

Fascism and anti-#Serb sentiments in #Croatia

EU Reporter (11.05.2020) – <https://bit.ly/3bkcuuV> – On 1 May 2020, Croatia's president Zoran Milanovic left a state ceremony celebrating the 25th anniversary of the reconquest of territories held by rebel Serbs for four years in protest of a Nazi-era salute – writes Willy Fautré, director of Human Rights Without Frontiers

The president's reaction was prompted by a war veteran who was wearing the emblem 'For the homeland ready' (Za Dom Spremni) used by the Ustashi fascists during WWII. Between 1941 and 1945, the Nazi-aligned Ustasha murdered tens of thousands of Serbs, Jews and Roma. They were known for their particularly brutal and sadistic methods of execution. Despite the connotation of the event, Prime Minister Andrej Plenković decided to stay, which demonstrated the challenges for politicians and society alike when confronted with the fascist past of the country.

The EU is currently developing a policy to support the gradual integration of the Western Balkans, including the accession of Serbia, but at the same time anti-Serb sentiments continue to increase in Croatia.

Dalmatia, a well-known touristic region along the Adriatic Sea, is one area where many Serbs do not feel at home.

An investigation with local Serbs that was carried out by Human Rights Without Frontiers (HRWF) about the situation in Zadar, the main city of Dalmatia after Split, is particularly enlightening. Since 1990, the Croatian Democratic Union (HDZ), a ruling party in Croatia and a member of the European People's Party (EPP) at the European Parliament, has continuously held the post of mayor of Zadar.

In 2008, Mayor Živko Kolega refused to lay a wreath at a monument for anti-fascists who died during WWII. Anti-fascists in Zadar objected, insisting that local and national authorities were not doing enough to combat the neo-Ustasha ideology. Anti-Serb hostility is a by-product of this fascist political agenda.

One example of how a political ideology has translated into hardship for individuals is the discrimination that Dalibor Močević faced. Močević is a Croatian citizen of Serbian descent who spoke to HRWF about the challenges he faced in receiving fair treatment by various administrations and the judiciary of Zadar.

From his birth in 1972 until 1994, Močević lived in an apartment in Zadar that belonged to his father. In 1992, his father died as a victim of the war in Bosnia after being placed in a sanatorium.

In 1993, Močević, who was employed by a merchant shipping company, returned from a one-year trip on foreign seas. He discovered that his house, which jointly belonged to him and his elderly mother, had been confiscated by the authorities and given to Croatian refugees who had been displaced by the war. After 15 years of judicial proceedings and conflicting decisions from the Zadar Municipal Court and Zadar County Court, Močević was deprived of his property rights. In 2010, he appealed this decision at the Supreme Court and then at the Constitutional Court, but to no avail.

In 2009, his mother died under suspicious circumstances. Močević requested access to a number of medical reports from the General Hospital in Zadar, which he is entitled by law, but his request was denied. He filed a complaint against the Ministry of Health but received no reply. Močević sent another complaint to the County Prosecutors Office in Zadar requesting an investigation based on his suspicions, but no criminal investigation was ever initiated.

Additionally, the second husband of his late mother, A. Radetić, who was friendly with some politicians that had dubious pasts, illegally took Močević's inheritance. In 2017, the Constitutional Court rejected Močević's complaint. Močević felt discriminated against because of the general anti-Serbian hostility that has persisted since the collapse of the Federal Republic of Yugoslavia. [On 2 May 1991](#), during one of the many clashes between Croats and Serbs, Radetić's uncle was part of a Croatian mob that ransacked over a hundred shops of Serbian companies and businesses and destroyed hundreds of Serb houses in Zadar. The police passively watched these violent incidents without interfering.

In another case concerning his divorce, Močević was denied custody of his young son despite the fact that he had been taken from his ex-wife by the local Center for Social Welfare because of her persistent alcoholism and psychiatric problems.

Močević asserts that he was repeatedly denied justice in these instances because of his Serb origin. His lawyer shares the view that Serbs in Croatia are discriminated against due to various personal or institutional collusions between a number of judges, political figures and extreme nationalists.

