# MEDIA COUNCIL FOR SELF-REGULATION

Report on the work of Montenegrin media for the period

1 March - 15 May 2013

This report of the Media Council for Self-Regulation monitors the work of media from 1 March to 15 May 2013.

The Media Council for Self-Regulation concluded that it was about politically and media turbulent period in which the presidential elections were held on 7 April.

Within the monitored period, at the end of March and early days of April, a big affair related to the former president of the Senate of the State Audit Institution, Miroslav Ivanišević was the main issue, as well as a political affair known under the name “Audio Recording” (*Snimak*).

When it comes to the presidential elections, the Media Council for Self-Regulation remarks that the media in Montenegro openly supported one or another candidate, conducting, in some cases, an open pre-election media campaign.

The Media Council for Self-Regulation concludes that conducting the campaign in order to favor certain political options, parties or political persons does not contribute to the quality of the media word. However, as the editorial policy of the media is not the subject of interest neither of responsibility of the Media Council for Self-Regulation, this body dealt only with aspects of media reporting related to the presidential elections, which are related to violation of the Journalist Code. The Media Council for Self-Regulation reminds that the Journalist Code, when it comes to the pre-elections campaign monitoring, specifies only a segment of reporting on pre-elections gathering. That segment is defined within the guidelines for the Principle 1. The Code says that “**journalists will report also on the positions even if they do not agree with them and on values that they do not share. Such an approach is a matter of journalist’s exactness, it serves to the right of a citizen, to the freedom of informing, and it supports the principle of equal chances for all political parties and other participants in the elections process.**”

The Media Council for Self-Regulation may assert that this rule of the Journalist Code was completely disregarded and giving examples of its violations would require one complete report.

When it comes to the affair Ivanišević, the Media Council for Self-Regulation believes that, unfortunately, it moves limits of a good taste in the public language in Montenegro. Thus, we had a complete “tabloid style” in some media, which tend to be serious political media.

The Media Council for Self-Regulation deems that it is important to note in this report the “Audio Recording” affair, as well. Namely, the daily Dan published subsequently the transcripts of the audio recording of the meetings of the high party’s bodies of the DPS (Democratic Party of Socialists), which, as Dan claimed, showed a manner of functioning of the authority in Montenegro – through favoring party’s members and through misuse of the state resources for the party’s purposes. The Media Council for Self-Regulation may affirm only that allegations from the press media or the authenticity of the reported transcripts were not questioned neither denied by the people who were mentioned in the affair and that there was not abuse neither violation of the Code.

We deem that it is important to note that the Media Council for Self-Regulation and its work were a subject of a report made by a NGO named “Human Rights Action” (HRA). It is stated in the report, among other things, that the Media Council for Self-Regulation should not monitor media which are not members of this self-regulation body and that the monitoring went beyond the scope of self-regulation. The Media Council for Self-Regulation reminds that the term media self-regulation was not defined anywhere as the term defining self-regulation body to be in charge of the media which were not its member and that the Media Council for Self-Regulation acts in accordance with the principles of the self-regulation in a way in which these principles are implemented in a great number of European states.

In the mentioned period the Media Council for Self-Regulation received a complaint from Ivan Delić from Budva. The complaint was related to the text published in the daily Blic on 30 April and it was titled “Murder of Nikola Bojović is revenge from mafia from Budva”. In the communication with the editorial of Blic from Montenegro situated in Podgorica it was concluded that the mentioned text was published in the edition of Blic for Serbia. The Media Council for Self-Regulation directed Delić to the Council for the Press, as a competent body for the press editions whose central editorials are on the territory of Serbia.

The examples of violations of the Journalist Code are given below in the chronological order.

**Daily Dnevne novine** 11 March

The daily published on the page 13 the text about the murder that happened in Bar. It is alleged in the text that Selma Ajkunić from Bar was arrested as a suspect for murdering Radomir Pavićević, a retired seaman. The title of the text was “Murdered because he did not want to pay for sex?”

The Media Council for Self-Regulation believes that the title was exceptionally inadequate regarding the victim and his family and that they should have shown more piety towards the person who was completely anonymous for the Montenegrin public.

The title was even more unfair because it was based on the unofficial statement of an unofficial and unnamed police source, out of the court process.

In the guidelines for the principle 8, which regulates the right to privacy it is said: **“The public’s right to information must always be weighed against the personal rights of those involved.”**

**“Reporting on a person’s private life can be justified when it is in the public interest to do so.”**

**“The limit of acceptability in reports on accidents and disasters is respect for the suffering of the victims and feelings of their dependants”**

**“All the guidelines on the right to privacy apply – where appropriate - also after the death of the person concerned.”**

In the same segment the Code says that **the private addresses enjoy the special protection,** and the daily published a photo of the house where the crime was committed.

Also, such a title violates the guidelines in the Code, which are related to the reporting on the crime, especially the principle of presumption of innocence (Principle 10).

“**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 and allegations violate the constitutional protection of human dignity, which also applies without qualification to criminals.”**

**Daily Dan** 12 March

The daily published on the front page the text in which it is said that Lenka Renić, “a convicted drug trafficker” gave the speech at the promotional gathering of the presidential candidate, Filip Vujanović, in Herceg Novi. The title of the text published on the 3rd page was “She supported Filip, and she was selling drugs”. The daily alleged, relying on the daily Pobjeda from 2004, that Renić was sentenced to 8 months of imprisonment because of drug trafficking and providing drugs to others.

Then, it is said in the text that Renić, when she was 24, consumed a half of an ecstasy pill when she was at the musical happening in Rose and that she sold two pills for ten euros to a person.

