**MEDIA COUNCIL FOR SELF-REGULATION**

Report on the work of Montenegrin media for the period

15 May - 31 July 2012

7 August 2012

Period of time covered by this Report of the Media Council for Self-Regulation (MSS), 15 May to 31 July, was marked by a somewhat more professional work of almost all Montenegrin media. It is noticeable that print media especially refrained from direct, offensive speech to a certain degree. Whether launching of the Media Council for Self-Regulation was an incentive for Montenegrin media to start behaving more responsibly – it is not as important.

During this period of time, the Council received a lesser number of complaints against media: by Electric Power Industry of Montenegro, President of the Supreme Court Ms. Vesna Medenica and by the legal counsel of businessman Zoran Bećirović.

Daily *Blic Montenegro* has recently been published for the first time as well (the first issue was published on 25 June), so the Montenegrin media scene is richer for another daily newspaper. With *Večernje novosti* and *Press*, *Blic* is the third newspaper from Serbia to form its publishing office in Montenegro; however, *Blic* has much more articles from Montenegro than the two mentioned papers.

During the analyzed period, it was noticed that the newspaper Dnevne novine still has problems with the distribution on the newsstands of Štampa, and the situation in this case, according to available information, has remained unchanged. Dailies Vijesti and Dan put pressure on distributors not to sell Dnevne novine on newsstands in Montenegro.

Although MSS has no intention to generally assess the objectivity of Montenegrin media, nor to interfere with their editorial policy, one cannot fail to notice that the articles published in dailies Vijesti and Dan on 21 May - the sixth anniversary of the independence of Montenegro, which summarize the time period from the referendum to present – can hardly avoid the assessment that it is a case of manipulative journalism, in which informing was influenced by a conscious selection of information, or even falsifying of data. Journalist’s assessment to describe six years of independence as "state shipwreck or collapse" can hardly be accepted as impartial and objective journalism. This is not a case of assessment of value judgment: even the statistics that are mentioned in these texts (doubled salaries and pensions, as well as a large influx of foreign investments in the past six years) did not prevent the authors of these articles to colour previous six years of Montenegrin independence as dark.

In the past period, columnists were also more professional and less offensive language was noticeable in their columns. Minor abuse and manipulation was still present.

The first half of June was marked by the articles published in Vijesti and Dan ("Damjanović sees Aco as God", "Damjanović is pulling SNP under the Djukanović’s coat" ...) which attempted to brutally disqualify the SNP (the Socialist People's Party) MP Aleksandar Damjanović. The SNP MP was directly publically impacted by street protests organized by NGO MANS, the Union of Free Trade Unions and the Students Union. Editorial office of daily Vijesti, through the text written by director Željko Ivanović, practically joined this attack, explaining that those who do not support the idea of street protests will not be spared of media attacks or labels. Director of Vijesti in his column on 14 June publicly warned the SNP: "The SNP should not feel vulnerable to this kind of pressure. Thus, after launching transparent initiative for determining accountability of MP Damjanović for behaviour inappropriate for a representative of citizens and public interest, from tomorrow on none of the people’s representatives in the Parliament will be spared from similar initiatives."

This attempt of legalization of campaigns led against certain people in the media **for the sake of private and political interests** of individuals is an attempt to abuse media freedom and has nothing to do with freedom of expression. On the contrary – it compromises and degrades the real role of media in society.

During the analyzed period, abuses of freedom of expression were again noticed through bad administration of comments on news sites, especially on news portal Vijesti. It is essential that the editorial staff of portal Vijesti pay more attention to prevent readers’ comments, outside regular journalistic forms, from brining hate speech, personal insults and indecent expressions in Montenegrin media landscape.

**DAN, June 6**

On page 6, daily Dan published the article **"Waiting for salvation by the scum"** with sub-heading "Dožić confirmed that the German company, which is lobbied for by the President of the Parliament, will visit the KAP."

