



Weekly Briefing

Serbia social briefing:

The Public prosecutor's requested ban on the “Leviathan” movement

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Summary

Serbian society by the end of July was pleasantly surprised by the news that the Supreme Public Prosecutor's Office sent a request to the Constitutional Court of Serbia to ban the movement “Leviathan”. Submitted request is citing three grounds: endangering minority and human rights, actions aimed at spreading racial, religious and national hatred, and actions as a paramilitary organization. The request was submitted by public prosecutor Mr. Goran Ilić.

Introduction

The Leviathan movement was spontaneously formed in 2015 and since then “round the clock rescues and treats endangered and abused animals”. The public found out about them through the Facebook social network, and, in a short time, they went from animal protectors to an organization that openly promotes far-right views. Instead of “round-the-clock animal rescue”, this group became recognizable for its arrests and participation in right-wing rallies. Because of such engagements, the Public Prosecutor's Office of the Republic of Serbia sent the Constitutional Court a request to ban the right-wing association Leviathan.

Between the declared and the actual

It took several years for the Leviathan movement to transform itself from a movement focused to concern for animal protection into an extreme right-wing organization whose members in black shirts and with hoods on their heads make many citizens uncomfortable. They appeared in public in 2015 and presented themselves a “self-sustaining and independent Movement created as a result of a systemic problem and non-implementation of the Animal Protection Law”.¹ They mainly marketed their activities through social networks. Members of

¹ “Razvojni put Levijatana: Od brige za pse do potere za migrantima”, *Istinomer*, 29/05/2020, <https://www.istinomer.rs/analize/razvojni-put-levijatana-od-brige-za-pse-do-potere-za-migrantima/>, accessed on: 03/08/2023.

this movement took photos of themselves in phantoms and posted the photo on social networks with a threatening message for those who hurt animals.²

In the following year, 2016, videos from their Facebook page, which is now followed by more than two hundred thousand people, become popular on social networks. Actions to save injured animals are accompanied by videos of Leviathan's leader, Pavle Bihali, offering a monetary reward for information about dog abusers.

Two years after the "spontaneous gathering", Leviathan in 2017 became a topic in all media in Serbia, including some in the region. Animal protectors, who all the time present themselves as activists and fighters for justice, receive more and more criticism in the public over time, while support on social networks grows. They slowly entered traditional media from social networks. Then their rhetoric becomes more and more harsh, and videos have appeared in the public where tattooed young men with phantoms on their heads can be seen breaking into houses, threatening and spreading hate speech.

The initial online support made possible starting their expansion in the region in 2018. In Serbia, they re-register the Leviathan Movement foundation, which will also work in Croatia and Bosnia and Herzegovina. Due to the disturbing contents of their videos, the Prosecutor's Office for High-Tech Crime ordered the police to gather information about the activities of this movement.³ This order was explained as: "The threat that the safety of a person will be threatened by an attack on the life or body of that person or a person close to him is punishable by the Criminal Code as the criminal offense of Endangering Security. Also, threats of violence can be elements of other criminal acts, especially in the area against the freedoms and rights of man and citizen. Competent detection and prosecution authorities act ex officio when there are legal grounds for doing so."⁴

That order was both reasonable and justified witness the acts of Leviathan that followed. In 2018, Pavle Bihali used social network to threaten the owners of a dog shelter.⁵ In April 2019, Leviathan launched a petition requesting the amendment of the Law on Animal Welfare and the Criminal Code of Serbia, in order to create a special department within the MUP, the

² "Istorija Levijatana: Od prava životinja do ekstremne desnice i izbornog neuspeha", *Danas*, 27/07/2023, <https://n1info.rs/vesti/istorija-levijatana-od-prava-zivotinja-do-krajnje-desnice-i-izbornog-neuspeha/>, accessed on: 03/08/2023.

³ "Razvojni put...", op. cit.

⁴ Ibidem.

⁵ "Saznajemo: Zašto je od Ustavnog suda zatražena zabrana Levijatana: Imaju pet presuda za mučenje ljudi koji su kritikovali Pavla Bihalija", *Nova*, 30/07/2023, <https://nova.rs/vesti/hronika/saznajemo-zasto-je-od-ustavnog-suda-zatrazena-zabrana-levijatana-imaju-pet-presuda-za-mucenje-ljudi-koji-su-kritikovali-pavla-bihalija/>, accessed on: 03/08/2023.

so-called animal police.⁶ Their appetite is growing and in November 2019 they announce readiness to go to the elections⁷. At the time, Bihali said that the movement “does not have any pretensions to power, but they just want to focus locally on asylum issues, changes in laws concerning rapists, paedophiles, children and animals”. The announcement that they were going to the polls was accompanied by the idea of Leviathan to protect “animals and the weak”. Reactions on social networks were stormy. Soon, however, the pandemic broke out, a state of emergency was introduced, and this organization used the moment to “explain” its supposed close relationship with the police. Their mission to control fake news was also added to the protection of the weak.

