

European Parliament: HRWF debate on child marriage on EU REPORTER TV

– Watch the video here: https://youtu.be/wg0K0_XA6Vg

Panelists

Elisa Van Ruiten, a Gender Specialist at Human Rights Without Frontiers International;

Mohinder Watson, a researcher and activist against child marriage, who escaped a forced marriage of her own as a teenager;

Emilio Puccio, the Coordinator of the European Parliament Intergroup on Children's Rights, which is a cross-party and cross-national group comprising over 90 MEPs and 25 child-focused organizations.

The presenter was EU Reporter's Jim Gibbons.

“Every day somewhere in the world, 39,000 young girls are married before they reach the age of majority; more than a third of them are younger than 15, according to the Council of Europe. We may be well into the 21st century but too many girls are still forced to live in a bygone age of male dominance. Human Rights Without Frontiers has just produced a report on women's rights and the Abrahamic faiths of Christianity, Islam and Judaism.”

EU Reporter – <https://bit.ly/2CTvNPh>

Next Programme about North Korea (November) –

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ROMANIA: Romanians and Hungarians in Europe – Another type of dialogue

Centenary – a chance for dialogue : Presentation of MEP Tőkés László at the conference he hosted at the European Parliament on 16 October

MEP Tőkés László (17.10.2018) – Today's conference articulates the goal and hope of a "different kind of dialogue" between Romanians and Hungarians. In order to inform our foreign guests, I would like to clarify that our event is not about the inter-state communication between Romania and Hungary. Rather it concerns the dialogue between the majority Romanians of our common country and the one and a half million Transylvanian minority Hungarians. This dialogue is absent but all the more desirable. Keeping in mind our objective to resolve the situation of our bilateral relations and the situation of Hungarians in Romania, there is an extremely important circumstance to consider, namely that our nations are part of united Europe, whose entire system is based on dialogue and whose basic treaty foresees the protection of minorities in detail. It is no coincidence, therefore, that the case of Romanian-Hungarian dialogue was put on the agenda in Brussels today – since we are asking and expecting help from the European Union and its institutions to resolve our common matters.

Last Friday, in the capital of Transylvania, Romania, in Kolozsvár/Cluj a similar conference took place, entitled Our

centenaries. How to go on with the Romanian-Hungarian relations? Our discussion based on trust between the Romanians and the Hungarians is now the sixth in the line in creating a tradition for the mutual understanding of Romanian-Hungarian relations, which are also traditionally bad. By analogy, I could mention the French-German reconciliation, which was the basis of the establishment of the European Union at the time. Following the example of the "fathers of Europe", in the Carpathian Basin the Hungarian-Romanian reconciliation is equally important.

At our meeting in Cluj, we accepted a joint statement signed by twelve remarkable Romanian and Hungarian political-public figures on each side. In our resolution published for collecting additional signatures, we made a call for cooperation between the majority Romanians and native Hungarian minority in Transylvania, knowing that the land of Transylvania has been "the field of complementarity and could become once again the model of religious and cultural pluralism for centuries". The Romanian and Hungarian lecturers recalled that Transylvania, once an autonomous Hungarian principality, the land of religious tolerance in 1568 was the first in the world to proclaim the freedom of conscience and religion, thus preceding the whole of Europe by centuries. We are aware and are rightly proud that our Transylvanian religious and spiritual heritage has preceded the universal value system of today's common Europe, namely: European diversity, freedom of conscience and religion, and non-discriminatory tolerance. In our meetings in Kolozsvár/Cluj and Brussels, we also stood for these fundamental Transylvanian-European values, consistently and in a constructive dialogue for mutual understanding, peaceful settlement of Romanian-Hungarian relations, together with the settlement of the oppressed Hungarians' situation.

Our endeavor is extremely timely, for our country celebrates the 100th anniversary of the birth of Great Romania this year. This centenary is, however, two-faced. The Transylvanian Hungarians are mourning this year for the beginning of their seizure away from Hungary, which led to the 1920 Trianon Peace Treaty. Our centenaries are therefore very ambivalent: for one of them – the Romanians – they brought overwhelming gains and for the other side – for the Hungarians – a tragic loss. This anachronistic historical contradiction is the main obstacle to convergence and dialogue of any kind.

In extremis, this opposition has lately gone so far that in my city Nagyvárad/Oradea, on October 12, the City Day was celebrated – exactly on the day when in 1918 the Romanian National Party of Transylvania accepted the Self-determination declaration of Romanians in Hungary, and in 1944 the Romanian troops following the Soviet invasion occupied the then predominantly Hungarian majority city. The overwhelming Romanian festivities, but also the provocative timing of Oradea's Day itself, are also an open incitement against the Hungarian population of the city. It is a similar situation with the Romanian National Day on the 1st of December, as in 1918 the Romanian People's Assembly of Alba Iulia announced the disengagement of Transylvania from Hungary at the time.

The Transylvanian Hungarians believe that Oradea's day and the national holiday of Romania should not be celebrated on these days, since they represent the painful loss for one and a half million Hungarians of their former country, Hungary, that they cannot be happy about. Therefore, Hungarians in Romania have in many cases demanded that the national and city holidays based on the Hungarian enemy image be changed in a way that they can become a common celebration for all the citizens of the country, both Romanians and Hungarians.

However, the present Romanian centenary is not only offensive and unacceptable in the symbolism of the holidays. The jubilee year of the majority Romanians is also used for the most violent anti-Hungarian attacks and official abuses. It was the climax of verbal aggression when Mihai Tudose, a former Socialist prime minister, threatened with hanging those Szekler Hungarians who dare to set their flags in public places. In Romania this year, anti-Hungarian manifestations and measures followed each other reminding directly of the anti-Hungarian Ukrainian retaliation (abolition of the Hungarian university, the re-nationalization of Hungarian properties, the imprisonment of political prisoners, etc.). The notorious President of the Romanian Academy of Sciences suggested that the mere mentioning of Hungarian autonomy be sanctioned by law in the name of Romanian national unity. Professor Gabriel Andreescu, present today, noted correctly, that „ This initiative is dangerous. By the academic call for public bodies, they want to achieve as a first step that the centenary of the Great Union become an anti-Hungarian manifestation. (...) Anti-Hungarianism was one of the strong pillars of national communism in Romania. If the founding of the Romanian statehood is celebrated in an anti-Hungarian spirit, then national communism is legitimized, with its former representatives and present followers.”

It is easy to admit that there is no room for dialogue under the current circumstances of the perseverance of the returning national communism and the still operating, although in a new shape, communist secret service –the notorious Securitate.

At the “liberating Christmas” of 1989, Romanians and Hungarians found each other in a miraculous way. Following the

popular uprising in Timisoara, the road was opened for the Romanian-Hungarian reconciliation. The renowned Timișoara Declaration exemplified not only the ultimate struggle against communism but also the abolition of all nationalism and the cooperation of the Romanians and the nationalities of the country in the spirit of "tolerance and mutual respect". But this is all the past. Nearly three decades after the change of regime, the spirit of Ceaușescu continues to haunt us in our country.