A photograph was published next to the title showing Mr. Nebojša Dožić, the Government representative in the Board of Directors of KAP (Aluminium Plant Podgorica) and Mr. Vladimir Kavarić, Minister of Economy. The article, however, clearly shows that the title is very biased, since the word "scum" has heavy and offensive connotations and the title has no journalistic justification, apart from being offensive for both the German company and government representative.

The article talks about alleged interest of the German company Monako Resorts for privatization of Aluminium Plant Podgorica.

The company was formed, standing below, from the Metalcorp company and BAGR Group[[1]](#footnote-2) whose name was used for, according to MSS, tasteless and offensive play of words[[2]](#footnote-3) in the title.

"Representatives of the German company Monako Resorts, the company which emerged from Metalcorp and BAGR Group, who were interested in privatization of Aluminium Plant Podgorica in 2005, will visit the factory this week, it was confirmed by the Government representative in the Board of Directors of KAP Mr. Nebojša Dožić for Dan," Dan says.

Therefore, only in the text it becomes clear that BAGR (i.e. scum) is a group of companies, and that this paper played with the name of the company in an offensive way, neglecting to mention the fact that the "salvation" is not expected to be done by this company, but another company that emerged from this and yet another enterprise.

Media Council for Self-Regulation believes that Principle 3 of the Code was violated, which states:

"Facts should be sacred for a journalist, and it is his duty to put them in the right context and prevent their misuse, whether it is a text, picture or a tone. Rumors and assumptions should be clearly marked as such. It is a duty to clearly separate news from a comment. "

Also, guidelines for interpretation of the Code, under the standard that refers to the accuracy of the information, clearly state that:

"[Journalists] must avoid using misleading headlines or advertising slogans. The facts must not be distorted by reporting them out of the context in which they occurred. "

**DAN, June 14**

Daily Dan published an article, report from the Anto Ždralović trial, who is accused of murder of Lazar Tripković from Nikšić. The article was titled "Tripković fended himself."

Within the article, text box "An eye taken out with a fork" was published, which describes details of this monstrous murder.

"... Ždralević then cut the jugular vein of Tripković, stabbed him in the stomach and cut him to the chest. He then took a grill fork from the kitchen, which he used to take out his left eye. He tried to do the same with the right eye but could not because the fork broke. He then stabbed the fork handle in the abdominal cavity of the victim, pulled out the hose and tossed them around the room. After that, he took his fingers, which he had previously dipped in the cut throat of the victim, and drew a pentagram on the wall, took a pen and wrote ‘Let Montenegro know what I did, Christian cun\*\*, I will come’. After all this, he burned Tripković’s head, hair and eyebrows."

Media Council for Self-Regulation believes that the text box is rich in details on how the murder was carried out, aimed at provoking an effect of the reader, in a way that can hurt the victim's family members. Media Council for Self-Regulation reminds that the Guidelines for interpretation of the Code, also in part related to the accuracy of the information (Guidelines 1.2b for Principle 1), state: "The public's right to be informed does not justify sensational reporting."

In this case, it was an extremely cruel and monstrous murder, and MSS believes that publishing all the details on how it was done is not justified by the public interest. Although journalist of Dan in this case did not manipulate the facts or publish inaccurate information, Media Council for Self-Regulation believes that in such cases journalists must pay specific journalistic attention in order to avoid further suffering of a victim or victim’s family.

Guidelines for interpretation of the Code, Guideline 8.1j for Principle 8, related to the right to privacy, states:

“The limit of acceptability in reports on accidents and disasters is respect for the suffering of the victims and the feelings of their dependants. Victims of misfortune must not be made to suffer a second time by their portrayal in the media. “

**BLIC Crna Gora, June 22; Dnevne novine, July15**

Daily Blic Crna Gora on the first page of its first issue of Montenegrin edition published the article **"Famous models in yacht prostitution",** with sub-heading "Tivat a magnet for night friends", which claims that fashion and escort agencies are main contractors of the newest form of the oldest trade, offering services for clients in Porto Montenegro in Tivat.