The President of Croatia did well to withdraw from a ceremony that had some fascist connotations, but there is still a long way to go before anti-Serb sentiments are eradicated entirely. The wars between 1991 to 2001 which led to the breakup of the Federal Republic of Yugoslavia and the current frontiers between newly established states left wounds at individual, societal and institutional levels. These urgently need to be healed for the wellbeing of all Croatian citizens and so as to allow successful integration of the seven Western Balkan states into the EU.

Willy Fautré is director of Human Rights Without Frontiers

SOUTH KOREA: The Coronavirus and the Shincheonji Church: A White Paper

[et_pb_section admin_label="section"]

[et_pb_row admin_label="row"]

[et_pb_column type="4_4"][et_pb_text admin_label="Text"]EU Reporter (24.03.2020) – <https://bit.ly/2WPcBv7> – *The whole world is currently facing a coronavirus pandemic that originated in China and quickly expanded to South Korea where a church was demonized for allegedly spreading the virus throughout the country, writes Willy Fautré, director of Human Rights Without Frontiers.*

In the international media cacophony that has been raging for a couple of months on this issue, there is a lot of fiction and fake news about it. A 30-page [White Paper](#) has just been published in five languages by a prominent scholar in religious studies, human rights activists, a reporter and a lawyer who have researched this phenomenon in South Korea. Distinguishing fact from fiction was their sole objective. After a thorough investigation, they have de-constructed about 20 biased and false stories, among many others, to which they have opposed facts. Here are some of these debunked fake news circulated in South Korea:

Fiction: The so-called Patient 31 identified as a Shincheonji member from Daegu has been accused of refusing to be tested twice because of her religious beliefs, of attacking a nurse

and of hereby infecting many other coreligionists.

Fact: On 7 February, she was admitted to Saeronan Korean Medicine Hospital for a minor car accident and developed a cold that, she says, was attributed to an open window in the hospital. She insists that nobody mentioned coronavirus as a possibility to her, nor suggested a test. Only the following week, after her symptoms worsened, she was diagnosed with pneumonia, and then tested for COVID-19. That, when quarantined, she started screaming and assaulted the nurse in charge in the hospital, was reported by some news but denied by both her and the nurse.

Fiction: Shincheonji has been accused of teaching its members to rely on the sole protection of God and to reject any medical treatment.

Fact: Shincheonji does not teach its members that they are immune from sickness and should reject medical treatment when it is needed. On the contrary, its message to its members has been to follow the instructions of health officials and political authorities in response to the COVID-19 outbreak. It is also not true that Shincheonji's religious services are uniquely unhygienic because participants sit on the floor rather than on chairs or benches; in fact, this is common in many religions, such as Buddhism or Islam.

Fiction: Shincheonji was accused of not being concerned about the epidemic and of delaying the closure of its religious services.

Fact: On 25 January 2020, and again on 28 January, Shincheonji's leadership issued orders that no Shincheonji members who had recently arrived from China could attend church services. Moreover, the same day that the patient was tested positive, Shincheonji suspended all activities in its churches and mission centers, first in Daegu and within a few hours throughout South Korea.

Fiction: Shincheonji was accused of dragging its feet when the authorities asked for the list of all their church members. It was also reproached that it delayed the compilation and submission of this list, and that it was intentionally incomplete.

Fact: There is no such evidence that Shincheonji deliberately tried to hamper the authorities' efforts. Shincheonji has more than 120,000 members and so it took time to collect such information. Shincheonji complied as quickly as it could. The Catholic Church or Protestant Churches might have been unable to provide such information or might have refused on privacy grounds. Unfortunately, after Shincheonji submitted this list, the identities of a number of its members were leaked to the public. This had catastrophic consequences for many of them, such as public stigmatisation and job loss.

The question is: Why is there an anti-Shincheonji campaign in South Korea and who is behind it?