It is not enough that during the persisting domestic political crisis, the Romanian Socialist-Liberal government parties and their opposition are completely incapable of dialogue, but the same applies to the Romanian-Hungarian relations, so that without exception the entire Romanian political class is characterized by irreparable anti-Hungarianism – now, at the centenary. Not even President Klaus Iohannis is an exception, who as a German is seeking the favors of the Romanian nationalism in a compensatory manner, being the first with regard to anti-Hungarian manifestation. The Hungarian National Council of Transylvania and the ally National Szekler Council turned to him at the beginning of this year with the initiative of starting an institutional and representative Romanian-Hungarian dialogue – but our proposal fell on deaf ears at the head of state.

The discriminatory anti-Hungarian Romanian politics is an integral part of the lack of Romanian rule of law, which has even led the European Parliament to put the issue on its agenda. As a whole, the post-communist Romanian political class completely lacks the political will not only to overcome systemic corruption, which is a national peculiarity, but also to settle the traditionally unresolved minority issue, alongside other anomalies. Without this, however, in the long

term, the realization of peace and stability in our society can hardly be imagined.

The initiators and supporters of the joint Romanian-Hungarian Centenary Declaration believe that “stable borders and respect for minority rights is a prerequisite for the safety of both national communities.” Accordingly, they stand out for the long-stalling Romanian-Hungarian dialogue, and call on their compatriots and the authorities, as follows: “Honour the Centenary by rejecting nationalist incitement, avoiding conflict, and giving room for hope and construction.”

In the European Parliament’s headquarters in Brussels, in a symbolic and political sense, we ask for this and call for strong support from the European Union!

Tóké László
Member of the European Parliament

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countries: <http://hrwf.eu/forb/forb-and-blasphemy-prisoners-list/>

ROMANIA: Centenary of the unification of Transylvania with Romania

HRWF (17.10.2018) – On 16 October, MEP Tókécs László hosted an event at the European Parliament about the relations between the Romanians and Hungarian communities. The conference was held on the occasion of the commemoration of the 100th anniversary of the Unification of Transylvania with Romania. On 12 October, in Kolozsvár/ Cluj, a joint declaration about the centenary was signed by 12 Romanian and 12 Hungarian prominent personalities of the two communities.

Joint Romanian – Hungarian Declaration

Many celebratory events dedicated to the Centenary of the Unification of Transylvania with Romania had anti-Hungarian overtones and worsened the series of misunderstandings between the two communities. These events started before the 1st of January 2018 and continued until the last few months. Taking into account the symbolic importance of the moment, adversarial behaviour has the potential to poison interethnic climate for many generations to come. These are the reasons why we, the signatories initiate and support the following declaration:

Transylvania was and may again be transformed into an area characterised by complementarity, thus becoming a model of cultural and religious pluralism. Promoting the identities and traditions peculiar to Transylvania serves both Romanians and Hungarians. The safety of both communities depends on stable frontiers and the observance of minority rights.

Today, there is nothing to set in opposition the interests of Romanians and Hungarians. Hungarian aspirations for cultural and territorial autonomy stem from a desire for better organisation and, hence, are beneficial to us all. Perpetuating the confusion between the concepts of autonomy and independence reflects at times certain misinterpretations, other times ill-willed manipulation.

Today, there is nothing to set in opposition the interests of Romania and Hungary. The leadership of the two states may or may not embody the ideals of the respective societies; and might as well proceed correctly or make mistakes regarding the issue of interethnic relations. The criticisms formulated by domestic or foreign actors and levelled against the two leaderships, respectively, should not affect the long-term relationships between the two peoples. Political leaders do change, as their accession to and ousting from power at specific moments of time is dependent on the nature of the democratic systems in which we live.

Hungarians living in this country are citizens of the Romanian state, having equal and inalienable rights to propose models to rebuild the common state-and-homeland. The distance they kept from the celebrations of the Centenary sheds light on a

fundamental topic concerning the history of the last one hundred years, namely: what meaning does the Hungarian community attribute to the last century. Speaking on their behalf, Hungarian political leaders in Romania pointed out repeatedly that almost all Hungarians perceive this period as “100 years without fulfilments”. Nonetheless, it is rather natural to treat this year as the year of drafting the balance sheet and meeting the unfulfilled desires of the minority, since these are not in conflict with general societal interests, and allow Hungarians to feel comfortable in Romania – i.e., in their own country.

The Centenary of the Unification of Transylvania with Romania offers Romanians and Hungarians the opportunity to revive the ideal formulated in 1918, which is: to become – for Romanians, Hungarians and other state-forming minorities – a homeland, devoted to fulfilling the aspirations of all these communities. This goal cannot be achieved overnight; but we can transform this ideal into a project for our country in order to complete it during the next years. We call on our fellow countrymen and public authorities to honour the Centenary by rejecting nationalistic instigation and avoiding interethnic conflict, while favouring constructive behaviour and rising people’s hopes.

Only in this manner can the Centenary become a natural celebration of Romanian communities from all over the world as well as of the Hungarian community in Transylvania.

Kolozsvár/Cluj, 12 October 2018.

Signatories

1. **Gabriel Andreescu**, activist pentru drepturile omului, politolog (R)
2. **Tőkés László**, az EMNT elnöke, európai parlamenti képviselő (H)
3. **Lucian Nastasă-Kovacs**, istoric de arte, director (R)
4. **Szilágy Zsolt**, az Erdélyi Magyar Néppárt elnöke (H)
5. **Marius Tabacu**, director, Filarmonica Transilvania (R)
6. **Bodó Barna**, politológus, egyetemi tanár (H)
7. **Cristian Sandache**, istoric, profesor universitar (R)
8. **Toró T. Tibor**, az Erdélyi Magyar Néppárt ügyvezető elnöke (H)
9. **Radu Răileanu**, coordonator, Active Watch (R)
10. **Bakk Miklós**, politológus, egyetemi tanár (H)
11. **Sabin Gherman**, jurnalist (R)
12. **Dávid László**, egyetemi tanár, a Sapientia Erdélyi Magyar Tudományegyetem rektora (H)
13. **Ramona Băluțescu**, scriitor, jurnalist (R)
14. **Péntek János**, nyelvész, egyetemi tanár (H)
15. **Liviu Antonesei**, profesor universitar (R)
16. **Florin Mihalcea**, președinte al Societății Timișoara (R)
17. **Kolumbán Gábor**, a Civitas Alapítvány elnöke (H)
18. **Mircea Toma**, jurnalist, activist pentru drepturile omului (R)
19. **Molnár Gusztáv**, filozófus, politológus (H)
20. **Ovidiu Pecican**, scriitor, istoric (R)
21. **Szilágyi Ferenc**, egyetemi tanár (H)
22. **Cristian Pîrvulescu**, politolog, profesor universitar (R)
23. **Kincses Előd**, ügyvéd (H)

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NORTH KOREA: Co-chairs urge President Trump to include human rights in North Korea negotiations

Tom Lantos Human Rights Commission (16.10.2018) – <https://bit.ly/2pVi6GI> – Reps. Randy Hultgren (R-IL) and Jim McGovern (D-MA), Co-Chairs of the Tom Lantos Human Rights Commission, wrote to President Donald Trump on the strategic importance of incorporating human rights indicators into the Administration's ongoing denuclearization talks with North Korea. To further this objective, the Co-Chairs also urged the President to appoint a Special Envoy for North Korean Human Rights Issues as provided for in the North

Korea Human Rights Reauthorization Act of 2017. The letter follows a September hearing convened by the Commission on human rights in North Korea. The full text of the letter is below.

