

Report on the work of the Montenegrin media for the period

15 May – 15 July 2013

**This report of the Media Council for Self-Regulation (MSS) includes the period of two months, from 15 May to 15 July 2013.**

**Media Council for Self-Regulationcan concludes that within the stated period violations of the Journalist Code registered were fewer than usual.**

**The cause is, undoubtedly, somewhat cooled down political heat after the general elections held in autumn last year and presidential elections held in springtime this year, which were marked by severe political disputes which was, to a significant degree, the cause for neglecting the Journalist Code and professionalism.**

**MSS is pleased to remind that four other media, Blic Crna Gora, TV Prva, TV Pink and portal RTCG, joined this body.**

**Media Council for Self-Regulation wishes to remind that a major traffic accident, in which 19 Romanian citizens lost their lives, occurred at this period of time. With regard to this occasion, Montenegrin media were put to a significant professional test while reporting about the accident which occurred on June 23rd. Although the MSS deals with the violations of the Journalists Code and examples of poor journalist practice, the body believes it to be appropriate to conclude that the Montenegrin media were up to this extremely delicate task.**

**Unfortunately, during the reporting period, several violations of the Code were registered within offensive comments and the comments entailing hate speech, published following the tragic bus accident at the canyon of the river Morača. MSS recommends careful administration of the comments to the editorials of the portals in such cases when tensions are raised, and to** protect **in that manner the media scene from offensive or hate speech posted by the anonymous commentators on portals.**

DAN 15, 16, 17 and 23 MAY

In mid May, daily Dan published multiple articles on alleged irregularities upon export of arms from Montenegro via public company Montenegro Defence Industry (MDI). In the articles titled ‘Minister Smuggled Documents on Export of Arms’, from 15 May, ‘Government’s Partner Convicted of Arms Smuggling’ from 16 May, ‘Government Sold Arms to Companies under Investigation’ from 17 May and ‘Arms Sold to a Smuggler from Israel’ from 23 May, daily Dan attempted to discredit the public company MDI. The analysis of the stated articles, carried out by the MSS, showed that the journalists not once tried to listen to the other side and its arguments. A denial of the Ministry of Economy and the Montenegro Defence Industry was published only once, on 16 May, but not in line with professional standards, i.e. only parts of the reaction were carried. The denial should also have been published on the front page, just like the article which contained serious accusations was. The articles published on 16, 17 and 23 May accused Montenegro Defence Industry of cooperation with companies that later came under investigation on account of the irregularities registered in their business activities. This form of accusations is also disputable concerning the fact that the irregularities noticed within the business affairs of the mentioned companies occurred several years following the completion of the cooperation with Montenegro Defence Industry. The author of the stated articles had not once tried to take a statement from the representatives of the MDI regarding the matter and consider the arguments of the other side.

MSS concluded that the sensationalism could not be a justification for publishing false information. We remind about the Article 3 of the Journalist Code: **“The facts are inviolable to a journalist, and it is his duty to place them in regular context and to prevent their abuse, regardless of whether they are related to text, picture or sound. Rumours and assumptions must unequivocally be indicated as such”.** Guidelines for the Principle 1 Exactness states that:

**(a) Before publishing a report, a journalist shall ensure that all reasonable steps have been taken to check its accuracy. Journalists must strive for providing complete reports on events and must not leave out or suppress essential information.**

**(b) The public’s right to be informed does not justify sensationalistic reporting. Therefore, they shall not distort information by exaggeration, by placing improper emphasis on one aspect of a story or by giving only one side of the story. Journalists must avoid titles or advertising slogans which could lead to a wrong conclusion about the essence of an event or occurrence. Facts must not be distorted by being taken out of context in which they occurred.**

RTCG 17 MAY

On 17 May RTCG released in its information broadcasts at 7:30pm and 10pm the statement of the Metropolitan of Montenegro and the Littoral, of the Serbian Orthodox Church, Amfilohije Radović, in which the war crime and genocide in Srebrenica was attempted to be justified as an alleged revenge for crimes against Serbs. This situation provoked a reaction from certain members of the Council from RTCG who condemned such editorial decision.

MSS believes that making such editorial decision the RTCG violated the Journalist Code and allowed hate speech to be openly spread over their media. In the stated television report RTCG did not try to disassociate itself from such statement.

MSS reminds about the guidelines for the Principle 5, referring to hate speech: **“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. The same applies if it is highly probable that publication of a material may cause the above stated hostility and hatred.”**

DAN 14 JUNE

On 14 June, on page 3, daily Dan published the article titled ‘Stop Stalking Journalists’ with the superscript title ‘Warning of the Committee of Ministers of the Council of Europe to Montenegro’. The article was about the latest Declaration of the Committee of Ministers referring to the risks to basic rights arising from digital monitoring and other surveillance technologies. For the most part, the article provided a digest of the stated Declaration, but several sentences and the superscript title were composed in such a manner that they gave impression the Committee of Ministers extended some special warning to Montenegro. The author of the article, either consciously or by accident, forgot to mention that Montenegro had its representative sitting at the Committee of Ministers of the Council of Europe and that the Declaration the article spoke about was adopted by all ministers at the stated Committee, including the one from Montenegro. The stated Declaration was not intended to be a warning, but the member states of the Council of Europe (including Montenegro) by adopting the document at least declaratively committed themselves not to abuse modern technologies in cases in which they can endanger basic human rights.

MSS believes the author of the article distorted the facts related to the adoption of the stated Declaration and gave them an inappropriate context in order to cover up the essence of the adopted document.

We remind about the guideline b) for the Principle Exactness: **The public’s right to be informed does not justify sensationalistic reporting. Therefore, they shall not distort information by exaggeration, by placing improper emphasis on one aspect of a story or by giving only one side of the story. Journalists must avoid titles or advertising slogans which could lead to a wrong conclusion about the essence of an event or occurrence. Facts must not be distorted by being taken out of context in which they occurred.**

POBJEDA 20, 21, 24 JUNE

During the international conference held in Brussels on 20 June, the European Commissioner Štefan Füle publicly reacted to the article published on the portal of daily Pobjeda which suggests that the Commissioner Füle stated for daily Vijesti that the presidential candidate Miodrag Lekić won the most votes at the elections. Füle decided that the article published on the portal of daily Pobjeda was an act of ‘media manipulation’, claiming that the editor of Pobjeda tendentiously reported about the article written by the director of daily Vijesti, and that no such conclusion could have been drawn from the stated article.