Text published on page 10 offers no evidence that would support the claim of the title and the sensational announcement which was given on the front page. MSS believes that this is an example of unfounded and sensationalist journalism. With inappropriate generalization, the article indirectly accuses young men and women from Tivat for being involved in prostitution.

The same way this topic was reported about in Dnevne novine on 15 July. The article entitled "Sex for everyone’s budget in Budva" does not provide any evidence of possible prostitution in the Montenegrin metropolis of tourism. Conclusions are made without facts or testimonies, or even an unnamed source.

MSS believes this violated Principle 3 of the Code, which states:

“Facts should be sacred for a journalist, and it is his duty to put them in the right context and prevent their misuse, whether it is a text, picture or a tone. Rumors and assumptions should be clearly marked as such. It is a duty to clearly separate news from a comment.“

Guidelines for interpretation of the Code, related to the accuracy of information (Guideline 1.2a), state:

“Before publishing a report, the journalist must ensure that all reasonable steps have been taken to check its accuracy. Journalists must endeavor to provide full reports of events and must not be silent about or suppress essential information.“

Also, Guideline 1.2b for accuracy emphasizes:

„The public's right to be informed does not justify sensational reporting. Therefore, journalists must not distort information by exaggeration, by placing improper emphasis on one aspect of a story or by giving only one side of the story. They must avoid using misleading headlines or advertising slogans. The facts must not be distorted by reporting them out of the context in which they occurred.“

**DAN, June 30 and July 1**

Daily Dan published on the front page and page seven the article "Directors gave themselves half a million", claiming that the Directors of the Electric Power Industry of Montenegro doubled their incomes in 2011, up to half a million Euro in total. In order to enhance the credibility of the text, journalist of Dan refers to the official report of the audit company.

Correction of Electric Power Industry of Montenegro was published in the next issue, on July 1, saying that it this was a gross amount and that it would be considered professional if the journalist checked the data in the company itself. Editorial comment was published in the same issue, answering the correction and using a series of insults and disqualifications in such a way that the newspaper itself ended the conversation, not allowing clarification of the aforementioned information.

"Whenever it is trapped in its misdoings, the management of EPCG replies with manipulations, lies and construction unworthy of honourable men. This is the case this time as well. Obviously, they are trying to justify the "plundering" policy with insults for the editorial board of the daily "Dan". Of course, as always, this is ineffective and futile.”

MSS reminds that the right on correction and answer is a legal right and that journalists need to first of all check the accuracy of information, and when publishing a correction or denial, they need to publish them in accordance to the law.

Media Council for Self-Regulation considers that Principle 4 of the Code was violated in this case, which states:

“It is a duty of a journalist to complete incomplete and correct incorrect information, especially that which can cause any harm and at the same time to make sure that the correction is pointed out in the adequate manner.“

**DAN, July 7**

The newspaper announced on its front page, and on page 11 published the article titled "**Medenica, Šturanović and Žugić paved the coast**", with sub-heading "Residents of Krašići bittered due to devastation similar to Lipci case."

Article on page 11 was followed by photographs of the houses whose owners are allegedly, President of the Supreme Court of Montenegro Ms. Vesna Medenica, former Montenegrin Prime Minister and DPS official Mr. Željko Šturanović and Governor of the Central Bank Mr. Radoje Žugić. The only source for such ownership claims were unidentified “residents of Krašići”.

The following day, on July 8, Dan published a denial of Željko Šturanović "They mistakenly took me as someone else". In this case, the newspaper complied with the Principle 4 of the Code and the denial was published on the same page as the original article, but announcement of the denial was not published on the front page.

However, MSS believes that the denial was published in a manner not in accordance with the Code. Sub-heading gives an editorial comment that Šturanović responds to "claims of some residents of Krašići", and with this, according to MSS, the newspaper consciously rejects responsibility for published information. Moreover, nowhere in the text of the denial can be found message which was published as the title: "They mistakenly took me as someone else."