The bipartisan Tom Lantos Human Rights Commission was established in 2008 by unanimous consent in the United States House of Representatives to promote, defend and advocate for international human rights. The Commission undertakes public education activities, provides expert human rights advice and encourages Members of Congress to actively engage in human rights issues.

Dear Mr. President:

We commend your recent efforts to ensure North Korean denuclearization. A wholly denuclearized North Korea is imperative for the preservation of American safety and security and that of regional allies. To that end, the incorporation of human rights indicators into a credible, verifiable denuclearization deal with North Korea is strategic and could facilitate the long-term success of such an agreement.

At a Tom Lantos Human Rights Commission hearing last month, security and human rights experts testified about how to raise human rights objectives in negotiations with North Korea and incorporate them as criteria for improved relations between

our two nations. North Korea's steps to address human rights would demonstrate trustworthiness in negotiations with the United States. Follow-through on concrete human rights commitments would lend credibility to North Korea's security commitments in a variety of ways.

As a first step, we urge you to appoint the Special Envoy on North Korean Human Rights Issues provided for in the North Korea Human Rights Reauthorization Act of 2017. A Special Envoy with appropriate expertise on both human rights and national security could provide valuable insight for your administration and could engage directly with the North Korean government on improving human rights conditions.

Second, we recommend including several specific human rights issues and appropriate indicators in your negotiations with North Korea as a measure of good faith. A primary concern is the protection of American citizens who visit North Korea. The North Korean regime's treatment of individual Americans demonstrates a disregard for the safety of the American people and a lack of respect for our nation as a whole. Ensuring necessary protections for American visitors would facilitate increased travel and information sharing between the people of both nations.

Facilitating family reunions for Korean Americans who have long been separated from their relatives in the North would also contribute to increased interactions between North Koreans and the outside world. Reunions should not take place solely in North Korea but should be available to all via a transparent process facilitated by the existence of open and ongoing lines of communication between separated families.

North Korea's verified compliance with international standards for humanitarian aid would provide reassurance as to the appropriate use of United States funds to North Korea and ensure that resources are reaching those who are in greatest need. The illicit diversion of food and aid to the military and the political elite exemplifies the defiant behavior of North Korea. Humanitarian workers must have access and be able to verify that aid reaches those for whom it was intended, including those held in prison and labor camps.

Revenue derived from the export of slave labor and exploitation of labor camps is used to enrich the North Korean government, which reportedly continues to develop military and nuclear capabilities. Verifiable steps to abolish forced labor and human trafficking would directly impact illicit funding sources for North Korea's aggressive military posture.

Lastly, the United States should pursue the termination of North Korea's information blockade against independent media outlets. Recommended actions could include permitting radio broadcasts or other messaging to provide people with useful ways to address problems they face in business, private markets, and agriculture along with information about individual universal freedoms.

In support of these recommendations, we also urge your administration to ensure that this year's United Nations General Assembly resolution on human rights in North Korea maintains the strength and resolve of last year's statement. A Security Council meeting on human rights in North Korea should also be held to continue to highlight the direct ways human

rights are linked to security in this situation.

We also strongly urge you to work with the Chinese government to ensure that North Korean refugees are not forcibly repatriated.

As you made clear in your 2018 State of the Union Address, “No regime has oppressed its own citizens more totally or brutally than the cruel dictatorship of North Korea.” In this spirit, we encourage the timely appointment of the Special Envoy so that human rights can be incorporated into denuclearization talks in a way that is both strategic for their success and reflects the universal freedoms that are accorded to all people.

Sincerely,

Randy Hultgren, M.C.
P. McGovern, M.C.
Co-Chair, TLHRC
Chair, TLHRC

James

Co-

Cc: The Honorable Mike Pompeo, Secretary of State
The Honorable Nikki Haley, United States Ambassador to the
United Nations

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POLAND/NORTH KOREA: The exploitation of North Korean Workers in Poland raised at the European Parliament and at the OSCE

By Willy Fautré, Human Rights Without Frontiers

HRWF (09.10.2018) – Today, MEP Laszlo Tökes and *Human Rights Without Frontiers* organized the screening of a film dealing with the exploitation of North Korean workers in Poland despite the UN and EU sanctions forbidding the hiring of workforce from North Korea. With the complicity of private companies and Polish state agencies, North Korean workers

continue to work in Poland and to be exploited by Pyongyang, left only with an income of less than USD 150 per month.

On 19 September last, *Human Rights Without Frontiers* made a public statement at the Human Dimension Implementation Meeting (HDIM) of the OSCE/ODIHR in Warsaw asking the Polish delegation to the OSCE “How many North Korean Workers are currently working in Poland, and how many work visas have been issued since the last HDIM?” (1)

Poland exercised his right of reply and gave again conflicting statistics.

Last official statistics revealed by Poland

In its oral right of reply limited to one minute, the delegation answered there were still “circa 350 DPRK citizens with the purpose of stay in Poland whilst to perform work. This number is constantly decreasing. And moreover it is important to reiterate that in 2016 and 2017 Poland did not issue any work visas to North Korean citizens – as visas on the one hand and permits of stay and work on the other are different titles of stay.”

In its full official right of reply publicized on the website of the OSCE/ ODIHR, the answer of the Polish delegation was however different (2):

I would like to exercise my right of reply in regard to the statement delivered by the Human Rights Without Frontiers.

The Polish government does not take an active part in the process of hiring North Korean workers nor does it

promote such practices. The existing cooperation is based on private companies' independent agreements.

The government institutions, such as the National Labour Inspectorate and the Border Guard, oversee the DPRK nationals' employment conditions and ensure the Polish laws are respected in their workplace. To that end, these institutions regularly inspect the companies where DPRK nationals are employed. Inspections performed by the above-mentioned institutions did not confirm any cases of forced labour related to North-Korean workers in Poland.

Poland, similarly to other EU countries, did not have systemic solutions prohibiting North Korean citizens (or citizens from any other country) to take up work in Poland before the adoption of UN resolutions 2371 and 2375. In this view a general ban on entering Poland and taking up work for specific nationalities would be discriminating.

We welcomed the UN resolutions 2371 and 2375 adopted in this regard as providing the international community with adequate tools related to issue of the DPRK workers. In order to exercise these resolutions we stopped the issuance of new work permits to DPRK workers since August 2017. The related laws regulating access to labour market have been amended in order to find a solution to the problem. The necessary amendments have entered into force on February 2018.