The fictitious stories and biased news have primarily been created and circulated by fundamentalist Protestant Churches that use them to call for the banning of Shincheonji. For

years, they have been vainly fighting against Shincheonji under their crusade against theological heresies, but in reality, Shincheonji is targeted because it is a fast growing movement that threatens their membership. Those fundamentalist churches are conservative and anti-liberal, and represent a powerful majority in South Korea. They organise rallies and occasionally resort to violence against groups they label as “cults,” LGBTQI people, and Muslim refugees seeking asylum in Korea. They consider Islam to be a demonic religion that is inherently inclined to terrorism.

On 6 February 2020, the U.S Commission for International Religious Freedom (USCIRF), an independent, bipartisan federal government entity, issued a declaration stating: “USCIRF is concerned by reports that Shincheonji church members have been blamed for the spread of #coronavirus. We urge the South Korean government to condemn scapegoating and to respect religious freedom as it responds to the outbreak.”

The authors of the White Paper second this conclusion and appeal to the South Korean authorities. COVID-19 cannot be an excuse to violate the human rights and religious liberty of hundreds of thousands of believers.

Willy Fautré is director of Human Rights Without Frontiers.

[Read the white paper here.](#)

Abuse of pre-trial detention and terrorism charges by Spain to be denounced at the UN

EU Reporter (08.01.2020) – <http://bit.ly/2QVKSEq> – Spain has again been accused by several civil society actors of abusing pre-trial detention and applying detention conditions reserved for terrorists to people who have not been convicted of terrorism charges. Fair Trials, Human Rights Without Frontiers and a practising lawyer have filed [submissions relating to the UN Universal Periodic Review \(UPR\)](#) of Spain's human rights record which will take place in Geneva on 22 January 2020 – writes Willy Fautré, director of [Human Rights Without Frontiers](#)

***Fair Trials*: Misuse of terrorism charges**

In its submission, *Fair Trials* highlighted a case in October 2016 of a fight between a group of young people ranging from 19 to 24 years old and two other men. The altercation occurred in a bar in the town of Alsasua, in Navarre. The youths that were involved were charged with terrorism by the authorities.

***Fair Trials* outlined the case as follows:**

“In November 2016, 10 youths were arrested, and three were placed in pre-trial detention in different prisons in Madrid,

400 km away from their homes, under a special supervision and control regime by prison services (*Ficheros de Internos de Especial Seguimiento*)*. Their pre-trial detention lasted over one and a half years, from November 2016 until they were sentenced in June 2018. Whilst they were not convicted on terrorist charges, 8 young adults were ultimately convicted and given sentences varying from 2 to 13 years in prison because of aggravating factors including 'ideological discrimination'."

In summary, *Fair Trials* stated that:

"The overuse of pre-trial detention and lack of alternative measures remain systemic problems in Spain, which in some cases is further exacerbated by the misapplication of terrorism charges.

There have been no legislative or practical developments that would have any significant impact on the frequency with which pre-trial detention is applied in Spain since the last UPR, nor are there any future plans to introduce such legislation."

Human Rights Without Frontiers: Abusive use of harsh pre-trial detention conditions officially reserved for terrorists and violent offenders

Last year, *Human Rights Without Frontiers* went to Las Palmas to investigate the case of the Kokorev family, who were all arrested in 2015.



Vladimir Kokorev

Each spent more than 2 years in pre-trial detention, until released without bail and ordered confinement to the island of Gran Canaria *sine die* pending trial. For most of this time (18 months) their lawyers had no access to their case file under a controversial regime called “*secreto de sumario*” and they experienced particularly harsh prison conditions typically reserved for terrorists, terrorism suspects and violent criminals (*Fichero de Internos de Especial Seguimiento, level 5 or FIES 5*)*, even though Vladimir Kokorev (now 65), Yulia Maleeva (now 67) and Igor Kokorev (now 37) have never been accused of using or inciting violence.

In 2019, [Human Rights Without Frontiers](#) denounced these abuses in a report at the annual OSCE/ODIHR conference on human rights in Warsaw, at the UN in Geneva through written and oral declarations, as well as during the UPR pre-session.

In addition, the Spanish authorities have been accused of turning a blind eye to evidence of irregularities and possible wrongdoings by the police inspectors in charge of the investigation, up to and including attempts to fabricate evidence against the Kokorevs.

