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STOP THE REPRESSION OF JOURNALISTS!



REPORT "PROSECUTION OF ATTACKS ON JOURNALISTS IN MONTENEGRO"

31 JANUARY
2014



HUMAN RIGHTS ACTION
AKCIJA ZA LJUDSKA PRAVA



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INTRODUCTION and CONCLUSIONS

Freedom of expression is essential for prosperity of a democratic society. It is impossible especially for journalists, politicians, artists, lawyers and human rights activists to exercise their profession without the freedom of expression, hence, they must be protected in view of their role as the "watchdogs of democracy". The degree of protection of these professions in a society indicates the level of democracy and openness of that society.

Unfortunately, attacks and other types of pressure, especially on journalists who criticize the government, speak of human rights violations, organized crime and corruption are frequent in Montenegro. Most of these attacks have not been clarified to date. Such an atmosphere of impunity threatens journalists in particular, who are often victims of unresolved attacks, but also the whole society which needs investigative journalists to support democratic trends, improve the work of institutions and promote the rule of law. If the state treats these attacks passively, it becomes responsible for the suppression of freedom of speech, the rule of law and democracy.¹

This is a report on the prosecution of individual cases of attacks on journalists, but also on writer Jevrem Brković and his bodyguard Srđan Vojičić, as well as on two human rights activists, Aleksandar Zeković and Zdravko Cimbalević, who were also put at risk because of the freedom of expression.

The report covers the period from 27 May 2004, when Duško Jovanović, Chief Editor of daily *Dan* was assassinated, to the end of January 2014, when the Official Gazette of Montenegro published the Decision of the Government to establish the Commission for monitoring actions of competent authorities in the investigation of cases of threats and violence against journalists, assassinations of journalists and attacks on media property.

The report includes a total of 30 cases, starting with threats, stoning of premises, destruction of property, beatings, planting of explosives and ending with murders. Duško Jovanović, Chief Editor of daily *Dan*, was murdered in 2004, and Srđan Vojičić, bodyguard of the assaulted writer Jevrem Brković, in 2006, while other journalists and activists were also in life-threatening danger or there were other attempts to intimidate them and prevent their actions.

In most cases certain patterns can be observed, for example: victims are the media or individuals willing to criticize the government or organized crime; most attacks were directed against daily *Vijesti*; investigations are conducted poorly and typically without result; the State Prosecutor's Office and the police push responsibility from one another until the prosecution becomes time-barred; in cases in which the attackers were prosecuted or where there was serious suspicion that these were real perpetrators, persons who ordered the attack remain unidentified; indictments are raised for less serious crimes, courts are inclined to reduce sentences and there is a common tendency to accuse journalists together with the attackers at any cost.

Thus impunity occurs as a rule, especially in the most severe cases, including the following, which are best known to the public:

- The assassination of daily *Dan* Editor-in-chief, Duško Jovanović, has not been solved even after nine years. One of the accomplices was prosecuted and punished based on questionable evidence, while other accomplices and those who ordered the murder have not yet been identified, nor has the motive for the murder been determined;

¹ Overview of the case law of the European Court of Human Rights in relation to the investigation of violence against journalists, available in the bulletin of Human Rights Action, at: <http://www.hraccion.org/wp-content/uploads/Bulletin-XVIII.pdf>.

- The attack on writer Jevrem Brković, when his bodyguard Srđan Vojičić was killed, also never led to a trial;

- In the case of two attacks on journalist Tufik Softić, who was beaten in 2007, while in August 2013 an explosive device was thrown in the backyard of his family house, no one has been identified or prosecuted to date;

- Continuous death threats against researcher of human rights violations Aleksandar Zeković in 2007, suspected to have been made by a police officer – the then bodyguard to the Director of Police, were never investigated or prosecuted, the recording of the threats disappeared from the case file, and the prosecution became time-barred;

- Likewise, investigation into the case of the beating of sports journalist Mladen Stojović in 2008, who dared to speak about match-fixing – the "football mafia" in Montenegro, has been discontinued due to a time-bar after five years, with no results;

- Although the case of the beating of Željko Ivanović, Director of daily *Vijesti* in 2007 was prosecuted and two defendants were convicted, this is one of those cases where justice has not been served convincingly. Victim Ivanović, who explicitly argued that the convicted were not the people who had physically attacked him, as well as other indications arouse reasonable suspicion that the defendants actually admitted guilt for an offense they did not commit and for which they were imprisoned for one year;

- The case of the attack on photojournalist Boris Pejović and *Vijesti* Editor Mihailo Jovović by the Mayor of Podgorica, Miomir Mugoša, and his son and driver in 2009, which the State Prosecutor's Office consistently tried to present as a fight in which all participants shared equal guilt, has not been properly prosecuted. The Mayor was prosecuted only in a misdemeanour procedure, it has never been established why the police failed to check journalist's statement on the use of a gun in the incident, and the responsibility of doctors and government officials for obstruction of justice in this case has not been established to date;

- The perpetrators of three cases of arson of vehicles of daily *Vijesti* in 2011 have not been identified more than two years later. Attack on *Vijesti* journalist Olivera Lakić in 2012 has not been clarified because, despite the fact that the perpetrator of the attack was identified and convicted – and in the meantime also pardoned and freed, his motive remained unknown, as well as those who obviously ordered the attack. Also, it has not yet been determined who and why had previously threatened to kill the journalist. Last year a worker at "Tara" factory from Mojkovac, on whom she had written, was sentenced for threatening her, but since an investigation about the operations of the factory was never opened, Musić's motives to threaten the journalists have never been established. In addition, police officer Milenko Rabrenović was also accused of threatening Olivera Lakić;

- Zdravko Cimbaljević, human rights activist and the first openly declared homosexual in Montenegro, due to the failure of competent authorities to prosecute numerous death threats against him asked for and was granted asylum in Canada in November 2013. The decision on granting asylum to Cimbaljević represents unambiguous attitude of that country on inefficient protection of human rights in Montenegro, which should be not only a humiliating, but also sobering message to the Supreme State Prosecutor and the Government of Montenegro.

This report also presents several examples of efficient prosecution, as in the case of the attack on *TV Vijesti* and daily *Vijesti* crews in Humci near Nikšić, and the case of threats and insults directed

at *Monitor* journalist Milena Perović-Korać, for which the Basic Court imposed a suspended sentence against Mile Šuković, President of the Assembly of Kolašin Municipality.

In addition, the report includes several cases that could be formally defined as insulting or incidents without serious consequences. However, in these cases too the goal was to prevent journalists from performing their duties, and the consequence – intimidation and creating of a general atmosphere of lynch and impunity.

* * *

CHRONOLOGY OF EVENTS THAT PRECEDED THE ESTABLISHMENT OF THE COMMISSION FOR MONITORING INVESTIGATIONS OF VIOLENCE AGAINST JOURNALISTS

At the proposal of NGO *Human Action Rights* (HRA) **the Government adopted and prescribed by the Action Plan for the implementation of EU recommendations of November 2010, as a measure to be implemented by the end of June 2011 – the development of the Report on investigations and violence against journalists.** However, in the development of this measure, this report was unjustifiably limited only to cases that have reached the filing of charges and the court. The report never provided information to the public on the status of investigations in most cases of attacks on journalists that did not reach the court, and thus it is unknown whether the cases have become time-barred, whether certain actions have been taken in regard to them and whether such actions were at all planned. Although we have repeatedly urged the authorities to amend this report, that did not happen.

On 12 May 2010 HRA submitted **a request for access to information to the Supreme State Prosecutor's Office (SSP) on the prosecution of 12 cases of apparent human rights violations, some of which are part of this report.** Five months later, the Supreme State Prosecutor's Office rejected the request on the grounds that access to information cannot be granted under the provisions of the Law on Free Access to Information, but only in accordance with the Criminal Procedure Code - in other words, it was said that the public does not have the right to know whether an investigation has been initiated at all, but only the direct participants in criminal proceedings. In an appeal filed on 8 October 2010 to the Ministry of Justice, HRA pointed out that the public is entitled to know whether the investigations in these cases have at all been initiated, and learn information that would not jeopardize the investigation, and that the rejection of the request by the State Prosecutor's Office did not contribute to improving public confidence in the administration of justice, which is prescribed as one of the goals of the Judicial Reform Strategy in Montenegro. After the process that lasted nearly two years and the judgment of the Administrative Court, which ordered the Ministry of Justice to annul the decision confirming SSP's position, on 20 March 2012 HRA received a decision allowing access to information requested on 12 May 2010. Although almost all the answers of the Supreme State Prosecutor's Office, two and a half years later, came down to the fact that there has been no progress in the investigation of the aforementioned attacks or that the perpetrators have not been found, **it was important to fight for the right to keep the public informed as to whether anything at all has been done in the investigations of human rights violations.**

HRA, like many others, appealed several times to the SSP and the Police to take all measures

within their competence and effectively investigate violations of freedom of expression in the form of attacks on journalists and the media. Then, **at the initiative of Prime Minister Igor Lukšić, a meeting was held on 13 March 2012 attended by the Police Director Božidar Vuksanović, Deputy Prime Minister and Justice Minister Duško Marković, Supreme State Prosecutor Ranka Čarapić, Minister of the Interior Ivan Brajović and Special Prosecutor Đurđina Ivanović, when it was decided that the clarification and prosecution of all cases of violence against journalists and the media in the past year should be the priority of the police and Prosecutor's Office.** However, even almost two years later there has been no progress in the discovery of those who had ordered or carried out the attacks on journalists. It is therefore not surprising that the European Commission in its assessment in the Analytical Report for Chapter 23, among other things, further expressed its concerns over the attacks on journalists and emphasized the need to thoroughly investigate and prosecute these attacks. Detailed investigation into these cases should lead not only to those responsible for the threats and attacks, but also to determining the accountability of civil servants who obstructed the investigation of these cases, ensured impunity and seriously challenged the rule of law in Montenegro.

Action Plan for Chapter 23, measure 3.4.2, prescribes that by the end of 2013 the Government should form a multidisciplinary Commission to monitor the actions of competent bodies in the investigation of old and recent cases of intimidation and violence against journalists and assassinations of journalists, composed of representatives of the Ministry of the Interior, Prosecutor's Office, Police, media and NGOs, which will develop a report on investigations within its activities. For 2014 the Plan prescribes the obligation of the Ministry of the Interior, Police and Supreme State Prosecutor to regularly prepare and submit to the Commission reports on the investigation of old and recent cases of intimidation and violence against journalists. In accordance with the public call published by the Ministry of the Interior on 3 December 2013, *NGO Network for Affirmation of NGO Sector* and *NGO Human Rights Action* nominated lawyer Veselin Radulović for a member of the Commission from among non-governmental organizations with expertise in the field of work of the Commission, while *NGO Civic Alliance*, *NGO Alpha Centre*, *NGO 35 mm*, *NGO Centre for Democracy and Human Rights*, *NGO Youth Initiative for Human Rights*, *NGO Monitoring group Ulcinj-Mogul*, *NGO Centre for the protection of patients' rights and monitoring of the health system - Circle of Life*, and *NGO Ozon* nominated RTCG journalist Darko Ivanović.² The Minister announced that the candidate with the majority of timely submitted, complete and grounded proposals of NGOs will be chosen as the member of the Commission.

At the proposal of the Ministry of the Interior, **in December 2013 the Government of Montenegro adopted a decision to establish the Commission for monitoring the actions of competent authorities in the investigation of cases of intimidation and violence against journalists, assassinations of journalists and attacks on media property, consisting of eleven members and chaired by Nikola Marković, Dan Deputy Editor.** Minister of the Interior Raško Konjević appointed the following persons as members of the Commission: Stojanka Radović and Vesna Jovičević from the State Prosecutor's Office, Milan Tomić and Saša Rakočević from the Police Directorate, Svetozar Keković and Ljiljana Ivanović from the National Security Agency, Mihailo Jovović, *Vijesti* Editor-in-chief, Slavko Mandić of the Media Council for Self-Regulation, Mila Radulović from the Media Trade Union of Montenegro and Darko Ivanović from NGO sector. President of the Commission Nikola Marković said that he "wants to believe that the establishment of this

² Information published on the website of the Ministry of the Interior: <http://www.mup.gov.me/vijesti/134064/Lista-kandidata-NVO-koji-su-predloženi-za-clana-Komisije-za-pracenje-postupanja-nadleznih-organa-u-istragama-starih-i-nedavnih-s.html>.

commission is not just another formal fulfilment of obligations imposed by the European Commission to Montenegro, but a genuine desire to at least try to do something in the investigation into the murders of journalists and attacks on them"³.

After the establishment of the Commission in January 2014, Veselin Vučković, the Acting Supreme State Prosecutor announced that he would require the Ministry of the Interior and the Police to provide analyses that show whose failures had resulted in numerous unresolved attacks and murders of journalists⁴, asked to be provided with a complete case file on the murder of Duško Jovanović⁵ and announced that he would examine all the top officials of security services at the time of the murder of Jovanović.

Although within the public debate on the draft Action Plan for Chapter 23 HRA advocated for the establishment of such a commission by the Parliament, in an effort for it to be more representative and more independent, it is obvious that its establishment by the Government in the said composition had motivational effect on the State Prosecutor's Office even before it began operating.

We hope that the individual members of the Commission will inspire citizens' confidence to provide them with information that may help the investigation of murders and other attacks on journalists and thus lead to justice being served, as well as exercise of human rights to life, security and freedom of expression in Montenegro.

The report before you has been developed primarily in order to assist members of the Commission to quickly achieve the long-awaited results.

Tea Gorjanc-Prelević, Executive Director of HRA, is the author of the report in collaboration with Mirjana Radović, Elma Kurtanović, Predrag Milić, Slobodan Dumnić and Dragan Prelević. The report was prepared as part of the institutional support project of the Open Society Foundation to HRA.

Cover page photos:

- Attack on *Dan* journalist Lidija Nikčević - photo: Željko Šapurić, *Dan*
- An explosion in front of *Vijesti* editorial board premises - photo: Savo Prelević, *Vijesti*
- Attack on *Danas* and *Vijesti* journalist Mladen Stojović - photo: *Vijesti* Archive
- Illustration "Stop the repression of journalists" - *Media Trade Union of Montenegro*
- Setting fire to daily *Vijesti* vehicles - photo: portal *Vijesti*
- Attack on *Vijesti* Editor Mihailo Jovović - photo: portal *Vijesti*
- Attack on *Radio Berane* and newspaper *Republika* journalist Tufik Softić - Deutsche Welle (DW)
- Assassination of daily *Dan* Chief Editor Duško Jovanović - photo: *Večernje novosti*
- Protest of journalists - photo: Luka Zeković, *Vijesti*

Thank you all who have helped us.

³ "Marković head of the team", *Dan*, 27 December 2013.

⁴ "Veselin Vučković announced – he will request analyses of unresolved attacks and killings", *Pobjeda*, 20 January 2014.

⁵ "Duško's murder case reopened", *Dan*, 12 January 2014.

27 May 2004 – Assassination of Duško Jovanović, Editor-in-chief of daily Dan

The Editor-in-chief and co-owner of daily *Dan*, Duško Jovanović, was murdered with an automatic weapon on 27 May 2004 in front of his newspaper's office in Podgorica, and the only person convicted of complicity in the crime is a former athlete from Podgorica Damir Mandić. Motive for the murder of Jovanović, other perpetrators and those who had ordered his murder have not been discovered to date.

Four years before the murder, Duško Jovanović was beaten at the entrance to his building in Podgorica. Perpetrators of the attack have not been identified either.⁶

Jovanović had continuously been exposed to threats. In March 2002 he filed a criminal complaint against a member of Zemun criminal clan Ljubiša Buha Čume for making threats,⁷ and in December same year he told *Beta* news agency that he had received a letter with a warning that "the top-ranked officials at the Ministry of the Interior are planning his assassination".⁸ Numerous procedures for defamation have been initiated against the newspaper *Dan*, especially for publishing articles from the Zagreb weekly *Nacional*, which accused Montenegrin top officials of cigarette smuggling in the Balkans, as well as for articles related to the affair of trafficking women (S.Č.) in Montenegro. Threats against Jovanović intensified shortly before the murder. According to the testimonies of Jovanović's wife and brother, at that time he was also rudely threatened by the former head of the State Security Service, Duško Marković, who denied it.⁹

First-instance judgment of the High Court in Podgorica of 27 December 2006 released Damir Mandić, the only accused for Jovanović's murder, of charges that he had participated as an accomplice in the murder due to the lack of evidence. He was convicted in the retrial on 27 April 2009 to a maximum of 30 years in prison¹⁰; finally, on 4 December 2009 the Appellate Court reduced his prison sentence to 18 years.¹¹

Mandić was charged and eventually convicted in a final judgement for the criminal offence Complicity to Aggravated Murder (Art. 144, item 8 CC) in an attempt, which sparked sharp criticism from victims' lawyers and suspicion of a "deal with Mandić", given the fact that Duško Jovanović was killed during that assassination attempt.¹² Item 8 of Article 144 CC specifically applies to aggravated

⁶ "Gave up the investigation of the beating", *Dan*, 17 December 2003. Andrija Jovičević, Minister of the Interior in the period 2001-2013, said that Jovanović had sent a letter to him mentioning the names of members of the Special Anti-Terrorist Unit (SAU) of the Ministry of the Interior of Montenegro who participated in his beating. "I remember that surnames Brajušković, Lazović, Đurović or Đuretić were mentioned in the letter..." ("Duško was safe while I was the Minister of Police", *Dan*, 28 January 2014). The brother of Duško Jovanović, Miodrag, stated that Duško Jovanović received an anonymous letter, signed "specialist", informing him that the SAU members had participated in his beating ("Đurović, Lazović and Kalezić - main trio of the beating squad", *Vijesti*, 29 August 2013). In September 2013 the mentioned former police officer Brajuško Brajušković informed the State Prosecutor's Office that in 2000 his former colleague from the SAU, Slavko Đurović, beat the deceased Jovanović together with two other members of the Unit, on the orders of former Police Director Veselin Veljović; Đurović and Veljović denied this. The prosecution in this case refused to initiate criminal proceedings against any person, finding that there was no sufficient grounds for suspicion ("Brajušković: Đurović beat Jovanović, it is a lie that I didn't tell the prosecutor", *Vijesti*, 28 September 2013, "Veljović ordered, Đurović beat", *Dan*, 28 September 2013, "Prosecution: Brajušković's story unsupported by evidence", *Vijesti*, 27 September 2013, "The police deny that they beat Duško Jovanović", *CdM Portal*, 29 August 2013).