Poland also strives to implement the provisions of the UN resolution No. 2397 that will enable return of DPRK workers to their country.

We estimate that as of September 2018 there were 225 DPRK citizens, whose purpose of stay in Poland was to perform work. This number is constantly decreasing. To actively implement the resolution's provisions, we have begun to

withdraw residence permits granted in previous years to DPRK nationals. By mid-September 2018, decisions revoking 250 DPRK citizens' work authorizations had been taken. We can say that we are ahead of schedule – more than half of the DPRK citizens present in Poland at the time of the adoption of the UNSCR 2397 have already returned to the DPRK.

Moreover, it is important to reiterate that in 2017 and 2016 Poland did not issue any work visas to North Korean citizens – as was stressed by our delegation previously. It is important to underline that according to the Polish law, the visas issued by consuls of the Republic of Poland on the one hand, and residence permits issued by regional governor's offices on the other are different titles of stay.

We are also pleased to inform that the Permanent Delegation of the Republic of Poland in Vienna remains in contact with the representatives of the Human Rights Without Frontiers in regard to this topic.

A brief analysis of the official position of the Polish delegation suffices to highlight the incoherence and contradictions of the reply:

- Poland does take an active part in the process of hiring North Korean workers as for decades, including in the last few years and despite the UN and EU sanctions, it has granted North Korean citizens visas allowing them to work on its territory.
- The assertion that since 2016 Poland has not delivered new visas allowing North Korean citizens to work is vigorously contested by journalists of Vice (3) and of The New York Times (4). Moreover, the Polish delegation contradicts itself in its right of reply as it says

“we stopped the issuance of new work permits to DPRK workers since August 2017” but says afterwards “in 2017 and 2016 Poland did not issue any work visas to North Korean citizens – as was stressed by our delegation previously.”

- Poland, as a state, denies hiring North Korean laborers but tolerates Pyongyang’s exploitation system of its citizens and makes itself an accomplice of it.
- Poland states that the National Labor Inspection did not detect any case of forced labor but we never said in our statement that North Korean workers were victims of forced labor. The issue is that Poland turns a blind eye to the sophisticated system of exploitation of North Korean workers put in place on the Polish territory by Pyongyang. Moreover, Vice journalists have highlighted the complicity of some labor inspection actors in the exploitation system.
- Before the UN and EU ban on hiring North Korean workers, some other EU member states such as the Czech Republic or The Netherlands immediately felt morally obliged to stop granting them working visas and to put an end to their activities when they were informed about the exploitation system. Poland did not feel morally obliged to do so and still does not. When Poland uses the argument that “a general ban on entering Poland and taking up work for specific nationalities would be discriminating”, its answer is biased and suggests that UN and EU sanctions would be discriminatory...
- Last but not least, the Polish delegation says in its official written reply this year that “as of September 2018 there were 225 DPRK citizens, whose purpose of stay in Poland was to perform work” while in its official oral answer as video-recorded by the OSCE, it says that “there were circa 350 DPRK citizens with the purpose of stay in Poland whilst to perform work.”

Our ‘dialogue’ with the Polish authorities on this issue will

continue so that UN and EU sanctions become a full reality in Poland as soon as possible but in fact Poland does not seem to know how many North Korean workers are really employed on its territory. In the last three years, many contradictions and counter-arguments concerning their statistics have been highlighted by various researchers and investigators.

Poland's past official statistics rejected by various researchers and investigators

In September 2016, *Human Rights Without Frontiers* asked the Polish delegation to the OSCE how many North Koreans were working in Poland (5). The official answer was "about 550". In September 2017, we again asked the same question (6). The answer this time was approximately 400. The Polish authorities claimed that they did not issue new work visas in the last two years (2016 and 2017), yet this was contested by Prof. Remco Breuker from the University of Leiden who published a 115-page report entitled "North Korean Forced Labour in the EU: the Polish Case." (7)

These questions were raised again on 31 December 2017 by *The New York Times* in an article by Peter S. Goodman, Choe Sang-Hun and Joanna Berendt entitled "Even in Poland, workers' wages flow to North Korea" (8). As the article recounts:

At an isolated shipyard on Poland's Baltic coast, men in coveralls used welding torches under a cold drizzle, forging an oil tanker for a customer in the Netherlands. The scene was unremarkable, save for the provenance of a dozen of the workers

"Yes, we are from the Democratic People's Republic of Korea," one of them said. "We have been here quite a while. Then he hurried away, alarm seizing his face."

The New York Times found North Korean workers at a shipyard near the German border and at Remprodex, a manufacturer of shipping containers in the nearby town of Człuchow, 100 miles southwest of Gdansk; The workers said they had arrived in Poland in early 2017.

According to the American newspaper, the State Labor Inspectorate, which regulates working conditions at Polish companies, said that, as of mid-2017, some 450 North Koreans remained in the country, employed by at least 19 companies, including a complex of greenhouses growing tomatoes south of Warsaw.

In Poland, provincial governments issue work permits to foreign laborers, and there is little coordination with national agencies. As a result, no one appears to know precisely how many North Koreans are in Poland or what they are doing, *The New York Times* reported.

The New York Times furthermore requested information on work permits issued to North Koreans from Poland's 16 provincial governments. There were nine responses that disclosed, in total, 124 new permits issued in 2017 and 253 granted in 2016. These numbers clearly contradict the official responses from the Polish authorities.

The statistics provided by various Polish authorities are therefore confusing and unreliable.

According to the official website of the Polish ministry in

charge of the issuance of work permits, 299 North Korean citizens applied for a work permit in 2016 and Poland granted it to 187 of them. These figures contradict the answer of Poland's Delegation to the OSCE who said among other things at the HDIM in 2017 that

"[...]there are no more than 550 North Korean workers in Poland. Under the existing laws, all visa applications continue to be reviewed on a case by case basis. We would like to stress that in 2016 Poland has not issued any work visas for DPRK's nationals. In 2015 we issued only 129 such visas."

Moreover, in an email dated 19 May 2017, the Polish delegation to the OSCE told *Human Rights Without Frontiers* that the number of North Korean workers in Poland as of 1 January 2017 was estimated at around 400 persons and no visas were issued in 2016.

Recommendations

Considering that the UN Security Council voted unanimously to impose strict sanctions on North Korea in order to prevent Pyongyang from acquiring hard currencies, including through its overseas workers,

***Human Rights Without Frontiers* calls again this year upon the Polish state;**

- to publicize accurate and reliable statistics concerning the number of North Korean workers still employed in Poland;
- to abide by the UN and EU sanctions;
- to abide by International Labour Organization standards;
- to stop granting new work visas to North Korean workers;
- to give a date by which the employment of North Korean

workers in Poland will end.

