

WhistleWire

News from the Southeast Europe Coalition
on Whistleblower Protection



WHISTLEBLOWERS
Aleksandar Obradovic
Mislav Kotarac
Gjorgji Ilievski

NEW REPRISAL CASES REVEAL WEAK RIGHTS

by Mark Worth and Dragana D. Matović
Coalition Staff

Over the past five years, Southeast Europe has led the world in strengthening whistleblower rights. Thanks to the hard work of policy-makers, activists, journalists and citizens, every Western Balkan country now has a whistleblower protection law on the books. All of these laws contain most European and international standards.

So, whistleblowers have nothing to worry about, right? Wrong.

Three ongoing retaliation cases show that the region has a long way to go before employees and citizens can report crime and corruption without the fear of prosecution, firing and other reprisals. The cases also reveal that strong laws are one thing. Actual protection in real-life situations is something else.

'WE HAVE MORE TRUST IN INVESTIGATIVE REPORTERS'

On September 18 the Serbian Security Intelligence Agency (BIA) arrested Aleksandar Obradović at the Krušik weapons factory in Valjevo. This was three days after Arms Watch reported that the state-owned company was involved in exporting munitions ultimately obtained by Islamic State fighters in Yemen. Krušik is connected to Branko Stefanović, the father of Serbian Vice Prime Minister Nebojša Stefanović, according to media reports.

"I didn't lie or falsify anything. These are the facts – and only part of them – on the dealings of Krušik," Obradović told the Balkan Investigative Reporting Network (BIRN).

According to BIRN, prosecutors are investigating Obradović on suspicion of revealing trade secrets, a crime punishable by up to 10 years in prison. He was held in Belgrade Central Jail until protesters who gathered outside pressured authorities to release him to house arrest. He finally was freed on December 18.

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Welcome to the first issue of
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on Whistleblower Protection



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Obradović told BIRN he didn't trust Serbian authorities to investigate the evidence, so he went directly to the media. "It's pitiful that in this country we have more trust in investigative reporters than in the state's investigative bodies," he said.

Led by BIRN, activists around the world are campaigning for the prosecution of Obradović to end, and for the scandal to be fully investigated. Joining the campaign are the Southeast Europe Coalition on Whistleblower Protection, European Center for Whistleblower Rights, and Whistleblowing International. Obradović's case graphically illustrates the need to strengthen Serbia's whistleblower law.

'I WILL LITERALLY DECAPITATE YOUR HEAD'

In Croatia, Mislav Kotarac has been publicly scorned and privately threatened after he alleged widespread corruption and misconduct within Croatia's Energy Efficiency and Environmental Protection Fund (FZOEU). The public agency finances conservation, sustainability, renewable energy and other environmental projects.

This past spring Kotarac went public with the fact that he had regularly reported to Croatian authorities – to no avail – evidence of abuse of authority, recruitment irregularities, property fraud, conflicts of interest, and the non-transparent spending of public funds to influence parliamentary elections. Kotarac detailed his disclosures in the publication *Dnevno* (in Croatian).

Kotarac has shared with the Southeast Europe Coalition on Whistleblower Protection extensive details about alleged financial and management irregularities.

"The Fund always has been and will be in a gray area that does not follow compliance with the law," Kotarac said in a lengthy interview with *Dnevno* in September. He said internal Fund audits, the state auditor, Ministry of Finance, independent auditing companies and official documents "confirm the existence of a whole series of irregularities in the Fund's operations."

It's not easy for me at this moment to live a normal life in Croatia as a whistleblower.

– Mislav Kotarac

The Fund's then-director, Dubravko Ponos, retaliated against Kotarac by issuing this threat last year: "I will literally decapitate your head." Kotarac tape-recorded the conversation, which eventually was released to the public and led to Ponos' dismissal in October.

"Threats, violence, aggression and profane speech are everyday patterns of Ponos' behavior – with no exception," Kotarac told *Dnevno*. Kotarac was told Ponos has threatened journalists and editors with

lawsuits "so that the truth would not be disclosed to the public," and that Ponos bragged about stopping the publication of "compromising articles."