It concerns the column written by the director of daily Vijesti, Željko Ivanović, published by this daily on 19 June titled ‘The only one remaining’ and the interpretation of the editor of Pobjeda, Srđan Kusovac, that the foreign diplomat, mentioned in the article as a person who had insight in the election material, based on which he concluded that the Lekić won the elections, was the European Commissioner Štefan Füle. In the articles published on the portal on 20 June and in the newspaper from 21 to 24 June, Pobjeda practically retained their position that the foreign diplomat mentioned in the column was Štefan Füle.

Unlike the editorial of daily Pobjeda, weekly magazine Monitor which, by ‘reading’ the article written by Željko Ivanović, also published on 21 June that the mentioned foreign diplomat was Štefan Füle, published an apology within the following edition a week later and concluded that the journalist made a mistake.

Despite the fact that skim reading of the article could be misleading, the MSS, through the analysis of the stated articles, concluded that the European Commissioner Štefan Füle could not with certainty be related to the ‘foreign diplomat’ stated in the column published by Vijesti, and that the media which thusly interpreted the article made a mistake in their interpretation.

MSS also registered an attempt of discrediting Štefan Füle in the article published on 24 June in daily Pobjeda, titled ‘How Željko Ivanović was caught in a lie’. The phrase: “Living in Prague, for about fifteen years, I had an opportunity to meet numerous brave Czech, people of integrity who in the eighties or earlier strived for freedom and towards West, while the current leaving Commissioner chose the decaying SSSR” undoubtedly contains malicious connotation at the expense of the current EU Enlargement Commissioner.

MSS believes that in this case Principle 1 of the Journalist Code was violated and it calls on the guideline 1.1 for the interpretation of this principle which states that: **Journalists must maintain the highest professional and ethical standards. They must take all reasonable steps to ensure that they disseminate only accurate information, and that their comments on events are genuine and honest. Journalists must never publish information for which they know to be false or maliciously make unfounded allegations about others, intended to harm their reputations. A journalist has the right to refuse the task which is not in line with the code of ethics.**

DAN 29 JUNE

Daily DAN published an announcement on the front page, and on page 10 the article titled ‘Ćalović: Brano is a Senile Old Man’, stating parts of medical documentation of Branislav Mićunović. The daily quoted the part from his psychiatric report.

MSS concluded that by publishing medical documents daily Dan violated the privacy of Branislav Mićunović and that Principle 8 of the Journalist Code, referring to Privacy, was violated. Guidline (g) for this Principle states that **Physical or mental illnesses, along with injuries, are a part of privacy sphere of affected persons. Out of respect for such persons and their family members, in such case the media should not publish names and photographs, and should avoid demeaning phrases for describing illnesses and suffering.**

DAN 4 JULY

On page 3 this daily published an interview with the former leader of the Liberal Alliance of Montenegro, Slavko Perović, which was announced at the front page with the phrase “The murder of Jauković covered up the assassination attempt on myself”, and the superscript headline “Slavko Perović claims the police officer from Herceg Novi did not commit suicide, but was rather assassinated”.

“It is a barefaced lie that (Božidar) Jauković committed suicide, but the full truth is that he was murdered. I am certain he was murdered since he publically threatened to reveal who had instructed my assassination”, stated Perović.

Next day, on 5 July, the family of the late police officer Božidar Jauković reacted vehemently to the above stated article.

The reaction was published by Dan on page 4, titled ‘Slavko, Find the Courage and Submit the Evidence’. The Jauković family invited Slavko Perović to submit the evidence for the claims that their family member did not commit suicide but was rather killed, forbidding him to ever again “use or abuse his name”.

The Police Administration also reacted to the statements of Slavko Perović, and the reaction was published by the daily in a box within the same article entailing the reaction of the family Jauković. The Police Administration denied the accusations of Slavko Perović, claiming they were entirely inaccurate and inappropriate.

The public is familiar with the name of the police officer Jauković due to the incident occurred while he was a member of the Herceg Novi Intervention Unit, when he physically attacked Perović in Herceg Novi. On 12 March Jauković was found dead in his apartment, and it was established to be suicide.

Media Council for Self Regulation warns and invites all editorials to display special delicacy and sense of measure, to professionalism of the highest possible standards when it comes to the reporting about the deceased. MSS believes there are no excuses for revealing such claims to public, since they inevitably upset and hurt the family of the deceased.

Within general standards the guidelines for the Principle 1 (**It is a duty of journalists to respect the truth and to persistently search for it having in mind the right of the public to be informed and human need for justice and humanity**) states:

**Journalists must never publish information for which they know to be false or maliciously make unfounded allegations about others, intended to harm their reputations.**

Guidelines for Principle 8 which manages the right to privacy states:

**The limit of acceptability in reports on accidents and natural disasters is respect for the suffering of the victims and feelings of their family members. Victims must not be put into a situation in which they would suffer for the second time on account of the media presentation. Reporting on suicides demands the journalists to be utterly moderate and reasonable.**

DNEVNE NOVINE 8 JULY

On 8 July daily Dnevne Novine was the first to publish the article on page 11, also announced on the front page, titled ‘A Dead Minor Robbed?’, within which the initials of the young man were stated, while on the other hand his picture was published, thus entirely rendering the use of initials meaningless.

It concerned a minor from Kotor who tragically lost his life in a motorcycle accident that occurred on 13 June. As some media later claimed, referring to the statement of the boy’s uncle, a golden necklace was taken off of from him after he got killed.

MSS believes this is the violation of the guideline for Principle 8 dealing with the right to privacy which states:

**Victims of accidents or crimes have the right to special protection of their names. It is not always a rule for the victim’s identity to be revealed in order for the public to get a better grasp on the accident or crime. Exceptions can be tolerated if the person is an official or in case of special circumstances.**

Furthermore, the front page announcement of the article titled ‘A dead minor robbed during autopsy?’, regardless of the question mark, suggested the place, the time and the persons which could have done the stated action. The article within the newspaper suggests that stated in it were the doubts of the family of the deceased young man.

