), Freedom activists (Zagreb), Centre for Civil Courage (Zagreb), Association for Social Research and Communications UDIK (Sarajevo).

We invite all those who share our anti-war views to come to the protest!

ANNEX 2

Public statement

Zagreb, 3 August 2016

The Ministry of Interior of the Republic of Croatia adopted a decision today to ban a peaceful protest entitled “Anti-War Protest related to the Celebration of a Victory in War”, announced for the 4th of August 2016 at the Ban J. Jelačić Square in Zagreb.

The ban of the protest is only a culmination of a known police practice in preventing public gatherings which are considered politically problematic by the authorities. A decision based on the argument of security cannot be justified, because it would mean that the police cannot secure a public gathering of citizens, a gathering that was properly announced in advance. We can conclude that the state doesn't function and that the power resides at the hands of violent groups which are those that decide on the suitability of public gatherings.

As a reminder, the decision of the Minister of the Interior is contrary to the European Convention for Human Rights and Fundamental Freedoms, and it is contrary to the Constitution of the Republic of Croatia. Specifically, Article 10, paragraph 1 of the Convention guarantees the freedom of expression, and the Article 11 paragraph 1 guarantees the freedom of assembly. Bearing in mind that the decision of the Minister mentions the purpose of assembly and expression of opinion, which also covers the emphasis on anti-war and pro-peace positions, the part of the explanation in the decision which mentions the possibility of disturbance of a large number of citizens is unclear and unacceptable. The Convention represents the positive obligation on State Parties to ensure the right for citizens to express their views as such. Therefore, the decision of the Minister of the Interior is in direct violation of the European Convention and the Constitution of the Republic of Croatia and reflects a certain kind of fear at the ministry to ensure a peaceful assembly of citizens. All the more so because it is well known that the Ban J. Jelačić Square held numerous other gatherings of citizens in the past, gatherings that have sent a variety of messages.

Due to the ban of the anti-war protest, the following organisations will hold a peaceful protest action at 6 pm at the Ban J. Jelačić Square: For now, the following organisations take part in this anti-war protest: Centre for Women War Victims-ROSA (Zagreb), Women in Black (Belgrade), Women's Network of Croatia, Serbian Democratic Forum (Zagreb), Freedom activists (Zagreb), Centre for Civil Courage (Zagreb), Association for Social Research and Communications UDIK (Sarajevo).

Zagreb, 4 August 2016

Public statement

The Ministry of the Interior forbade a peaceful assembly entitled „An Anti-War Protest on the Occasion of the Celebration of a Victory in War“, scheduled for August 4, 2016 in Zagreb. Several organisations - Centre for Women War Victims - ROSA (Zagreb), Women in Black (Belgrade), Women's Network of Croatia, Serbian Democratic Forum (Zagreb), Freedom Activists (Zagreb), Centre for Civil Courage (Zagreb), Association for Social Research and Communications - UDIK (Sarajevo) – decided to hold a peaceful protest action to warn about the fact that this decision of the Ministry is in the direct confrontation with the European Convention for the Protection of Human Rights and Fundamental Freedoms, as well as with the Constitution of the Republic of Croatia. Both documents guarantee the freedom of expression and freedom of assembly. Police was informed about this plan in advance.

Ten people attended the peaceful protest. Participants were attacked by a group of neofascists who hurled threats such as „We will slaughter you“, „Kill a Serb!“, „You Chetnik whores! We will rape you!“, „Gypsies!“, „Faggots!“. They glorified Nazi Independent State of Croatia, its leader Ante Pavelić and raised hands in the fascist salute. They stormed towards the participants of the peaceful assembly trying to physically attack them. They threw various objects. Five participants were hurt. The attackers took the banner from the hands of a participant.

Even though the police didn't allow all of the presented threats to be carried through, the police allowed a significant disruption of the public assembly. It allowed attackers to be in a very close proximity to the participants during the assembly. It allowed attackers to throw objects at participants continuously during the assembly. It allowed attackers to continue throwing objects until the participants reached the police station. The police didn't respond to threats of violence. It also tolerated glorification of the Independent State of Croatia, fascist symbols on the T-shirts of attackers as well as fascist salutes. As far as we know, the police didn't detain offenders who were throwing objects, who clashed with the police and who tried to attack the participants.

Participants were harassed by police officers at the police station. Police officers mockingly addressed the participants of the assembly. Police officers questioned the need for such a public assembly. A police officer told an activist of Women in Black to go to protest in Belgrade. A police officer explained to a participant a way how to sit politely. Police officers informed the participants that they don't intend to file criminal charges. Participants were told that they cannot file criminal charges because threats were not personally addressed.

We ask the Municipal State Attorney's Office in Zagreb to initiate criminal proceedings for criminal offenses - making threats, public incitement to violence, public incitement to hatred, violation of the right to public assembly, violation of the right to protest, violent behaviour - all of which are connected with the hate crime.

We ask the competent institutions to urgently identify and penalize all offenders.