The daily concludes:

“Lenka Renić, as it was found yesterday, was mentioned on the web site of the Music school in Herceg Novi, as a probationer teacher.”

The Media Council for Self-Regulation believes that the following comment was specifically malicious and with made with a bad intention: “Has she solved the addiction problem meanwhile, it has been unknown, since it has been impossible to reach her by yesterday.”

Renić sent a letter of reaction to the daily Dan and it was published on the bottom of the 3rd page.

“Sins of my youth are only mine” was the title of her reaction, in which, among other things, she said that her life is the best proof how mistakes from youth may be overcome. She has two faculty diplomas and she has been working as a beach lifeguard for ten years and she does not have any unpleasant situations with her colleagues, neither with children, nor parents in the music school where she works as a probationer teacher.”

The Media Council for Self-Regulation believes that it is ultimately inappropriate to damage the reputation of political opponents in this manner, abusing lives of people anonymous for the public and that Senić suffered a way more from this text than the presidential candidate Filip Vujanović.

In the general standards of the Code it is written:

**“Journalists must never publish information that they know to be false or maliciously make unfounded allegations about others that are intended to harm their reputations.”**

The principle 8 of the Journalist Code says:

“**A journalist is obliged to be very careful when dealing with private life of people. A 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.**”

The Media Council for Self-Regulation may repeat the quote from the Code that was used in the previous example:

**“Prejudicial portrayals and allegations violate the constitutional protection of human dignity, which also applies without qualification to criminals.”**

**Daily Pobjeda** 18 March

Along with the text published on page 3, titled “Dan paid Lekić with 11 000 euro annually”, within the box that was signed by the editorial, Democratic front was called “political-interest-criminal-group” for several time.

 The Media Council for Self-Regulation believes that it is an insult, which is against journalist standards, especially because it was the editorial text, but not a quote of political opponents.

**Daily Vijesti** 21 March

The daily Vijesti published on 21 March on the cover page the title “Đukanović is respected cheater and smuggler” and on the page 9th the article titled “Targeted are those who do not serve Đukanović” and the text box with the title carried from the cover page. The text describes a visit of media directors to the German media and it carries accents from a press conference. Among other things, it is alleged that the director of Bavarian Radio, Johanes Grocki, stated that Đukanović is ”respected cheater and smuggler”. Also, it was mentioned in the text that Montenegrin delegation met with numerous German officials, among which was the president of Bavaria, Horeste Zrhofer.

Following the information the daily Pobjeda contacted Johanes Grocki and he denied that he stated that Đukanović is respected cheater and smuggler, and from the Bavarian President Cabinet was also denied that he held the meeting with the Montenegrin delegation, as well. Nobody from the daily Vijesti reacted to these claims.

Regarding such incorrect information published the Media Council for Self-Regulation reminds on the guidelines for the principle 1:

**General standards:**

**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. They must never publish information that they know to be false or maliciously make unfounded allegations about others that are intended to harm their reputations.**

**IVANIŠEVIĆ AFFAIR**

The Ivanišević affair was opened on 27 March when the photography of Miroslav Ivanišević, along with the text titled “Lust in office” was published on the cover and on the inner pages of the daily Dan. The text and photography were published after two video clips uploaded on Youtube. The actors of the videos were Ivanišević and a woman whose identity was known to the Montenegrin public already the day after publishing the text in Dan.

The Media Council for Self-Regulation concludes that the mentioned affair and aspects of privacy of a certain public or political person were reported in such an explicit manner for the first time in the history of Montenegrin journalism. Therefore, as a topic and a subject of analysis of the Media Council for Self-Regulation, it represents a precedent.

The Code regulates the right to privacy in the guideline for the principle 8. It is pretty clear when it says:

**“Journalists are entitled to probe the private life of someone who is or intends to be public official. It is correctly proceeded” – as the Code says – “where this conduct has a bearing upon his or her suitability for the assignment he/she performs or wants to perform it.”**

On the other hand, the Media Council for Self-Regulation questions here whether it is the interest of the public to be informed about all intimate details that are published in relation to this case, even if it is clear that public officials must suffer the consequences of their public and private behavior.

The Code says in the guidelines for the principle 1, which is about the duty of journalists to respect the truth and to persistently search for it (having in mind a right of the public to be informed and human need for justice and humanity):

**“The public’s right to be informed does not justify sensational reporting.”**

The Media Council for Self-Regulation believes that, regarding the Ivanišević case, and regarding the private aspect of the story, the rule 8 of the Code was violated and it says:

**“A journalist is obliged to be very careful when dealing with private life of people. A 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.”**

Additionally, Ivanišević’s extramarital affair was a trigger to series of texts in Dan, which regularly represented the main editorial sensation of the day. The texts brought serious accusations against Ivanišević, which are related to falsifying signatures, hidden accounts in Switzerland, fake property reported, the 70 000 euro loan forged… All of these assertions were based on the story of a female person who was in an intimate relationship with Ivanišević, which ended with a more than ugly media and – according to both – court epilogue, as well. Such assertions were stated in editions from 28 and 30 March.

The Media Council for Self-Regulation believes that the rule of another party and presumption of innocence was not respected in the text titled “Hidden accounts in Switzerland, fake property reported, 70 000 euro loan forged”, from 28 March and in the text titled “He has an apartment in Rome, account in Lugano, he spent 5 000 euro daily” from 30 March.