Kotarac told the Coalition that public officials have "spoken out against me in a series of lies and slander. So it's not easy for me at this moment to live a normal life in Croatia as a whistleblower – as a victim of violence and lies from a corrupt system. But I will survive somehow."

'OVERNIGHT PUBLIC HERO AND ROLE MODEL'

In North Macedonia, Education Ministry inspector Gjorgji Ilievski was demoted in May after he alleged three high-ranking government officials – including the education minister himself – illegally received academic titles at the State University of Tetovo.

As part of his official duties as the ministry's chief inspector for higher education, Ilievski discovered university certifications were given improperly to Education Minister Arbr Ademi, Deputy Interior Minister Agim Nuhiu, and State Industrial Property Director Safet Emruli, according to media reports.

Every day I am being mobbed. Institutions are ignoring my complaints.

– Gjorgji Ilievski

To no avail, Ilievski told many public agencies and officials in Skopje about the irregularities, including his supervisor, prosecutors, anti-corruption officials and the financial police. Ilievski said that several high-ranking officials pressured him to keep silent and withdraw his reports, threatened to discipline him, and warned him to be careful because he has a family and children.

Ilievski was demoted to a lower-paying position with lesser responsibilities, which he is formally appealing. He has met with the Dutch and French embassies in Skopje, and informed the local European Union office about the retaliation campaign against him.

"Every day I am being mobbed. I don't receive work assignments," he told the Coalition. "The only institution that has reacted is the public law defender, which found a lot of irregularities. Other institutions are ignoring my complaints and forcing me to seek justice in court."

Though he is set to retire in January 2020, Ilievski said "I intend to go on with my fight." Among other actions, he has asked North Macedonia's Constitutional Court to decide on the constitutionality of allowing former public officials to be given teaching and academic titles. Ilievski was called an "overnight public hero and a role model" by *Republika*.

The Coalition has advocated on Ilievski's behalf to high-ranking public officials in Skopje and Brussels.

NETHERWORLD WHISTLEBLOWER

Army dissident **Alexandru Rjavitin** feared tortured in underground Transnistrian dungeon

photo: Radio Europa Liberă

by Mark Worth

Coalition Co-coordinator

In a prison cell six meters underground, in one of the most sequestered places on Earth, sits Alexandru Rjavitin – a whistleblower without international attention in a country without international recognition.

Rjavitin has been held captive for the past month in a dungeon in Tiraspol, the Moldovan city that the breakaway land of Transnistria considers to be its capital. According to activists and media reports, he has been denied food, medical attention and even a visit from his mother in the subterranean “militia detention isolator.” People close to the situation worry he is being tortured to coerce on confession on fake charges.

Transnistrian authorities grabbed the 25-year-old Moldovan citizen from his family home in the small village of Pervomaisc last December 18. Rjavitin had been wanted since 2015, when he fled to the Moldovan capital of Chişinău rather than forcibly serving in the Transnistrian army. After he was drafted into service by what the NGO Promo-LEX calls “paramilitary groups,” Rjavitin said he suffered torture, bullying and extortion by military officers.

To escape, he swam across the Dniester River and walked for three days to Chişinău in his military uniform and flip-flops. There, Promo-LEX provided legal and other assistance that enabled Rjavitin to stay in Moldova and find a job.

Transnistria – officially known as the Pridnestrovian Moldavian Republic – is a 15-mile-wide strip of land lodged between Moldova and Ukraine. The breakaway state has its own parliament, military, postal service and national anthem. It’s the last remaining country in the world with the hammer-and-sickle on its flag, and the only place known to have coins made of plastic.

In a documentary produced by Radio Europa Liberă, Rjavitin recounted and demonstrated widespread abuses within the Transnistrian military – in particular against young draftees.

“Very often the soldiers are beaten and humiliated. There are many types of hits. I can show one. You lie down, put one hand behind your back, and you are hit with the boot in the chest with such power that you overturn. The boot weighs a kilo and a half. Given the power of the blow, it’s like two tons. It hurts really hard. It can just break your ribcage.”

In the film he acted out a punishment called Festal – “when you put your hand on your cheek and you are hit either with a fist or a foot. The blow is absorbed by the brain and hurts very hard, but there are no bruises or traces.”