Human Rights Without Frontiers calls upon the OSCE to collect data from its Participating States regarding the issuance of work visas to North Korean citizens and the status of their workplace conditions; Russia is still hiring North Korean workers at an alarming rate, according to a recent report of the South Korean NGO, North Korea Database (NKDB).

Human Rights Without Frontiers calls upon the European Commission to start a full investigation on the situation in Poland and then, if necessary, to move on to the next level and start an infringement procedure against Poland in line with the legal avenues at its disposal.

Footnotes

(1) Oral statement (Video)

https://drive.google.com/file/d/13e4AECu6Ejb0djJ_BRierLJNqhsUpMuB/view

Written statement

<https://www.osce.org/odihr/396293?download=true>

(2) <https://www.osce.org/odihr/397718?download=true>

(3) An exceptional 32-minute investigation video report made by Polish journalists about the exploitation of North Korean workers in Poland is available online at the following web addresses: <https://www.youtube.com/watch?v=JNVCdL908ko> (Subtitles in English and French) <http://www.vice.com/nl/video/cash-for-kim-de-noord-koreaanse-dwangarbeiders-diezich-doodwerken-in-polen-293> (German)

More reports about North Korea's involvement can be found at the following web address: <http://www.vice.com/nl/tag/Noord-Korea> (Dutch)

(4) <http://nyti.ms/2lJiJ3H>

(5) <https://www.osce.org/odihr/266761?download=true>

(6) <https://www.osce.org/odihr/342706?download=true>

(7)

Report: <http://leidenasiacentre.nl/wp-content/uploads/2017/06/rapport-slaves.pdf>

Statistics from the official Polish website

<https://www.mpips.gov.pl/analizy-i-raporty/cudzoziemcy-pracujacy-w-polsce-statystyki/>

(8) See footnote 4.

Additional reading

Also see the HRWF Report presented at the European Parliament in 2014: North Korean Overseas Workers – Human Rights Challenges and Opportunities

<http://hrwf.eu/wp-content/uploads/2016/04/2014-North-Korea-Overseas-Workers.pdf>

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IRAN: UN human rights chief condemns execution of woman convicted as teenager

Radio Free Europe Radio Liberty (06.10.2018) – <https://bit.ly/2RB2jtp> – The UN human rights chief is condemning Iran's execution of a woman convicted of murdering her husband five years ago when she was 17 years old.

The office of the United Nations High Commissioner for Human Rights Michelle Bachelet said on October 5 that Zeinab Sekaanvand Lokran had insisted she was coerced into confessing to the 2012 murder and she was beaten by police after her arrest.

Moreover, it said, her claims of being a victim of domestic violence were not adequately considered during her trial, and she was not allowed access to a lawyer until her final trial session, when she recanted the confession that she made under duress.

Sekaanvand was executed on October 2 after her family was given only one day's notice to pay a last visit and "despite a number of appeals from UN Special Rapporteurs and the UN

Secretary-General," the UN said.

"The sheer injustice in the case of Zeinab Sekaanvand Lokran is deeply distressing," Bachelet said. "The serious question marks over her conviction appear not to have been adequately addressed before she was executed. The bottom line is that she was a juvenile at the time the offense was committed and international law clearly prohibits the execution of juvenile offenders."

Bachelet called on Iran's government to honor two international treaties it signed requiring nations to end use of the death penalty against juvenile offenders.

Dozens of other convicted juvenile offenders reportedly remain on death row in Iran, which has already executed at least five juvenile offenders so far this year. The UN rights office opposes the death penalty in all cases.

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ROMANIA: PM criticizes CVM reports during debate in European Parliament plenary session

By Irina Marica

Romania Insider (03.10.2018) – <https://bit.ly/20GBXru> – Romanian prime minister Viorica Dancila criticized the European Commission's Cooperation and Verification Mechanism (CVM) reports during her speech at the debate in the European Parliament plenary session on Wednesday, October 3, which focused on the latest reform of Romania's judicial system.

Dancila urged the European Commission to explain why the CVM reports didn't say anything about the protocols between the intelligence services and the justice institutions, and the human rights violations in Romania. She said that "millions of Romanians" were monitored by the secret services based on these protocols, "in the name of the anti-corruption fight."

"Dear MEPs, on behalf of Romania, I thank you for the invitation. I want to say from the beginning that I didn't come here to give explanations. I came because I appreciate and respect you. But I demand the same appreciation and respect for the Romanian people I represent," Dancila began her speech.

“I start with an essential question: For whom do we want to build a viable justice system in Romania? For the CVM? For the magistrates? For politicians? Obviously not! We need to make a fair justice for the citizens!”

Dancila then said that it is only fair to ask how the CVM defended the citizens’ rights, as these reports failed to talk about “the secret protocols between the intelligence services and the justice institutions.” She also talked about court rulings that showed how evidence has been falsified or how witnesses had been blackmailed to testify.

“Nothing about these things in the CVM reports. This means that this mechanism has missed its purpose for which it was created. And I officially demand to be told who wrote the CVM reports, who provided the data and omitted, unintentionally or in bad faith, these unthinkable realities in the European Union,” Viorica Dancila said.

The PM also added that the new justice laws in Romania, which have been repeatedly criticized, give judges their independence back, as political decision-makers no longer intervene in appointing and revoking judges.

“Today, I informed you all about the abuses in Romania. From now on, these things can no longer be ignored.”

The Romanian prime minister also referred to the August 10 anti-government protest in Romania and the controversial brutal intervention of the gendarmes, saying that the

Gendarmerie's intervention happened at an unauthorized meeting and targeted violent protesters who tried to occupy the government building. She believes it's not fair to accuse the Romanian Gendarmerie for its intervention, as similar events also happened in Brussels, France, Spain, Germany or the UK.

"In the end, I ask you this: Do not forbid Romania what is allowed in other states of the Union and don't let things that are unacceptable in other Member States happen in Romania! We want to be your partner, but we want you to be your equal partner," Dancila said at the end of her speech.

Frans Timmermans, the first vice-president of the European Commission, also talked at the debate. He said that the EU executive is following the latest developments in Romania with concern and reiterated that the independence of the judiciary and its ability to fight corruption are essential for a strong Romania in the EU, local Digi24 reported. He also said that, until now, the Romanian Parliament didn't respond to the recommendations of the European bodies. Moreover, he urged the Romanian authorities to initiate an investigation into the protocols of intelligence services with the institutions of justice.

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EUROPEAN COURT/ROMANIA: Bivolaru v. Romania

Excessive length of criminal proceedings concerning a conviction for sexual relations with a minor

Registrar of the Court (02.10.2018) – In today's Chamber judgment¹ in the case of Bivolaru v. Romania (no. 2) (application no. 66580/12) the European Court of Human Rights held, unanimously, that there had been:

no violation of Article 6 § 1 (right to a fair trial) of the European Convention on Human Rights regarding the complaint of a failure by the High Court to take steps to hear Mr Bivolaru in person, and a violation of Article 6 § 1 (right to a fair trial within a reasonable time) with regard to the length of the proceedings.