“Although they do not suspect the pathologist Miodrag Šoć, the family of the deceased believes that the staff of the Clinic Centre which prepared the body for post mortem was to blame for the missing necklace”, Dnevne Novine wrote.

Vijesti 10. jul

On 10 July Vijesti announced on the front page and published on page 12 an article related to the same case titled ‘Who Could Have Removed the Necklace from a Dead Boy?’, while the superscript headline stated “The friends of the tragically deceased U.Ć. from Kotor announce a peaceful gathering in front of the Basic Court building after the bizarre event in Clinic Centre”.

Therefore, Vijesti also clearly suggested that the act of taking away the necklace happened at the Clinic Centre.

MSS believes that in both cases presumption of innocence was violated:

**A person is presumed innocent until proven guilty by a court, even if he or she has confessed. (part of guidelines for Principle 10 of the Code).**

MSS believes such an article could negatively affect the working environment and individuals working in the post-mortem, and the body once again invites for caution while making private accusations. In this case such accusations are of major importance.

DAN 13 and 14 JULY, double issue

On page 9 this daily published an article titled ‘Infanticidal Woman Acquitted’ and the superscript headline was ‘Mevluda Gruda (21) on Retrial before the Supreme Court in Bijelo Polje’.

Media Council for Self-Regulation believes that the cases of infanticide should be reported about with special care and delicacy in order not to contribute to the additional suffering of persons and families in which such tragedies occur.

As stated in the aforementioned article, the accused person was socially marginalised, socially neglected and abandoned by her family and unwed husband, which was recognised as a mitigating factor by the court, thus the lawsuit for the crime of murder was not accepted.

For the same reason the Media Council for Self-Regulation believes that such reporting on court proceedings was inappropriate.

The Principle 10 of the Code manages reporting from courthouses and about crimes.

Some of the guidelines for the application of this Principle state:

**The purpose of reporting on investigations and court proceedings is to carefully inform the public on crime, criminal proceedings and court verdict. A person is presumed innocent until proven guilty by a court, even if he or she has confessed. Even in cases where guilt is obvious to the public, an accused person cannot be portrayed as guilty within the meaning of a court judgment until a verdict has been handed down.**

**Prejudicial portrayals of persons’ characters and allegations, along with the accusations against them, violate the constitutional principle of protection of human dignity, and the rule also applies to those that may be qualified as criminals. The aim of courthouse reporting must not be to exact social punishment on the accused by using the media as a ‘pillory’.**

**When reporting on investigations or criminal court proceedings against youth and their appearance before the court, the media must pay special attention and bear in mind the future of such person. This also qualifies for the youth victims of crime.**

**ONLINE PORTALS**

Over the period of time addressed by the current report of the Media Council for Self-Regulation, from 15 May to 15 July 2013, the activities of the monitored online media were noticed to be significantly more professional than before. The stated conclusion refers primarily to the Portal Vijesti which, so far, took the leading position in the reports of the MSS when it comes to the number of the published comments which were inappropriate for public discourse. MSS noticed that within the monitored time period the Portal published significantly less such comments, more attention was paid to the reduction of the use of such language, and portal administrators mostly deleted inappropriate comments... Nevertheless, there is still no consistency in these activities, thus once again the portal Vijesti came first with regard to the number of disputable comments published over the monitored period of time.

The MSS therefore estimated that portal Vijesti published multiple inappropriate, unacceptable, and ill-timed comments on the tragic accident occurred on the road Podgorica – **Kolašin in which Romanian tourists lost their lives, posted by the readers who demonstrate with what an unbearable ease, hidden behind their nicknames, and without a single evidence, we are prone to judge and condemn without showing basic respect for the victims of the traffic accidents or for persons who put superhuman effort and humanity in helping the victims of the accident...**

**Examples:**

**“Horror, every day another disaster with tourists: one drowns and then another, they are breaking their necks on Durmitor, now they’re flying down the canyon, it seems dark times are approaching. The Devil has come to claim his own”**

**“They sold Telecom for miserable €115 million with the aim to construct a highway and to avoid future accidents in the canyon of Morača, where’s the money you thieves?! Where’s the highway you thieves? May you fly down the canyon you scum!”**

**“This and every other accident on this death road are on the souls of the Montenegrin Government and due to its thievery... Only Mateševo, Kolašin, a piece... a particle they stole... poor people will keep on getting killed... the road just like the gorges of Bolivia... shame for Europe... not to mention for us... shame and tragedy.”**

**“What a grief... if I was in charge a bit, I would first arrest those from CG put[[1]](#footnote-2). From Ulcinj to Rožaje our roads are disastrous; there is no side bank on 1,000 critical spots”: “Poor Romanians, leaving their bones here.”**

Ina an inexcusable and bizarre way, the posters of comments to the article titled ‘All passengers transferred to Romania, the cause of the accident still unknown’ on the portal Vijesti, were trying to find someone to blame for the accident and the boy and his father, who happened to be at the spot of the accident, were blamed in advance. The overall insight in the situation and the presumption of innocence in such cases did not exist...

**Kukunama, 25 June 2013,11:38pm**

**That’s the whole truth which some world-wide or scum from Morača tried to hide. This lying kid and his father should be arrested; they caused the accident 100%. In order to avoid hitting the scum that now demands compensation for their lies, the bus went to its death along with the passengers... It is obvious that the kid is lying, the bus went over him, right... daddy is a spy and a swindler, he taught the kid to say what he is saying, but we believe in the truth the police will establish. There will not be much use of it, but everyone likes to know the truth.**

**Article: ‘Suljo Mustafic dragged the survived and the bodies of the deceased: “These images will never leave my head as long as I am alive”’**

**VAT30%, 23 June 2013,10:29pm**

**Shame on you... now you are some hero... and someone special... you Milo’s suck-up... there were 50 people minimum who helped... collecting some cheap political points... yuckkk... I wonder if this is for real, this amount of arrogance, we will not forget your coalition with Milo, well I am sick of such people.**

There were also some unacceptable comments the publishing of which did not consider the effects and feelings they could produce with family members, cousins and friends of the victim related to the article titled: ‘Doctors hope Olivera Barović would come out of coma’.