The rule of Code that regulates the general standards in the guideline for the principle 1 was not respected, as well. It says:

**“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.”**

The Ivanišević affair was the extremely used topic in the end of March and at the beginning of April throughout whole region. All relevant media and portals in the region published the story about the Ivanišević’s extramarital relationship. But, the position of the Media Council for Self-Regulation that the top of provincial and unprofessional discourse in dealing with the topic was the text by the author, Marko Milačić, “U(DRI[[1]](#footnote-2)) muški”, which was published on the portal Vijesti on 2 April.

The title of the text was “U(DRI) muški” or the intercept phone call of the Prime Minister and the State Auditor.”

It is about an invented phone conversation between Prime Minister Đukanović and then President of the Council of the State Audit Institution, Miroslav Ivanišević.

The text is full of insinuations about alleged extramarital relationships of known political persons in Montenegro, who can be easily recognized in the text, because their real names were alleged.

The Media Council for Self-Regulation believes that with this text Montenegrin journalism reached the bottom in the sphere where it has not been so far, in city digging into other’s lives, with numerous inappropriate and ultimately inadequate details.

The Media Council for Self-Regulation concludes that the text does not have any relation with the journalism, neither with humor, nor with satire.

Series of readers’ comments were published along with the text. They complement the mentioned impression.

The Media Council for Self-Regulation reminds on a part of the text and a part of the comments.

**Auditor:** Please boss, how cannot you understand me? Just imagine if it leaked about that girl (*the name was not clearly pronounced*) or about Igor’s girl (*again unclear*), or Sveto’s girl, do you remember that one (*unclear*), not to mention Filip and his girl… Yet, not to mention further, when recently leaked about your (*again unclear*), you would not be indifferent…

**Prime Minister:** (*he interrupts the auditor seriously*), Please, do not ever mention my (unclear) again! Is that clear? Never! She is a different story. She is my angel.

**Auditor:** (*patronizingly*) I will not, boss. It wasn’t intentionally… I just want you to know how I feel now.

**Prime Minister:** You deserve it, when you are not cautious. Just look, for example, at Miško. He does the same like you – he bought an apartment for his divorcee, also, but he is smart, he is not crazy to sign, to make photos, to register with courts…

**Auditor:** I know everything, but it happened. You see…

**Prime Minister:** You are immature. Well, did you know that Zoran is nothing better than you? But he is smart and he is cautious. He bought to his mistress an apartment in Budva, to her son a car. He finances her daughter’s studies abroad. Not to mention money, you know yourself how much he gives her. But, he controls himself. He does not fail.

**Auditor:** I could not control everything. What should I do now?

**Prime Minister:** Nothing! Look, for example – at Vladan. He is silent and completes his tasks. He is also with his girl, that neighbour… He buys her everything, he takes her everywhere, but still, he is very cautious. He is not that crazy to risk. Or look at my cousin Đukanović, an old man – he built, you know that girl, a big house from a fairytale… (*laughing)*

**Prime Minister:** What, how? Easily. As from now you will be more respected. I know that well. That’s how our people react: worse you are, more they love you. Believe me, they envy both, you and your girl. All Montenegrins would love to be you: you have millions in the Swiss bank from our business with Italians, you are in the government, you drive a good public car, you have apartments, weekend houses…

**Auditor:** *(calming down)* You know, you are right, boss. Since it happened yesterday, everybody is calling to congratulate me. The phone does not stop ringing. Duško called me first, he was laughing and he said: “Every honour. Let envious journalists and politicians spit on you as much as they want, you are a hero. You showed that you have balls.” Then Milan also called, his mustaches were shaking of amusement. Predrag sent me a message: “Handle yourself. The most important thing is that you showed your best – you did not embarrass the party.” Vesko was delighted. Even Rada called me to congratulate. Her Brano, as well. Then Ranka, Vesna… There is no person who did not call.

We gave several examples of comments

Brigante brigante/ 02.04.2013. at 23:36

Ae/02.04.2013. at 23:00

Brigante brigante/ 02.04.2013. at 22:49. You are the same as that grocery lady from the market. A great male. From d\*\*\*.

Even grocery ladies are curators for you, “*jerbo* *vaginal si sa kilometer[[2]](#footnote-3)*”

Brigante brigante/02.04.2013. at 23:33

@ae/ Are you talking to me, you city gossiper?

\*Of course to you, you regime stink bug!)

You know everything, who has diabetes, who has problems with potency, who is having affair and with whom, and what they have in their freezer.

\*It is true, I know everything, Miško has been on insulin for 20 years (it was written in the records, not on the market, just imagine), diabetics are impotent (general knowledge), he petted and took care of Sekula’s wife and Milo raped in Ekrem’s hole in the bus station (the raped clamed)

Ae/ 02.04.2013. at 23:00

Brigante brigante/ 02.04.2013. at 22:49

It is important that your people who are removing their underwear in cabinets or rape in bars in bus stations hold a level and have goals.

Are you talking to me, you city gossiper?

You know everything, who has diabetes, who has problems with potency, who is having affair and with whom, and what they have in their freezer. You are the same as that grocery lady from the market. Great male. From d\*\*\*.

Brigante brigante/ 02.04.2013. at 22:49

It is important that your people who are removing their underwear in cabinets or rape in bars in bus stations hold a level and have goals, and obviously assets to afford it. At least monetary assets, since working assets, if we consider the testimony of S.Č., we can conclude that the Prime Minister could not show anything. And it seems that this troubled Auditor’s girl blames him because he did not have the two meters long, as, obviously, he was promising.

Brigante brigante/ 02.04.2013. at 18:27

Prime Minister: Do not cry, Auditor. When Jami gave me a blow job recently, I did not provide three pensions to people. The pleasure does not have the price.

Brigante brigante/ 02.04.2013. at 17:20

“You deserve it, when you are not cautious. Just look, for example, at Miško. He does the same like you..”