Media Council for Self-Regulation believes that Principle 4 of the Code was violated in this case, which states:

“It is a duty of a journalist to complete incomplete and correct incorrect information, especially that which can cause any harm and at the same time to make sure that the correction is pointed out in the adequate manner.“

Guidelines for interpretation of the Code in relation to the Principle 4 (Guideline 4.1a and 4.1b), state:

“If a media institution discovers that it has published a report containing a significant distortion of the facts, it must publish a correction promptly and with comparable prominence. This correction must be referred to the previous incorrect report.“

“If amedia institution discovers that it has published an erroneous report that has caused harm to a person's or institution's reputation, it must publish an apology promptly and with due prominence. Apology must be published with comparable prominence.“

In the same article, correction of Mr. Radoje Žugić was also published, but the title does not mention it, which makes an even greater violation of the Principle 4 of the Code.

Ms. Vesna Medenica, President of the Supreme Court, also sent a correction of this article, but her correction was not published immediately by Dan, but – with no editorial notice - on July 10 on page 10, in the lower half of the page with the title "Medenica owns no villa, but land". Sub-heading was "President of the Supreme Court denied the allegations of Krašići locals."

Media Council for self-regulation believes that the manner of publication of corrections is completely contrary to the Code of Journalists and its Principle 4, as in this case not even the general rule that the correction is published in the same place as the original article was respected. Such a correction is even further an attack on the integrity of the person who is the subject of correction.

Also, with the above mentioned sub-heading, same as in the case of Šturanović, the paper is essentially denying its responsibility for the published information, shifting it to unidentified sources.

According to MSS, the title is also tendentious because it distorts the essence of Ms. Medenica’s correction that she does not own a villa in Krašići.

**DAN, July 9**

The newspaper announced the article on the front page, and on page three it published an interview with retired General Blagoje Grahovac.

Sub-heading of the article is “Blagoje Grahovac in an interview for Dan says that President of DPS proved to be beyond salvation after attacks on independent media” and the title is "Milo is no longer political, but a medical problem."

The article provides the following assessment: "Everything came together in his case, and he entered the zone of hopelessness."

MSS believes that this is explicit language of hate and insults, packed with unfounded remarks alluding to difficult mental incapacity of a political and public figure. This title is completely contrary to guidelines for Principle 5 related to hate speech (Guideline 5.1a):

“Media institutions must not publish material that is intended or is likely to engender hostility or hatred towards persons on the grounds of their race, ethnic origins, nationality, gender, physical disabilities, religion or political affiliation.“

**Web portal vijesti.me and** **TV Vijesti, May 23**

Web portal Vijesti published a photograph, and TV Vijesti published news footage of a man who engine washes the blood off a sidewalk where minor girl N.S. (15) was killed, as an illustration for the murder of a minor (Title: Goran Babić (21) kills minor N.S. (15)).

Media Council for Self-Regulation believes that above mentioned media were in this case guided by their desire for a stronger impression, and that the scene is especially troubling, given that it is a case of a young girl. According to MSS, they did not take into account respecting the deceased or her family.

"The limit of acceptability in reports on accidents and disasters is respect for the suffering of the victims and the feelings of their dependants. Victims of misfortune must not be made to suffer a second time by their portrayal in the media.", it is stated in the Guidelines of the Code for Principle 8 (Guideline 8.1j).

The media is obliged to exercise special sympathy when it comes to minors, it is stated in the Code, in the Guidelines for Principle 9 relating to the children’s interests.

MSS believes that in this case the situation was extremely delicate, that due respect was not shown to the victim or to her family, and that the dignity of the victim and her family’s suffering that these images may have caused should have been taken into account.

The Guidelines of the Code for reporting about acts of violence recommend (Guideline 10.2):

"In reporting actual and threatened acts of violence, the media should weigh carefully the public's interest in information against the interests of the victims and other people involved. “

**Vijesti, July 24**

Daily Vijesti published on July 24 an article titled "Planted prosecution evidence failed to succeed" which reports on the verdict in the court case Mugoša - Jovović.

