

Criminal Code (Serious Vilification and Hate Crimes) Amendment Bill 2023

Submission No: 4
Submitted by: [REDACTED]
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See attached:



12 April 2023

The Hon. Shannon Fentiman MP
Attorney-General of Queensland
Minister for Justice, Minister for Women and Minister for the Prevention of Domestic and Family Violence

Via email to: attorney@ministerial.qld.gov.au

RE: Recognising Ustasha symbols as symbols of hatred in the Criminal Code (Serious Vilification and Hate Crimes) and Other Legislation Amendment Bill 2023

Dear Attorney-General

The [REDACTED] supports amending legislation to ban a broader range of Nazi symbols and salutes. [REDACTED] deplores the display of Nazi salutes, also known as the Sieg Heil, which was observed in [Melbourne on Saturday, 17 March 2023](#).

[REDACTED] is one of the peak bodies of the [REDACTED]. In the 2021 census, there were about 100,000 people born in Serbia and many more of indirect or part-Serbian ancestry in Australia. As an organisation, we endeavour to bring issues affecting the Australian Serbian community to the attention of relevant institutions.

We commend the Victorian Government and their introduction of the *Summary Offences Amendment (Nazi Symbol Prohibition) Act 2022 (Vic) (the Act)*. As you are aware, The Act provides for the banning of the Nazi symbols. The Act defines a Nazi symbol as being a Swastika, which cannot be displayed publicly without reasonable excuse.

In NSW, new legislation was inserted into the *Crimes Act 1900* in 2022, which makes it an offence to display a Nazi symbol by a public act without reasonable excuse. The first three individuals to be charged under the new legalisation were football fans of Sydney United 58 Football club during the Australian Cup last year. Evidence from CCTV footage shows that

the three men were performing Nazi or “Ustasha” salutes and displaying offensive flags and banners.

The NSW Act is broader than the counterpart Victorian Act, as the NSW Act does not define what a Nazi Symbol is and as such provides scope for the Courts to determine the definition of 'Nazi Symbol'. ██████ ***strongly advocates that the Queensland Parliament should consider the merits of this legislation in an effort to eliminate Nazism in Australia.***

██████ position is that a broader range of fascist symbols, salutes and statues should be banned. Australian Serbs are deeply offended by symbols and statues of the “Ustasha” (or “Ustasa” or “Ustaša” or “Ustase” etc, also known as the Croatian Revolutionary Movement). The Ustasha were a Croatian fascist movement that came to power during World War II after the Axis powers invaded and occupied Yugoslavia. The leader of the Ustasha, Dr Ante Pavelic, was installed by German Nazi leader, Adolf Hitler and Italian Fascist leader, Mussolini.

Throughout the Second World War, the Ustasha tortured and killed hundreds of thousands of ethnic minority Serbs, Jews and Roma living in the Nazi puppet state of the Independent State of Croatia. The ethnic cleansing of these groups occurred in villages and towns and in a series of death camps, including, uniquely, death camps for children.

Unfortunately, many members of the Croatian community in Australia and elsewhere have continued to maintain support for the legacy of the Ustasha movement, and some examples include:

- Evidence of the raising of Ustasha flags in Brisbane, Queensland (*Attachment A*)
- The “Croatian House” Club in Footscray (Vic), formerly named as the “Dr Ante Pavelic Club”, continues to display a statue of Dr Ante Pavelic on its premises and photographs of him and other Croatian Ustasha war criminals (see *Attachment B*).
- The Croatian Club in Geelong (Vic) displays portraits of Dr Ante Pavelic as well, but also Cardinal Stepinac, a convicted Nazi collaborator, and of other war criminals (see *Attachment C*).
- It is common for Ustasha followers to wear clothes decorated with Croatian Fascist Ustasha symbols and slogans in public and to perform or sing Croatian Fascist Ustasha salutes and songs (see *Attachment D*).
- Ustasha followers have shown the Sieg Heil whilst posing next to Ustasha, Nazi symbols (see *Attachment E*).

Recommendation

██████ recommends banning these symbols as they ignite hatred towards other ethnic groups in Queensland, specifically Serbian and Jewish cultural groups. For Australian Serbs (and Jews and Roma), they are a constant reminder of the execution, torture and suffering of their ancestors. Like the Jewish community, the Serbian community will continue to fight against Nazism and far-right wing extremism.

It is worth noting that the Ustasha ideology has profoundly influenced the rise of terrorism in Australia. From 1963 to 1973, Ustasha groups initiated terrorist campaigns against members of the Australian community. These crimes have been documented by the Australian Security Intelligence Organisation (ASIO).