**Meteor, 18. June 2013, 12:09pm**

THE CHILDREN OF THIEVES SHOULD URGE THEIR PARENTS TO STOP STEALING IN ORDER TO AVOID THEMSELVES BEING HURT

The portal Vijesti also published utterly inappropriate comments on the article titled ‘Podgorica: Vehicle of a journalist of Dnevne Novine set on fire’.

**Kukunama, 9 July 2013, 3:40pm**

They had another way to get rid of him. We managed to throw out of our Union Dragan Velimirovic Gavran, called Bozana Zeta, when we found out from his wife and the police that he forced his daughter Jelena to incestuous unnatural perversion. We did not wish to get in conflict with such a sick mind. Now he is slandering us everywhere, has no guts to set us on fire, but is hiding from one apartment to another with his LGBT friends until they too figure him out and discard him.

**Kukunama, 9 July 2013, 4:47pm**

Administrator Jelena, what’s with picking on our comments and deleting them, we gave an example for incest in Montenegro... Dragan Velimirovic Gavran self-proclaimed in LGBT population who took another name Bozana Zeta. His wife reported him to the police and to our Union for abusing his own daughter while she was at the bus station. The daughter Jelena, your namesake, told on him to her mother. These are the issues the society should deal with instead of handing the justice to your hands filled with PUS.

MSS believes these to be utterly inappropriate and unacceptable comments, that the effects and feelings their publishing could produce with the family, cousins and friends of the stated person were not taken into consideration.

MSS considers the Article 8 of the Code was violated:

**“A journalist is obliged to be very careful when dealing with private life of people. The right to private life is disproportional to the importance of a public function that an individual performs, but in those cases, it is necessary to respect human dignity as well.”**

Over the monitored period of time the comments of the readers, characterised as abuse of the freedom of speech were registered: insulting persons by using street talk and swear words, inappropriate qualifications, unchecked information... Nationality based insults were also registered along with homophobic comments and comments with the elements of hate speech, invitations to violence, comments with elements of fascism, etc.

Here are some examples:

On 28 May, portal Vijesti published comments containing hate speech with threat elements related to the article titled ‘JNA, once a formidable force, and now look at it...’. Examples follow:

**Kralj Artur, 28 May 2013, 1:11am**

@kalac123 My dear Milacic, of course you have no Turkish blood. The Turks did not mingle with us, especially not with you turned Turks, they especially hated you since they had no faith in you, for when you could betray your own, you would even more easily betray what is theirs. You are a Serb my dear Milacic, but the Turkness is eating you up, and now you hate everything that reminds you of what you are.

**kalac123 28 May 2013, 12:59am**

OK ARTUR, YOU ARE RIGHT... YOU SHOULD FUCK THEM TOO FOR 550 YEARS!!!

**Tugomir i Jorgovanka, 28 May 2013, 12:589am**

Serbs are friends to no one, but simply no one... it is a marauding tribe, a sect, living from robbery, killing, acting as friends to other people and once they loosen them up they stab them in the back or cut their throats, you have been murdering all peoples with the assistance of SPC[[2]](#footnote-3), a criminal organisation by the way, paedophiles and queers who fuck kids in their butts, but not the ones older than 10... You are vampires, pests, cancers, malignant tumours, 20 metres high walls should be erected around Serbia just like in Israel, so that you cannot get out of there.

**Tugomir i Jorgovanka, 28 May 2013, 12:589am**

You kid in the cassock in leader tights... Serbs are friends to no one, they have never been and they never will be... they are just that way, they are killing each other, deceiving, lying and raping among themselves, and we saw what they think about others in Vukovar, Srebrenica, Sarajevo, Kosovo, Montenegro in 1918, CPC[[3]](#footnote-4), the Petrovic’s were banished. Serbs are simply evil, I don’t know what’s the matter with you, but the facts clearly state that there is no nation which you spared of genocide, raped their women, killed their children, you are a genocidal nation feeding on the blood of others, you are vampires...

**Article: ‘Amfilohije: Homosexuals and paedophiles are the same’**

**HA HA HA, 28 June 2013, 12:24am**

Megafon, you really are a Serbian scum and a coward, your father is turning in his grave.

**HA HA HA, 28 June 2013, 2:31am**

Captain megaphone, your ass has obviously got wet when you heard you would be raped. Your SPC asshole starts oozing gravy at once... give me your address, do not ask questions you Serbian cunt... talking tough from a distance, show me how you Serbs are brave not only when it comes to women and children, but when you come across someone with balls.

**Kralj artur, 28 June 2013, 2:29am**

Hahahah… you are criticising SPC for pederasty and rape, while you first would love to have sex with a man, and you are willing to rape... hahahahhaha...

**HA HA HA, 28 June 2013, 1:18am**

Captain Dragan aren’t you in Australia, Croatia is ready to welcome you home, it will barbecue you like a pig once you arrive haha megaphone-Kocalo-kapetan, you are so obvious with a hundred nicknames you bum... is there any worse scum than you are, you are fucking amongst yourselves, SPC priests are fucking strippers, kissing and licking their genitals and asses, sucking on the assholes of young deacons, forcing the children not older than ten to suck their cocks, orphans, what kind of religion are you, you are the children of Satan, Sodom and Gomorrah, and you bum are talking about honour and morals...

**Megafon, 28 June 2013, 2:16am**

I take a dump on your Meka and Medina and on Mohamed and Ajsa, you cunt, you can suggest Amfilohije to try out paedophilia than a homosexual in order to see the difference. Then a sow takes a dump on Meka and Medina. You Mujahedeen are all Satans... you would slay as with rusty spoons if only you could... I have no idea who made you Kalac talk such crap... you are known as turned Turks of culture.

**MSS reminds about the Principle 5 of Montenegrin Journalist Code:**

**Hate speech**

**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. The same applies if it is highly probable that publication of a material may cause the above stated hostility and hatred.**

It is forbidden to publish ideas, information and opinions inspiring discrimination, hatred or violence against persons or groups of persons on the grounds of their racial, religious, national, ethnic, backgrounds or lack of it, on the grounds of their gender or sexual orientation...

Here are some more examples of violations of professional standards registered at the portal Vijesti. They are related to the comments of readers published without the intervention of the editorial and which contain the most vulgar swear words, explicit personal and family insults or hate speech against a political or ethnic group of people.