Can Vuković be that Miško, he also loved, in spite of diabetes and impotency, to seduce wives of lower officials of DPS, to pet them, and take them to strawberry shortcakes.

**Daily VIJESTI** and Portal Vijesti 1 April

Ranka Čarapić was named “Supreme Regime Servant” in the title and text by author Miodrag Perović.

The Media Council for Self-Regulation believes that it is an insult, which is against the Journalist Code, especially because it is about the text of one of the owners of this daily, but not about the quote of the political rivals.

**PRE-ELECTIONS SILENCE**

The presidential elections were held on7 April.

**Daily DNEVNE NOVINE** 6 and 7 April

Dnevne novine, in its double issue, which covered exactly the period of the pre-elections silence, brought on page 4 the text “Montenegro elects the president of Sunday”, in which, among other relevant information related to the election process, basic messages of the two candidates were repeated.

The Media Council for Self-Regulation reminds that the legal obligation of all media is to respect the pre-election silence.

**Daily DAN** 4 and 5 April

Daily Dan opened a new column immediately before elections and its title was “Pre-elections letters”. This column should have had a purpose of an open political support to the presidential candidate Miodrag Lekić, directly before the presidential elections. The signees of the letters “Let’s support Lekić”, “Do not vote Vujanović for better tomorrow”, “Give a vote to Lekić”, “Coryphaeus of our hope” etc. were allegedly readers of Dan. Such an abuse of readers’ letters for the bare political propaganda has not been noted in Montenegrin journalism lately.

The Media Council for Self-Regulation thinks that, with such an editorial policy, the daily Dan, media that should serve to the public interest, turned to be propaganda-political newsletters of a political group. We remind on the introductive words of the Journalist Code of Montenegro.

**A journalist serves public interest. Credibility of journalists and journalist profession generally rests on professional honesty, integrity and knowledge.**

DENIALS:

**VIJESTI** 12 April

On the cover and on the 3rd page the daily published the text with the heading “Scandal: the President of the Committee for the EU affairs in German Parliament, Ginter Krihbaum denies what the Prime Minister said” and with the title “Đukanović was not invited to Berlin”. It is claimed in the text that Karsten Buhol, a chief of Krihbaum’s Cabinet denied for Vijesti that Krihbaum invited Đukanović, “as it was stated from the Cabinet of Montenegrin Parliament after their recent meeting in Podgorica.”

The daily relied on the Krihbaum’s office in Bundestag and on the press office of the German Government, where it was told, as it was claimed, that the Chancellor and leader of Christian democratic union, Angela Merkel, did not participate in the invitation for Đukanović.

The information was carried by the Portal Vijesti.

On the very same day Krihbaum denied the news from Vijesti, and some portals and electronic media published it.

- During the conversation with the mister Prime Minister **Milo Đukanović** on last Tuesday I gave him an open invitation to continue out dialogue in Berlin, bilaterally and within the session of the Committee for the EU affairs. All other claims are incorrect. I am looking forward to meeting mister Đukanović again, it was stated in the denial of Krihbaum, which was delivered to the Embassy of Montenegro in Berlin.”, - this was stated in the Krihbaum denial. It was said from the Government that the Embassy of Montenegro in Berlin was informed that the denial was delivered to the Embassy of Germany in Podgorica, as well.

This information was denied on the same day, and some media published it, but Portal Vijesti did not do it.

The daily Vijesti published the denial on 13 April, on page 5, but not in accordance with the regulation from the Journalist Code. T

The heading was “Government published that Krihbaum sent denial for its responses to Vijesti to the Embassy of Montenegro” and the title was “He denies himself” (with daily’s claiming that he invited Đukanović to visit Berlin the day after his Cabinet denied the invitation.)

The Media Council for Self-Regulation believes that the daily was obliged to publish the denial correctly, as it is stipulated by the Code and law, and eventual new facts, claims or comments it might and should be published separately.

The Code regulates the denial and correction in Article 4, which says:

**“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 the adequate manner.”**

The guidelines for this principle say:

**“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.”**

**Daily DAN, post-election period**

The daily was publishing texts over days after 7 April, the day of the presidential elections. The texts were long up to ten pages, and some of them were published in the special annexes. They were related to malversations and irregularities at almost all aspects of the elections process related to the presidential elections held on 7 April. Over those days Dan carried texts about the alleged buying of Identity Cards, setting of the results at the polls, irregularities and smuggling the voting through the letter voting, irregularities in the election lists, “selling” Identity cards, shifting results from the lowest to the highest level…

It may be concluded that this daily led the real media campaign with an obvious intention to create and establish an opinion about irregularities of the election process, and thus of the elections results, as well.

It is completely impossible to confirm precisely how much of the published material was true, and how much was a part of media manipulation, false interpretation and putting facts into the wanted context.

In this report the Media Council for Self-Regulation noted several characteristic examples of articles in which violation of the Journalist Code was noticed.

Some of the titles published in Dan were as follows: “DPS filmed proved voters while they were voting” (9 April), “Vice president of youth of DPS caught while steeling votes, 3.355 votes in BIjelo Polje were smuggled for Filip” (11 April), “Filip’s voters voted with old IDs, votes for Vujanović were stolen in Cetinje” (12 April), “Inspectors of the Ministry of Interior falsified recordings” (13 April) “Unique citizen numbers invented for phantom voters”, (16 April) and so on. All the aforementioned texts “carried” the cover and were mainly highlights of a day.