⁷ Andrija Jovičević, Minister of the Interior during the period 2001-2013, said that he was aware of this complaint, and that he knew that "Montenegrin Police armed Čume and that he received a license to possess a firearm", and "heard from several employees of the Ministry of the Interior that during 1997 and 1998 the police gave firearms to citizens" ("Duško was safe while I was the Minister of Police", *Dan*, 28 January 2014).

⁸ "At the end of 2002 Jovanović accused the Ministry of the Interior of plotting his assassination", PCNEN, 28 May 2004, "In 2002 Jovanović informed the Ministry of the Interior of plans for his assassination", *Dan*, 9 March 2005.

⁹ "Božović: Marković's hearing scandalous", PCNEN, 15 September 2004, "State Security Service and Duško Marković threatened Jovanović", *Dan*, 22 November 2013, "They didn't ask me whether Duško was in danger", *Vijesti*, 26 January 2014.

¹⁰ Judgment of the High Court in Podgorica K.no.109/08.

¹¹ Judgment of the Appellate Court Kž 828/2009.

¹² Lawyers of the damaged party and others commented that Mandić should have been charged for each offence individually - for complicity to aggravated murder of Jovanović and for complicity in the attempted murder of his bodyguard Mirović, and expected the

murder of several persons, so the State Prosecutor chose to subsume the murder of Jovanović and wounding of his bodyguard Milorad Mirović, who was near him but survived, under the qualification "attempted aggravated murder of several persons".¹³ Finally, because of the very qualification of the crime as an "attempt", the Appellate Court reduced Mandić's sentence from 30 to 18 years in prison, since under the law it is impossible to impose a maximum sentence of 30 years for an attempted criminal offense.¹⁴

Mandić's guilt for shooting and killing Duško Jovanović was never determined, but in the retrial, unlike in the previous one, both the High and the Appellate Court acknowledged that it has been proven that Mandić was involved in the purchase of the vehicle and procurement of weapons used to kill Jovanović, as well as that on that evening he was in the car "Golf 3", from which the shots were fired at Jovanović, along with some other people.¹⁵ It was concluded that by participating in the purchase of the vehicle and procurement of weapons, as well as by being present in the vehicle that evening, Mandić had significantly and decisively contributed to the commission of the criminal offense...¹⁶

The Court found that Mandić's mobile phone was used in purchasing the vehicle "Golf 3", that his biological traces (DNA) were recovered from the weapon found in the vehicle and from a can of "Red bull" discovered near the vehicle; that on the 27 May 2004 Mandić intensively communicated over his phone, until he "established telephone communication" between 11 p.m. and after midnight, i.e. at the time of the murder; that about an hour after the murder he was located at the place where "Golf 3" and the can were later found; that he was not located in places indicated in his defence; that the sleeve of his sweatshirt showed the presence of gunpowder particles consistent with gunpowder from the cases found at the crime scene, and that a witness challenged his alibi in the previous proceedings...¹⁷

Convicted Mandić claimed that the evidence against him in this case had been planted, his lawyer said that Mandić was sentenced "based on circumstantial evidence", and that the government wanted to convict anyone, without identifying those who had given orders or direct perpetrators.¹⁸ In 2010 the Supreme Court rejected the request for the protection of legality lodged by Mandić against the judgment of the Appellate Court, and a decision of the Constitutional Court on his constitutional complaint, filed more than three years ago for violation of the right to a fair trial, is

prosecutor or court to change the legal qualification (the court is not bound by the legal qualification of an offense by the prosecutor), but that did not happen until the end of the proceedings (see articles from daily *Dan* from 2004 and 2005: "Božović: Investigation quiet about the perpetrators", "Lawyers seek change in the indictment against Damir Mandić", "Try Mandić for murder, not for attempted murder", "The indictment - trade of the regime with Mandić; the prosecution is trying to mitigate the crime circumstances", "Knežević: the indictment is yet another travesty").

¹³ The indictment was represented by the former Deputy High State Prosecutor Ljiljana Klikovac and Supreme State Prosecutor, at that time Vesna Medenica, who holds the position of President of the Supreme Court of Montenegro since 2008.

¹⁴ Judgment of the Appellate Court Kž 828/2009, p. 10 ("Bearing in mind the fact that the accused committed the crime of attempted aggravated murder under Art. 144, item 8 in connection with Art. 20 CC, for which he was convicted, and bearing in mind the provisions of Art. 35, para 2, item 3 CC, that an attempt to commit a crime cannot be punished by the sentence to which the defendant was convicted in the impugned judgement, and considering the appeal of the accused and his defense counsels, this Court *ex officio* reversed the first instance decision only in the part related to sentencing - by imposing a prison sentence of eighteen (18) years against the defendant for the said crime, while respecting all those circumstances established and taken into account by the trial court that were relevant to the sentence, and found that this penalty corresponds to a degree of social danger of the crime in question and to criminal liability of the accused as an accomplice." (another year of imprisonment was added to Mandić's sentence of 18 years, for the crime of abduction which he committed in 2002).

¹⁵ Judgments of the High Court in Podgorica K.br. 109/08 and of the Appellate Court Kz 828/2009. In the first judgment of 27 December 2006, a judge of the High Court in Podgorica, Radovan Mandić, concluded that the evidence was insufficient to determine with certainty whether the accused Mandić had been involved in purchasing the vehicle or present in the vehicle "Golf 3" at the time of the murder.

¹⁶ Judgment of the Appellate Court, Kž 828/2009, p. 9.

¹⁷ *Ibid.*

¹⁸ "Mandić preparing for Strasbourg", *Vijesti*, 23 November 2010, "On the judgment against Damir Mandić in February", *Dan*, 24 January 2011.

still pending.¹⁹

Jovanović family attorneys claim that the investigation was conducted terribly, that an investigation immediately after the murder was not carried out properly, that the city exits were closed with delay, that the recording from a video camera installed on the building across the street from the place of murder was edited.²⁰ They also claim that they were not duly involved in the investigation, that they did not attend the hearing of witnesses, that their proposals were not accepted – to open Duško Jovanović's file and check whether he had been followed prior to the murder; to investigate the origin of the weapon from which he had been shot; to investigate Mandić's alleged confession to the investigating judge that he had worked for the Ministry of the Interior, which armed him; to investigate the origin of court files from Croatia found in Damir Mandić's car, as well as his notebook of debtors on the alleged debts amounting to € 900,000; to interrogate all who sued Jovanović and *Dan*, etc.²¹

Only four years after Jovanović's assassination, Vuk Vulević and Armin Muša Osmanagić's DNA samples were sent for expert analysis; the two had been publicly suspected by senior police officials even in the early days of the investigation of this crime for which they were never charged.²² Both were on the run after the murder. Vuk Vulević was arrested in May 2005, but the charges against him or Osmanagić for the murder of Jovanović were never filed due to the lack of evidence.

According to daily newspaper *Dan*, immediately after the murder, during an interview in Podgorica Security Centre, Damir Mandić put all the blame on Vuk Vulević, claiming that he told him he had killed Jovanović and asked him to set the "Golf" vehicle on fire. He explained that, apparently, he went to set the car on fire, but did not do it with an excuse of being a coward. He also noted that the experts from Wiesbaden would find his traces in the "Golf" since he was riding in that car earlier and used the gun on the shooting range at Čemovsko field. As *Dan* was told in the police, on 2 June 2004 during the interview in Podgorica Security Centre, Mandić described in detail how Vulević murdered Jovanović. An official note was made on that, but the interview was not attended by the former High State Prosecutor Novak Ražnatović, in charge of the case, although he had been informed of the hearing, so the note could not be used as valid evidence in court.²³ On 26 January 2014 *Dan* published that Acting Supreme State Prosecutor Veselin Vučković requested this note

¹⁹ According to lawyer Tapušković, the constitutional appeal was filed in November 2010 ("There was no willingness to arrest anyone except Mandić", *Vijesti* portal, 9 March 2011, "Three years to decide on the appeal filed by Damir Mandić", *Dnevne novine*, 8 and 9 September 2013).

²⁰ "Many others like Damir Mandić still walk the streets of Montenegro", *Dan*, 5 September 2004, "More strange details in the investigation - killers unnoticed despite 15 cameras", *Dan*, 7 September 2004, "New tapes submitted to Orlandić", *Dan*, 16 September 2004.

²¹ "Božović: charges made to be dropped", *Dan*, 6 October 2004, "Prosecutor forgot Mandić's debtors", "Vesna Medenica to be a witness", *Dan*, 30 November 2004, "Investigation was not concerned with the organizers of the crime," *Dan*, 1 June 2005, "Lawyers: we would not have been isolated if we had defended the murderer", *Dan*, 1 November 2005, "Secret file on those who followed Jovanović may point to killers", *Dan*, 13 January 2005.

²² In April 2012, in its response to the request submitted by NGO Human Rights Action two years earlier, Supreme State Prosecutor's Office announced that "on 10 January 2008 a separate case file was formed at the High State Prosecutor's Office in Podgorica in order to identify any perpetrators of the murder of Duško Jovanović. High State Prosecutor in Podgorica proposed to the investigating judge of Podgorica High Court that DNA samples be taken from Vuk Vulević and Armin Osmanagić, who have since become available to the competent authorities, and submitted for analysis to the Federal Criminal Office in Wiesbaden in order to establish a DNA profile and compare undisputed profile with DNA profiles determined by an expert witness using material traces recovered from the vehicle from which the shots had been fired at Duško Jovanović. Federal Criminal Office from Wiesbaden conducted the requested expert evaluation which did not prove presence of biological evidence that belong to Vuk Vulević and Armin Osmanagić, after which the prosecutor decided that there were no grounds to initiate criminal proceedings against these persons." (Response of the Supreme State Prosecutor's Office to the request for access to information submitted by NGO Human Rights Action on 20 March 2012, point 6: http://www.hracion.org/wp-content/uploads/Odgovori_VDT-a.pdf). However, on the night after the murder Vuk Vulević was available to the competent authorities, when he was reportedly taken into custody and released, as well as after his arrest in May 2005; thus, the SSP's claim that only "in the meantime", in 2008, he became available for collecting of a biological sample is unclear.

²³ "Inspectors heard first", *Dan*, 20 September 2013.

from the Police Directorate as part of the renewed investigation into the murder of Jovanović.²⁴

In early April 2011 the Montenegrin press quoted statements from Belgrade daily *Blic*, describing in a series of articles the participation of organized criminals from Serbia in hiding Duško Jovanović's killers in 2004, and a year later the killers of police inspector Slavoljub Šćekić, and also stating that both murders had been ordered by the State Security Service of Montenegro.²⁵

Furthermore, in April 2011 *Dan* released an official note allegedly made on 30 May 2004 by a former special advisor to the Deputy Minister of the Interior and the former head of the State Security Service Duško Marković, Vasilije Mijović, containing statement of a witness, also former employee of the State Security Service (SSS), that the witness saw Vuk Vulević and Damir Mandić from his apartment's balcony coming out of the car on the night of the murder.²⁶ According to that note, the witness could not report what he had seen out of fear for the safety of his family: "I am not crazy, they could kill my children, do you know who Vuk Vulević and Damir Mandić are? They are SSS men, beasts. Did you know that Vuk killed Beli Raspopović in 2000 in broad daylight in Sloboda Street²⁷, and Ranko Krivokapić²⁸ saw it but did not report it... and Miško Krstović in the same place in 2001.²⁹ Everybody knows that. No one can harm them. I do not need that."³⁰

Minister of Justice Duško Marković stated that he had never seen this note, and that he first received it from the *Dan* editorial board, when he submitted it to the Prosecutor's Office.³¹ He also said that the official note regarding Vasilije Mijović does not exist in SSS documentation, nor has it been listed in SSS archives for 2004. As the prosecution had initiated the proceedings on this occasion, the witness from the note testified and denied that he had given the above statement to Vasilije Mijović, and that he was in Belgrade on the day when the note was allegedly made. During interrogation Mijović repeated statements from the note and said that (the Minister) Marković was trying to kill him and that in early April 2010 he sent assassins to silence him, which was rejected by Marković as a fabrication.³²

In Belgrade in early August 2011 someone fired a shot at the vehicle operated by Mijović. However, it is unknown whether the shot was fired accidentally or intentionally.³³ The State Prosecutor's Office was also interested in finding out from whom and in which manner the Editor-in-chief of daily *Dan* Mladen Milutinović and journalist Mitar Rakčević received the official note made by the National Security Agency's former official Vasilije Mijović on the occasion of Duško Jovanović's murder.³⁴ It is not clear why the prosecution has focused the investigation on the source, rather than contents of the note. In its response submitted to *HRA* immediately before the completion of the investigation, the SSP noted the following as regards the official note: "Verification of allegations of the witness are in progress³⁵, although the actions taken thus far have shown that this witness's statement is not endorsed by persons the witness referred to as the source of his information".³⁶

In its response to *Human Rights Action* of 20 March 2012, the Supreme State Prosecutor's Office

²⁴ "Hearings on Mandić's confession", *Dan*, 26 January 2014.

²⁵ "Duško's murderers protected by Montenegrin State Security", *Vijesti*, "Vuk and Čila were in the Golf", *Dan* 5 April 2011.

²⁶ "The witness saw Vulević coming out of 'killer Golf'", *Dan*, 16 April 2011.

²⁷ An official of the State Security of Montenegro Darko Raspopović Beli killed in January 2001, murder unsolved.

²⁸ President of the Parliament of Montenegro.

²⁹ Entrepreneur, killed in April 2001, murder unsolved.

³⁰ "I cannot testify, SSS protected Vuk when he killed Beli", *Dan*, 17 April 2011.

³¹ "Marković forwarded the note to the Prosecutor's Office", *Dan*, 30 April 2011.

³² "Mijović: Duško sends assassins to silence me, Marković: Vaso making up things again", *Dan*, 2 June 2011.

³³ "'Wedding guests' fired a shot at Mijović", *Dan*, 9 August 2011.

³⁴ "Prosecutor interested in the origin, not the contents of the official note", *Dan*, 8 July 2011.

³⁵ This refers to a witness whose identity was not revealed, mentioned by Vasilije Mijović.

³⁶ For more details see: http://www.hracion.org/wp-content/uploads/Odgovori_VDT-a.pdf.

stated that "as of 10 January 2008 a separate case file was formed at the High State Prosecutor's Office in Podgorica in order to identify any perpetrators of the murder of Duško Jovanović" and that "in its request of 5 November 2010, in response to a letter from Slobodan Stevanović from Niš, Podgorica High State Prosecutor's Office sought certain information from the Administration for Execution of Criminal Sanctions in Podgorica. However, information obtained did not provide a basis for taking action toward the prosecution of a specific individual as a possible co-perpetrator of the crime."³⁷

Based on the information from 20 March 2012, "the last action taken in the direction of solving this murder (June 2011), was carried out through the provision of mutual international legal assistance, which enabled the representative of the prosecution and the court to conduct a hearing of the witness in a foreign state, who allegedly claimed to have certain knowledge of other unidentified co-perpetrator of the murder of the journalist. Inquiry into the allegations of this witness is in progress, although the actions taken so far have shown that this witness's statement is not endorsed by persons the witness referred to as the source of his knowledge."³⁸

Veselin Vučković, Acting Supreme State Prosecutor, announced that he would reopen the investigation into the murder of *Dan* Editor-in-chief, Duško Jovanović, and interview all the people from the Police that were involved in the investigation.³⁹ According to daily *Dan*, the Committee on Security and Defence received the report of the National Security Agency, stating that all persons suspected of the crime are still under secret surveillance measures.⁴⁰

Deputy Editor-in-chief of daily *Dan* and President of the Commission for monitoring the actions of competent authorities in the investigation of cases of threats and violence against journalists, assassinations of journalists and attacks on media property, Nikola Marković, filed a criminal complaint against Duško Marković, Vice Prime Minister and Minister of Justice of Montenegro, on the suspicion of having committed criminal offense Helping perpetrator after the commission of the crime - the murder of Duško Jovanović.⁴¹ Namely, at the time of the murder Marković was Chief of the State Security Service, at that time a part of the Ministry of the Interior, and was interviewed on 14 September 2004 within the investigation of the murder of Duško Jovanović by investigating judge Radomir Ivanović. In the show "Načisto" broadcasted by *TV Vijesti* in January 2014, Minister Duško Marković stated that he was aware that Jovanović's safety had been threatened prior to the murder and warned the former Minister of the Interior about that fact. However, according to Nikola Marković, official note of the hearing of Duško Marković in 2004 contains no record that would imply that Duško Marković did inform the investigating judge on his findings. Nikola Marković, who filed the charges, warned the authorities that prosecution of this offense in relation to the murder of Duško Jovanović becomes time-barred on 14 September 2014.

Acting Supreme State Prosecutor, Veselin Vučković, announced that he would reopen the investigation into the murder of *Dan* Editor-in-chief, Duško Jovanović, and among the first to be interviewed will be Minister Duško Marković, on the basis of the criminal complaint, as well as other persons who held official positions at the time of Jovanović's assassination.⁴²

³⁷ Response of the Supreme State Prosecutor's Office to the request for access to information submitted by NGO *Human Rights Action* on 20 March 2012, point 7: http://www.hraction.org/wp-content/uploads/Odgovori_VDT-a.pdf.

³⁸ *Ibid.*

³⁹ "Vučković promised to reopen the investigation into the murder of Duško Jovanović", *Vijesti*, 23 July 2013.