**Article: ‘If everyone operated like Prva Banka, the system would collapse.’**

**ManUtd4ever, 29 May 2013, 5:33pm**

Well would you just look at these Vesko Barovic, paedophile and other scum... you will face Black Friday as well...

**jovopederNK, 29 May 2013,5:26pm**

Is it true that Barovic was impotent because some people whose wives he was hitting on injected Botox in his manhood and put it to sleep?

**Article: ‘Lesson for Ukrainians, barrage now questionable.**

**G\*R\*O\*B\*A\*R 07 June 2013,11:13pm**

Cursing Serbian saints, I am just watching what you are writing you wop cunt... who do you think you are, fuck your mother in her cunt... let them ban me I don’t give a fuck you ustaša cunt, did your grandfather cheer e viva[[4]](#footnote-5), fuck your mother in gut!

**G\*R\*O\*B\*A\*R 07 June 2013, 11:06pm**

Go cry you pathetic worm... cry and kiss the picture of your lord, I fuck your ustaša mother...

**G\*R\*O\*B\*A\*R 07 June 2013, 11:09pm**

Stojanov duh: fuck everything related to you, you wop, ustaša bastard, it is because of the degenerates such as yourself that we do not cheer for Montenegro. I would set all of you on fire!!!

**Stojanovduh, 07 June 2013, 11:05pm**

My dear Zeljoni, Serbian toady and butt kisser, Stojan will return after being banned, fuck your traitor bitch mother!

At the portals Analitika and Cafe del Montenegro, MSS did not notice any violations so it is concluded that editorial and administrators continually take care of professional standards and have restrictive editorial policy for publishing comments which could violate professional principles.

MSS once again reminds the editors of the portal Vijesti and other portals that they are held responsible for all contents on their portals, including the comments of the readers, i.e. that they are obligated to administrate the comments more carefully in order to reduce the abuses to the lowest possible level...

**COMPLAINTS**

Media Council for Self-Regulation received a number of complaints during this period of time. All complaints refer to the violation of the Code in the area of unprofessional, tendentious reporting, distorting facts or putting them into a different, preferred context, failure to publish or inadequate publishing of denials.

**I. The Mayor of Podgoric, Dr. Miomir Mugoša, addressed the Media Council for Self-Regulation with the complaint, corroborated with all related documentation regarding the writings of Dan and Vijesti, while reporting about the activities of the Capital.**

The Mayor Mugoša stated two, as he put it, blatant examples of unprofessionalism – Vijesti’s reporting about the preparation process for the land exchange between the Capital and the Embassy of the People’s Republic of China, and Dan’s reporting related to the settlement of obligations of the Capital and public companies toward the Tax Administration of Montenegro. Along with the complaint, the cabinet of the Mayor submitted to the Media Council for Self-Regulation the articles, integral announcements and reactions, along with the versions in which they were published. Media Council thoroughly reviewed the stated documents.

**The complaint of the Mayor of Podgorica, Dr. Miomir Mugoša, to the Vijesti’s report**

On June 13th Vijesti published an article on page 3, which was also announced on the front page, titled ‘Mugoša tried to deceive the Chinese for a million’. As stated in the superscript headline of the article, ‘Montenegrin Government facing a problem since the administration in Podgorica underestimated the value of land which is the property of the Chinese Embassy and overestimated their own lots within the preparation process for their exchange’. It is stated in the article that the value of the lots was estimated by the Property Directorate of the Capital.

“Although this article published an accusation which aims at discrediting the honour and reputation of the Mayor of Podgorica, the journalists of Vijesti did not consider the regulation in which the other side should be heard as well, i.e. I was not given an opportunity to promptly react to the obviously ungrounded accusation”, states the Mayor’s complaint.

BG Bureau denied the claims from the article in which it is stated that the only authorised body – the assessor of the value of the lots – was the Real Estate Administration of Montenegro and that they estimated the value, not the Property Directorate of the Capital.

Vijesti published this denial on June 14th, not as a whole but as snippet (titled ‘PG Bureau: ‘Nothing is true’) within the article ‘Diplomacy is not pure trading’, which contained the reactions, marked as ‘embarrassment’, of several correspondents to, as stated in the superscript headline, “the attempt of Mugoša to damage the Embassy of China for several million Euros upon land exchange”.

The Mayor had a complaint to the fact that a part of his reaction, stating that the article represented “another example of persistant attempts of the so called independent daily Vijesti to discredit the bodies of the Capital through fictitious writing, forgeries and unscrupulous framing”, was not published, and that the readers of this daily had recognised it a long time ago but were still being “entertained by reading the fabrications and constructions of Vijesti in their futile attempts to accuse the institutions of the Capital of some nonexistent wrongdoing”.

On 15 June, the daily published the response to the denial published the previous day in the snippet, titled ‘How China would treat him for this’. This article accepts the mistake related to which institution estimated the value of land, but it also states that the Mayor of Podgorica did not inform the Government on all the elements of the transaction on time.

On 18 Jun Vijesti published the reaction of PG Bureau to the article ‘How China would treat him for this’. Mayor Mugoša decided that the article presented false interpretation and forgery of the statements from the reaction – that the information on the intention of the construction of the Embassy was only additionally submitted in the official form. The title was ‘The Chinese did not inform us they would be constructing the Embassy’. The reaction was published integrally.

Media Council for Self-Regulation reviewed all documents in detail and compared the original denials with the published ones.

MSS concludes that the first denial to the article ‘Mugoša tried to deceive the Chinese for a million’ (PG Bureau: ‘Nothing is true’) was not published in an appropriate manner, both because of the placement in a snippet, while the title did not suggest it was a reaction to an article, i.e. a denial, and because it was published as part of the major article ‘Diplomacy is not pure trading’, which was dealing with the same topic as if there was no denial at all. MSS also turns attention to the fact that upon the publishing of the first article the obligation of the journalist was to consider the other side as well before publishing severe accusations at the expense of the Mayor. MSS reminds about the Article 4 of the Code which states:

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

Guidelines for this Principle, referring to corrections, states:

**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 refer to the previous incorrect report. If a media 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. The apology must be placed so that it corresponds to the placement of the report to which it refers. “Corresponds to the placement” within this context means that the correction must be published at the same place (in case of printed media) or within the same broadcast (in case of electronic media).**

As for the second reaction (‘The Chinese did not inform us they would be constructing the Embassy’), Media Council for Self-Regulation concluded that Vijesti published integral reaction of PG Bureau, without any interventions or journalistic comments, apart from the first passage which was correctly digested, i.e. put into reported speech.