Editorial presentation of the text, i.e. its headline accuses the prosecutor for criminal offense of planting evidence, an offense punishable under the Law on Criminal Procedure. Although the verdict does not mention any such deliberate acts or the manner of planting evidence, the editorial staff chose this headline to label prosecution evidence as such. In this way, the Public Prosecutor is accused for this particular crime and his/her guilt is implied with no evidence.

This headline violated several Principles of the Code, primarily Guidelines for Principle 1 (Guideline 1.2b): [Journalists] must avoid using misleading headlines or advertising slogans. The facts must not be distorted by reporting them out of the context in which they occurred.

and Principle 10(Guideline 10.1d): Criticism and comment on a case must be easily distinguishable from reporting on court proceedings.

**Dnevne novine, July 26**

Dnevne novine published on July 26 and article titled "Assassination of Pukanić was ordered from Montenegro?"

The article states that this is a claim of "Croatian media", but it does not list nor the media in question nor the arguments to support the claim. It is essential, especially when it comes to allegations of criminal offenses, to precisely indicate the original source of information which is published.

Journalists need to maintain highest professional and ethical standards. They must take all reasonable steps to make sure to publish only accurate information, and to have honourable comments.

**Vijesti, July 30**

The front page of daily Vijesti on July 30 published a photograph of five minor children who were participants in the incident that occurred in Njeguši, within the text under the headline "**A nun and a mother with five children kicked out of a restaurant**."

Although the event alone caused various reactions, MSS believes that publication of photographs of minor children who were involved in the incident failed to protect their integrity and that there was no public interest for this to be done. Both the Law on Mediaand the Code of Journalists in such situations require journalists primarily to protect the integrity of minors.

Media Council for Self-Regulation sends an appeal to Montenegrin media to report with due diligence on events and developments that include minors.

**Complaint by Zoran Bećirović**

MSS received a complaint by businessman Zoran Bećirović on non publishing of his correction in daily Vijesti. The correction was related to several articles which were published about him on July 9, 11, 12 and 16 in this newspaper. MSS has also received correspondence between Mr. Bećirović and editorial staff of the above mentioned paper.

MSS believes that was it was a legal and a professional obligation of daily Vijesti to publish the correction, especially because Mr. Bećirović has appeared in years as a common topic of this paper, and especially since it is the first time that he sends a correction for four specific articles which mention him in a negative light in July.

If editorial staff of Vijesti, as it is suggested in the correspondence, held that correction is not written in accordance to the law, then it should have specified in which part and why it is not in accordance to the law, as well as to inform Bećirović specifically about it. Generalized assertion that correction is not in accordance to the law seems more like a false excuse not to comply with a legal obligation to publish a correction. This is confirmed by the article published on the following day and signed by the director and editor of Vijesti, which places the thesis that they are being threatened by Bećirović, and which, in no word mentions that his correction was not published in this newspaper. The accuracy of the information related to land ownership, which are the subject of controversial articles, was not mentioned at all.

**WEB PORTALS**

When it comes to online media, the leader in the number of insulting comments and cursing is web portal Vijesti. Administrators of this portal remove obscene comments with delay, so that one can find the most vulgar expressions and profanity on this website, and fans of hate speech are given a ground for discharge.

The practice of late administration of comments or even unlimited abuse of freedom of expression by publishing profanity or chauvinist attacks was present in other portals as well (IN4S and Epoha), but these portals are not included in the analysis because they are not the case of having more than five thousand daily visitors. However, the phenomenon is worrying, because in this way a large open space for organized, premeditated slander of individuals or groups is allowed.