⁴⁰ "The case of Duško's murder reopened", *Dan*, 14 January 2014.

⁴¹ "His silence contributed to not identifying the killers", *Dan*, 29 January 2014.

⁴² "Marković first to be heard", *Dan*, 30 January 2014.

24 October 2006 – Attack on writer Jevrem Brković and murder of Srđan Vojičić

On the evening of 24 October 2006, writer Jevrem Brković was attacked by three masked assaultants at the entrance to the building where he lived⁴³. Brković was beaten with metal bars, and his driver Srđan Vojičić was murdered with a gunshot while he was trying to protect the writer.

Do date, no one has been accused for this offense, which was qualified as Attempted Grave type of murder of more than one person (Art. 144 of CC, Paragraph 8 regarding Art. 20)⁴⁴. The Police disclosed the name of one suspect seven years after the attack.

Brković assumes that he was attacked by those who recognized themselves in his book "The Lover of Duklja" published before the attack, in which he described the links between organized crime and the ruling political elite in Montenegro⁴⁵. Family members of the murdered Srđan Vojičić claimed that Brković knew who the attackers were, but refused to testify about it, and suggested that it was a businessman closely associated with politicians in power⁴⁶. Brković denied these claims.⁴⁷

In December 2013, the Police announced that they had reasonable suspicion that Vido Brajović, currently at the Administration for Execution of Criminal Sanctions in Podgorica, participated in the attack and murder of Srđan Vojičić, and that the Prosecutor's Office was asked to take his DNA and compare it with other traces collected by the Police.⁴⁸

On the night of 13 January 2014, on the eve of the Orthodox New Year, unidentified persons detonated a powerful pyrotechnic explosive – firecracker of larger dimensions, in front of Brković's flat in the centre of Podgorica, causing a lot of noise, but no major damage. Brković said that he believes the event was as an attempt to intimidate him, and expressed doubt that the attack on him was performed by Serbian nationalists, because in his book he described people and events from the wars in Croatia and Bosnia and Herzegovina.⁴⁹ Prosecutor Ivan Medojević came on the scene, and promised Brković that the Police and the Prosecutor's Office will do everything to find the perpetrators, and on the order of the Minister of the Interior, Raško Konjević, a police patrol was designated to secure the building.⁵⁰

April and May 2007 – Death threats to human rights activist Aleksandar Zeković

Researcher of human rights violations and member of the Council for Civilian Control of Police Work, Aleksandar Saša Zeković, filed a criminal report after receiving death threats on his mobile

⁴³ "Jevrem Brković attacked, his driver murdered", *Krstarica* <http://vesti.krstarica.com/vesti-dana/u-podgorici-napadnut-jevrem-brkovic-ubijen-njegov-vozac/>; "Jevrem hurt, driver murdered", *Dan*, 25 October 2006.

⁴⁴ Response of the Supreme State Prosecutor's Office on NGO Human Rights Action's request for information of 20 March 2012, item 7: http://www.hracion.org/wp-content/uploads/Odgovori_VDT-a.pdf.

⁴⁵ "Murderers still free", *Vijesti*, 26 October 2006; "Brković: Those who recognized themselves in the novel ordered the attack", *RTS*, 25 October 2006; "Jevrem Brković: attack due to writings about weapon and tobacco smugglers", text of Andrej Nikolaidis for Croatian *Jutarnji list*, 26 October 2006.

⁴⁶ „Brković keeps the secret?", *Republika*, 2 October 2006.

⁴⁷ "Parliamentary hearing on the attack on Jevrem Brković", *Radio Free Europe*, 1 October 2007.

⁴⁸ "DNA taken from a prisoner because of the murder of Srđan Vojičić", *Vijesti*, 13 December 2013.

⁴⁹ "The aim is to intimidate me, and they know they cannot do that", portal *Analitika*, 14 January 2014.

⁵⁰ "Firecrackers' for Jevrem Brković", *Vijesti*, 14 January 2014.

phone in April and May 2007.⁵¹

After the police refused to listen to the recordings of the two last death threats that Zeković had recorded because they lacked voice analysis equipment, local radio station from Podgorica *Antena M* broadcasted the recorded threats. Several people recognised the voice of policeman Mirko Banović, a bodyguard of the director of the Police Directorate Veselin Veljović.⁵²

Director Veljović informed Zeković that the Police had questioned Banović with a polygraph, and that it had been allegedly found that the threats had not been voiced by Banović, but Zeković did not attend the procedure and was only told about it subsequently.⁵³

The Council for Civilian Control of Police Work stated that the Police failed to provide information it required regarding the danger to the personal safety of Zeković, a member of the Council⁵⁴. The media reported that bodyguards of a Montenegrin Government official were involved in the secret surveillance and harassment of Aleksandar Zeković⁵⁵. The former President of the Supreme Court, Ratko Vukotić, informed Zeković that he could not tell him whether he had been under secret surveillance because disclosure of such information would be contrary to security interests of the State.⁵⁶

Upon *Human Right Action's* requests filed in 2007 and 2008, the Basic State Prosecutor's Office responded that the Police were ordered to conduct specific investigation activities⁵⁷, but not whether the Police actually did as they were instructed. However, it remains unknown to the public whether the Supreme State Prosecutor ever exercised her right to notify the Ministry of the Interior that the Police had not acted on Prosecutors' requests. On the second anniversary of the incident with Zeković, 31 NGOs sent a letter to the Supreme State Prosecutor, asking her to inform the public on the actions the State Prosecutor's Office has undertaken within its competence to investigate this case⁵⁸. The Supreme State Prosecutor's Office never replied to the letter. In 2010 the Supreme State Prosecutor's Office refused twice to answer *Human Rights Action's* request for access to information on what actions the State Prosecutor had undertaken to investigate the threats. The Administrative Court annulled the decision of the Ministry of Justice which agreed with such decision of the SSP, and ordered adoption of a new decision. *Human Rights Action* received a response on 20 March 2012. SSP's response clearly indicates that the Police failed to provide necessary information to the Prosecutor's Office and obstructed the investigation.⁵⁹ Although the Prosecutor's Office urged the Police four times, SSP has clearly accepted illegal operations of Police officers, despite the publicly expressed serious doubts that the police officer had threatened Zeković and that his colleagues supported him in such actions.

After almost four years from the incident, when the prosecution apparently became time-barred, in February 2011 Zeković was called in by Acting Basic State Prosecutor, Ljiljana Klikovac, and told him that the audio recordings of the threats he had submitted to the Police were not in his case file.⁶⁰ It is still unknown who is responsible for the cover-up of this case, i.e. for the failure to conduct an effective investigation.

⁵¹ "Threatened to kill him while he was with the Police Chief", *Vijesti*, 5 May 2007; "Zeković gets death threats", *Dan*, 5 May 2007.

⁵² "Prepare to die", *Vijesti*, 6 May 2007.

⁵³ "Banović passes polygraph test", *Dan*, 17 May 2007.

⁵⁴ "Zeković dissatisfied with protection and investigation", *Vijesti*, 28 April 2007.

⁵⁵ "Policemen followed Zeković!", *Republika*, 26 April 2007.

⁵⁶ "They won't reveal whether Zeković was followed", *Dan*, 3 May 2007.

⁵⁷ The State Prosecution Office's reply to the request for free access to information is available in the HRA archives.

⁵⁸ Letter available on website, at: <http://www.hracion.org/?p=224>.

⁵⁹ SSP response available at: http://www.hracion.org/wp-content/uploads/Odgovori_VDT-a.pdf.

⁶⁰ "Prosecution Office did not hear the death threats", *Vijesti*, 18 February 2011. Phone call conversation of *Human Rights Action* with Zeković.

1 September 2007 – Attack on Director of daily *Vijesti* Željko Ivanović

In the early morning of 1 September 2007, in the city center of Podgorica, three unidentified persons attacked Željko Ivanović, the director and founder of daily *Vijesti*. He was beaten with a wooden bat in the head and body, and inflicted serious bodily injury of the head in the form of ruptured cheekbones, a hematoma under the eye and swellings on the face, as well as several light bodily injuries.⁶¹

Based on the confessions of two alleged assaultants, despite the testimonies of Ivanović and other witnesses of the attack that those persons don't even look like the real assaultants, the Deputy Basic State Prosecutor in Podgorica Sonja Jovičević accused Radoman Petručić from Nikšić for the criminal offence Serious bodily injury and Mitar Blagojević from Foča for behaving in an unscrupulous and violent manner, both of whom were sentenced for these offences by final and enforceable judgements.⁶²

After an unusually efficient trial for the time in Montenegro – the first-instance trial lasted one month, and the proceedings on defendant's appeal less than five months – the Basic Court in Podgorica sentenced both defendants to imprisonment of four years, and then the High Court in Podgorica drastically reduced their sentences to one year, finding that the first-instance court did not sufficiently appreciate a mitigating circumstance that the defendants confessed committing the criminal offense, despite the fact that they were both convicted twice in the past.⁶³ It is also absurd that both the first and second instance courts pointed out as a mitigating circumstance the fact that the injured Željko Ivanović did not join the prosecution of the defendants – ignoring the fact that he had done so due to his belief that those persons were not the real perpetrators, not due to his willingness to forgive them for the criminal offense.

The defendants confessed beating Ivanović because the journalist of *Vijesti* had previously written "various articles" on Petrušić, thus "shaming his family".⁶⁴ However, it is peculiar that Petrušić waited two and a half years to get his revenge, not because of the texts, which were not used as evidence in the court proceedings, but due to a short Police statement published in *Vijesti* stating that the Police suspected Petrušić of stealing – that this daily quoted like other daily newspapers.⁶⁵

The attack occurred in the early morning, after Ivanović left the celebration of the tenth anniversary from establishment of daily *Vijesti*. After the admission to hospital, Ivanović said that the attack was "a congratulation from those who govern Montenegro – Milo Đukanović and his family, whether biological or criminal". Because of these statements, the Prime Minister Milo Đukanović sued Ivanović on 6 September and was awarded 20 000 euros in first-instance proceedings, but the

⁶¹ Judgement of the High Court in Podgorica, K.no. 07/1475, of 15 January 2008.

⁶² "Ivanović: They forgot what they were supposed to say", *Dan*, 11 December 2007.

⁶³ Judgement of the Basic Court in Podgorica, K.no. 07/1475, of 15 January 2008, judge Zoran Šćepanović president of the Council, p. 14 and High Court in Podgorica Kž.no. 745/08, of 16 May 2008, p. 3 (Council of judges: Milić Međedović, president and Miroslav Bašović and Radomir Ivanović, members of the Council).

⁶⁴ Judgement of the Basic Court in Podgorica, K.no. 07/1475, of 15 January 2008, p. 4.

⁶⁵ "The Police suspected Petrušić for stealing iron in Budo Tomović neighbourhood and stated that criminal complaint had been filed against him. Research of archives of other media outlets showed that on the same day *Dan* and *Pobjeda* wrote in more detail on the suspicion of the Police of Petrušić's criminal actions. *Vijesti* only reported on the Police statement, while in other daily newspapers the articles were signed by journalists. In electronic archives of *Dan* and *Pobjeda* there are no other texts except for this one, as reported by *Vijesti*." "The assaultant on Ivanović mentioned in *Vijesti* only once", PCNEN, 18 September 2007.

High Court reduced the awarded amount to 10 000 euros.⁶⁶ The persons accused for the attack were arrested on 14 September.

During the investigation and trial, Ivanović said that the accused do not even look like the assaultants he described to the police immediately after the attack.⁶⁷ He also claimed that the assaultants approached him from the front, not the back as the two defendants testified, and that it is not true that they hit him with their fists, as they claimed, but with bats.⁶⁸ The statements of the only two witnesses who saw the perpetrators were in support of his statement, as they said that those persons were not the ones they saw.⁶⁹ Since there was no other evidence, it can be concluded that the defendants were convicted only on the basis of their confessions.

Also, both the defendants and the witnesses said at the trial that the incident was attended by one more person with a mask, so-called "Miki", who watched the attack, as can be seen on the surveillance footage of the attack. However, this third person has never been identified and prosecuted.⁷⁰

All these circumstances provide a reasonable basis for doubt that the real assaultants on Ivanović were not prosecuted. The European Committee for the Prevention of Torture in 2001 recommended all member states of the Council of Europe, as well as Montenegro, to prevent judgments based on confessions, because this encourages members of the investigative state bodies to use the means of physical or psychological coercion in resolving cases.⁷¹

1 November 2007 – Attack on journalist of *Radio Berane* and daily *Republika*, Tufik Softić

Journalist of *Radio Berane* and daily *Republika*, Tufik Softić, was attacked in front of his house in Berane by two masked men on 1 November 2007. On this occasion, Softić sustained serious head and arm injuries, due to beatings with wooden bats, after which he was hospitalized. The perpetrators have not yet been identified and the case never reached the court.

Before the attack, Softić was reporting on organised crime groups in the north of Montenegro.⁷²

According to Softić, the person he suspects of the attack, who had previously threatened him and was suspected of membership in Darko Šarić's criminal group, has never been interrogated in regard to the attack.⁷³

There has been no progress in the investigation of this incident. NGO *Human Rights Action* managed to acquire a response of the Supreme State Prosecutor's Office in April 2012, after two years of SSP hiding the data. In the response on the case the SSP stated that they conducted extensive pre-trial proceedings, heard 34 persons, and questioned 25 with a polygraph, as well as conducted an analysis of calls between these persons. The response also stated that "the Basic State

⁶⁶ This judgement, as well as NGO *Human Rights Action*'s comments on them are available at: http://www.hraction.org/?page_id=459.

⁶⁷ "The defendants are not the real assaultants on Ivanović", *Radio Free Europe*, 10 December 2007.

⁶⁸ *Ibid.*

⁶⁹ Judgement of the Basic Court in Podgorica, K.no. 07/1475, of 15 January 2008, p. 7 and 8. Namely, onw witness talked about assaultants he saw attacking Ivanović, and the other on two men he ws waiting for someone on the scene.

⁷⁰ "They no longer search for Miki", *Vijesti*, 16 June 012.

⁷¹ "Substantive" sections of the CPT's General Reports (extracts from the European Committee for the Prevention of Torture and Inhuman and Degrading Treatment or Punishment, the CPT Standards, Substantive Sections of the CPT's General Reports, Council of Europe, October 2001, CPT/Inf/E (2002)), tačka 35.

⁷² "Republika correspondent Tufik Softić beaten up", *Republika*, 2 October 2007.

⁷³ "Powerful shield", *Monitor*, 19 March 2010.

Prosecutor's Office urged the police several times to clarify the event, the last time on 17 February 2012, after which the Police Directorate informed the Basic State Prosecutor's Office on 20 February 2012 that they had no new information on the case".⁷⁴ This response, in addition to the scandalous transfer of responsibilities to the Police, illustrate an unacceptable high level of tolerance of the SSP toward the inaction of the Police. The Supreme State Prosecutor's Office thus promotes impunity for serious violations of human rights, contrary to international standards.⁷⁵

After another attack on Softić in the form of a bomb explosion in front of his family house of 11 August 2013. (for details see page 35), the inspectors of the Security Centre Berane called Softić, six years after the first attack, on 15 August 2013, to request his permission to do a DNA analysis, explaining that there were no conditions for the Forensic Centre to conduct the forensic analysis of bats used in the first attack. It is still unclear why the biological traces have not been timely sent abroad for forensic analysis, as was the practice in other cases.⁷⁶

Journalists of *Vijesti* tried to get answers from the Ministry of the Interior officials why they have waited for the forensic analysis of DNA traces since 2007, and were told that the Police takes "all activities within its competence to solve the criminal offense Serious bodily harm committed in 2007 against the damaged party T.S." and that "in regard to the incident, forensic analysis of all traces found during the investigation is ongoing".⁷⁷

After the protest of the Media Trade Union of Montenegro in support of Softić in October 2013, the Police unofficially stated that they have information about who were the perpetrators and who ordered the attack, and that they were working on acquiring evidence.⁷⁸ However, even after that there was no official information on the results of this investigation and to date no one has been accused. The State Prosecutor's Office did not state in what phase this process was.⁷⁹

24 May 2008 – Attack on journalist of daily newspapers *Danas* and *Vijesti* Mladen Stojović

Longtime sports journalist of *Danas* and *Vijesti* from Bar, Mladen Stojović, was attacked and severely beaten in his flat in the late May 2008, after publicly testifying in "The Insider" TV show of Serbian TV B92 that Montenegrin "football mafia" participates in the match-fixing. As a result of the attack, Stojović lost consciousness and suffered serious injuries – fractured both jaws, bleeding in the mouth and nose, as well as being stabbed in the jaw area with a sharp object.

The investigation of this case was suspended due to becoming time-barred.

In January 2008, in TV show "The Insider" of Serbian TV B92, Stojović testified about frauds, i.e. fixing the results of football matches by the Montenegrin "football mafia", naming its members.⁸⁰

In April 2012 the Supreme State Prosecutor's Office informed NGO *Human Rights Action* that the Police in Bar filed a criminal complaint to the Basic State Prosecutor in Bar against an

⁷⁴ For more details see: http://www.hracion.org/wp-content/uploads/Odgovori_VDT-a.pdf.

⁷⁵ For a systematic overview of these standards, see Guidelines on impunity – Guidelines of the Committee of Ministers of the Council of Europe on eradication of serious violations of human rights, document adopted on 1110th session of 31 March 2011, Strasbourg, non-official translation available at: www.hracion.org.

⁷⁶ For example, see the investigation case of Duško Jovanović's assassination.

⁷⁷ "The Police waited six years to start dealing with evidence", *Vijesti*, 15 August 2013.

⁷⁸ "Simonović passes the polygraph test", *Vijesti*, 17 November 2013.

⁷⁹ "Attacks on journalists far from being solved, investigation of attack on Stojović suspended", *Vijesti*, 15 November 2013.