Superscript headline appropriately stressed that it was related to the reaction of Mr Mugoša to the article on the land exchange between the Government and the Embassy of the Far East country.

The controversy between the Mayor and Vijesti was concluded with the article ‘Bon Voyage, Mr. Mayor’ published on 18 June to which the Mayor did not react since, as he stated in his addressing the MSS, “it was full of obvious nonsense”.

Media Council for Self-Regulation is not in a position to judge which of the two parties in this dispute was right, whether they both were, or neither was. After all, such judgement call is left to the reader, and the discussion was held with the aim to shed light on all elements. MSS once again invites the media to act in line with one of the basic principles of the Code and the Law on Media referring to publishing denials.

**The complaint of the Mayor of Podgorica, Dr. Miomir Mugoša, to Dan’s report**

The second example which provoked the reaction of the Mayor of Podgorica is the article published on 6 June in Dan titled ‘Mugoša concealed a million from tax’, which was also announced at the front page. The superscript headline of the article stated ‘The Minister of Finance Radoje Žugić revealed that the obligations of Podgorica amounted to €3.17 million. It concerns the data collected from the information on the indicators of the financial situation of the local Government in 2012 which Žugić forwarded to all the members of the parliamentary Board for Economy, Finance and Budget.

This article initiated the polemics between the Mayor Miomir Mugoša and the editorial of Dan with regard to the real amount, and, furthermore, which is the essence of the debt, the unpaid tax and contributions of the Capital, or the debts of some other companies based on the same grounds.

Media Council for Self-Regulation analysed the disputable article in detail. MSS believes the article was done professionally, since it included both sides, and the comments were reported without further journalistic comments. The first side referred to the opposition, which claimed the origins of the debts were nested in the unpaid tax and contributions of the Capital, and the side representing city administration, the Financial Secretary of the Capital, Miomir Jakšić, who claimed the debt actually amounted to €2.25 million and it originated from the company ‘Putevi’ which was in the process of bankruptcy.

In its complaint Mugoša also stressed that the editorial took no statement from him and the headline ‘Mugoša concealed a million from tax’ was completely ungrounded.

MSS also believes that, unlike the correctly written article, the headline was entirely inadequate, pretentious and suggestive, and that it implied and in advance suggested the reader about the origin and the one responsible for the debt of the municipal budget.

MSS reminds about the Principle 1 of the Code and the guideline 1.2 (b):

**The public’s right to be informed does not justify sensationalistic reporting. Therefore, they shall not distort information by exaggeration, by placing improper emphasis on one aspect of a story or by giving only one side of the story. Journalists must avoid titles or advertising slogans which could lead to a wrong conclusion about the essence of an event or situation. Facts must not be distorted by being taken out of context in which they occurred.**

On the very same day the information was published, the Mayor addressed the acting Editor in Chief of daily Dan, Mladen Milutinović. The letter is part of the documentation submitted to the MSS. The Mayor informed Milutinović in the letter that “the Capital was forced to reassess the manner of further communication and cooperation with daily Dan ‘on account of the tendentious reporting and misinforming the public about the activities of the Capital and the Mayor’”.

As the Mayor reminds in his reaction submitted to MSS, the article contains, within the statement of the Secretary Jakšić, the invitation to the Tax Administration for explaining about the origin of the debt, initiated by Jakšić.

On 14 June Dan published the announcement of the Tax Administration ‘Putevi owe nearly €3 million’. MSS believes that the announcement was appropriately prepared and published. It contains the denials that the Capital had debt toward Tax Administration, and it precisely states that it is about the debts of the public companies Putevi, Water Company and FC Budućnost.

Next day, on 15 June, this daily published an apology of the Tax Administration issued to the Mayor of Podgorica, within a large article titled ‘Regardless of €3.1 million debt, Lakićević apologised to Mugoša.

The Mayor Mugoša stated in his complaint that this and thusly prepared articles “obviously ignored the data published by Tax Administration”, since it contained comments of several opposition MPs related to the matter.

Media Council for Self-Regulations believes that the article was tendentious and inadequate. On the other hand, in the subheading and within flash parts of the article, daily Dan in a clearly visible manner once again published the statements of the Tax Administration on the origin of the debt.

**II Attorney of Zoran Bećirović, Branko Čolović, complained to the MSS about the reporting of Dan and Vijesti and about “inadequately and partially published denials, opposed to the Law and the Journalists Code, with the comment of the editorials in which the false statements were repeated and new ones were stated in an offensive manner”.**

**The complaint of the attorney of Zoran Bećirović,Branko Čolović, to the Dan’s reporting, 25 May**

On 25 May daily Dan published an article titled ‘The Government taking €25 million loan on account of Ćoćo’. The article was published on page 9 and was announced at the front page. The superscript headline stated that the “state is taking loan for the construction of the road to the ski lane Jezerine, although it was the obligation of Dragan Bećirović” (late brother to Zoran, MSS notes), while the subheading states “Bećirović bought ski lane Jezerine in 2007 for half a million Euros and with the obligation to reconstruct it and maintain the road for 20 years.

The last passage of the article states “Ski center Ko­la­šin was sold in 2007 to the company Beppler & Jacobson in which one of the owners is a citizen of Ko­la­šin Zoran Ćo­ćo Be­ći­ro­vić. Ski centre was sold for half a million Euros, and Beppler committed that as soon as the agreement is signed he would take over the maintenance of 9km of the road Ko­la­šin – Jezerine to 20 years, which also was one of the conditions for the sale announced by the bankruptcy manager Sreć­ko Me­de­ni­ca”.

On 29 May Dan published the denial titled ‘The reaction of Zoran Ćo­ćo Be­ći­ro­vić’ and with the superscript headline which stated ‘Afraid of liquidation’.