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The proposed legislations gives effect to Recommendation 16 made in the Legal Affairs and Safety Committee (Inquiry into serious vilification and hate crimes). However, it does not address the issue of Ustasha symbols mentioned above. [REDACTED] position is that the legislation must recognise Ustasha symbols as hate symbols that cause great distress to the people of Queensland and Australian society more broadly.

Failing to ban these symbols and statues will only continue to condone and foster extremism in Queensland, and other states and territories of Australia.

Representatives of [REDACTED] are ready to discuss this matter in person and assist your staff in identifying Croatian Fascist Ustasha symbols, portraits, statues, salutes, greetings, slogans and songs.

Yours faithfully,

[REDACTED]

ATTACHMENT A – RAISING OF THE USTASHA/NAZI FLAG IN BRISBANE (2020)



**ATTACHMENT B - STATUE OF DR ANTE PAVELIC AT THE CROATIAN CLUB IN FOOTSCRAY
(VICTORIA)**



The caption states in Croatian: “Dr Ante Pavelic, Chief Leader of the Independent State of Croatia.”



Croatian House in Footscray (Victoria) named after Croatian Fascist Ustasha “Chief Leader, Dr Ante Pavelic.”

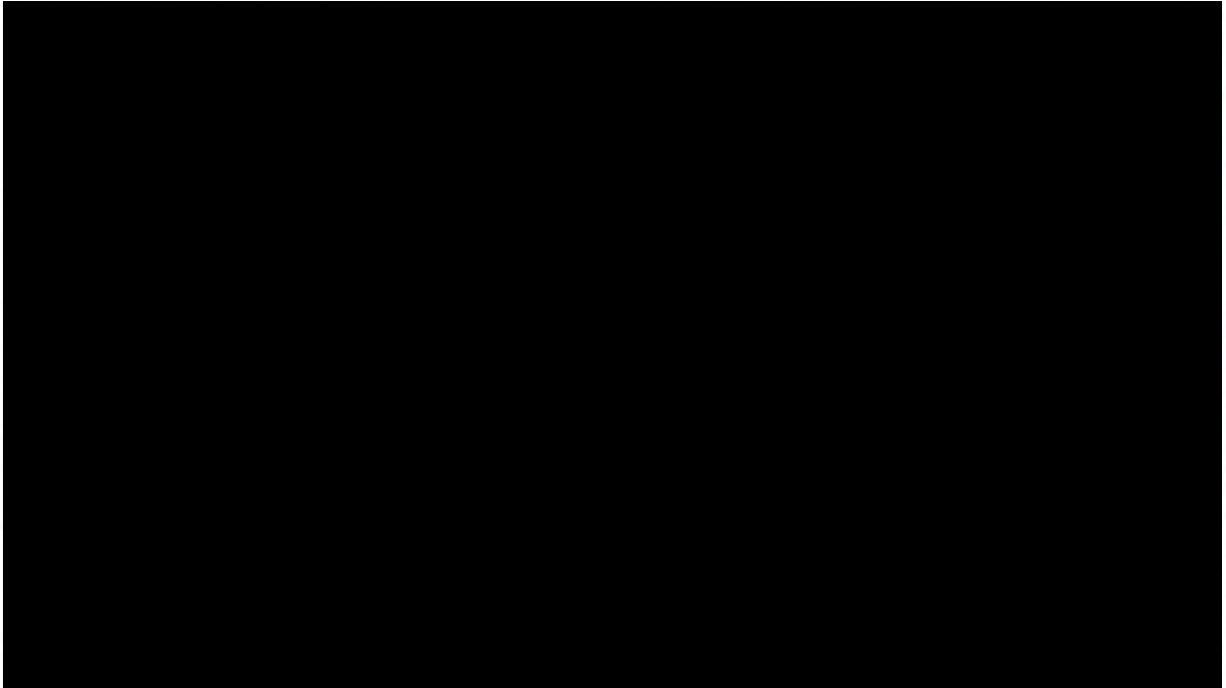


Croatian Fascist Ustasha “Chief Leader, Dr Ante Pavelic”, paying respects to Adolf Hitler.



Croatian Fascist Ustasha “Chief Leader, Dr Ante Pavelic” with Italy’s Mussolini, giving the Ustasha fascist salute.

**ATTACHMENT C – CROATIAN CLUB AT [REDACTED] (VICTORIA) WITH PORTRAITS OF
CROATIAN FASCIST USTASHA LEADERS AND WAR CRIMINALS**



**ATTACHMENT D – USTASHA TEE-SHIRT IN AUSTRALIA FEATURING THE “U” USTASHA
BADGE ON THE SLEEVE**



ATTACHMENT E – Pro-Ustasha Soccer Fans in Australia (Ustasha Symbols in Background)



Source: https://www.youtube.com/watch?v=mk2L_6FLdDw&t=143s