**Daily DAN 9 April**

Photographs of the surveillance cameras that are installed on several institutions, schools, kindergartens in Cetinje were published along with the text titled **“**DPS filmed proved voters while they were voting” published on 9 April on the cover and on the 4th page. It was stated in the text that recommendation of the State Election Commission to cover cameras on the institutions in which poll stations were placed during the election day “fell on DPS deaf ears” and that the video footages from Cetinje were brought to the party’s central in Podgorica, and that the use of camera is a new method of the ruling party to monitor the realization of the action “proved vote”.

The legend below one photograph was especially suggestive: “The camera with which DPS illegally films voters in the Technical school in Cetinje.”

The complete text was ultimately baseless and manipulative.

Not going into accuracy of the claim whether the surveillance installed in institutions where poll stations were located was used for the control of voters, (as well), the Media Council for Self-Regulation concludes that the surveillance exists in a great number of institutions in Montenegro and that it is manipulative to use that fact in the mentioned manner.

The Media Council for Self-Regulation concludes that such an interpretation of the facts does not contribute to empowering the public opinion in Montenegro neither it provides media contribution to defining and removing regularities during the election process.

The Media Council for Self-Regulation reminds that the guidelines for the principle 1, related to general standards and accuracy in reporting, were quoted in this report for several times.

**DAN 10 April**

The unclear photograph was published on the cover along with the description: “Mirjana Marović, Mira Deloik and Ljubica Kovačević, in the late hour last night in the premises of the Municipal Election Commission”. This photograph was followed by the title “Mirjana Marović corrected ballots.” On page 4 of the same issue the text was titled a bit different “Mirjana Marović corrected the election material”. The text deals with the testimony of Đorđe Pribilović who testified that he saw Mirjana Marović and two more people sitting in the premises of the Municipal Election Commission in Budva in the night of 9 April. Even though neither any other information, nor evidence was provided, the journalist concluded, on the base of presumptions of the mentioned Pribilović, that the election material was corrected.

That day the daily published that in Podgorica someone voted instead of Sead Laličić, Fahrija, Fadila and Sajma Laličić who voted in the elementary school “Božidar Vuković Podgoričanin”, or that only one person voted instead of all of them. The scan copy of the excerpt from the voters list was published on the third page along with the text. The excerpt contained names Sead, Fahrija, Fadila i Sajma and the unique citizen number.

In the same issue it was claimed that Safet Pepeljak smuggled IDs.

Laličić people published their denial in Pobjeda on 12 April, where they denied claims reported in Dan, noting that they had numerous unpleasant situations because, as they told, of the falsehood written about them.

In the same issue Pobjeda published the denial of a brother of Sulejman Pepeljak, Safet, who reacted on behalf of a sick brother who was in hospital in Kotor, and for whom Dan claimed that he smuggled IDs.

On the other hand, the reaction of Sead Laličić was published in Dan on the bottom of page 6 on 11 April in an ultimately invisible manner, in which he denied that one person signed in the voters list instead of him and his family, as Dan claimed.

The issue of Dan from 10 April was disputable also because of publishing data on unique citizen numbers. Therefore the council of the Agency for protection of personal information announced on 14 April that it will undertake measures to press charges against the daily Dan, because of publishing annexes with unique citizen numbers.

The deputy editor of Dan, Nikola Marković, elaborated the decision of the editorial in the statement for media. He said that it was about the list of voters who changed the poll station, and that nobody’s right was violated, but abuse of their right to vote was prevented. Marković decided to do so, as he said, coming from Articles 2 and 45 of the Constitution of Montenegro – that elections that are not result of freely expressed will of citizens as well as of the fact that everyone has a right to vote, shall not be recognized.

**DAN 11 April**

On 11 April the daily published on the cover the accusations on the account of vice-president of the youth of DPS. The heading was “Control of the election material revealed scandalous abuse; Ilija Mlinarević forged result in Kotor.” The title was “Vice president of youth of DPS caught while steeling votes, 3.355 votes in BIjelo Polje were smuggled for Filip”. Furthermore, it was claimed that Mlinarević falsified signatures for letter votes “even though the voting took place at the poll station.”

In the text on page 4 it was said that the commission of election panel Dobrota 3 concluded that signatures of Joka and Nemila Bogdanović were falsified, and that they did not authorize Ilija Mlinarević to submit the request for voting.

The denial of Miss Joka Bogdanović was published also in Pobjeda on 12 April, where she claimed that “her name was abused for somebody’s political interest” and she said that she asked Mlinarević to submit the request for letter voting on her behalf, and that in the end, with support of neighbours, she managed to go to the poll station to vote.

The Media Council for Self-Regulation, when it comes to the examples from Dan from 10 and 11 April, reminds that in accordance with the Code: **Duty of a journalist is to respect the truth and persistently search for it, and before publishing a report, the journalist shall ensure that all reasonable steps have been taken to check its accuracy, as well as, 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.**

The Media Council for Self-Regulation once more concludes that it is ultimately unprofessional, against the law on Code, not to publish or incorrectly publish denials, and the practice of forcing people to send their reactions to other media which did not publish (mis)information was repeated.

Such a practice totally disables a right to correction or reply and does not contribute to creation of the democratic media ambient in which, above all, basic human rights are respected.

First of all, such a practice is carried by media which fight through their pages for different human rights on a daily basis.

**Daily DAN 13 April**

The daily published on 13 April the text marked as “Scandal” “MANS revealed new documents about serious abuse of Konjević’s Ministry”, along with the title “Inspectors of the Ministry of Interior falsified records.”

It was about the records, which the Department for inspection monitoring of the Ministry of Interior made upon the presentation by Miodrag Lekić. It was stated in the text, quoting the position of MANS, that “there is a room for reasonable doubt that the records were falsified, since the signatures on them differentiate.”