The case concerned criminal proceedings in which Mr Bivolaru – leader of a movement known as the “Movement for spiritual integration in the absolute” (“MISA”) – was sentenced to six

years' imprisonment for sexual relations with a minor.(*)

Mr Bivolaru left for Sweden, where he acquired political refugee status, while criminal proceedings against him were pending in Romania. He did not appear in person before the Romanian courts but was represented by lawyers of his choice. He was acquitted at first instance and on appeal, but convicted by the High Court, which could not hear him in person.

The Court found that the High Court had taken all the steps that could reasonably have been expected of it to ensure that Mr Bivolaru was questioned and that it could not be criticised for lack of diligence in any respect. Firstly, the High Court had offered to question Mr Bivolaru by video link but he had refused. Secondly, it had agreed to question him following a formal request for judicial assistance in Sweden, thus sending a request to the Swedish authorities and a list of questions to be put to Mr Bivolaru. However, the Swedish authorities had delayed in implementing the request despite a number of reminders from the Romanian authorities stressing its urgency. The Court also held that the overall length of the criminal proceedings had been unreasonable and that the delays had been attributable to the national authorities. In particular, the length of the first instance case (five years and three months) had had a decisive impact on the overall length of the proceedings (nine years, two months and two weeks). Mr Bivolaru also considered that he had been tried in absentia. He also complained of a violation of his right to respect for his private life on account of telephone tapping. The Court rejected those complaints.

Principal facts

The applicant, Gregorian Bivolaru (alias Magnus Auroldsson), is a Romanian national who was born in 1952. In March 2004 the Bucharest public prosecutor's office ordered criminal proceedings against Mr Bivolaru on charges of sexual relations with a minor and sexual perversion. The applicant was remanded in pre-trial detention from 30 March to 1 April 2004. After his release, on an unknown date, he travelled to Sweden, where, in 2006, he was granted political refugee status and given a new identity. In the meantime, the Bucharest public prosecutor's office committed him for trial in absentia. Mr Bivolaru, who was represented by lawyers of his choice throughout the proceedings, was acquitted at first instance and on appeal. The public prosecutor's office successfully lodged an appeal on points of law with the High Court, which concluded that the law had been wrongly applied. The High Court also decided that it should examine directly the evidence as well as the merits of the case.

In November 2012 the High Court offered to allow Mr Bivolaru to be questioned via video link, but he refused, preferring to be questioned following a formal request from a court for judicial assistance. The High Court therefore sent the Swedish authorities a request for judicial assistance and a list of questions to put to Mr Bivolaru. However, as the Swedish authorities delayed in implementing the request despite a number of reminders, the High Court decided that it was no longer necessary to wait for their reply. On 14 June 2013 it convicted Mr Bivolaru of sexual relations with a minor, basing its decision on the evidence in the file (witness statements, documents, recordings of telephone conversations).

In February 2016 Mr Bivolaru was arrested by the French authorities in Paris and in July 2016 he was surrendered to the Romanian authorities, who remanded him in custody. He was

released on licence in September 2017. His application to have the criminal proceedings reopened was dismissed.

In the meantime, in June 2012, Mr Bivolaru had brought tort proceedings against the State regarding the telephone tapping. The district court found in his favour on the grounds that the warrants authorising the telephone tapping had infringed his right to respect for his private life. The court awarded him the symbolic amount of 1 Romanian leu (RON, approximately 0.30 euros (EUR)) for the non-pecuniary damage suffered.

Complaints, procedure and composition of the Court

Relying on Article 6 (right to a fair trial), Mr Bivolaru complained that he had been convicted in absentia without having been heard in person by the High Court. He also complained about the length of proceedings and the refusal of the Romanian authorities to reopen the criminal proceedings.

Relying on Article 8 (right to respect for private and family life), he complained about the tapping of his telephone. In that regard he also relied on Article 13 (right to an effective remedy), alleging that he had had no access to an effective remedy.

The application was lodged with the European Court of Human Rights on 8 October 2012. Judgment was given by a Chamber of seven judges, composed as follows:

Ganna **Yudkivska** (Ukraine), President,

Paulo **Pinto de Albuquerque** (Portugal),

Krzysztof **Wojtyczek** (Poland),

Egidijus **Kūris** (Lithuania),

Gabriele **Kucsko-Stadlmayer** (Austria),

Carlo **Ranzoni** (Liechtenstein),

Marko **Bošnjak** (Slovenia),

and also Andrea **Tamietti**, Deputy Section Registrar.

Decision of the Court

Article 6 (right to a fair trial/within a reasonable time)

Regarding the complaint about being convicted in absentia, the Court dismissed the complaint on the grounds that it was manifestly ill-founded. The Court observed, inter alia, that Mr Bivolaru had been notified of the criminal charges against him, that he had been represented throughout the proceedings by lawyers of his own choice with whom he had maintained permanent contact for the preparation of his defence, and that he had known that criminal proceedings had been brought against him. The Court also noted that there had been no denial of justice and that the Romanian justice system allowed proceedings to be reopened where the accused had been tried in absentia. In that connection it observed that the district court that had dealt with Mr Bivolaru's request to have the proceedings reopened, had carried out a detailed examination of the grounds submitted by him, and had relied on logical arguments with no trace of arbitrariness before rejecting his request.

With regard to Mr Bivolaru's conviction by the High Court without having been heard in person and following his

acquittal on the merits and on appeal, the Court found that the High Court had taken all the steps that could reasonably have been expected of it within the existing legal framework to ensure that Mr Bivolaru was questioned and that it could not be criticised for lack of diligence in any respect. There had therefore been no violation of Article 6 § 1 of the Convention.

The High Court had had recourse to international judicial assistance to hear evidence from Mr Bivolaru. Two possibilities had been open to it: a video link or a formal request for judicial assistance. Firstly, Mr Bivolaru, with the advice of his lawyers, had expressly refused to be questioned by video link, although that method of questioning could have been an appropriate means of hearing him directly and properly.

Secondly, the High Court had granted Mr Bivolaru's request to be questioned in Sweden following a formal request for judicial assistance, but on account of delays by the Swedish authorities in examining that request and the lack of information regarding when the questioning could take place, it had decided not to hear the applicant. Nor had the Swedish authorities provided an explanation for failing to comply with the successive time-limits set by the Romanian authorities.

After approximately six months of exchanges between the High Court and the Swedish authorities, examination of the request for judicial assistance had still been in its initial stage and there had been uncertainty both regarding its outcome and the date when, in the event of a positive response, the applicant would be questioned. The High Court had informed the Swedish authorities that its request was urgent. Moreover, the

Swedish authorities had not informed the Romanian authorities of any procedural error in the formulation of their request for judicial assistance and the High Court had not had any other means of expediting the procedure in that regard.