⁸⁰ Transcript of the TV show broadcasted on 28 January 2008 was available on 30 January 2014 at: http://www.b92.net/info/emisije/insajder.php?yyyy=2008&mm=01&nav_id=283409.

unidentified perpetrator 18 days after the attack, on 11 June 2008.⁸¹ They also stated that the State Prosecutor qualified the offense as serious bodily injury.⁸²

The Police and the Supreme State Prosecutor stated that there were no clues indicating the identities of the assaultants⁸³. It is unknown whether the State Prosecutor ever researched Stojović's statements about the existence of the "football mafia" in Montenegro and a possible link between certain individuals he named as members to the "mafia", and the attack on him. The State Prosecutor's Office did not answer this question to *Human Rights Action*, and on 20 March 2012 stated on the investigation that: "During the process of gathering the necessary information, 17 persons have been heard whose testimonies did not provide the data on the identity of the assaultants, as the Bar Police Unit stated in its latest reports submitted to the Basic State Prosecutor in Bar on 4 February and 30 March 2011. The Basic State Prosecutor in Bar submitted urgencies several times, the latest on 12 March 2012."⁸⁴

The investigation of Stojović's case was officially suspended after five years due to being time-barred, as stated by the Deputy Supreme State Prosecutor Radmila Ćuković.⁸⁵ According to her, on 18 June 2013, the prosecutor Milenko Magdelinić from Bar suspended the investigation, conducted against unidentified persons on suspicion that they committed criminal offenses Serious bodily injury and Violent behaviour, and that suspects or evidence for the indictment were not found.⁸⁶

5 August 2009 – Attack on editor of *Vijesti* Mihailo Jovović and photographer of *Vijesti* Boris Pejović

Mayor of Podgorica, Miomir Mugoša, his son Miljan Mugoša and driver Dragan Radonjić physically assaulted a photographer of daily *Vijesti*, Boris Pejović, and editor of *Vijesti*, Mihailo Jovović, in August 2009, while they were documenting the Mayor's illegally parked vehicle.

The case reached the court three and a half years later, on 31 March 2013, when the editor Jovović was released from charges of the state prosecutor that he caused light bodily injury to Mayor's driver, Dragan Radonjić, while Mayor's son, Miljan Mugoša, was sentenced with suspended sentence for causing serious bodily injury to Mihailo Jovović. In separate proceedings before the Misdemeanour Body, Mayor Mugoša was fined 400 euros for disturbing public peace and order.

The Mayor, his son and driver claimed that Jovović physically assaulted them and inflicted serious injuries on the driver.⁸⁷ The State Prosecutor's Office persistently held to this version of the story, and in addition to Miljan Mugoša, Jovović was also charged with causing bodily injury. Mayor's son subsequently confessed to the court that he hit Jovović.⁸⁸ Jovović claimed from the beginning that he did not hit anyone on this occasion, and that during the incident he suffered several blows from the Mayor and his son, that at one point Mayor's son even pointed a gun at him, as was

⁸¹ Supreme State Prosecutor's Office response TU. no. 312/10 of 20 March 2012, received in April 2012: http://www.hraction.org/wp-content/uploads/Odgovori_VDT-a.pdf.

⁸² *Ibid.*

⁸³ "Stojović: they want to weaken the case", *Vijesti*, 29 May 2008.

⁸⁴ Supreme State Prosecutor's Office response TU.no. 312/10, of 20 March 2012: http://www.hraction.org/wp-content/uploads/Odgovori_VDT-a.pdf.

⁸⁵ "Attacks on journalists far from solution, investigation of the attack on Stojović suspended", *Vijesti*, 15 November 2013.

⁸⁶ *Ibid.*

⁸⁷ "Mugoša physically assaults journalists", *Dan*, 7 June 2009.

⁸⁸ Basic Court in Podgorica judgement, K. no. 11/386, of 19 July 2012, page 5.

reported to police officers when they arrived at the scene, but they did not even attempt to search Mayor's vehicle for the weapon⁸⁹. After the incident, medical reports confirmed injuries on both Radonjić and Jovović. Jovović had a ruptured eardrum, and underwent surgery, while Radonjić allegedly had a concussion.⁹⁰

First, the police filed criminal charges against Mayor's son and the editor of *Vijesti* on suspicion that they inflicted serious bodily injury – Mugoša to Jovović, and Jovović to Radonjić. In October 2009, Deputy Basic State Prosecutor in Podgorica, Sanja Jovičević, accused Jovović and Mugoša for inflicting serious bodily injury, and a motion for misdemeanour proceedings for violation of the Law on Public Order and Peace was filed against the Mayor of Podgorica, Miomir Mugoša⁹¹. The State Prosecutor's Office claimed that Jovović hit Radonjić with his fist "in which he held a mobile phone and a voice recorder" and on this occasion he "inflicted injury due to which he permanently and substantially damaged his brain" and that Miljan Mugoša hit Jovović and inflicted serious bodily injury which caused Jovović's eardrum to burst.

After delivering the indictment against Jovović, the Council of the Basic Court returned the indictment to the prosecution, in order for a medical expert to make further comments on Radonjić, Mayor's driver. In September 2009, prior to the indictment, Dr Dragana Čukić made a statement that there is a possibility that Jovović did not cause the driver's injury, but it is possible that the injury happened long before the incident.⁹² These findings were then supplemented by Dr Čukić and Prof. Dr Dragoslav Nenezić in December 2009, and in June 2010 medical reports of the Medical Faculty in Belgrade and supplemented opinion in February 2011 gave the same results⁹³. Driver Radonjić went to a medical examination 13 hours after the incident, and the initial findings, which found the alleged concussion incurred during the incident, on which the state prosecutor based the original indictment, were developed by Dr Milanka Raičević, who was previously Radonjić's doctor, as reported by *Vijesti*.⁹⁴

After the supplemented medical report from Podgorica, and findings from Belgrade, the state prosecutor withdrew the qualification of serious bodily injury due to driver Radonjić's concussion, but in May 2011, the Deputy Basic State Prosecutor Zoran Vučinić accused the editor of *Vijesti* of causing light bodily injury to the driver Radonjić and Mayor's son, Miljan Mugoša, of causing serious bodily injury to editor Jovović.⁹⁵

The state prosecutor accused Jovović for aggravated form of the offense Light bodily injury, the basic form of which is prosecuted upon private charges, because the alleged injury was caused by "weapons, dangerous tools or other means suitable for inflicting serious bodily injuries or seriously impairing health" (Article 152, Para. 2 of CC). The prosecution based its decision on the opinion of the Institute of Forensic Medicine in Belgrade, which stated that Radonjić sustained injuries that could have been caused with "the edge of a telephone or voice recorder".⁹⁶

The position of the State Prosecution that a mobile phone is a dangerous weapon that can cause serious injuries was not the usual case in practice. For example, Human Rights Action analysed the operation of the prosecution in cases where state prosecutors in Montenegro did not prosecute the

⁸⁹ The same judgement as above. Also, „Mugi can beat us!“, *Vijesti*, 8 August 2009.

⁹⁰ "Radonjić was only scratched", *Dan*, 1 October 2009.

⁹¹ "Indictment against Jovović and Mugoša's son", *Radio Free Europe*, 5 October 2009.

⁹² "Jovović accused without evidence", *Vijesti*, 20 November 2009.

⁹³ Basic Court in Podgorica judgement, K. no. 11/386, of 19 July 2012, page 41 (The court considered these findings "as clear and objective and based on the rules of the profession and accepted them as such").

⁹⁴ "Award for a witness of the prosecution in the attack of Mugoša against *Vijesti*", *Vijesti*, 14 December 2011.

⁹⁵ "Miomir Mugoša fined for the incident with *Vijesti* journalists", *Vijesti*, 25 January 2010.

⁹⁶ "Jovović threatened Radonjić's life with a telephone", *Vijesti*, 18 May 2011.

accused police officers for Light bodily injury, although the injuries were inflicted with a wooden stick and a baton ("means suitable for inflicting serious bodily injury"), although the prosecutor should have prosecuted this offense ex officio, in accordance with the law.⁹⁷ The persistence of the state prosecutor in the investigation and subsequently to prove the guilt of journalists and present it as equal to the guilt of Mayor's son, is contrary to the proverbial inaction that the State Prosecutor's Office shows in cases of human rights violations, and even the absolute right to freedom from torture and other ill-treatment, undertaking actions for which it is competent.⁹⁸

The Basic Court in Podgorica in the first instance judgement, which become final and enforceable, determined on the basis of medical reports that driver Radonjić sustained light bodily injury to the head, but not that it was inflicted by Mihailo Jovović during the incident. The court based this judgment on Radonjić's statement given during the investigation and at the trial, and statements Mayor's son gave to the police and the investigating judge, when he did not yet claim that Jovović hit Radonjić. Later Miljan Mugoša testified differently i.e. that Jovović hit Radonjić. However, the court found that even if that were true, Jovović could not have inflicted the injury to Radonjić in a way that is described in medical reports.⁹⁹

The Council for the Civilian Oversight of the Police found that the policemen had made several mistakes during the investigation of the incident and in their treatment of the suspects. Criminal complaint was filed against police officers for falsifying a record of detention of Mayor's son Miljan, who, as suspected, has never been taken to the detention premises. The Council also criticised the findings of the Police Internal Audit Sector, which had qualified the police conduct as professional.¹⁰⁰

At the main hearing, held on 10 May 2012, Miljan Mugoša changed the statement he gave to the investigating judge and admitted that he had hit Mihailo Jovović.¹⁰¹ When asked why he denied hitting Jovović in the course of the investigation and gave different testimony about the incident, he replied "that this was for personal reasons, and that his former lawyer advised him so, while his current lawyer told him to defend himself with the truth".

Miljan Mugoša has repeatedly stated that he could not remember certain details because it had been almost 3 years after the incident and that his intention was to protect his father. He said that Jovović had tried to attack his father three times, and that "he was forced to slap Jovović when he saw that several previous attacks were not successful".

Radonjić testified that he was hit by Jovović, but could not remember how because "he was at the time most concerned about Mayor's safety." In addition, he testified that he did not see Mugoša hitting Jovović. He reasoned that he had undergone medical examination only 13 hours after the incident because the whole incident was extremely stressful for him, so he decided to rest and see a doctor the following day.

During the testimony, for the most part Mugoša and Radonjić could not remember the details of the incident, including "how Jovović hit them or attacked the Mayor, where he stood, in what

⁹⁷ In examined judgements: judgement of the Basic Court in Kotor K.no. 434/08 of 28 July 2010; judgements of the Basic Court in Danilovgrad K.no. 272/08 of 16 September 2009, K.no. 267/09 of 4 June 2010 and K.no. 306/09 of 5 July 2010; judgement of the Basic Court in Kolašin 237/09 of 27 October 2009.

⁹⁸ "Accused for threats to journalist", *Dan*, 17 February 2011.

⁹⁹ Like, for example, the never resolved case of disappearance of two residents of the institution for persons with intellectual disability "Komanski most" and abuse that representatives of the European Committee for the Prevention of Torture observed in this institution in 2008, or other cases discusses in detail in the publication "Prosecution of Torture and Ill-Treatment in Montenegro", Human Rights Action, the Centre for Anti-discrimination EQUITIST, Centre for Civic Education, Women's Safe House, Podgorica, 2013, available at: http://www.hraccion.org/wp-content/uploads/Izvjestaj_Procesuiranje-mucenja-i-zlostavljanja_CG_WEB.pdf.

¹⁰⁰ Basic Court in Podgorica judgement, K. no. 11/386, of 19 July 2012, p. 55-58.

¹⁰¹ „Police officers made mistakes, as well as the Internal Control“, *Vijesti*, 14 April 2010.

¹⁰² Human Rights Action monitor attended the trial.

position were his hands just before the attack and during the attack", etc. Both Mugoša and Radonjić denied the existence of the mentioned gun.

In his testimony, Jovović said that he bore no guilt whatsoever over the incident he was charged with, and that the indictment was false as the prosecutor did not intend to determine the full truth, but blame him at all costs in order to establish a balance and unburden Miljan Mugoša. In relation to Miljan Mugoša's statement, he believes that his first statement to the police and investigating judge in which he said that Jovović did not hit anyone was true, and that the rest of the testimony is false. He reiterated that he had not hit anyone, not once. In support of this, Jovović noted that during the first fifteen minutes upon the arrival of the police, neither older nor younger Mugoša, nor the driver told the police that he had hit anyone.

Deputy State Prosecutor Zoran Vučinić, who has been appointed to represent the indictment, had only two questions during the nearly eight-hour trial: one for Mugoša – which hand did he use to slap Jovović, and one for Radonjić – in which hand did Jovović hold the items.

As the trial continued, on 2 July 2012, the Mayor of Podgorica Miomir Mugoša used his legal right not to testify in proceedings against his son, on the grounds that it contributes to the efficiency and de-politicization of the process. Photographer Pejović testified that Jovović had not attacked Mugoša father or son or had any contact with the driver Dragan Radonjić. Pejović reiterated that mayor Mugoša had slapped him twice and insulted him.¹⁰²

Three years after the controversial event, in late July 2012 the Basic Court in Podgorica, acting in the first instance, sentenced Miljan Mugoša, the son of the Mayor of Podgorica, to six months, for two years suspended prison sentence for causing serious bodily injury to the editor of daily *Vijesti*, Mihailo Jovović, while Jovović was released of charges for causing bodily injury to Miljan Mugoša with dangerous tools. The High Court later confirmed this judgement.¹⁰³

At the end of his closing statement, which he submitted in writing to the court, Jovović stated that the prosecutor should consider it as criminal charges against the organized criminal group for carrying out criminal offenses against the judiciary, falsification of documents and abuse of office. He mentioned several persons in his complaint, including Mugoša father and son and Radonjić, the Supreme State Prosecutor and all the prosecutors who acted in the process, police officers and their superiors, as well as doctor Milanka Raičević. In his opinion, they committed these criminal offenses through the act of commission or omission.¹⁰⁴

By the end of 2013 the public was not informed that these criminal charges have been prosecuted. Also, it is unknown whether the prosecution had done anything on charges for falsifying the record on detention of Miljan Mugoša.

Deputy Prime Minister and Justice Minister Duško Marković, announced the investigation on responsibilities of prosecutors who acted in this case during the mandate of the Supreme State Prosecutor Ranka Čarapić.¹⁰⁵

¹⁰² "Miomir Mugoša escapes court", *Vijesti*, 3 July 2012.

¹⁰³ "Jovović released of charges, suspended sentence to Mugoša", portal *CDM*, 31 March 2013.

¹⁰⁴ "Jovović released of charges, suspended sentence to Miljan Mugoša", *Vijesti*, 31 March 2013.

¹⁰⁵ "Marković: We will analyse the work of the prosecutor in case Mugoša – Jovović", *Vijesti*, 20 July 2013.

24 September 2010 – Threats to editorial boards of TV Vijesti and daily Vijesti

A group of directors, editors and columnists of the daily *Vijesti* and *TV Vijesti* on 24 September 2010 received threatening letters on the address of the Podgorica-based editorial board office¹⁰⁶, and the police investigation on this case did not have any results.¹⁰⁷ The letters with messages “you are dead, you are next” were addressed to the directors of the daily and television, Slavoljub Šćekić and Željko Ivanović, the editors of *Vijesti*, Ljubiša Mitrović and Balša Brković, as well as the newspaper’s columnist Milan Popović, who reported it to the police.¹⁰⁸ The investigation has not given any results to date.

Daily *Vijesti* stated that the enveloped letters, with stamps of Podgorica’s post office number 2 dated on 22 September 2010, arrived together with other post, which the secretary sorted and forwarded to the recipients. The daily stated that all five letters were typed on a computer, while the envelopes – written in the Cyrillic script in handwriting – had full names of the recipients. According to *Vijesti*, the Basic Prosecutor in Podgorica, Ljiljana Klikovac, was informed on the threatening messages addressed to the editorial board of daily *Vijesti* and *Vijesti TV*. The police said it conducted an investigation and sent the letters to forensic experts. Editors of these media outlets informed the directors of the Police Directorate, Veselin Veljović, and the National Security Agency, Vladan Joković, about the received threats, stating that they expect an intensified investigation and the background of the threats to be clarified. “We expect from you to take this case with proper attention and, within your competences, intensify the investigation, assess the security risks and allow us to do our job safely”¹⁰⁹, they wrote, among other things, in the letter sent to the two leaders of the national security services. According to information that *Human Rights Action* acquired, they never received any response.¹¹⁰

In a statement of 24 September 2010, partly quoted the following day by daily newspapers *Vijesti* and *Dan*, the Police confirmed that *Vijesti* editors received threatening letters, claiming that its officers are taking intensive measures on identifying the persons who wrote and sent the letters. The Police said they doubted all the letters were written in the same handwriting, which should be determined by graphologist experts of the Forensic Center, adding that they have undertaken intensive activities on resolving the case.¹¹¹

January and February 2011 – Threats against *Vijesti* journalist Olivera Lakić

Due to a series of articles about alleged illegal cigarette manufacturing in Mojkovac factory “Tara”, owned by “Montenegro tobacco company” from Podgorica, in late January and early

¹⁰⁶ *TV Vijesti*, Informative program „News at half past six“, 24 September 2010.

¹⁰⁷ No media reports saying that anyone was arrested or prosecuted in this case has been recorded so far. The Police Directorate failed to give us that information, while Slavoljub Šćekić and Željko Ivanović told HRA in telephone conversations that they have never received any response from the heads of the security agencies, as well as that they haven’t received any information on results of the investigation.

¹⁰⁸ *TV Vijesti*, Informative program „News at half past six“, 24 September 2010.

¹⁰⁹ “Is there any volunteer to confess“, *Vijesti*, 25 September 2010.

¹¹⁰ No media reports saying that anyone was arrested or prosecuted in this case has been recorded so far. The Police Directorate failed to give us that information, while Slavoljub Šćekić and Željko Ivanović in the telephone conversations told HRA that they have never received any response from the heads of the security agencies, as well as that they haven’t received any information on results of the investigation.