“Chaos and disorder reign in the army,” Rjavitin told Radio Europa Liberă. “Nobody monitors the situation. There is no control. Every man who goes into the army is broken and mocked to make money.”

Rjavitin reportedly has been charged with high treason and disclosure of state secrets, for which he could be imprisoned for 20 years.

With public pressure mounting, Moldovan officials have begun to take action. A few hours after a press conference held on January 10 by members of Moldova’s Party of Action and Solidarity, Moldovan Reintegration Minister Alexandru Flenchea announced he would discuss the issue with Transnistrian officials.

More progress came on January 15, when officials in Tiraspol publicly confirmed Rjavitin was being held. Flenchea said a Transnistrian negotiator assured him he would discuss providing access for Rjavitin’s lawyers, doctors and family members.



MURAT MEHMETI: KOSOVO'S SUPER-WHISTLEBLOWER

Enduring death threats and dismissals, Mehmeti's corruption revelations lead to prosecution of tax cheats

by **Mark Worth**

Coalition Co-coordinator

PRISHTINA – In the Balkans today, it would be difficult to find a more dedicated and effective whistleblower than Murat Mehmeti. For the past three years, Mehmeti has dealt with harassment, workplace retaliation and death threats from organized crime thugs since he exposed one of the biggest tax scams in Kosovo's history.

In November 2016, Mehmeti blew the lid off of an elaborate tax-evasion scam that went on for years and robbed Kosovo's public budget of millions of euros.



*Kosovo tax fraud whistleblower **Murat Mehmeti** appearing on the TV show "Jeta në Kosovë" in 2016 (photo: Balkan Investigative Reporting Network)*

Three years later, justice has arrived for all – for Mehmeti, for the people of Kosovo, for the country's still-developing democracy, and for the alleged perpetrators.

On Dec. 18, prosecutors charged Safet Krasniqi, a former high-ranking official at the Tax Administration (ATK), with abusing his official position. Prosecutors say that from 2013 to February 2019, Krasniqi failed to investigate

businesses evading taxes by generating suspicious invoices and fake transactions with shell companies.

Krasniqi went so far as to authorize other ATK officials to alter the fake tax documents in order to cover up the swindle, prosecutors have alleged. Along with 120 companies, Krasniqi also personally benefited from the scam, which robbed Kosovo's public budget of about €4 million euros in tax payments, according to local media reports.

Mehmeti, a soft-spoken former police officer with a low-pitched voice and firm handshake, has come full circle – from being the target of retribution to be hailed a national hero.

Mehmeti exposed the scheme in dramatic fashion. He appeared on the investigative TV news show "Jeta në Kosovë" ("Life in Kosovo") in November 2016 and explained the scheme to Jeta Xharra, Kosovo director of the Balkan Investigative Reporting Network (BIRN). He said the "industrial scale" scam involved four shell companies that were registered for the sole purpose of issuing fake invoices so that more than 300 real businesses could evade paying taxes.

Worse still, Mehmeti said high-ranking ATK officials refused to investigate most of the crimes. He said they harassed him and offered him promotions as a bribe to drop his investigation.

CNN-BALKANS HACKED AFTER PUBLISHING WHISTLEBLOWER ARTICLE

On January 29 the website of CNN's affiliate in the Balkans – N1 – was cyberattacked shortly after an article was posted about Serbian whistleblower Aleksandar Obradović. The website remained crashed the following day.

The N1 article was about an international monitoring mission to observe the prosecution of Obradović. Obradović was arrested last September after he revealed that Serbian state-owned weapons company Krušik allegedly was involved in dealing munitions obtained by Islamic State in Yemen.

The monitoring mission is being organized by Whistleblowing International, the Southeast European Coalition on Whistleblower Protection, and European Center for Whistleblower Rights. These are the only regional and international whistleblower NGOs that have publicly come to Obradović's defense. Leading the media coverage of the case is the Balkan Investigative Reporting Network (BIRN).

The monitoring mission is needed because Serbia's criminal justice system ranks 78th out of 126 countries surveyed in the World Justice Project's Rule of Law Index. Serbia's ranking is tied with Cote d'Ivoire, Lebanon, Morocco and Tanzania.

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