However, the editorial left on the cover page the full name and surname with the full unique citizen number of two people referred to in the records.

**DAN 16 April**

In the text “Unique citizen numbers invented for phantom voters” on pages 6 and 7, two records from the Department for inspection monitoring of the Ministry of Interior were published. They were related to two people for whom it was found that they were twice registered in the voters list. Their unique citizen numbers were darkened in one part of the text, but in another part of the records, they were fully published.

**The Media Council for Self-Regulation concludes that in the cases of texts from 13 and 16 April a right to privacy, regulated by Article 8 of the Code, was violated. Guidelines for applying article 8 were quoted several times within this report.**

**VIJESTI 16 April**

The daily Vijesti published in the column Forum the text by Marko Milačić titled “See you in the street”. The text was overwhelmed by serious insults on the account of the leaders of the DPS: “criminal organization DPS Đukanović, Vujanović, Lukšić, Marović, Jelić… the first smile of mafia is Filip Vujanović… hyena regime… Mafia, *no pasaran* ”. This type of language that the author frequently uses in his texts does not have any connection with the journalist profession and it would rather be described as a political appearance of a political soldier. The Media Council for Self-Regulation believes that the editorial made material mistake when signed the author as a journalist.

**Daily DAN 25 April**

The daily published the cartoon of Đukanović in striped convict suit on the front page with the announcement for the text on page 8 titled “Rich people also cry”, and with the heading “Milo Đukanović sold shares of Prva banka under pressure of public” and with the sub-heading in which it is said that the Prime Minister in this way “avoided the conflict of interest, but he forgot to mention that in this way he earned a million”.

The Media Council for Self-Regulation believes that such an illustration implies Prime Minister’s criminal responsibility, for which evidence was not given in the text.

**“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. They must never publish information that they know to be false or maliciously make unfounded allegations about others that are intended to harm their reputations.”**

**Daily DAN 11 May**

The daily published on the front page the text “Records leads to the partner” and announcement of the very text on page 9, within which the phone calls records of arrested Naser Keljemendi was published.

Some phone numbers had names of their owners and a list of the full numbers without naming owners was published, as well. The daily claimed that Keljemendi had phone contacts with some high officials of the Agency for National Security and MPs in Montenegrin Parliament, representatives of Ulcinj’s local government, the Head of Police and cadastre in that town, as well as numerous businessmen. On the published phone calls records names of Head of Ulcinj’s police, one official of the Agency for National Security could be found beside certain phone numbers. There were allegations that Keljemendi had contacts with the Director of Real-Estate Company, chief legal officer of the cadastre, chief of DPS, and with one MP of the Democratic Union of Albanians.

The Media Council for Self-Regulation finds that the title “Records leads to partner”, , regardless whether it was true or not, implies that all owners of the published numbers are Keljemendi’s partners, as well as people who were mentioned by their names and surnames in Dan.

In this case, publishing phone numbers and in some instances their owners the daily seriously violated a right to privacy, which is regulated by Article 8 of the Code.

On the other hand, it made serious accusations on the account of certain people, which are not based on anything.

The Media Council for Self-Regulation reminds on the general standard for the principle 1 of the Code and it says:

**“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. They must never publish information that they know to be false or maliciously make unfounded allegations about others that are intended to harm their reputations.”**

**Dailies DAN and Dnevne Novine, 25 April**

These two dailies published the excerpts from the statement given by Igor Raičević who was accused for double murder.

It is about the court case which was closed to the public, as it was decided by the Higher Court. This was mentioned by both dailies in their texts. It was published in Dan on page 9, titled “Friend informed about cheating”, and in Dnevne novine it was titled “I did not want to kill her”. Dnevne novine published excerpts from the statement and they were related to extremely delicate private details from the marital relation of Raičević and his killed wife.

**Considering that victims, Raičević’s late wife and the killed Ivan Dulović were parents of minors, the Media Council for Self-Regulation believes that it was inappropriate and ultimately unacceptable to publish these particularities, which were not of the interest to expose them to the broader public, and that the mentioned details may additionally harm both families and in this case Article 8 of the Code which regulates privacy was violated.**

**ONLINE PORTALS**

The Media Council for Self-Regulation monitors the work of the three Montenegrin most visited portals, Portal Vijesti, Café Del Montenegro and Portal Analitika.

Comments posted on the Portal Vijesti were administered after publicizing, upon shorter or longer period of time, so that, as it has been the case so far, we registered readers’ comments which meant the abuse of freedom of expression: insulting persons using street jargon and swearing, inappropriate qualifications, unchecked information……

Apart the previously mentioned text “U(DRI) muški” (Shoot as a man), a serious case of anti-Semitism was registered. The Jew community in Montenegro reacted because of it.

Namely, there were three comments on the text “**Syria: Attack of Israel means declaration of war**”, from 5 May. In these three comments Holocaust was denied and they also contained elements of Nazism and anti-Semitism.

This provoked the protest and reaction of the Jewish Community of Montenegro and it required public apologies from Portal and daily Vijesti. The Jewish Community stated in the reaction, which was published by the Portal Vijesti, that it was not the first time that mentioning Israel on the Portal Vijesti in any context was used for “tirade of savage, fascistic, anti-Semitism and brutal burst towards Jewish people, wherever they live in the world and it was almost never for the purpose of the published article.”

The Portal Vijesti apologized to the Jewish Community of Montenegro with justification that “disputable comments were deleted as soon as the administrator noticed them.”