¹¹¹ „Police held a thorough investigation“ *Pobjeda*, 25. 10.2010; “Is there any volunteer to confess“, *Vijesti*, 25.9.2010.

February 2011 *Vijesti* journalist Olivera Lakić received several threats. By the end of January 2014 only Slavko Musić, employed in the said company, was convicted by a final decision, who was the first person to threaten her. In February 2011 the Supreme State Prosecutor's Office began checking operations on the tobacco factory in Mojkovac that Olivera Lakić wrote about, but it has not been announced to date whether an investigation was initiated.

31 January - 3 February 2011 – The first case of threats

On 2 February 2011 the owners of "Tara" factory delivered two orchids through Slavko Musić to journalist Lakić, packaged to resemble those intended for funerals. Two days earlier, over Musić's phone, a person still unknown to her directed a series of offenses and threats against her while she was standing in front of "Tara" factory in Mojkovac. A man who did it introduced himself as Vujica Tomović, director of the factory. In the trial, as a witness, Tomović denied that he had spoken with Lakić. Then on 3 February 2011 Musić blocked *Vijesti* crew car with his vehicle, with journalist Lakić and photographer Zoran Đurić in it, near the hangar in Donja Gorica, and afterwards stood with three unidentified persons in the backyard of the house where Lakić was to intimidate her and Stanišić family with whom she spoke. This family lives behind the walls of the hangar, where Lakić suspected that the packaging for fake cigarette brands was made.

In February 2011 the Basic State Prosecutor's Office in Podgorica filed an indictment against Musić and M.P. for the criminal breach of security. Prosecutor Klikovac charged the defendants with "serious threats, directed between 31 January and 3 February, to endanger Lakić's life, while S.M., by threatening her, endangered the safety of persons with whom the journalist was on duty on 3 February".¹¹² The trial began on 27 July 2011, after being postponed three times.¹¹³ At the trial Ms. Stanišić described the events of that night and stated that she had known Musić for years, that she was afraid and that from the experience of the people who were his subordinates, she knew that he would do anything to protect the interests of the hangar owner.¹¹⁴ In June 2012 Musić was sentenced to a prison term of four months, while M.P., who was tried in absentia, was acquitted.¹¹⁵ Podgorica High Court overturned the verdict of the Basic Court sentencing Musić to prison, while M.P. was acquitted on charges of endangering safety, and a new trial was scheduled for 2 April 2013.¹¹⁶ In the new procedure judge Jelena Perović-Kovačević once again sentenced Musić to four months in prison for endangering the journalist's safety, noting that the mitigating circumstance was that he had not been previously convicted.¹¹⁷ This judgment was then confirmed by the High Court in Podgorica on 3 December 2013.¹¹⁸

9 - 10 February 2011 – The second case of threats

On 9 February 2011, just hours after the police estimated that Lakić and her family were not in

¹¹² "Accused of threatening a journalist", *Dan*, 17 February 2011.

¹¹³ Seventh monthly report on the implementation of obligations under the Action Plan for monitoring the implementation of recommendations from the European Commission's Opinion, available at: http://www.gov.me/aktuelno/Mjesecni_izvjestaji/.

¹¹⁴ "Tomović does not know who threatened", *Vijesti*, 2 September 2011.

¹¹⁵ "Four months for Musić, Piper free", *Vijesti*, 13 June 2012.

¹¹⁶ "Musić and Piper to be tried again", *Vijesti*, 9 March 2013.

¹¹⁷ "Four months for Musić for endangering Lakić's safety", 11 May 2013.

¹¹⁸ KŽ 1617/2013.

danger because of threats addressed to her ten days earlier, a man who identified himself as Boško called another *Vijesti* reporter, Jasmina Muminović, from a German phone number on her mobile phone. With a strong Nikšić accent, he uttered a series of serious insults and threats directed at Olivera Lakić. The case was reported to the police. The next day Muminović received a threatening text message from the same number directed at her colleague Lakić, but also the roommate of Olivera Lakić's daughter.¹¹⁹

Three days after the threats, Milan Grgurević¹²⁰ reported himself to the police allegedly voluntarily, claiming that he had addressed serious threats at journalist Lakić and her daughter. During the investigation he said that he had also called and texted Muminović, but could not recall any part of the alleged conversation with her or explain why he had made that telephone call. During expert testimony, the prosecution concluded that his testimony was false and that he was not the person who had threatened the journalist; in October 2011 the prosecution filed an indictment against Grgurević for the crime of False reporting. At the trial Grgurević remained silent. Expert testimony also established that the telephone from which threats had been addressed and Grgurević's telephone had been used almost simultaneously in locations that are several tens of kilometres away from each other. At the main trial Muminović said that the voice of the person with whom she had spoken on the phone was certainly not Grgurević's, that it was someone with a pretty rough male voice, with a strong Nikšić accent, unlike Grgurević.¹²¹

Head of the Branch for the Suppression of Sexual and Blood Crimes in Podgorica Regional Unit, Ekan Jasavić claimed that, through a phone call record, the police determined that the number from which threats had been addressed had also been used in Grgurević's "Nokia" and that on these grounds Grgurević received a summons from the police. Although Jasavić stated that both versions had been considered in cooperation with the prosecutor - someone ordering Grgurević to report himself or him actually threatening the journalist - he failed to explain what specifically convinced them to prosecute Grgurević for endangering the journalist's safety, and not for false reporting.¹²² On 13 February 2012 Grgurević was sentenced to one year in prison for the crime of False reporting. In June 2012 this judgment was overruled, and the ruling stated that the High Court considers that Grgurević's actions had no elements of this criminal offence. The ruling states that Grgurević did not voluntarily contact the police, but by the order, as he was sought by the police for threatening reporter Lakić and her family, and that he was "interrogated as a suspect and arrested, while his false confession that he committed a crime could not be considered as a criminal offense of false reporting."¹²³ The case was returned to the same judge for reconsideration.¹²⁴ At the retrial Grgurević was re-sentenced to a year in prison for the same crime in the judgment of 20 September

¹¹⁹ „Who does the fake volunteer from Danilovgrad protect?“, *Vijesti*, 26 September 2011.

¹²⁰ Milan Grgurević was not employed in the tobacco factory that journalist Lakić wrote about, nor in any other way (before reporting to the police) brought into connection with journalist Lakić.

¹²¹ „A year in jail for Grgurević“, *Vijesti*, 14 February 2012.

¹²² „Prosecutor made Jasavić sweat“, *Vijesti*, 26 January 2012.

¹²³ Criminal offense of False reporting under Article 388 of the Criminal Code that was in effect in 2011, states:

(1) Anyone who reports a person to have committed a crime prosecuted ex officio, and who knows that person is not the perpetrator of that crime, shall be liable to imprisonment for a term of three months to three years.

(2) Punishment referred to in Paragraph 1 of this Article shall also be imposed on a person who by planting traces of crime or in any other manner causes that a criminal procedure is initiated for a criminal offence prosecuted ex officio against a person who s/he knows is not the perpetrator of that criminal offence.

(3) Anyone who reports himself/herself for having committed a crime prosecuted ex officio, although s/he knows that s/he has not committed such a criminal offence, shall be liable to a fine or imprisonment for a term not exceeding one year.

(4) Punishment referred to in Paragraph 3 of this Article shall also be imposed on a person who reports that a criminal offence prosecuted ex officio has been committed, although he knows no such crime has been committed.

¹²⁴ „False confession is not false reporting“, *Vijesti*, 26 June 2012.

2013.¹²⁵ Judge Željka Jovović said that it was established that Grgurević came to the police himself, not upon a summons from the police, as alleged by some police officers at the trial.¹²⁶ This judgment became final.¹²⁷ It is not known that the public prosecutor instituted proceedings against these police officers for false testimony.

In the meantime, Police Directorate officer Milenko Mića Rabrenović, security chief of the Police Director Veselin Veljović¹²⁸, was interrogated on 7 December 2012 in the Basic State Prosecutor's Office in Podgorica on suspicion of endangering the safety of journalist Lakić and her daughter by threatening them over the phone. Olivera Lakić herself filed charges against Rabrenović in March 2012, indicating that Veljović might be the person who had ordered the threats.¹²⁹ Prosecutor questioned Rabrenović, who denied any connection with the threats, about a number of circumstances linking Rabrenović to the German telephone card used to threaten journalist Lakić.¹³⁰ Rabrenović was charged with endangering the safety of journalist Lakić, her daughter and her roommate, and the trial began on 22 March 2013.¹³¹

Rabrenović did not admit the allegations, denied everything he was charged with and decided to remain silent. Veselin Veljović was then invited to testify, at that time the former director of the Police, but did not appear in the court, and the judge explained that according to the delivery note "he did not received the summons", nor did his driver Vuksan Šćepanović.¹³² At the next hearing on 26 April 2013, witnesses were examined, and Veselin Veljović and his driver failed to appear in the court again.¹³³ A new hearing was held on 31 May 2013, and after Veljović and the driver failed to appear once again, judge of the Basic Court Larisa Mijušković Stamatović ordered that their calls for the trial be delivered by the police. However, since personal delivery has not been confirmed, they did not appear at this trial,¹³⁴ or the next on 5 July 2013.

At the trial on 30 September 2013 Veljović was finally heard as a witness, when he stated that the case was mounted as a direct attack on him, that it was not the first time that some security-related events had been linked to him, starting from affair "Listing", setting fire to *Vijesti* vehicles, attack on the son of MP Nebojša Medojević, attack on *Vijesti* Director Željko Ivanović, a 'farce' with Brajuško Brajušković, ending with this last case, mounted "using the same pattern".¹³⁵ Veljović claimed that everything had been fabricated in order to make him look like the culprit. He explained that he failed to appear as a witness at the previous hearings because he had not received the summons, and that he did not understand the reasons for insisting on his testimony.

Veljović also said that Ivan Bušković, sentenced to imprisonment in the final verdict for the attack on journalist Lakić, was actually innocent, and that he had informed state prosecutor Miloš Čađenović about that, as well as about the names of people who were, in his words, responsible for constructing the case, noting that he had received such information from police officers who worked on the case and told him that they were sorry for sending an innocent man to prison.¹³⁶

¹²⁵ „A year in jail for Grgurović”, *Dan*, 21 September 2013.

¹²⁶ "Grgurović sentenced to one year in prison for false reporting", *Vijesti*, 20 September 2013.

¹²⁷ According to information received from the victim Olivera Lakić on 26 January 2014.

¹²⁸ Former Director of the Police.

¹²⁹ The information that HRA researcher received from Olivera Lakić.

¹³⁰ "Mića wondered why they associated Boško with him", *Vijesti*, 8 December 2012.

¹³¹ HRA press release available at: <http://www.hraction.org/?p=2875>.

¹³² „Rabrenović decided to remain silent about the threats to a journalist”, *Vijesti*, 22 March 2013.

¹³³ "News at half past six" (TV *Vijesti* news program, 26 April 2013).

¹³⁴ "To submit the summons to Veljović with the help of the police", *Vijesti*, 31 March 2013.

¹³⁵ "Veljović: same signature as in Listing affair", *Pobjeda*, 1 October 2013, "Veljović: Criminals from the police and the National Security Agency want to discredit me", *Vijesti*, 1 October 2013.

¹³⁶ *Vijesti*, as above; *Pobjeda* as above; "Veljović: Bušković serves time innocent", *Dan*, 1 October 2013.

On 2 November 2013, after the hearing of Veljović in Podgorica Basic Court, Olivera Lakić filed a criminal complaint on the basis of which the Basic State Prosecutor in Podgorica formed a case and began investigation into the allegations of former Director of Police Veselin Veljović. Lakić sought of the prosecution to examine Veljović's claims that Ivan Bušković, who was sentenced for assaulting her in March 2012, was "serving time in prison innocent", that the police "faked and hid evidence in favour of the accused Bušković" and that Bušković was sentenced with the intention of causing damage to Veljović. As reported by *Vijesti*, in her complaint filed with the prosecution Lakić stated that at the trial Veljović relied on the information provided by "senior police officers", but refused to tell their names although she insisted.¹³⁷

Charges against Head of Criminal Police in Budva for illegal influence on the prosecutor to dismiss the proceeding initiated for threats against a journalist

A few hours after Veljović's questioning within an investigation of threats against Olivera Lakić, by order of the special prosecutor for organized crime Đurđina Ivanović, Head of the Criminal Police in Budva, Siniša Stojković was arrested and released after questioning. Supreme State Prosecutor Ranka Čarapić announced on 28 December 2012 that the police arrested Stojković for the corrupt criminal act of Illegal mediation, on a reasonable suspicion that he had mediated with the Basic State Prosecutor in Podgorica to suspend activities in the case against Rabrenović. Čarapić stated that the prosecution suspected that Rabrenović had warned the prosecutor that continuation of the proceedings would jeopardize the progress of the leaders of security services Veselin Veljović and Vladan Joković, which was allegedly already agreed upon amongst top political leaders. According to Čarapić, in the context of these circumstances Stojković suggested to the Basic State Prosecutor to be careful about the initiated proceedings, because he could be dismissed as well.¹³⁸

During the investigation against Stojković, the evidence was sent to the Forensic Centre. Stojković stated before special prosecutor Đurđina Ivanović that he had not unlawfully influenced the work of the prosecutor, but only used their business and friendly relationship to inquire about the case of threats to a journalist. Interior Minister Raško Konjević said that he would suspend Stojković until the completion of the proceedings initiated by the prosecution.¹³⁹

Almost six months after filing of the indictment by the Supreme State Prosecutor - Department for combating organized crime, terrorism and war crimes, judge of the High Court in Podgorica Milenka Žižić dismissed the indictment against Stojković in Ruling Ks.br. 17/13 of 18 November 2013 on the grounds that there was insufficient evidence for reasonable suspicion that the defendant had committed the offense that was the subject of the indictment. According to her, Stojković did not have the official position that would allow him to commit the offense with which he was charged.¹⁴⁰

The reasoning specifically stated: "Given the fact that, according to the Law on State Prosecutor, state prosecutor is autonomous and independent in his work, and at the same time respecting the position and function of a state prosecutor in the society, performed in the public interest in order to ensure application of law, in the court's opinion there is no evidence that defendant Siniša

¹³⁷ "Veljović must see the prosecutor again", *Vijesti*, 3 January 2014.

¹³⁸ "The prosecution charged Stojković with pressuring the prosecutor", *Pobjeda*, 29 December 2012, "Čarapić: Stojković 'suggested' the prosecutor to beware of the proceedings initiated", *Vijesti*, 29 December 2012.

¹³⁹ "Indictment filed against the head of the criminal police in Budva Siniša Stojković", portal *CDM*, 12 June 2013.

¹⁴⁰ "The judge released Stojković without trial", *Dnevne novine*, 4 December 2013, "Only those more important than Stojković may affect the prosecutors", *Vijesti*, 5 December 2013.

Stojković in this particular case [...] had such a position to commit the said crime through supposed mediation using the authority of his office, professional status, social status, or status in the society."¹⁴¹ This conclusion, in the judge's opinion, is supported by the testimony of Basic State Prosecutor Ljiljana Klikovac, who stated that "it was odd, if the decision among top government officials was to ensure Veljović's position and if it was assessed that this could be in any way jeopardize, that it was simply incomprehensible and unacceptable to her that the discussion was held between her and Stojković, or, according to the witness, at the 'lowest level'."¹⁴²

Vijesti reported that Vesna Medenica, President of the Supreme Court, also requested information from prosecutor Saša Čađenović about the investigation against Rabrenović.¹⁴³ Prosecution on this occasion did not hear Medenica, because "there was no grounds," although Čađenović created an official note on that. Medenica said that it was "the nature of her job to be informed", denying that she wanted to influence the prosecutor.¹⁴⁴

An appeal was lodged against the decision of judge Žižić, rejecting the indictment against Stojković, by Deputy Special Prosecutor Dražen Burić.¹⁴⁵ Prosecutor Burić challenged the part of the reasoning of judge Žižić stating that Stojković had no authority with regard to his position, or important social status to be able to commit the crime in question: "There is no doubt that the prosecution is an independent body. However, this does not mean that a person, assuming he has an impact on the prosecutor, may influence the prosecutor to carry out or not to carry out certain official action and go unpunished. Court lost sight of the fact that Stojković had been charged with using his presumed influence to commit a criminal offense... The defendant was not charged with using his official position, nor was the presumed influence the consequence of someone's official position, as wrongly considered the High Court. Connecting the above said with actions taken by Stojković, such as that he previously tried to 'inquire' about Rabrenović's case with the person in charge of it, and when he failed, he used his supposed influence reflected in the respectability and authority that he had with the Basic State Prosecutor, which undoubtedly stems from their long-term cooperation, in order to get to the prosecutor, telling her about government political decisions, demanding not to take the action she should have, at the same time warning her of the consequences of different actions."¹⁴⁶

As reported by *Vijesti*, in a response to the prosecutor Stojković stated that the alleged influence did not exist: "It is the absolute absence of premeditation and intent of any illegality, and therefore the absence of unlawful influence..."¹⁴⁷ Stojković also claimed that the case was "maliciously abused by individuals from the prosecution, as well as by individuals from his 'service'".¹⁴⁸

By the end of the work on this report, 30 January 2014, decision of the Appellate Court on the appeal of prosecutor Burić was not issued.

¹⁴¹ *Ibid.*

¹⁴² "Only those more important than Stojković may affect the prosecutors", *Vijesti*, 5 December 2013.

¹⁴³ "Medenica called the prosecutor about an investigation of Veljović's associate", *Vijesti*, 2 November 2013.

¹⁴⁴ "Indictment against Stojković rejected: A judge does not believe the basic prosecutor", *Vijesti*, 4 December 2013.

¹⁴⁵ "Prosecution's appeal against the decision of Judge: Žižić confuses his position and influence", *Vijesti*, 26 December 2013.