Their lawyers have also repeatedly denounced the lack of

supervision by the investigating magistrate and the Canarian Court of Appeals (Audiencia Provincial de Las Palmas) of the investigators, which has resulted in judicial rubber-stamping of dubious police work. The Spanish judges have, in turn, flatly refused to examine the evidence against the police and to review their work until such time as the Kokorevs can be put on trial, which after 16 years of investigations is still nowhere in sight.

Vladimir Kokorev's son, Igor, has denounced in an interview that the Kokorev case is a classic miscarriage of justice and expressed concern for his father's worsening health, warning that he may not survive until the trial.

As of 2020, the Kokorevs' lawyers have not received any evidence of the alleged criminal activity of their clients, nor have their clients been formally charged.

Scott Crosby of the Brussels Bar: Recommendations

Scott Crosby, avocat, filed an application with the European Court of Human Rights in 2019 regarding the Kokorev case. He also sent a submission in the context of Spain's UPR regarding a number of cases related to Article 5 of the European Convention (the right to liberty and security of person) in which Spain was held to have violated the Convention. Additionally, he discussed a case where a Spanish citizen was detained for four years despite the absence of any evidence before he was declared innocent.

His recommendations to Spain through the UPR process are to:

- repeal the law on incommunicado detention;
- cease holding detainees without formal charges;
- make much more extensive use of alternatives to prison detention;
- cease using the FIES 5* classification for non-dangerous inmates;
- abolish the *secreto de sumario* regime;
- cease using pre-trial detention as a means of punishment;
- respect the presumption of innocence;
- and respect the special diligence obligation.

These recommendations clearly identify a number of serious shortcomings in Spain's justice system and are in line with complaints raised over the years by human rights NGOs in the international arena. Spain should comply without delay with its commitment to respect international, and European human rights standards.

(*) Author's note: In 1996, Spain adopted a law introducing a special status and treatment for certain prisoners during their pre-trial detention. Known by the acronym FIES, which stands for The Register of Prisoners requiring Special Surveillance (Fichero de Internos de Especial Seguimiento), the system originally pursued a legitimate objective. Since then, however, the law has been misapplied and is now being imposed on non-violent and non-dangerous persons resulting in unfair detention conditions and extensive pre-trial detention periods. FIES 5 is the harshest level of detention conditions. It is meant for terrorists, terrorism suspects, war criminals and sex offenders.

Abuse of an anti-terrorism law in Spain spotlighted at the UN in Geneva and the OSCE in Warsaw

Over the last few days, the abuse of a law against terrorism was spotlighted both at the UN in Geneva and at the annual human rights conference of the OSCE/ ODIHR in Warsaw – writes Willy Fautré , director of Human Rights Without Frontiers

EU Reporter (23.09.2019) – <https://bit.ly/2kFfWMq> – An emblematic case in point is the abuse suffered by the Kokorev family (Vladimir Kokorev, his wife and their son), in which the Spanish judge put three family members in a lengthy pre-trial detention, combined with no access to their case file (a regime called “secreto de sumario”), and particularly harsh prison conditions reserved for terrorists and violent criminals (called FIES regime under Spanish laws). At the 42nd session of the UN Human Rights Council, a spokesperson of *Human Rights Without Frontiers* made an oral statement highlighting the case of such an abuse suffered by the Kokorev family (Vladimir Kokorev and his wife, both in their sixties, and their 33-year old son).

A Spanish judge put them in a lengthy pre-trial detention, combined with no access to their case file (a regime called “secreto de sumario”), and particularly harsh prison conditions reserved for terrorists, terrorism suspects and

violent criminals. Under Spanish law, this system of extreme surveillance is known as **Ficheros de Internos de Especial Seguimiento**, level 5 or **FIES 5**.

All three family members, who never used or incited violence, were imprisoned in late 2015 on a vaguely worded suspicion of money-laundering. Two of them were detained until late 2017 and one until early 2018. No formal charges were brought forward because there was no evidence that the Kokorev family had handled illicitly generated money.