MSS asks once again the editors of web portal Vijesti to censor comments containing profanity, hate speech and other vulgar messages. This report of MSS contains only a part of the vulgar messages that can be found on this website:

Web portal **vijesti.me**; article "**Milena Marović in a wedding dress by Vera Wang**" had the following comment:

I f\*\*\* their bloody mother, both Vera Wang and Milena and Sveto and Bogdanovic, those shameful scum... why aren’t you ashame... and girls' night .. Son of a bi\*\*\*es...you snobs, pretenders... you fuc\*\*\*\* thieves.,,

Web portal **vijesti.me**; article „**Slavko Perović: I am fighting for the truth**“, June 7. The attachment contains the scanned part of the comment which contains slander, personal insults and hate speech when one ethnic community (Montenegrin, Docleans) is stated to be fascistic.

1. [Dragan Simov Kaziragi](javascript:void(0)) | 07.06.2012. u 22:23h

I read these comments by vampires Doclea fascists, various people from Gusinje to whom hatred towards the Serbs is soul food. Go back into your holes, you Turk-ised people and other fascists and Docleans scum. We do not care that somebody has beaten the crap out of that drunkard Perovic. If a Serbian politician was beaten you would be happy about it.

You cannot touch us!  
  
  
2. [Mikan NK](javascript:void(0)) | 07.06.2012. u 22:42h

For these Turk-ised people, it’s always the Serbs’ fault. Slavko alcoholic was beaten by a policeman on duty, and they made a big thing out of it, but in the election time these same who defend him now go to the polls and circle the sole master of theirs, Djukan Suleiman. You are silly, Docleans, and even funnier are these Turk-ised people that barely can wait to pour insults against Serbs.

There are a lot of us SERBS, Docleans, put that fact finally into your sold brains.

Web portal **vijesti.me**; a column written by Filip Kovačević **“Bluffers, cards on the table!** on June6. Comments in this column include calling a certain group of people, public individuals, with insulting words–rats.

1. [peki](javascript:void(0)) | 06.06.2012. u 11:23h

Mr. Professor Filip, Milan Popovic, Milenko Popovic, Mirjana Kuljak and several other people are an example of integrity persons. Imagine Gordana Djurovic, Andjelko Lojpur, Baco Mitric, Mujovic, Petar and Predrag Ivanovic and especially Milos Besic and Veselin Pavicevic who represent a basic **example of rats** who are given leftovers by the regime to nibble and meet their needs, and in turn they are using their poor academic titles to mire and defame their opponents.

Web portal **vijesti.me**; article **“Video message by Slavko Perović: It was an attempt of my assassination”,** June 10. Comments on this article also contained vulgar language, inappropriate for Montenegrin media scene.

1. [kity](javascript:void(0)) | 10.06.2012. u 23:03h

I love having sex with you liberals, and taking Jauković with me, there will be baby Serbs in Cetinje. First we go and f\*\*\* Miraš, and then you. We charge that, of course karlitooooooooooooooooooooooooooo

Web portal Vijesti on July 18 released a video that testifies to the kind of sadism rebels had when playing with the dead body of Muammar Gaddafi, former leader of Libya. In the video material rebels "place" dead head of Gaddafi as if it was a puppet, sadistically torturing the body of a dead man. The video has the editorial title "disturbing material" and at first glance, this seems like a fair protection. We should, however, not ignore the fact that minors have access to Internet, including news portals, and that alleged warning may practically seem as an invitation to see this "prohibited material".

Apart from possible abuse of minors, publishing of such footage has no basis in conventional journalistic rules about the public's right to know. Besides brutality, the footage does not offer any other information. Therefore, publishing of this footage is only a sensational approach aimed at increasing ratings, not only at the expense of quality, but also with violation of traditional journalistic standards.

MSS notes that the Guidelines of the Code of Journalists of Montenegro, related to accuracy, state (Guideline 1.2b): "The public's right to be informed does not justify sensational reporting. Therefore, journalists must not distort information by exaggeration, by placing improper emphasis on one aspect of a story or by giving only one side of the story. They must avoid using misleading headlines or advertising slogans. The facts must not be distorted by reporting them out of the context in which they occurred.

1. Berliner Aluminiumwerk GmbH [↑](#footnote-ref-2)
2. „BAGRa” means “scum” in Montenegrin [↑](#footnote-ref-3)