¹⁴⁶ *Ibid.*

¹⁴⁷ *Ibid.*

¹⁴⁸ „Prosecution's appeal against the decision of Judge: Žižić confuses his position and influence", *Vijesti*, 26 December 2013.

14 July 2011 - 28 August 2011 - Setting on fire vehicles owned by daily *Vijesti*

In the period from 14 July to 28 August 2011, three cases of setting on fire vehicles owned by daily *Vijesti* occurred in Podgorica. The series of setting vehicles on fire started in the night between 14 and 15 July, when still unidentified perpetrators, around 3:00 AM, set on fire two vehicles of daily *Vijesti*, parked nearby the editorial board offices.¹⁴⁹ Veselin Veljović, former director of the Police Directorate of Montenegro, said that this case should be perceived as the act of an individual and an isolated incident.¹⁵⁰

The second case of setting vehicles on fire occurred on 28 August in Masline, where a vehicle of *Vijesti* was parked in front of a *Vijesti* employee's house.¹⁵¹

The third case occurred on 28 August in Stari Aerodrom, where a vehicle of *Vijesti* was parked.

In all three cases, the vehicles were set on fire in the same way, by first pouring gasoline over their hoods.¹⁵² Former Chief of Local Criminal Police in Podgorica, Siniša Stojković, said that the police in all these cases blocked the streets, searched the wider area of the crime scene, and that the competent prosecutors and investigating judges who were not present at the scene were informed, and the crime scene investigation was conducted by local police unit officers. He also said that they took samples and sent them to the Forensic Centre for necessary expertize, gathered information from eyewitnesses and persons who used the vehicles damaged in the fire, as well as acquired surveillance footage from several nearby buildings, checked alibies for several persons and conducted numerous polygraph investigations,¹⁵³ and all of that was not sufficient to initiate criminal proceedings against the perpetrators.¹⁵⁴ After the third case of setting on fire vehicles of *Vijesti*, the Police Directorate issued the following statement: "The Basic public prosecutor in Podgorica, in accordance with the new Criminal Procedure Code (CPC), concluded that, in this particular case, there were no elements of a criminal offense prosecuted ex officio"¹⁵⁵, although the new CPC came into force on 1 September 2011.¹⁵⁶ In this regard, the Supreme State Prosecutor said that the quoted statement of the Police Directorate was "inaccurate and unprofessional"¹⁵⁷, as well as that "the first priority for the police is to identify the perpetrators, not to qualify a criminal offense".¹⁵⁸ The Editor in chief of *Vijesti*, Mihailo Jovović, stated after the first incident that an interview of the former Prime Minister Milo Đukanović given to daily *Pobjeda* just before the incident possibly contributed. In the interview the Prime Minister sharply criticized local critical media, including *Vijesti*, and repeated such criticism in another interview given before the second attack".¹⁵⁹

Publisher of daily *Vijesti*, Daily Press LLC, on 31 October 2011 submitted a lawsuit against the State of Montenegro, with the request for compensation of 60 000 euros for its failure to prevent these attacks and also to identify the perpetrators of the cases of setting vehicles on fire in

¹⁴⁹ "Two vehicles of daily *Vijesti* set on fire nearby the building of ANB", *Vijesti*, 14 July 2011.

¹⁵⁰ Veljović: „Setting daily *Vijesti* vehicle on fire was an isolated incident", Portal *Analitika*, 15 July 2011, information available at: <http://www.portalanalitika.me/drustvo/vijesti/31802--veljovi-spaljivanje-automobila-vijesti-je-izolovan-sluaj-.html>.

¹⁵¹ "Another vehicle of *Vijesti* set on fire: Is this also an isolated incident?", *Vijesti*, 27 August 2011, „Another vehicle of *Vijesti* set on fire", RTCG, 27 August 2011, the information available at: <http://www.rtcg.me/vijesti/drustvo/hronika/46898-ponovo-zapaljeno-vozilo-vijesti.html>.

¹⁵² „Prosecutor does not respond to terror", *Vijesti*, 28 August 2011.

¹⁵³ "No word yet on the perpetrators", *Vijesti*, 27 October 2011.

¹⁵⁴ *Ibid.*

¹⁵⁵ Statement available at: <http://www.upravapolicije.com/index.php?IDSP=1927&jezik=lat>.

¹⁵⁶ Article 517 of the Criminal Procedure Code (Official Gazette of Montenegro, no. 57/2009 and 49/2010).

¹⁵⁷ "Čarapić: Police statement on setting a *Vijesti* vehicle on fire is incorrect and unprofessional", *Vijesti*, 27 August 2011.

¹⁵⁸ "No word yet on the perpetrators", *Vijesti*, 27 October 2011.

¹⁵⁹ "Another vehicle of *Vijesti* set on fire: Is this also an isolated incident?", *Vijesti*, 27 August 2011.

July and August 2011. The judgement no. 4569/11¹⁶⁰ that rejected the claim (later specified to 8 641 98 euros), stated, *inter alia*: „the act of terrorism cannot be treated as such separately from its aim, as the Convention of the Council of Europe on preventing terrorism also states – adopted through a law in our country. In the introduction the Convention states that acts of terrorism have the purpose by their nature or context to seriously intimidate a population or unduly compel a government or an international organisation to perform or abstain from performing any act or seriously destabilise or destroy the fundamental political, constitutional, economic or social structures of a country or an international organisation. So far, there is no evidence that these cases of setting vehicles on fire had the aim(s) set out in the mentioned Convention.” Regarding the argument from the lawsuit claiming that the state bodies of Montenegro did not undertake all necessary measures to prevent the acts of violence and damage occurred by their commission (they referred to cases of setting *Vijesti* vehicles on fire), the judgement says: „This particular case did not meet the above conditions for liability of the defendant state of Montenegro, since there is no evidence of defendant’s illegal action in undertaking the necessary actions, or state officials not performing their duties, and these actions are evidently still in the investigation phase...”. Meanwhile, this judgement became final and enforceable.

By the end of the development of this report, on 27 January 2014, no progress has been reported so far in identifying the perpetrators who set vehicles of *Vijesti* on fire.

18 November 2011 – Attack on daily *Vijesti* and TV *Vijesti* crew

On 18 November 2011 in Humci, near the town of Nikšić, crew of daily *Vijesti* and TV *Vijesti* was attacked – journalist Darko Bulatović, cameraman Aleksandar Marojević and photographer Ivan Petrušić, while trying to capture the demolition of a house.¹⁶¹

Although the journalists allegedly tried to explain to Dragoljub Karadžić, the owner of a junk yard in Humci, that they are only going to take a shot briefly, he told them that they were on his land, and began to curse the crew and tried to assault the journalists and cameramen.¹⁶² Together with Miloš Sanjević, in the presence of Miodrag Glušica, they pushed the crew into the vehicle in which they came while cursing them, and Karadžić bruised journalist Bulatović’s leg when trying to slam the door.¹⁶³ Karadžić then, as journalist Bulatović stated, went to the passenger side and kicked the cameraman kicked in the leg, and then also in the camera.¹⁶⁴

Deputy Basic State Prosecutor in Nikšić was informed about the event and ordered that criminal prosecution be initiated against Karadžić on suspicion of committing the offense Violent behaviour. Misdemeanour charges were filed against Šanjević for insult, while no elements of misdemeanour were determined in Glušica’s actions.¹⁶⁵

In criminal proceedings for the criminal offense Violent behaviour, Karadžić was sentenced to imprisonment of three months. Explaining the decision¹⁶⁶, judge Dragan Babović stated that in the

¹⁶⁰ Judgement available at: http://www.hracion.org/wp-content/uploads/DOO_Daily_Press_v_CG_osnovni_sud.pdf.

¹⁶¹ „Vijesti crew assaulted in Nikšić”, radio *Antena M*, 18 November 2011.

¹⁶² „Attack on TV *Vijesti* crew”, *Nezavisne novine* (portal *Vesti.rs*), 18 November 2011.

¹⁶³ „Police detained suspects for the attack and insult of *Vijesti* crew”, *Vijesti*, 18 November 2011.

¹⁶⁴ *Ibidem*.

¹⁶⁵ Police Directorate press release available at: <http://www.upravapolicije.com/index.php?IDSP=2190&jezik=lat>.

¹⁶⁶ Judgement of the High Court in Nikšić: K.no. 702/11.

course of the proceedings it was undoubtedly established that the defendant committed the crime. The judge based the facts on the testimonies of victims and findings of medical experts who were in favour of the injured party. The judgment of the High Court in Podgorica became final and enforceable on 20 November 2012.¹⁶⁷

In misdemeanour proceedings, Šanjević was punished with a fine of 300 euros and a fine of 200 euros for not having a residence permit.¹⁶⁸

7 March 2012 – Attack on journalist of *Vijesti* Olivera Lakić

A year after receiving continuous threats, in the evening of 7 March 2012 journalist Olivera Lakić was physically assaulted as she unlocked the front door of the building she lived in. A few days later, on 12 March 2012, Ivan Bušković was arrested on suspicion of having committed the attack¹⁶⁹. The journalist recognized Bušković as her attacker, who on the other hand denied that, while 17 persons, Bušković's friends, claimed that he had participated in a football match with them at the time of the attack.¹⁷⁰ Bušković was previously convicted twice, for drug abuse and enabling drug abuse and for grievous bodily harm.¹⁷¹

Basic Prosecutor's Office filed an indictment against Ivan Bušković for the criminal act of Violent behaviour. The prosecution invited the Court to hear 19 witnesses and present 11 pieces of material evidence.¹⁷² During the trial the defendant maintained that he did not know journalist Lakić, that at the time of the attack he had taken part in a football game, and that he had no reason to attack Lakić, who required him to name a person responsible for ordering the attack.¹⁷³ Bušković was convicted for the crime of violent behaviour to 9 months in prison. Neither the judgment nor the indictment specify the motive for the attack.

The prosecutor filed an appeal dissatisfied with the duration of the adjudicated punishment (punishment for this criminal offence is 6 months to 5 years), while the Executive Director of "Daily Press" Željko Ivanović, noting the duration of the sentence, also emphasized that it is essential to continue the investigation and identify persons who ordered the attack.¹⁷⁴ High Court upheld this first instance verdict.¹⁷⁵

Subsequently, in line with the Law on Amnesty, Bušković's punishment was shortened by a quarter, and then the punishment was decreased by additional 10 days for good behaviour while serving his sentence.¹⁷⁶

Basic State Prosecutor in Podgorica filed an indictment in late April 2013 against Ivan Bušković's brother and friend on suspicion of having committed the crime of giving a false

¹⁶⁷ Judgement of the High Court in Podgorica: Gž 1722/12.

¹⁶⁸ "Šanjević fined with 300 Euros for assaulting *Vijesti* crew", *Vijesti*, 19 November 2011.

¹⁶⁹ „Who ordered the attack, and why?", *Vijesti*, 14 March 2012.

¹⁷⁰ „Friends say that Bušković played football when Lakić was attacked", portal *Vijesti*, 13 March 2012.

¹⁷¹ „AECS: Bušković well behaved and dedicated to work", *Vijesti*, 22 October 2013.

¹⁷² „The indictment against Bušković, those who ordered attacks back in the shadows", *Vijesti*, 10 April 2012.

¹⁷³ „Bušković the attacker, but he should say why", *Vijesti*, 29 May 2012, "Last night two *Vijesti* vehicles set on fire", portal *Analitika*, 14 July 2011, "Journalists are victims of various pressures", *Dan*, 6 April 2012.

¹⁷⁴ „No justice for Olivera", *Vijesti*, 21 July 2012.

¹⁷⁵ „Nine months for the attack on a journalist", *Vijesti*, 3 January 2013.

¹⁷⁶ „AECS: Bušković well behaved and dedicated to work", *Vijesti*, 22 October 2013.

statement, because they testified in court that at the time of the attack on journalist Lakić, Bušković had been playing football with them in village Zelenika¹⁷⁷. This trial is ongoing.

By the end of work on the report (30 January 2014) there was no new information about the progress of an investigation of who ordered the attack on journalist Olivera Lakić. Also, there was no information on opening an investigation into the operations of tobacco factory in Mojkovac, investigated by Lakić, which is why she had been threatened the first time (see p. 22). Interestingly, during his testimony at the trial against the person accused of threatening Olivera Lakić, former Director of the Police said that senior police officers had told him that Ivan Bušković was not the one who attacked the journalist (see p. 24).

On 9 March 2012 Olivera Lakić was assigned police protection at her request, based on the safety assessment of the police.¹⁷⁸ In the meantime she required that her safety assessment be reviewed, as she believed that it made sense only while the threats lasted and in the period immediately after the attack, prior to the attacker's arrest.¹⁷⁹ Despite her plea, Minister of Interior Raško Konjević has still not responded to Lakić's requests. Lakić is still under police escort, which prevents her from working, since she deals with investigative journalism, wants to protect her sources and does not want to talk to them in the presence of the police. Following the assault, Lakić temporarily stopped working, but returned to journalism the same day the indictment was raised against Milenko Rabrenović.¹⁸⁰

6 April 2012 – Attack on journalist of *Monitor* Marko Milačić

Journalist Marko Milačić filed criminal report against the controversial businessman Veselin Barović for assaulting him on 6 April 2012 in night club Nice Vice in Podgorica, and the trial for this incident is ongoing.

Milačić stated that Barović was sitting in the club with friends and several girls, and that the attack occurred when he greeted one of the girls. Barović then allegedly approached him, put his arm around his waist, explained to Milačić that he cannot talk to the girls in his company, and not to mention him in his articles again, as well as cursed and insulted him. Milačić then pushed Barović, and although further physical conflict was prevented, Milačić suffered a hand injury (cracked bones of his hand).¹⁸¹

Acting on the charges, the police questioned Barović, and on 11 April 2013 deputies of the Basic State Prosecutor, Enis Baković and Danka Ivanović Đerić, heard several witnesses to this incident.¹⁸² On the same day, Basic State Prosecutor Ljiljana Klikovac heard Barović again, his bodyguards Marinko Banović and Radisav Živković, as well as members of the club security. As the media reported, Barović's bodyguards reiterated to the prosecutor that they did not know who Milačić was, nor that he was a journalist, and also that they "did not even touch him with a finger", adding that members of the security throw him out of the club. The media reported that Barović

¹⁷⁷ „'Football players' accused of false testimony", *Vijesti*, 1 May 2013.

¹⁷⁸ „Police protection for *Vijesti* journalist", *Radio Slobodna Evropa*, 10 March 2012.

¹⁷⁹ Interview with Ms. Lakić conducted on 26 January 2014.

¹⁸⁰ *Ibid.*

¹⁸¹ "Attack on Milačić: Barović threatened, bodyguards harmed him", *Vijesti*, April 2012. "Authorized to beat", *Monitor*, 13 April 2012.

¹⁸² "Barović's friends heard", portal *CDM*, 12 April 2012.

stated to the prosecutor that he did not know Milačić and that on the night in question he just passed by him and did not talk to him.¹⁸³

The decision of the Regional Misdemeanour Body in Podgorica originally released Barović for charges for violation of Art. 8 of the Law on Public Peace and Order¹⁸⁴, and Banović and Živković for violation of Art. 10 Paragraph 2 of the same Law¹⁸⁵, on the grounds that it was not proven that they committed the offenses they had been charged with.

The Basic State Prosecutor's Office appealed against this Decision, and the Misdemeanour Panel of Montenegro accepted it on 15 March 2013, and returned the case for retrial to the first-instance body.¹⁸⁶ In its decision of 15 March 2013, the Misdemeanour Panel found many flaws in the first-instance proceedings, including that the Misdemeanour Body did not call the prosecutor i.e. the applicant for hearings, although it was obliged to do so by the law¹⁸⁷. It was noted that a thorough analysis of the presented evidence was not conducted, because witnesses gave different statements, and it was suggested that during the new procedure, the defendant and the injured party Milačić should, *inter alia*, be confronted face to face.

In the new proceedings, at the hearing of 22 November 2013, a misdemeanour judge, Mladen Paunović, issued a warrant for the arrest of Barović, Banović and Živković, as they did not appear at that hearing, as well as the previous two¹⁸⁸. Barović and Banović also did not appear at the hearing of 23 January 2014, but the judge said that Barović's absence was justified. The next hearing is scheduled for 6 February 2014.¹⁸⁹

8 August 2012 – Incident between politician and journalist of *Dan* Lidija Nikčević

Journalist of daily *Dan*, Lidija Nikčević, was verbally attacked on 8 August 2012 in Nikšić by two officials of the Socialist People's Party (SNP), discontented with her writing about developments within the municipal board of the party. The case ended with an apology of politicians to the journalist.

On this occasion, Nikčević was insulted by Milinko Radulović and Milan Jauković, members of the municipal board of the SNP in Nikšić, and Radulović tried to physically attack her.

On that day, Lidija Nikčević entered the party's premises in Nikšić after the session of the general board of the SNP, wanting to take a photo and a statement from the president of the SNP Srđan Milić. The members of the municipal board of the SNP, Milinko Radulović and Milan Jauković, according to her, started insulting her discontented with her writing about the initiative to replace a member of the board from Nikšić Svetozar Golubović and developments in the municipal board of the SNP in Nikšić, claiming that the initiative should be hidden from the public eye, after which

¹⁸³ "They do not know Milačić", *Dan*, 12 April 2012.

¹⁸⁴ Article 8 of the Law on Public Peace and Order ("Official gazette of Montenegro", no. 64/2011 of 29 December 2011): „Anyone who in a public place causes feelings of vulnerability to other persons, with threat to attack the life or body of the person or persons close to him/her, shall be punished with a fine of 250 to 1 500 euros or imprisonment for up to 60 days”.

¹⁸⁵ Article 10 of the Law on Public Peace and Order ("Official Gazette of Montenegro", no. 64/2011 of 29 December 2011):

(2) "Who in a public place physically attacks another or initiates a physical conflict, shall be punished by a fine of 350 euros to 1,000 euros or imprisonment for up to 60 days."

¹⁸⁶ Decision of the Misdemeanour Panel of Montenegro PŽP. no. 373/13-5 of 15 March 2013.