Towards the end of these two years of imprisonment, their detention was extended for a further two years, despite the absence of a formal charge and evidence of a predicate crime. However, after a number of Members of the European Parliament held a round table in Brussels to denounce the misuse of the FIES system, the extension of their pre-trial detention by two more years was changed to territorial confinement. This measure restricts the family to Gran Canaria and requires them to report weekly to the local court.

As the Kokorev case demonstrates, the FIES system seems to be implemented in an indiscriminate and inconsistent manner without proper supervision and control mechanisms.

This case was part of the campaign of *Human Rights Without Frontiers* against the controversial FIES system which for many years has been criticized by the United Nations, the Council of Europe, Spanish MPs and MEPs as well as by human rights organizations.

At the UN in Geneva, ***Human Rights Without Frontiers*** recommended that Spain

- reform the FIES system by publicly outlining specific criteria for each status from FIES 1 to 5 and clarifying a chain of command and decision-making process for the placement of prisoners under each of the FIES statuses;
- improve detention conditions in both prisons in Gran

Canaria, including an increase in the number of staff at both facilities;

- review the implementation of the Directive 2012/13/EU of the European Parliament and of the Council from 22 May 2012 regarding the right to information in criminal proceedings to ensure that the ***secreto de sumario*** regime does not compromise the rights of the detainees, in particular that no evidence or reasoning on which pretrial detention is grounded is withheld from them.

At the OSCE conference in Geneva, *Human Rights Without Frontiers* recommended that Spain

- repeal the law on incommunicado detention;
- cease holding detainees without formal charges;
- make much more extensive use of alternatives to prison detention;
- stop applying the FIES classification for non-dangerous inmates;
- abolish the *secreto de sumario* regime;
- put an end to pre-trial detention as a means of punishment;
- respect the presumption of innocence;
- respect the special diligence obligation;

Human Rights Without Frontiers also encouraged Spain to comply with the recommendations of the United Nations and the Council of Europe. The Brussels-based NGO concluded by calling upon the OSCE/ODIHR to include this issue in their collaboration program with the Venice Commission of the Council of Europe.

CHINA: Roundtable discussion at the European Parliament about religious freedom (video)

On the occasion of Human Rights Day (10 December), Human Rights Without Frontiers (HRWF) in collaboration with EU Reporter has held a roundtable discussion at the European Parliament about religious freedom in China. China is regarded as one of the worst offenders of this human right as one million Uyghur Muslims are in re-education camps, crosses have been removed from the top of Catholic churches, Protestants are under heavy pressure and are often put in prison, over 1,200 Church of Almighty God members are now in prison, and more than 2,000 Falun Gong practitioners are now in prison ([see database of prisoners here](#)). Furthermore, all believers who are arrested often face physical and mental torture and are forced to recant their faith if they want to get released.

Human Rights Without Frontiers calls upon China

- to put an end to the detention of Uyghur Muslims and believers of all faiths in re-education camps;
- to respect its international obligations concerning freedom of religion or belief;

Human Rights Without Frontiers calls upon the international community, including the European Union,

- to press China to respect the individual right to have a religion, to manifest one's religion in public and in private, to create religious associations, to peacefully worship and assemble for religious purposes;

- to grant political asylum to any Chinese citizen persecuted in his country because of his/her faith and not to deport them back to China.

Program of the video (about 25 minutes)

MEP Zdechovsky (EPP): 00.00 – 09.05

Lea Perekrests (HRWF): 11.00 – 12.45

Willy Fautre (HRWF): 12.45 – 16.00

Dr Zsuzsa Anna Ferenczy: 16.05 – 22.00

Lea Perekrests (HRWF): 22.00 – 23.00

Dr Zsuzsa Anna Ferenczy: 23.00 – 25.14

Willy Fautre (HRWF): 25.14 – 25.35

.....

If you want to be regularly informed about different violations of human rights in the world, [click here](#) for a free subscription to our newsletters!

Also:

HRWF database of news and information on over 70 countries: <http://hrwf.eu/newsletters/forb/>

List of hundreds of documented cases of believers of various faiths in 20 countries: <http://hrwf.eu/forb/forb-and-blasphemy-prisoners-list/>