In May 2020, one member of Leviathan drove into the Reception Centre for Migrants and Refugees in Obrenovac, for which he was sentenced to eight months in prison.⁸ Sergej Trifunović, the leader of the Movement of Free Citizens at the time, told N1 in July 2020 that he was attacked by someone from Leviathan at a protest in front of the Serbian Parliament.⁹ In October of that year, the police in Belgrade arrested six members of the “Leviathan” group who were suspected of beating a person in early October, as announced by the prosecution.¹⁰

In November of the same year, the Protector of Citizens asked the police for information about the action attributed to Leviathan, after videos of masked men patrolling the centre of Belgrade with batons and dogs, and intercepting migrants with threats of banning them from moving around the city, spread on social networks.

In May 2021, the Commissioner for Protection of Equality has ordered the Leviathan Movement, a far-right group operating under the guise of an animal protection organization, to stop publishing discriminatory content and to remove any already published content that incites hatred towards Roma. The decision was announced on May 12, 2021, after the European Roma Rights Center (ERRC) filed a large number of complaints, written off by Roma men and women

⁶ “Razvojni put...”, op. cit.

⁷ In 2020, Leviathan registered as a political party, and in the elections boycotted by almost the entire opposition, they won 0.7 % of the vote, while in last year's parliamentary elections, Bihali was at the head of the Russian Minority Union list, which won 0.25% of the vote.

⁸ “Ustavni sud Srbije dobio predlog tužilaštva za zabranu Levijatana”, N1, 31/07/2023, <https://n1info.rs/vesti/ustavni-sud-srbije-dobio-predlog-tuzilastva-za-zabranu-udruzenja-levijatan/>, accessed on: 03/08/2023.

⁹ Ibidem.

¹⁰ Ibidem.

from Serbia, through the local organization Vojvodina Roma Center (VRC), against the right-wing group.¹¹

In October 2021, Leviathan activists secured a gathering where signatures were collected for the abolition of the murderer of Prime Minister Zoran Đinđić. Although their actions were described as a direct violation of the Constitution, for some reason, the state did not prohibit their existence.

In March of this year, the Center for Investigative Journalism of Serbia announced that Pavle Bihali is under the scrutiny of the prosecution for spending money from the 2022 election campaign. The Higher Public Prosecutor's Office in Belgrade has begun to check how the money from the campaign account of the Russian Minority Alliance coalition, which was used by Pavle Bihali, was disposed of. Bihali denied having committed a crime.¹²

Given deeds led to filing a request to the Constitutional Court to ban the Leviathan movement. The Supreme Public Prosecutor's Office submitted a request to the Constitutional Court to ban Leviathan citing three grounds: endangering minority and human rights, actions aimed at spreading racial, religious and national hatred, and actions as a paramilitary organization.

The Public prosecutor's request for the prohibition of Leviathan sends the message that it protects the “public interest determined by law” - as the constitutional definition says. That is, perhaps the prosecution is sending a message to the public that it is working for the benefit of all, seeking to legally eliminate an organization that it assumes is extremist and as such an instigator of hatred, a violator of human rights or a destroyer of the constitutional order.

¹¹ “Poverenik za zaštitu ravnopravnosti utvrdio je da je pokret Levijatan izvršio diskriminaciju”, *Roma World*, 27/05/2021, <https://romaworld.rs/poverenik-za-zastitu-ravnopravnosti-utvrdio-je-da-je-pokret-levijatan-izvrsio-diskriminaciju/>, accessed on: 03/08/2023.

¹²“Istorija Levijatana...”, op. cit.

Conclusion

Founded in 2015, Leviathan was named after a significant writing of Thomas Hobbes's, the well-known political philosopher. In his most recognized work, Hobbes argues that the natural state of the world is a state of chaos, "a war of all against all". For Hobbes, in order to avoid this chaos, people must make a political choice, a compromise, to sacrifice some degree of personal acting for the state, which is given the authority to set the common rules by which society will live, and the power to enforce them.

Leviathan came into spotlight when began posting confessional videos on social media in which distressed individuals apologized for animal cruelty. Leviathan would sometimes take their pets away and take them to the vet for treatment, before finding them a new home. However, in recent years, analysts have drawn attention to the fact that national minorities, refugees and political opponents have been targeted by the movement. Recently was confirmed that their warnings were justified. Namely, the Republican Public Prosecution Office submitted a request to the Constitutional Court of the Republic of Serbia to ban the Leviathan movement.

The Constitutional Court of Serbia will give the final word on whether the movement Leviathan will be banned or not. How long it will take for them to make a decision is not yet known, the existing practice has been different. In some cases it lasted for several years. So far, before the Constitutional Court have been conducted proceedings to ban the work of four organizations and associations (14 fan groups, "Obraz", "Nacionalni stroj" and "Naši 1389"). The work of two - Nacionalni stroj" and "Obraz" - is prohibited.