¹⁸⁷ Ibidem.

¹⁸⁸ Information given to Human Rights Action by journalists Milačić.

¹⁸⁹ "Barović nowhere to be found", *Dan*, 23 January 2014.

Radulović tried to physically attack her.¹⁹⁰ The incident was prevented by the president and another member of the SNP who was in the room. Journalist Nikčević received an apology and did not initiate any action against Radulović and Jauković.¹⁹¹

4 October 2012 – Attack on journalists of daily newspapers *Vijesti* and *Dan* in Pjevlja

Journalist of *Vijesti* Goran Malidžan and journalist of *Dan* Božidar Jelovac were attacked on 4 October 2012 while leaving the hall where the Democratic Party of Socialists (DPS) held a pre-election rally in Pljevlja, during which the Prime Minister Igor Lukšić compared *Vijesti* and *Dan* with the opposition concluding that their mixture “does not smell so good”.¹⁹²

Malidžan was attacked – first verbally than physically – by Goran Čavić, the DPS activist and former policeman, and when the journalist left the premises where the rally was held, another former policeman Slavko Rončević approached him with threatening words: “I will suck your blood one day”. The journalist of daily *Dan*, Jelovac, then took his camera to document the attack on Malidžan, after which another local DPS activist, Mustafa Brahić, called him a “peasant”, “bustard”, “scoundrel” and also said „*Dan* is rubbish”¹⁹³. The former Prime Minister Igor Lukšić condemned the attacks on journalists Malidžan and Jelovac, stressing that he considered the conclusion that the attack was connected with his speech at the pre-election rally as “completely unacceptable”.¹⁹⁴

Rončević was prosecuted in criminal proceedings, while the misdemeanour procedures were initiated against the DPS activists Čavić and Brahić, as well as against the journalist Malidžan.¹⁹⁵

Although Malidžan wanted judge Vesna Milinković to be replaced because she had previously been a member of the municipal board of the DPS, as Goran Čavić, Mustafa Brahić and their witnesses, the president of the regional body refused this request.¹⁹⁶

The above actions of the President of the Regional body is contrary to the standards established in the practice of the European Court of Human Rights, which exists in the domestic law¹⁹⁷ and requires that the court in any proceeding instills public confidence so that it will ensure an exclusion of any reasonable doubt in its impartiality. In this case, the circumstance that judge Vesna Milinković had once been professionally linked to the party organization whose members are participants in the process, raises legitimate doubts on its impartiality.¹⁹⁸

Jelovac testified that, on the day at issue, he was standing in a parking lot in front of the local Army Centre when he noticed, some 10 meters from him, Čavić and Malidžan having an

¹⁹⁰ Human Rights Action press release, available at: <http://www.hraction.org/?p=2110>.

¹⁹¹ Information acquired in conversation of Human Rights Action's researcher with Lidija Nikčević.

¹⁹² “Journalists attacked after the DPS pre-election rally”, *Vijesti*, 5 October 2012.

¹⁹³ “Journalists are attacked once in a while”, *Vijesti*, 9 October 2012.

¹⁹⁴ “Igor Lukšić condemned the attack on journalists, *RTCG, Dnevnik* 2, 5 October 2012. Lukšić previously said that “there is no independent media in Montenegro, calling *Vijesti* and *Dan* the opposition media the mixture of which does not smell so good”

¹⁹⁵ “Proceedings postponed, Malidžan sought disqualification of the judge because of her cooperation within DPS”, *Vijesti*, 23 October 2012.

¹⁹⁶ “It doesn't matter they are all together in the DPS”, *Vijesti*, 27 October 2012.

¹⁹⁷ “The judge cannot perform the judicial duty if: ...6) there are circumstances that cause doubt in his/her impartiality” (Art. 108 of the Law on Misdemeanours, Official Gazette of Montenegro, 1/2011, 6/2011 and 39/2011 and Art. 38, Para. 1, Item. 6 of the Criminal Procedure Code, Official gazette of Montenegro, 57/2009, 49/2010).

¹⁹⁸ NGO Human Rights Action press release: <http://www.hraction.org/?p=2523>. Also, misdemeanour bodies in Montenegro cannot be considered independent for making decisions on civil rights and criminal complaint (which include violations of the EctHR practice) as requested by the European Convention on Human Rights. Since its reatification, Montenegro has kept a reservation in this regard, to Art. 6, Para 1 of the Convention, and is the only Yugoslavian republic that did not conduct a reform of the misdemeanour body.

argument, and then he heard Malidžan telling Čavić “I swear on my children that I have not pushed you”. Jelovac replied that Malidžan did push him, moving toward the journalist and, eventually, being held by Radoje Stevančević. Jelovac also heard, the statement says, that Malidžan asked Čavić why he pushed him, and Čavić replied: “Do you want me to stab you right now”, while holding two flags in his hands. The statement further said that Slavko Rončević approached Malidžan, grabbed him by the arm and took him aside. The court did not believe the testimonies of witnesses Vuković and Stevančević who previously denied any physical contact and that Čavić hit Malidžan, saying that Čavić is their friend and that it was “an ordinary discussion”.¹⁹⁹

The Misdemeanour Body in Pljevlja on 19 November 2012 punished the DPS activists Goran Čavić with a fine of 400 euros and Mustafa Brahić with 200 euros, for the psychical attack and insult of the journalists of *Vijesti* and *Dan*. Malidžan was released from charges because of the lack of evidence.²⁰⁰

Upon the judgement of the Basic Court in Pljevlja from 13 December 2012, Slavko Rončević was punished with a fine of 800 euros for endangering security of the *Vijesti* journalist Goran Malidžan.²⁰¹ Rončević appealed to this judgement and was refused by the High Court, thus the first instance judgement became enforceable in March 2013.

5 July 2013 – Threats to journalist of weekly *Monitor* Milena Perović-Korać

President of the Municipality of Kolašin, Mile Šuković, harshly insulted and threatened journalist of *Monitor*, Milena Perović-Korać and assistant director Miodrag Rašović, on 5 July 2013, after *Monitor* published articles that mentioned Šuković’s property and business.²⁰² On 15 January 2014, the Basic Court in Kolašin sentenced Mile Šuković to imprisonment to 60 days, and suspended sentence for a year, for threats against the journalist of *Monitor*.

According to Rašović, who received the phone call, Šuković told the journalist that “she better answer the phone or else she will end up with a broken nose”, and after Rašović warned him that his actions constitute a criminal offense, he continued with curses and insults. Journalists of weekly *Monitor* filed a criminal complaint against Šuković for threats and he was heard in Kolašin’s police unit on 9 July 2013.²⁰³

On 7 October 2013, the Supreme Prosecutor's Office replied to Human Rights Action’s request for information that the case against the suspect Mile Šuković for the criminal offense Threat to security (Article 168 of the Criminal Code) was formed in the Basic State Prosecutor’s Office in Kolašin. The SSP also stated that it was in the process of acquiring lists of outgoing and incoming calls to and from telephone numbers owned by weekly *Monitor*, in order to determine the owner of a phone number that communicated with *Monitor*’s telephone numbers, and that after

¹⁹⁹ “600 euros fine for attacking and insulting the journalist of *Vijesti*”, *Vijesti*, 20 November 2012.

²⁰⁰ “600 euros fine for attacking and insulting the journalist of *Vijesti*”, *Vijesti*, 20 November 2012.

²⁰¹ “Rončević to pay 800 euros for threatening the journalist of *Vijesti*”, *Vijesti*, 17 January 2013.

²⁰² For a systematic overview of these standards, see Guidelines on impunity – Guidelines of the Committee of Ministers of the Council of Europe on eradication of serious violations of human rights, document adopted on 1110th session of 31 March 2011, Strasbourg, non-official translation available at: www.hraction.org.

²⁰³ “Mile Šuković to be heard today”, *Vijesti*, 9 July 2013.

the submission of the required evidence the Basic Public Prosecutor's Office in Kolašin will decide on this case.²⁰⁴

Five months after reporting threats, a hearing in the criminal case against Šuković was held. Before the Basic Court in Kolašin he pleaded not guilty, explaining that the conversation with to him an unidentified person from the editorial board of *Monitor* did not include threats and curses, pointing out that no one asked him for comments before publishing the text. As the media reported, Šuković also stated that everything written in the article was inaccurate and “full of hatred against his family and himself”. Journalist Perović-Korać stuck to her testimony. Assistant to director of *Monitor*, Rašović, also stuck to his statement, adding that during the conversation, the deputy editor Veseljko Koprivica was also in the office, and although he could not hear Šuković due to distance, he heard Rašović’s answers to Šuković.

The Court accepted the defendant’s proposal to call to testimony on the last hearing, scheduled for 15 January, the employees of the Municipality of Kolašin, Nikola Mulević and Darko Bulatovića, for whom Šuković claimed that they were next to him while he was talking with Rašović, despite the opposition of plaintiff Maja Šćepanović, who pointed out the fact that Šuković was their superior.²⁰⁵ When judge Arsen Popović pronounced the sentence, he explained that he did not take into account their testimonies because they were employees of the Municipality, differed in some details and gave the impression that they were instructed how to testify.²⁰⁶

On 15 January 2014, the Basic Court in Kolašin the president of Kolašin Municipality, Mile Šuković to imprisonment of 60 days, suspended sentence for a year for threats against journalist Perović-Korać.²⁰⁷ Šuković characterized the trial as an organized political attack on him, while journalist Perović-Korać said she was pleased with the judgement.²⁰⁸

21 July 2013 – Attack on photojournalist of *Vijesti* Ivan Petrušić

Photoreporter of daily *Vijesti*, Ivan Petrušić, on 27 July 2013 submitted a misdemeanour complaint to the police on the incident that occurred the same day, on the third night of Lake Fest in Nikšić, claiming to have been physically and verbally attacked by one of the festival organizers, Darko Čolaković, and two men that he thought were members of the security.²⁰⁹

Petrušić stated that he walked away from other journalists to make a phone call, when a security member asked for his press card which he left in his bag. He claimed he noticed that a man from the security tripped and went over to help him, when an unknown person hit him on the neck. The man who was on the ground then stood up and started pulling him and strangling him. Petrušić further stated that he was taken by the two men behind a truck and that a man – known by the nickname “Čoka” – then approached him, grabbed his face by the hand while threatening and insulting him and eventually, told the security to escort the journalist out.

²⁰⁴ Response of the Supreme State Prosecutor’s Office on request for access to information, available in *Human Rights Action* archive.

²⁰⁵ “I did not even drink a coffee with Milo and Aco”, *Vijesti*, 29 November 2013.

²⁰⁶ “Mile Šuković sentenced to suspended sentence”, Portal *Vijesti*, 15 January 2014; “Suspended sentence for threats”, *Dan*, 16 January 2014.

²⁰⁷ “Mile Šuković sentenced to suspended sentence”, *Vijesti*, 15 January 2014.

²⁰⁸ “Suspended sentence for threats”, *Dan*, 16 January 2014; „Mile Šuković sentenced to suspended sentence”, *Vijesti*, 15 January 2014.

²⁰⁹ Statement of Police Security Center in Nikšić available on link: <http://www.mup.gov.me/upravapolicije/centri-bezbjednosti/Niksic/130110/Tri-lica-osumnjicena-da-su-pocinila-preksaje-na-stetu-fotoreportera-ND-Vijesti.html>

Čolaković told daily *Vijesti* that he did not attack Petrušić.²¹⁰

Police Security Centre in Nikšić stated that the doctor on duty found minor injuries on Petrušić's body – abrasions around his neck. The Police filed misdemeanour charges against Milorad Gajović and V. Krivokapić on suspicion of having committed an offense under Article 10, Paragraph 2 of the Law on Public Peace and Order – Physical assault. Darko Čolaković was suspected of having committed an offense under Article 7, Paragraph 2 of the same Act – Rude insulting, impudent and shameless behavior.²¹¹

At the first session on 3 December 2013, journalist of daily *Vijesti* Ivana Novaković-Leković testified that Čolaković was the loudest during the argument, and that she cannot remember his words because of a shock she suffered.²¹² According to the information that NGO *Human Rights Action* received from Ivan Petrušić, next hearing which was scheduled for 16 January 2014, was postponed until further notice due to the inability of a medical expert witness to attend the hearing.

11 August 2013 – Explosion in front of the house of journalist of *Vijesti* and *Monitor* Tufik Softić

Six years after the first attack, a journalist of *Vijesti* and *Monitor*, Tufik Softić, was attacked again on 11 August 2013, when in the evening an explosive device was activated in the garden of his family house. At the time of the explosion Softić was in the house with his wife and three children. No one was injured, and Softić's car was damaged.

A police expert said to Softić after the investigation that a powerful explosive – trotil was activated in his yard.²¹³ The Basic Public Prosecutor was not present at the crime scene investigation in this new attack on Softić.

The explosive device was thrown in the yard of Softić's house ten days after he published an article about a citizen of Berane, Vladan Simonović, who was arrested in late July 2013 for suspicion that he had committed a criminal offense of laundering money in Montenegro obtained abroad by drugs sale, together with Velija Hot, a citizen of Rožaje²¹⁴. Softić was unofficially informed by the Police that Simonović accepted polygraph test which was conducted in Detention Prison in Bijelo Polje, but it was unknown whether the inspectors questioned him about the recent attack on Softić or his beating in 2007. The Prosecutor's Office stated that this activity was entrusted to officers of Police Unit Berane and that the information was being collected. Police Unit Berane, acting at the request of the Prosecutor's Office, searched the flat and other premises and took the listing of communications.²¹⁵

Three months after the second attack on Softić the perpetrators and those who ordered the attack were not identified.²¹⁶

Softić was informed by the Regional Police Unit Berane that during the investigation it was

²¹⁰ „Čolaković: He held a monologue, and he has a tatoo", *Vijesti*, 23 July 2013.

²¹¹ SC Nikšić statement, available at: <http://www.mup.gov.me/upravapolicije/centri-bezbjednosti/Niksic/130110/Tri-lica-osumnjicena-da-su-pocinila-prekrasaje-na-stetu-fotoreportera-ND-Vijesti.html>.

²¹² „Have the volunteers a mission to beat?", *Vijesti*, 4. October 2013.

²¹³ „The police waited six years to begin to deal with the evidence", *Vijesti*, 15.8.2013.

²¹⁴ „Attack on Softić: alibi of Simonović's relatives tested", *Vijesti*, 14.8.2013, <http://www.vijesti.me/vijesti/napad-softica-alibi-simonovicevih-rodaka-provjeri-clanak-144184>.

²¹⁵ „Investigation of attack on Stojovic suspended", *Vijesti*, 15.11.2013.

²¹⁶ „Simonović passed the polygraph", *Vijesti*, 17.11.2013.

determined that the explosive activated in his yard was made at the factory of explosives "Poliex" where several thefts occurred, and that the Police were searching for the perpetrators.

3 September 2013 – Incident between Director of NGO Public Policy Institute and journalist and photoreporter of Vijesti

According to *Vijesti*, on 3 September 2013, the Director of NGO *Public Policy Institute*, Vladimir Beba Popović attacked the journalist of *Vijesti* Miodrag Babović and photoreporter of *Vijesti* Luka Zeković in front of the *Europoint* business building, where, among others, are offices of the *Public Policy Institute*, OSCE Mission to Montenegro, Australian Embassy, Consulate of Switzerland and offices of the Protector of Human Rights and Freedoms, while they were performing their professional duties. The Basic State Prosecutor's Office, after determining all the circumstances, analysing the material and testimonies, found that there were no grounds for the prosecution of Popović.

The incident occurred when Popović left the *Europoint* building accompanied by Zoran Jovanović, member of the security of the Prime Minister Milo Đukanović, when the photoreporter Luka Zeković took some photos of Popović. According to *Vijesti*, Popović began to shout, "Who are you and why are you taking pictures of me". Popović then snatched the camera from Zeković, threatening that he would delete all the photos if Zeković would not delete the ones with Popović. After that, Popović started deleting the photos himself and then insulted Babović and took his voice recorder.²¹⁷

The journalist and photoreporter filed a criminal complaint against Popović on the same day, claiming that Popović insulted them and violently took their equipment – camera and voice recorder. The Police Directorate stated that they immediately acted upon receiving the complaint and informed the Basic State Prosecutor in Podgorica, which ordered to take a statement from Popović and witnesses of the event.²¹⁸

Popović told daily *Pobjeda* that the allegations of *Vijesti* were untrue, and announced filing charges against the journalists and photoreporter of *Vijesti* for violation of privacy and false reporting, and specifically said, "I insisted that the pictures be deleted, which the photoreporter did, except for one photo that I deleted myself. After that, I noticed that the other one had a voice recorder in his hand and I asked him why he was recording me without my permission. He replied he wasn't using the words: "I swear, I wasn't", and gave me the voice recorder to reassure me. After Zoran Jovanović went out of the building, he probably already constructed the whole lie, completely changed his behaviour and pretended to be a vulnerable independent journalist. When I realized that I was being recorded, I gave him the voice recorder, but he said he would not take it, and that he will tell the police that I took it from him. I did not insist anymore, I warned him that false testimony and reporting was a criminal offense."²¹⁹ Popović also stated for *Pobjeda*, "I insisted that they show me the camera, which they didn't. Photos of me were in that camera. Then I asked again with what right he took my picture and thus jeopardized my privacy, and the journalist replied that I

²¹⁷ "State Prosecutor's Office Podgorica: There are no grounds to blame Vladimir Popović", *Vijesti*, 7 September 2013.

²¹⁸ "Vladimir Popović attacked the crew of 'Vijesti'", *Vijesti*, 3 September 2013.