Lastly, given the time taken to examine that request, which, in the light of the Swedish authorities' response, had not appeared likely to succeed, the High Court's decision not to follow the relevant procedure, made after a number of reminders had been sent to the Swedish authorities, did not, in the Court's view, appear unreasonable. The Court therefore considered that the High Court had taken reasonable steps to offer Mr Bivolaru an opportunity to be heard following a formal request for judicial assistance. Furthermore, the High Court was able to hear the applicant's submissions through his lawyers, who had been present during the examination of the appeal and had made their submissions before it and effectively defended their client's interests.

With regard to the length of the proceedings, the Court found that the length of the first-instance case had had a decisive impact on the overall length of proceedings, which, in the present case, was unreasonable. There had therefore been a violation of Article 6 § 1 of the Convention. The Court noted that the criminal proceedings had lasted approximately nine years, two months and two weeks before three levels of court (from March 2004 to June 2013). The case had been pending for approximately five years and three months before the Sibiu District Court on the grounds, *inter alia*, that many adjournments had been necessary because witnesses had not been lawfully summoned and the procedure for bringing the accused before the judge had not been correctly used. With regard to the length of the proceedings on appeal and before the High Court, the Court considered that these had been conducted

diligently.

Articles 8 and 13 (right to respect for private and family life/right to an effective remedy)

With regard to the complaint concerning the right to respect for Mr Bivolaru's private life on account of telephone tapping, the Court considered that Mr Bivolaru could not claim to be a victim of a violation of Article 8 of the Convention. The complaint was therefore incompatible *ratione personae* with the provisions of the Convention. The Bucharest Court, in its final judgment of 23 June 2015, had expressly recognised a violation of Mr Bivolaru's right to respect for his private life. In that connection the Court held that although the amount awarded by the court in respect of nonpecuniary damage had been symbolic (ROL 1), the compensation thus established was not at odds with the Court's case-law: in recent cases in which the Court had found a violation on account of incompatibility of the domestic law with Article 8 of the Convention, the Court had held that the finding of a violation in itself represented sufficient redress for the non-pecuniary damage suffered.

With regard to the effectiveness of the domestic remedy, the Court found that the complaint was manifestly ill-founded: Mr Bivolaru had had an effective remedy before the domestic courts, which had found and given redress for the violation alleged in the tort proceedings brought before them.

Article 41 (just satisfaction)

The Court held, by six votes to one, that Romania was to pay the applicant 1,200 euros (EUR) in respect of non-pecuniary damage and EUR 5,000 in respect of costs and expenses.

Separate opinion

Judge Kūris expressed a separate opinion which is annexed to the judgment.

The judgment is available only in French.

(*) HRWF Footnote

See our report about MISA school and Grigorian Bivolaru, including the case of his alleged sexual relations with a minor. HRWF interviewed her in 2013 in the presence of her husband who was her fiancé at the time of the alleged facts and she denied any such sexual relations with Grigorian Bivolaru:

<http://hrwf.eu/wp-content/uploads/2014/11/MISA-Gregorian-Bivolaru-Yoga-Practitioners-in-Romania.pdf>

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UKRAINE: Shooting of Odesa civic activist prompts warnings of danger to Ukraine's national security

By Halya Coynash

KHPG (24.09.2018) – <https://bit.ly/2zqFYrz> – There have been stark warnings about the situation in Odesa following a near fatal attack on Oleh Mykhailyk, an Odesa civic activist and leader of the People's Power ["Syla Lyudei"] party on 22 September. This is reportedly the fourteenth attack since the summer of 2017 on Odesa activists and journalists known both for their pro-Ukrainian position, and for their opposition to corruption by local officials.

It is no accident that activists and others commenting on the situation have referred to national, as well as public, security. Odesa was widely expected to fall in 2014, after parts of the Donetsk and Luhansk oblasts, and the fact that

Russia failed* to secure effective control then does not mean that it has given up trying.

Mykhailyk was shot at in a street near his home late in the evening on 22 September, with a bullet to the left side of his chest. It is possible that it hit an artery, as he lost a huge amount of blood and throughout the night his condition was too critical to even consider an operation to remove the bullet.

He regained consciousness on Sunday morning, and is reportedly in a stable, though very serious condition. It is unclear whether he is yet in a state to provide the police with any information about his assailant, but he is under guard in the hospital.

Mykhailyk's party, as the title suggests, is one firmly focused upon the role of civil society, and he himself is a well-known activist, who had been at a protest against illegal building development just that day. He has been vocal in criticizing the current Mayor of Odesa, Gennady Truchanov, a controversial politician who figures in the Paradise Papers in his capacity as member of a Ukrainian criminal gang in the 1990s. Mykhailyk was, apparently, planning to stand for election in the coming mayor elections.

Dumskaya reported on Sunday that an investigative team has been set up with this headed by somebody from the Odesa Regional Prosecutor's Office and also involving the SBU [security service].

While the investigators say that they are considering all possible motives, Mykhailyk's activist colleagues and the vast majority of people commenting on social media and in the press are assuming that Mykhailyk was targeted because of his activism and / or his fierce opposition to the Mayor and his people in power.

An open appeal, endorsed by many Odesa-based organizations and media, demands that President Petro Poroshenko call a meeting of the National Security and Defence Council to discuss the situation in Odesa and to create a single unit for investigating all attacks on journalists and civic activists. It also calls for the dismissal of the head of the Odesa Regional Police Dmytro Holovyn and his deputies; the head of the Odesa Regional Prosecutor's Office, Oleh Zhuchenko and his deputies and head of the Odesa Regional SBU Oleksandr Dovzhenko. With respect to the latter, the authors of the appeal also ask for a systematic investigation to be carried out into all manifestations of separatism in Odesa itself and in the Odesa oblast. They warn that the situation as it stands now could have extremely adverse consequences for public and national security, making the need for intervention urgent.

Tetyana Gerasimova, a local civic activist and leading member of the 2 May Group which investigated the tragic disturbances and fire on 2 May 2014, warns that the situation has gone beyond just intimidation. There is a "fight on for the billions which have already been stolen, but can still be retrieved. And the main issue remains on the agenda, namely control of Ukraine via its southern gate. Moreover the events of the last year, the attacks on the most active members of civil society beginning with that on Svitlana Podpalaya shows that the battle for Odesa has reached a critical point. It is

now vital as never before for us to remain together and not be afraid”.

Yuri Khrystensen in turn has given a worrying account of moves against civic activists over recent months. These include an orchestrated flood of complaints to Facebook against activists which is believed to have originated from an IT company linked with the Administration of Russian President Vladimir Putin. While attacks on civic activists and media may have been carried out by criminal elements, Khrystensen mentions pressure on their landlord to refuse to let his property to them, and believes that this was the work of the city authorities. Whether his explanation that Russia's Presidential Administration is playing a major role in this withstands scrutiny remains to be seen, however the combination of different and apparently unconnected forms of pressure does warrant attention.

Perhaps the bluntest warning came from Mustafa Nayyem, the Ukrainian MP who played a pivotal role in initiating the Maidan protests now known as the Revolution of Dignity. His text, circulated on Facebook and through his blog on Ukrainska Pravda, is entitled 'We are losing Odesa'. He writes that the attack on Mykhailyk reflects a dangerous trend, and notes that over the last year and a half there has effectively been an attack on an activist or journalist each month in Odesa, with 14 such attacks since the summer of 2017.