**The Media Council for Self-Regulation sharply condemns such a careless behavior towards the content which was published on their Media, and thus warns that freedom of speech and thought may not ever be a cover for spreading hate towards any race, nation or religion.**

**Aslo the Portal Café del Montenegro published** on 15 Marchcomments that contained hate speech with elements of threatening and they were posted under the text titled: “Šabović: To abolish Christian symbols from flag.”

Here is the example:

**Mm**

**-------------------**

Sabovic, organize weddings in Turkey and let crescent moon wave over there, not here.

**BAN Mi**

**-------------------**

My dear friend, we at least have our own kind, and you got it after Balkan wars. Until then all of you were Montenegrin Muslims, and now you are Bosniaks with the seat in the land of Bosnia even though the majority of you never made a step over there, neither has any connection with it. If all of us here are chetniks for you, then all of you are terrorists of Al Kaida for us and you should be treated as you are treated by the brothers from the West (Americans, French people, Englishmen, Belgians etc…). But we won’t do it, we won’t forbid the construction of mosques, covered face in the street, short trousers and fundamentalist beards, as overall normal world from the West did, on whose democracy you always rely. We won’t do it, for sure. But, if it is needed, we won’t hesitate, since we are not the same temperament as our brothers Serbs, Bosnians, Croats, we are a way more temperament and it protected us over centuries from yours and those like you! We do not need problems, and we ask you not to make them!

**Nikolass**

**-------------------**

Kenan Adrovic, Fenan, Dzenan, Renan, Leman, Zenan.. Sabovic and other turned in Turks, avoid such comments here – in Orthodox Church! You are right Kenan, you are reproducing as crazy, but this is Montenegro, the Christian state, if someone does not like it, he/she can go to Bosnia, Albania, Turkey.. Go and reproduce yourselves there if you do not like it here….

**Anonimni**

**-------------------**

Sabović, why don’t you simply gather your sons and go back to the place you came from, and use your flag as much as you want, it won’t bother anyone--- and leave ours as such!!!!

The Media Council for Self-Regulation

 Reminds on the principle 5 of the Journalist Code of Montenegro:

**“5.1 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.”**

Portal Vijesti 14 April

AMBIS: Serious accident in Platije – last night rescuing team did not take out car with a body of a driver

The title is: Morača hides blue “lada”

On the basis of the type of the car, and other operative information, the Police believe that a man from Podgorica M.J. (69) died in the car accident in Platije.

U MBIS: Serious accident in Platije – last night rescuing team did not take out car with a body of a driver

**The portal published the identity of the casualty within the comments. This is unacceptable!**

Glk/ 14. 04. 2013. At 09:25

We have the state and mechanizations. When any trouble appears we run to the private sector and volunteers, and those who should make the road safe – where are they? No, when something like this bad happens they need 24 hours to see how and what to do… eeeee… state, you are so poor.. why did not Hitler rule all over the Balkans…-

Praised 5

Criticized 2

Jovo Švaba 14. 04. 2013. At 02:43

The family suspects that the casualty is Vukisav-Miško Janković from Podgorica! My condolence to the family for this good and honorable man!!! Miško Janković suffered from heart disease and the autopsy will show the real reason for the fall in the Moraća canyon

Portal Vijesti 7 May

On 7 May the Portal Vijesti published several inappropriate comments under the text titled “Dragan Lajović died in the car accident”. In its opinion, the Media Council for Self-Regulation finds that comments were unacceptable and inadequate…

Examples:

**Maxim, 7 May 2013 at 10:55**

**----------------------------------------------------**

I hope that this won’t be offensive, but I am really interested whether the car is damaged or he died as sand that was on the road when the former minister of tourism Nenezić crashed into it, if you remember. I think that he will still vote for DPS, because they love proved voters, regardless whether they are alive or dead!

**Maxim, 7 May 2013 at 10:54**

Was he with the official car in Bulgaria? Does the car have casco insurance? What happened with the car? Is there going to be the vacancy announcement for the position of the president of the Board of Directors of *“IRF”* of MNE?

The Media Council for Self-Regulation strongly condemns publishing such comments, it finds them ultimately inappropriate and unacceptable and it finds that nobody took into account the effects and feelings that publishing comments may cause for the family, relatives and friends of the dead, and basic respect towards the casualty of the car accident was not shown, as well.

The Media Council for Self-Regulation believes that Article 8 of the Code was violated:

**“A journalist is obliged to be very careful when dealing with private life of people. A 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.”**

There are some more registered examples of violation of the professional standards on the Portal Vijesti. It is about reader’s comment that were published without editorial intervention, and they contain the most vulgar swearing, explicit personal and family insults and hate speech directed towards certain ethic or political group.

**Text: “Knives and wires in the centre of Podgorica”**

**BlaBaston, 21 March 2013 at 17,24**

**----------------------------------------------------------------**

He lied everything. And I am going to destroy his play shop and him and everything, that shitty Turk!

Text: Lekic: I was always for independent Montenegro, but not as such!

**Brigante, 29 March 2013 at 00,23**

**--------------------------------------------------------------------------**

Komnenic is convincingly the most retarded journalist in the Balkans TVs. Such a stupid and aggressive person none TV screen has, except TV Vijesti, unfortunately.

**Anonimni, 29, March 2013 at 00,33**

**---------------------------------------------------------------------------**

That journalist is the biggest cretin such as my eyes have not seen for long… He did not let Lekić end any of his sentences, he was always interrupting him with stupid excuses, and I swear God, he does not behave… TV Vijesti, shame on you for such uneducated journalists…

**Marsal Tito, 29 March 2013 at 00,24**

**----------------------------------------------------------------------------**

Let’s turn to some brighter topics- I think that Fico has sexual limb 15,5 cm long, and Leka 17 cm (both measured from aside).