Čolović complains that Dan also published its own comment along with the denial “in which false statement about my client being obligated to reconstruct, not only maintain the road Ko­la­šin – Jezerine was repeated, since, according to the editorial of Dan, it allegedly implies. Regarding the warning of my client that negative media campaign led against him, in which Dan took part, had criminally motivated backgrounds, Dan published another false statement, attempting to bring my client in connection with ‘the structures that assassinated Duško Jovanović’. Therefore, instead of checking their information sources, which, at least in case of my client, were obviously continually false, Dan continued to create a negative image of Mr. Be­ćiro­vić and his brother. Within the respond of the editorial to the denial of my client, another falsehood is stated that ‘he bought half of Bjelasica for halv a million’. My client, as is commonly known, bought the assets of the Ski Centre Bjelasica AD, which was bankrupt, and invested higher amounts of funds than those invested in the procurement, thus transferring it to a new, modern ski lane”, it is stated in the reaction of Čolović.

Media Council for Self-Regulation analysed the disputable article and the denials of the attorney of Bećirović.

MSS believes that the text published on 25 May was manipulative and tendentious, along with the construction of the heading. MSS concluded the article was confusing and inacurate, since at the very beginning (in superscript heading) the loan taken by the Government at the expense of Dragan Bećirović (who tragically lost his life in 2011) was mentioned, while Zoran Bećirović was mentioned in the final passage.

The Editorial of Dan manipulatively tried to link the loan taken by the Montenegrin Government from the EBRD with the obligations of the owner of the ski centre Jezerine. In the response to the denial of Zoran Bećirović the editorial directly admitted that the investor was not obligated to reconstruct, but only to maintain the road between Kolašin and Jezerine.

MSS also concluded that the denial of Zoran Bećirović was entirely published, but not in a manner prescribed by the Law and the Code.

MSS believes that the accusations in the denial of Zoran Bećirović that “the representatives of organised crime, who through you (Dan) prepared the public for my assassination, falsely presenting me as a person prone to corruption and crime” were ungrounded and were not supported by arguments, along with the accusations stated by the editorial of Dan in the response to the denial: “Mr. Bećirović, it is shameful to frame such objectives to the editorial of a daily the Chief Editor and the director of which was murdered by the structures on which you are obviously well informed.”

**The complaint of the attorney of Zoran Bećirović, Branko Čolović, to the Dan’s reporting, 29 May**

MSS rejected the complaint on unprofessional publishing of the denial of the attorney of Zoran Bećirović, Branko Čolović. The denial referred to the article published in Dan on 29 May titled ‘Ćoćo demands 20,000’ with the superscript heading ‘Company Beppler & Jacobson pressed charges against Basketball club Budućnost’. It was stated in the first line of the article that “the company of Dragan Ćoćo Bećirović pressed charges against Podgorica’s basketball club for €20,000, which is the amount the club spent at the Kolašin-based hotel ‘Bjanka’”. Mr. Bećirović demanded in denial that Dan publish he did not press charges against the basketball club Budućnost. The editorial of Dan published the stated denial, but it also published its own response in which additional accusations and offenses at the expense of Mr. Zoran Bećirović were stated.

As Čolović stated, in its article daily Dan incorrectly interpreted the fact that the company Beppler & Jacobson Montenegro d.o.o. pressed charges against Basketball club Budućnost by publishing that Zoran Bećirović pressed charges against the stated club.

Media Council for Self-Regulation on this occasion turns attention to a very unpleasant factual mistake, specifically, in both disputable articles the editorial of Dan persistently mixed up the name of Zorana Ćoćo Bećirović with the name of his late brother Dragan Bećirović.

MSS can, for the sake of the completeness of the report, present the course of the polemics and the complaints of the attorney of Zoran Bećirović to Dan’s reporting.

“Since this is not the first time Dan presented my client as a person prone to conflicts, on 31 May Mr. Bećirović issued a denial to the editorial of the stated printed product in which he stressed it was not true he pressed charges against KK Budućnost, and that he authorised no one to do so on behalf of the company Beppler & Jacobson Montenegro d.o.o.”, Čolović wrote in the complaint.

On 1 June Dan published the denial of Zoran Bećirović titled ‘Constitutional rights violated’, but as a part of another article “Ćo­ćo and Aco can go without a licence’ (Aco being the brother to the Prime Minister Milo Đukanović, MSS notes).

In the denial integrally published by DanBećirović stated that it was false information by which his constitutional rights were violated, since he did not press charges against the basketball club Bu­duć­nost, or authorised anyone to do so on behalf of the company Beppler and Jacobson. In this reaction Zoran Bećirović also claimed that the article was a part of the media campaign led against him by Dan on behalf of organised crime, by making up nonexistent disputes, first of all with the casino Avala, and now with the basketball club Bu­duć­nost.

Within the response to Bećirović published within the same edition (titled ‘Offshore partnership) Dan stated they were led by his own statement issued nine years ago, that he was the owner of a third of the empire. “Since it was founded in London, while keeping business via multiple offshore destinations, we have no data on the ownership structure but we will take your word for it. If something changed in the meantime, it is simpler for you to send an announcement on the changes to all media, instead of writing reactions and threatening with court procedures. The disputable article is, in fact, the report from the courtroom of the Commercial Court.”

The attorney of Zoran Bećirović addressed the MSS on account of the manner in which the reaction was placed within Dan:

“We believe that the attempt to raise issue of or devaluate the significance of the denial in the stated manner is inappropriate, being that it was a bare fact that my client, as a natural person, could not be heard at the Commercial Court. Therefore, it cannot be true that on trial before the Commercial Court Mr. Bećirović was mentioned as someone ‘demanding 20,000’. Apart from that, the response of the editorial of Dan mentions the company Beppler & Jacobson Montenegro as an empire, although it is a company for which it is known to own two hotels, which is far from empire. Furthermore, it is speculated about whether my client was still the owner of the empire and to what extent, and is publically demanded to inform the media about it. We believe that such response of the editorial was malicious, since it was drawn out of the context of the article issued on 29 May and the denial of my client. Mr. Bećirović is not appointed and has never been appointed as any kind of official, thus the matter of his ownership in the company Beppler & Jacobson is his private issue, which does not give the right to daily Dan to conduct media defamation of Mr. Bećirović by continual publishing of false statements.”