All the victims were united by two factors: “they have systematically and over many years spoken about corruption and violations by the city authorities, led by Gennady Trukhanov. Secondly, all of them hold pro-Ukrainian views.”

Such statistics for attacks are worse than any other city in Ukraine, as the SBU, Prosecutor General's Office, Interior Ministry and National Police are well aware.

Nayyem directly blames the President's Administration for the lack of adequate response. The problem, he asserts, is that there are soon to be elections and "the local authorities in Odesa have been given "the green light" for any disturbances in exchange for votes at the presidential elections".

The situation is bordering on the absurd, he writes, when even the OSCE is reporting that local illegal and pro-Russian security structures have seized control in the city, and there remains no adequate response.

Nayyem also believes that the situation in Odesa and the Odesa oblast should be discussed both in parliament and at a session of the National Security Council.

"In 2014, it was a pure miracle that the oblast did not become yet another bastion of separatism, yet four years later it is 'polite guys' [a reference to the soldiers who seized Crimea in 2014] from the local authorities who are in front of our very eyes purging the city of all those who can show resistance and act. Without a systemic solution and discussion at national level of the problem now, in the next parliamentary and local elections we will lose the city once and for all. Not because it's not ours, but because our people are leave or fall silent".

With virtually none of the attacks, either in Odesa or elsewhere in the country, having been fully solved and the culprits brought to justice, the warning urgently needs to be heeded.

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LATVIA: Majority language pushed in schools, leaving parents miffed

Teachers in the Baltic country's bilingual schools are

transitioning into teaching mostly in Latvian. Critics worry that the reform will come at the detriment of minority students – mainly ethnic Russians.

By Daiva Repeckaite

DW (08.09.2018) – <https://bit.ly/2wUPjoM> – Words in various languages adorn the stairs of Riga's secondary school No. 34. Inga Sokolova, the school's deputy headmaster, greets a colleague in a classroom with Latin and Cyrillic alphabets on the walls, and the two exchange jokes about coming to work even during the summer break. Both project an image of a happy multilingual community, where recent Chinese immigrants and traditional minorities study side by side. Yet for over a decade now, there has been uncertainty about whether bilingual schools like this, which cater to the country's large Russian-speaking minority can survive the latest attempt to 'Latvianize' them.

By the 2020/2021 school year, the government wants all 16- to 18-year-olds to study in Latvian only – except subjects related to minority languages and heritage. Currently minority schools have the option of teaching only 60 percent in the national language. Grades seven to nine will also see an increase in the amount of teaching in Latvian.

Proponents say the changes will boost integration. Critics respond that schools will struggle to recruit teachers. The government promises €3.3 million (\$3.82 million) from EU structural funds to have at least 2,700 teachers improve their language skills, but its critics question why the government seems hellbent on dismantling something that works. In November, Delfi.lv, a Baltic news site, wrote that as many as 8,000 teachers would need to improve their Latvian. Several

protests have taken place, and the Constitutional Court is scrutinizing the reform.

Parallel school systems

Over a quarter of pupils in Latvia speak another language at home, usually Russian. Sokolova says the school administration has repeatedly met with parents to reassure them. "It's not like a child will be left alone with a strange book, not knowing which side to open it from," she asserts. According to the education ministry, of the 94 state-funded minority schools, over 41 percent teach half of their curriculum in Latvian, whereas other schools mix and match the languages.

After World War II, Latvia became part of the Soviet Union, which meant that Latvians could study in their native language, but a parallel Russian-language education developed for incoming Russians and other Soviet residents, absorbing pre-war minority schools. In 1991 independent Latvia viewed these "new" residents as colonizers and required them to take a Latvian language test to gain citizenship rather than granting it automatically. According to the latest data, 11 percent of the population does not have Latvian citizenship.

The dual education system was reformed in several stages, introducing more teaching in Latvian in 2004. When researchers in the UK and Norway compared Latvian school exam results between 2001 and 2010, they found "significant deterioration" in pupils' performance in minority schools after the share of teaching in Latvian increased. It took five years for the results to return to pre-reform levels. In absolute terms, however, minority pupils continued outperforming their native-

Latvian peers in some subjects.

The reform “will expand opportunities for young people in vocational and higher education, where learning takes place in the Latvian language, as well as increase their competitiveness in the labor market,” according to Gunta Araja, head of policy initiatives and development at the education ministry.

Armen Khalatyan, whose son is in secondary school, is not convinced. He often takes to a Facebook group of Russian-speaking parents to voice his opposition to the reform. He believes it is not about integration, but rather about disconnecting Latvian-born Russian-speaking children from their heritage. “Most of them [Russian-speakers] were born in this country,” he says, one of a choir of critics who cite the results of graduation exams to prove their point: Native Russian speakers do just fine.

Minority as the majority

In the former industrial town of Daugavpils, a group of teenagers hang out by the picturesque river Daugava. One of their friends has already left for Riga, but the others have no interest in the capital, which it is far bigger, busier – and effectively bilingual. Here in their hometown, 89 percent of residents speak Russian at home.

Daugavpils is in the fast-shrinking eastern province of Latgale, but it is home to a university, a new arts center, numerous lakes and green spaces, and bustling cafes, where

Russian is nearly the only language one hears spoken. Statistically it's the least ethnic Latvian city, and one in six does not have Latvian citizenship.

The youngsters cheerfully share their experience learning Latvian, which they have succeeded at to varying degrees. One of them, who studies at the local art school, says that while all classes are in Latvian, finding information online for homework and personal projects is much easier in Russian.

'Shaming teachers'

Andrejs Zaichenko, a chemistry teacher, has been busy attending seminars for teachers to comply with the novelties of the reform. His is a minority school, and his pupils, like him, speak Russian at home. Fortunately for him, comfort in delivering his classes in Latvian is not an issue, but he still has doubts.

"[A teacher's] work will only be judged according to two parameters: Firstly, your pupils' exam results; secondly, the competitions they have taken part in," he says.

Educators like Zaichenko worry that science-inclined pupils tend to struggle with languages, and the shift may alienate them from science as well. "If a pupil asks me to explain something in Russian because he didn't understand it in Latvian, should I fulfill my duty to explain my subject, or should I behave according to the law and say, 'Sorry, I won't explain it to you in Russian. Go and read some books'," Zaichenko worries.

In June, a bilingual school received a warning from the State Language Center for conducting an event in Russian during a random inspection of 16 schools. This sent a ripple of concern across bilingual schools.

“Shaming teachers for the [approaches] they use begs the question what goal the government wants to achieve – to increase the level of education or to make everyone speak Latvian,” Zaichenko says. Both of those goals could be achieved another way, he adds: “I check the scientific facts and a Latvian teacher checks the quality of writing. This is where we need a reform: promoting cooperation among teachers. But there are not enough incentives for it – on top of all the work we do daily.”

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