**Svetsju 29 March 2013 at 00,23**

**----------------------------------------------------------------------------**

Only tycoons, smugglers, criminals, drug addicts, intellectually castrated, and of course Dzej, can vote for Vujanović.

**Anonimni, 29 March 2013 at 00,14**

**---------------------------------------------------------------------------**

That’s it Caki, Montenegrin breed. It was always known who you are, what you are and from whom you are and it was always known that you respect anybody else. And just look at the infantile liar Vujanović, it is apparent that he was created from Serbs and he turned to be Montenegrin over a night.

**Text: Vujanović: DPS does not trade with votes of minorities, I expect your support**

**AVNOJ 29 nov, 1943, 3 April 2013 at 20,04**

**----------------------------------------------------------------------**

This spineless person is creation of double faced dps, during his mandate as the minister of police, those minorities, from whom this nobody asks support, were persecuted, beaten and liquidated by his police.

You are a greater Serb than Šešelj, yet it suits you for the moment to be Montenegrin, I cannot stand to see you anymore, you are so disgusting and mean…

**Text: Lekic: Vujanović, forgive Krivokapić**

**Mido Stanišić, 4 April 2013 at 00,38**

**----------------------------------------------------------------------**

Block me with spies, demagogical official garbage. May SUBNOR fuck you… JUMP OVER THEM BY YOUR OWN….

**Mido Stanišić, 4 April 2013 at 00,22**

**----------------------------------------------------------------------**

DUGOUSKO – May a group of Serbs, Montenegrins, Bosniaks, Albanians, Croats, Egyptians, Ashkals fuck you… and if I forgot somebody, my apologies… May cetniks, partisans, fascists, ustasas, Nazists fuck you.. may the one who breastfed you fuck you.

**Text: Temporary results of the State Election Commission: Vujanović had 7000 votes more than Lekić**

**Zirih, 8 April 2013 at 22,45**

**-----------------------------------------------------------------------**

Night one, you are nervous, it seems that Turkish blood started to work… ahahahha.. does not matter you are good MUJO

**Srednjoskolka, 9, April 2013 at 00,29**

**------------------------------------------------------------------------------**

Podgorica may both mandic and danilovic fuck you, but in your brains, in order to clear it a bit…. Dps’ cattle. There are too many such mama’s and daddy’s sons for small but honorable Montenegro. Cover yourself with your ears (meaning, shame on you) remain silent and sleep--- Let you mother cradle you, a big poor Montenegrin. Go to bed…

**Text: Marović again is in war for peace**

**Rari, 15 April 2013 at 09,27**

**----------------------------------------**

What Marović – he fucked up his own brother, he will do the same to us ordinary people… the man is the thief number 1 in Montenegro, but easily, Spuz will get full of Marović’s people..

**Text: Đukanović left Prva banka and earned a million**

**Megafon, 17 April 2013 at 08,47**

**-------------------------------------------------------**

He has to give money to Kacin, Lajcak, Pasicev, Peco… he laundered money, now goes on… until Saturday.. then his end begins… one dictatorial sprig… u made a private state of 600 000 sheep and you think now that one Kacin will rescue you… Lajcek… You invited Peco Popović to save your skin… you are desperate… lost soul…. Thief, killer… MONTENEGRIN SPRING!!!!

**Text: Lekić: All of this happens within the institutions with a view to liberate them**

**Sasa.r, 17 April 2013 at 13,58**

**------------------------------------------------------**

AN OPEN LETTER BY SLAVKO PEROVIĆ TO JELKO KACIN ON 16 APRIL 2013, 23,50, SOURCE BLOG OF SLAVKO PEROVIĆ WROTE FREE MONTENEGRO [[3]](#footnote-4). On the occasion of criminal interview of Jelko Kacin to the criminal daily Pobjeda I am telling him: Cut the shit, you bought bin of Montenegrin mafia and hired jar of European mafia! You are visible from every, even from that stinky basement in Ljubljana, and from here, from holly Lovćen, you, nobody!

**Text: Mirotić: Decision on national team in summer**

**Vukota-Flycca, 2 May 2013 at 16,06**

**-----------------------------------------------------------**

We do not need you, Mirotić. One plays with the heart for Montenegro, and you would play if Spain kicks you out. Get out from here you Spain shit.

**Samo mi, 2 May 2013 at 16,06**

**----------------------------------------------------**

**WE DO NOT NEED YOU, YOU SOLD PUSSY!**

The Media Council for Self-Regulation believes that the Portal Analitika and Café del Montenegro continuously and at the largest extent take care about professional standards and they have restrictive editorial policy related to publishing comments that could mean violation of the professional principles.

The Media Council for Self-Regulation one more recommends careful administration of readers’ comments in order to suppress abuse to as minimal as possible level….

The position of the Media Council for Self-Regulation is that editorials of media are responsible for everything published in the media, including comments, as well. In these terms, the recommendation of the Media Council for Self-Regulation is to administer reader’s comments before publishing them, in order to prevent situations such as the mentioned with the Jewish Community or the one with inappropriate mentioning of killed or dead, and to prevent any other abuse of the public media scene by dishonest people who do not suffer consequences for such behavior.

1. (DRI stands for the State Audit Institution. The verb UDRI means shoot. The title literally means “Shoot as a man”. It is about the game of words.) [↑](#footnote-ref-2)
2. Does not have any sense in Montenegrin [↑](#footnote-ref-3)
3. Does not make any sense in Montenegrin [↑](#footnote-ref-4)