With regard to this complaint MSS concluded that daily Dan made factual mistake in the heading of the article when it published that Zoran Bećirović pressed charges against basketball club Budućnost. Apart from that, the denials published were followed by new ungrounded accusations, although the editorial admitted to have made a mistake.

MSS believes that the Principle 1 of the Code dealing with exactness and Principle 4 referring to the corrections and false information were violated.

**The complaint of the attorney of Zoran Bećirović, Branko Čolović, to Vijesti’s reporting, 8 June**

This complaint of Čolović refers to the refusal of Vijesti to publish the denial to the article published by the daily on 8 June on the page 11.

It is about the article ‘The Ministry of Sustainable Development legalising the complex of Bećirović above Jaz’.

The article was about the apartment complex in the village Prijevor above Jaz. Vijesti reported that the owner of the complex, according to the claims of buyers, was the businessman from Kolašin and a friend of the Prime Minister Milo Đukanović, Zoran Ćoćo Bećirović, and that a Russian Vladimir Andreyev filed criminal law suit to the police in Budva against, as he stated, the organised group headed by Bećirović. “He decided that it was about multimillion Euro scam, since many have dared to buy nonexistent apartments in SKY MN”, Vijesti reported.

“Within the state article my client was falsely depicted as a person prone to dishonest activities, and related to the sale of apartments within the complex SKY MN at Prijevor near Budva, although the truth is that Mr. Bećirović neither has any connection with the sale of the apartments, nor did he know Mr. Andreyev, mentioned in the article as the source of the information. It is yet another article published by Vijesti which contains false information about Mr. Bećirović, which is why I already addressed you as his attorney. In such circumstances he addressed Vijesti with a denial the text of which we are submitting in the attachment of this message. On that occasion Mr. Bećirović once again warned Vijesti that it was an organised media campaign the goal of which was his defamation”, it is stated in the complaint submitted to MSS.

MSS concluded that the reaction which was not published, and which was issued to us by the attorney of Bećirović states: “Bearing in mind that this is not the first false statement published in your printed product and related to me, I am using this opportunity to warn you that **the media campaign led against me was inspired and conducted by the organised criminal groups which aim at falsely presenting me as a problematic personality.”**

In the response forwarded to MSS by the attorney of Zoran Bećirović, the editor Mihailo Jovović stated he would publish the denial “when it is in line with the Law on the Media”.

MSS presumes that Jovović responded in this manner concerning serious accusations stated in the reaction.

MSS believes that Vijesti could have published the reaction, but was not bound to do so, bearing in mind serious accusations. In short, such accusations released the editorial of the obligation to publish the denial.

**III The complaint of the Supreme Court of Montenegro to Vijesti’s reporting on 13 June**

Media Council for Self-Regulation received the complaint of the Supreme Court of Montenegro to Vijesti’s reporting. It concerns the article titled ‘Messed up dates and knew in advance the judges would address them’ published on 15 June on page 13. The superscript heading of the article is ‘CLAIRVOYANT: Judicial Council informed they did not deal with the problems at the Appellation Court, with strange explanations’.

It is stated in the article that the member of the Judicial Council did not consider a letter addressed to the president of the body and the Supreme Court Vesna Medenica by five judges of the Appellation Court, although the issue was integrated in the agenda of the session that was the topic of the mentioned article published in daily Vijesti. The article states:

“Members of the Judicial Council did not consider the letter five judges of the Appellation Court submitted to the president of the body and the Supreme Court Vesna Medenica, although the issue was announced in the agenda of the yesterday’s session.

Since the official announcement issued following the session did not state what decision was made about this issue, the journalist of Vijesti asked the Supreme Court about it. The Secretary of the Court Sanja Kalezić, communicated that the judges of the Appellation Court officially addressed the Council only the day before and that it would be discussed at the next session.

On the website of the Judicial Council an announcement has been posted that the IV session of the Judicial Council will be held on 14 June with eight items on the agenda. The discussion on “the judges of Appellation Court of the Crime Department addressing the president of the Supreme Court and Judicial Council on account of the changes to the annual schedule of the affairs in the court” was stated as the sixth item on the agenda.

Apart from this contradiction, Kalezić stated yesterday for Vijesti that the judges acquainted the Council with their problem only “today on 15 June”, it was 14 June the day before when the responds were submitted.

The Supreme Court sent to the Media Council the correspondence conducted via electronic mail between Sanja Kalezić, the secretary of the Supreme Court, and the journalist of Vijesti Komnen Radević.

The dates on the correspondence witness that Kalezić made a mistake and stated 15 June as the date the judges officially addressed Judicial Council, and the correspondence was conducted on 14 June. Kalezić stressed that within her later email and apologised since it was about the technical mistake, being that the date the mail was sent was 14 June.

The Supreme Court complains about the unethical behaviour of the journalists of Vijesti who, according to them, deliberately published false information “consciously knowing that it was malicious, and gave to much significance to a technical mistake on the correction of which he was timely informed, that it actually decided the content of the entire article, thus discrediting the professionalism of the Supreme Court and the Judicial Council.

Media Council for Self-Regulation agrees with the decisions of the Supreme Court and reminds about the Journalist Code which states in the Article 3:

**The facts are inviolable to a journalist, and it is his duty to place them in regular context and to prevent their abuse, regardless of whether they are related to text, picture or sound.**

The Code states in the Article 6:

**A journalist must use professionally honest and legally allowed methods for gathering any form of information. The deviation from this rule is allowed only in cases when the methods are not sufficient, and the information sought is of extreme importance for the public.**

In the guidelines for the Principle 1 on general standards the Code states:

**Journalists must maintain the highest professional and ethical standards. They must take all reasonable steps to ensure that they disseminate only accurate information, and that their comments on events are genuine and honest. Journalists must never publish information for which they know to be false or maliciously make unfounded allegations about others that are intended to harm their reputations. A journalist has a right to refuse the task which is not in line with ethical code.**

1. Company in charge of the road situations. [↑](#footnote-ref-2)
2. Serbian Orthodox Church [↑](#footnote-ref-3)
3. Montenegrin Orthodox Church [↑](#footnote-ref-4)
4. referring to the phrase ‘long live Montenegro’ [↑](#footnote-ref-5)