²¹⁹ "Beba Popović: Vijesti are lying, I will press charges", *Pobjeda*, 3 September 2013.

is a public figure in a public place. I explained that I was in the premises of a company that is not a public place, and that I was not performing any public function, so I could not be treated as a public figure at the moment".²²⁰

A clip appeared on *YouTube* from a surveillance camera showing Popović and the journalist and photoreporter of *Vijesti*. On 3 September in front of Europoint building, Popović was going down the stairs and saw the journalist and photoreporter who photographed him. The video shows that, after he approached them, he started a conversation with them, but since the distance from the camera was a few meters and Popović was turned with his back to the camera, the details of the event cannot be easily specified.²²¹

NGO *Human Rights Action* believes that photographing Popović, the Executive Director of the NGO *Public Policy Institute* and former head of the Office of Communications of the Republic of Serbia during the mandate of the late Prime Minister. Zoran Đinđić, in a public place was not illegal. Based on the standards of the Council of Europe, he is a public figure, obliged to tolerate the increased media attention. The fact that Popović was in the company of a security officer of the Prime Minister can particularly be justified as public interest. The right to informing the public therefore prevailed over his right to privacy and accordingly he was required to show greater tolerance towards journalists.²²²

The Basic State Prosecutor's Office, after determining all the circumstances, analysing the material and testimonies, found that there were no grounds for the prosecution of Popović.²²³ Acting Supreme State Prosecutor, Veselin Vučković, said that the State Prosecutor's Office found that "there is no reasonable suspicion of a criminal offense prosecuted ex officio", and that the competent prosecutor "ordered the Police to assess whether there are grounds for a misdemeanor prosecution".²²⁴ This approach of pushing responsibility to the police is unusual, because as a rule the State Prosecutor is the one who decides whether there are grounds for a misdemeanor prosecution, which is then conducted by the body.²²⁵

Daily *Vijesti* reported that officials of the Security Centre Podgorica, "after the Police carried out measures and actions – taking statements from participants and witnesses of the events, as well as video footage, concluded that the actions of V.P. have no elements of a misdemeanour offense".²²⁶

Legal representatives of Vladimir Popović submitted to the Basic State Prosecutor's Office in Podgorica criminal charges against the journalist of *Vijesti*, Miodrag Babović and photoreporter Luka Zeković for the criminal offense False reporting. The Basic State Prosecutor's Office in Podgorica dismissed the charges on 23 January 2014.²²⁷

²²⁰ *Ibid.*

²²¹ Video available at: <http://www.youtube.com/watch?v=7PsQ3ObJloE>. Several versions of the video appeared on *YouTube*, some of which were shorter than others. They are all available at: <http://www.vijesti.me/vijesti/policijac-gledao-dok-popovic-psuje-vrijeda-otima-clanak-148691>.

²²² On this statement that Executive Director of NGO *Human Rights Action* gave to *Vijesti*, Chairman of the Executive Board of the NGO *Public Policy Institute*, Professor Stevan Lilić, stated for *Pobjeda* that *Vijesti* in cooperation with *Human Rights Action* "are leading a campaign against the Public Policy Institute", "regarding their failed attempt to obstruct and eliminate any form of competition when it comes to securing financing for their activities" (Lilić – the business group *Vijesti* – NGO sector is in pain because the Institute exists, *Pobjeda*, 7 September 2013).

²²³ "State Prosecutor's Office in Podgorica: No basis for prosecution of Vladimir Popović", *Vijesti*, 7 September 2013.

²²⁴ "The Police has a problem: they don't know what to do", *Vijesti*, 26 October 2013.

²²⁵ "Popović will not be prosecuted for the attack on journalists", *Radio Free Europe*, 2 November 2013.

²²⁶ "Popović will not be prosecuted for the attack on journalists", *Radio Free Europe*, 2 November 2013.

²²⁷ "Rejected complaint of Beba Popović against journalists of *Vijesti*", *Vijesti*, 24 January 2014.

17 September 2013 – Insulting journalist of *Monitor* Marko Milačić

On 17 September 2013, journalist of weekly *Monitor* Marko Milačić reported a verbal assault of the executive director of “Rudo Montenegro” company, Aleksandar Braco Miranović, against him, claiming that Miranović harshly insulted him in a public place. As the media reported, Milačić claims that, while he was on the phone, Miranović addressed him from the driver’s seat of a vehicle, and verbally attacked him by calling him, among other things, “you little swill” and saying that “he had been bribed”. He pointed out that there is a possibility that the event was captured by surveillance cameras of the High State Prosecutor's Office, and that he will submit the names of eyewitnesses at a later date. As the media reported, Milačić claims that after the incident Miranović continued to follow him in his car until he went into a store.

Milačić claims that the verbal attack occurred because he wrote about the privileged companies in the healthcare system they enjoy the favouritism of the Minister of Health Miodrag Radunović, and among other things, published allegations that the Government, at the proposal of the Ministry of Health, issued a decision on a network of healthcare institutions, which included the company “Rudo Montenegro”.

On the occasion of this incident, the police inspectors heard Miranović on the same day, and he denied Milačić’s allegations.²²⁸ With the exception of Milačić’s hearing, no other actions were taken until 28 January of 2014.

20 October 2013 and 8 November 2013 – Stoning premises of *Vijesti* editorial board

In the period of one month in 2013, *Vijesti* editorial board premises were stoned twice. The first attack occurred after the Pride Parade, on 20 October in Podgorica, when a group of hooligans threw stones at the building of *Vijesti*, breaking the glass on windows of the portal *Vijesti* editorial board. *Vijesti* vehicle were also stoned while it was parked outside the building. The Police did not find the perpetrators of this attack.²²⁹

A new attack on the offices of *Vijesti* editorial board occurred on 8 November 2013. Three unidentified men approached the main entrance of the editorial board premises and first broke the window with a big rock, followed by a smaller rock, as was recorded by a surveillance camera in front of the building. Several persons were questioned on the event.²³⁰ To date, 30 January 2014, it was not announced whether the perpetrators have been identified.

²²⁸ “Marko Milačić filed charged against Miranović for insult”, *Vijesti*, 18 September 2013.

²²⁹ “After the Parade: 60 hooligans arrested, the streets are now quiet”, *Vijesti*, 20 October 2013.

²³⁰ “Atmosphere created by the Government”, *Dan*, 11 November 2013,
<http://www.dan.co.me/?nivo=3&rubrika=Hronika&clanak=405278&datum=2013-11-10&naslov=Atmosferu%20lin%E8a%20stvorila%20vlast>.

16 November 2013 – Insulting Director of weekly *Monitor* Milka Tadić-Mijović

On 16 November 2013, an unidentified person has sent a vulgar and offensive SMS message to journalist and director of weekly *Monitor*, Milka Tadić-Mijović, which Tadić-Mijović perceived as a threat, a day after her column "Dancing with a dictator" was published in *Monitor*.²³¹ In the anonymous SMS message, among other insults and announcements of disclosure of information about her private life, she was referred to as "Milka Kilomudić", which is a quote of one of the insults previously made against her by daily *Pobjeda* columnist, Marko Vešović, co-authored by Šeki Radončić. Because of these and other similar offenses she has continually experienced, Tadić-Mijović previously filed a civil lawsuit against *Pobjeda*, together with her colleague Milena Perović-Korać.²³² Except the state-owned *Pobjeda*, Tadić-Mijović was also called the same derogatory name by the Serbian portal *E-novine*.

Tadić-Mijović filed charges to the Security Center Podgorica against unidentified persons, and SC Podgorica officials informed the Basic State Prosecutor in Podgorica on the incident.²³³

On 13 January 2014, columnist Marko Vešović published in *Pobjeda* that Šeki Radončić was the author of the SMS message, as Radončić confirmed in a statement the next day, denying accusations that it was a threatening message.²³⁴

Milka Tadić-Mijović expressed concern that the police had known for a long time that Radončić was the author of the message, and by hesitating to act it provided him with an opportunity to explain the motives of the message, and emphasized her belief that Radončić was "only a small screw that is used by heads of the State" in an effort to stop the reporting of independent media.²³⁵

Tadić-Mijović then filed a criminal complaint against the journalist Seki Radončić for threats to security in extended duration, explaining that it is "an offense committed in extended period of several years, by primarily Radončić and Vešović, with the cooperation and active support of the Editor-in-chief of *Pobjeda*, and possibly some other persons who manage this newspaper, or official persons".²³⁶ She claimed that the instigator was the Editor-in-chief of daily *Pobjeda* because Vešović's column continued with earlier insults against her, her family and colleagues, "so that they would live in fear of violence and repression". She pointed out that they have been bringing insecurity and concern in her private life for years, which is why she believes it to be an offense for in extended duration, especially given the bombings, threats, beatings, and the overall atmosphere of insecurity of journalists in Montenegro.

The Media Council for Self-Regulatory (MSS), from the beginning of its operation in April 2012, has criticized the series of harsh insults against Tadić-Mijović and others in diary *Pobjeda*²³⁷,

²³¹ "Threats to Milka Tadić-Mijović", *Vijesti*, 17 November 2013.

²³² "Charges against *Pobjeda* i Kusovac: Incited violence and hatred with primitivism", *portal Vijesti*, „Milka Tadić-Mijović and Milena Perović filed charges against *Pobjeda* and Srđan Kusovac", *portal Analitika*, 27 November 2013.

²³³ "Threats to Milka Tadić-Mijović", *Vijesti*, 17 November 2013.

²³⁴ "Radončić: The State Prosecutor's Office should investigate whether I have sent messages of threat to Milka Tadić-Mijović", *portal CdM*, 14 January 2014. "The State Prosecutor's Office should investigate whether I have sent messages of threat to Milka Tadić-Mijović", *Dnevne novine*, 15 January 2014.

²³⁵ "The State Prosecutor's Office should investigate whether I have sent messages of threat to Milka Tadić-Mijović", *Dnevne novine*, 15 January 2014.

²³⁶ "They want to make us live in fear", *Vijesti*, 15 January 2014.

²³⁷ MSS report no. 1, for the period 1 April – 15 May 2012, p. 8; MSS report no. 3, for the period 1 August – 1 October 2012, p. 4; MSS report no. 8, for the period 15 July 2013 – 1 October 2013, p. 12; MSS report no. 9, for the period 1 October 2013 – 1 December 2013, p. 16; MSS report no. 1, for the period 1 April – 15 May 2012, p. 8: "In the past, MSS observed a number of insults to certain Montenegrin media, and particularly in Marko Vešović's columns..."

which was established by the State and is still in major part owned by the State, despite the statutory obligation for its privatization until 2004.²³⁸ Although Tadić-Mijović and other journalists, who have been subjected to *Pobjeda's* campaign of vulgar insults, appealed in 2012 to the Prime Minister of Montenegro, Igor Lukšić, to influence the editorial board of *Pobjeda*²³⁹, the media outlet whose responsible founder and in major part owner is the State of Montenegro, he refused to do so on the grounds that "the government does not interfere in the editorial policy of other media in Montenegro".²⁴⁰

On the same day when the Tadić-Mijović filed the complaint against Radončić, he announced that he will file a criminal complaint against her, the editor of *Monitor* Esad Kočan, the founder and owner of *Monitor* Miodrag Perović and the Editor-in-chief of *Vijesti*, Mihailo Jovović, for continued threats to his security and for financial fraud in *Monitor*, which are allegedly known since he wrote for this weekly newspaper for many years.²⁴¹ He announced that in support of his complaint he will present evidence – "texts full of hate speech, vulgar insinuations and threats, insults on national basis, discrimination on the basis of religion, nationality, and even discrimination i regard members of his family".²⁴²

2012 and 2013 – Threats to Director of NGO LGBT Forum progress Zdravko Cimbaljević

Zdravko Cimbaljević, founder and first director of NGO *LGBT Forum Progress* and the first openly declared homosexual in Montenegro, who is therefore vulnerable and with endangered safety due to his activism for human rights, was forced to seek asylum in another state.

In November 2013 Cimbaljević was officially granted political asylum in Canada, based on the assessment of the immigration committee of Canada that Montenegro is unable to protect him, because the State Prosecutor's Office did not properly treat numerous cases of hatred and threats addressed against him in 2012 and 2013.

NGO *LGBT Forum Progress* recorded 136 cases of death threats against activists for LGBT rights, 58 cases of insult, 53 cases of qualifying LGBT persons as sick, as well as 25 physical and verbal attacks on LGBT persons and activists, which illustrates the degree of vulnerability of this population in Montenegro. That year, Zdravko Cimbaljević alone received 109 death threats, two threats of kidnapping, and 11 threats of beating, all because of his sexual orientation.

On 24 July 2013, the first "Pride Parade" was held in Budva, Montenegro. On the night before the event, unidentified people posted obituaries with Cimbaljević's name, who was one of the organizers, all over the city. The perpetrators of this act have not been identified to date. Cimbaljević also received several hundred threats on social network *Facebook*, including death threats, which is why he asked the Police to assess his safety, out of fear of serious threats. Although hundreds of people tried to lynch the first participants of the Pride Parade in Budva, only 32 of them were prosecuted for a misdemeanour disturbing the peace, while no criminal proceeding has been initiated. Cimbaljević said that he would not have sought asylum in Canada if at least one person was

²³⁸ Media Law, Art. 47, p. 1 (*Official Gazette of Montenegro*, no. 51/2002 and 62/2002).

²³⁹ "Journalists ask Lukšić to react to *Pobjeda's* hate speech", *Vijesti*, 11 April 2012.

²⁴⁰ "Lukšić: The Government will not interfere in the editorial board of *Pobjeda*", *Vijesti*, 12 April 2012.

²⁴¹ "Radončić: Criminal complaints against Tadić-Mijović, Perović, Jovović and Kočan", *portal Analitika*, 15 January 2014.

²⁴² *Ibid.*

convicted for the violence in Budva. The leaders of the LGBT *Forum Progress* claim that proceedings initiated for violence or threats of violence against LGBT persons last too long, and the legal qualification of these cases by the State Prosecutor's Office is, according to them, unsatisfactory, because it comes down to only misdemeanour.

Shortly after Cimbaljević left Montenegro, the second "Pride Parade" was held on 20 October 2013 in Podgorica, which was also marked by violence, despite 2000 police officers on the streets and a very well organized security of the event. During several separate incidents, several groups of hooligans attacked the police and threw stones on daily *Vijesti* editorial board, injured 20 people, and 60 protesters were arrested.

16 December 2013 – Breaking into the car of journalist Darko Ivanović

In the night of 16 December, a private car of Darko Ivanović, journalist and editor of the TV show *Robin Hood*, was broken into in front of the building where he lives in Podgorica. A day after the attack, the police arrested Robert Banuši who allegedly confessed that he had broken into Ivanović's car. A month later, in a statement to *Robin Hood*, Banuši said that the police officers forced him to sign the confession. The police denied his allegations, claiming that their inspectors acted in accordance with the law, but the prosecutor stated that there is no reason for a belief that Banuši committed robbery at the expense of Ivanović. However, until January 2012 when this report was published, the Basic Prosecutor's Office did not respond to a request of Ivanović's lawyer and submitted the complete records of the case, so Banuši's claims that he informed the prosecutor that a police inspector forced him to confession cannot be verified.

Ivanović stated that nothing valuable was stolen from his car, only scattered. He believes that the robbers wanted to steal some confidential documents on economic crime, suspicious privatisations and irregularities in local health system, which he had taken with him.²⁴³

Police arrested Robert Banuši under suspicion that he robbed Ivanović's and three other cars, local media reported quoting unofficial sources, stating that he has been convicted before and that he confessed to have committed the offence.²⁴⁴ However, on 17 January Ivanović aired Banuši's statement in which he claimed that the police forced him to confess and that he did not rob Ivanović's car. In the same statement Banuši said that the police inspector Elvir Tošić told him that he must sign a previously prepared statement giving him 5 euros and some money for the food, as well as that he told everything during the hearing in the State Prosecutor's office on 18 December 2013. During his TV show Ivanović read a statement issued by the Police Directorate in which they denied Banuši's claims, claiming that the police inspectors heard him in accordance with the law. Tošić later denied Banuši's claims in his statements to other media.²⁴⁵

During the TV show *Robin Hood*, Ivanović quoted the prosecutor's statement that, based on the available information, "there is still no ground for suspicion that Banuši committed the criminal act at the expense of owners of the three robbed cars". The Prosecutor's office noted that this conclusion was made on a basis of the fact that „nothing was stolen from the robbed cars, despite

²⁴³ „Ivanović: „They were looking for the documents I possess on economic crime“, *Vijesti*, 17.12.2013.

²⁴⁴ A suspect for breaking into Ivanović's car arrested: The suspect claims he broke into three cars", *Vijesti*, 18.12.2013.

²⁴⁵ „The TV show allegations are incorrect. Everything has been done in accordance with law, and deputy Basic State Prosecutor was informed on each procedure with Banuši“, Tošić said. (Police inspector: The 'Banuši case' is constructed", *Portal CdM*, 20.1.2014).

there were some valuable things in Ivanović's car". Banuši was detained to a prosecutor on duty, the statement further says, stating his defense in the presence of an Albanian-language interpreter, and personally signed the record. The investigation indicated that the clues found in a car door belong to a person from the company for car registrations, while the screwdriver which pierced the seat in Ivanović's car was sent to the Forensic Expertise Centre of the Police Directorate in Danilovgrad.²⁴⁶

Banuši is currently serving other punishment in the Administration for Execution of Criminal Sanctions in Spuz.²⁴⁷

It is still unclear why the Basic State Prosecutor Sasa Čađenović has not launched an investigation against the police inspector Elvir Tošić, if Banuši on the hearing really informed the prosecutor that the police forced him to give a false testimony.

Ivanović said that he and his family have been receiving threats for a long time because of the TV show Robin Hood, and that he did not report the drilling of tyres of his car that happened five months ago.

In mid December, he sued the State of Montenegro requesting compensation of 10 000 euros for the illegal arrest during his assignment of reporting on a forced eviction of Jelena Vukićević from Podgorica, and the footage of the arrest – made by Ivanović's colleagues – was presented as evidence to the Court.²⁴⁸ Ivanović was cuffed and escorted by several policemen to the Security Centre in Podgorica to be detained more than four hours, without a hearing, and then taken before a misdemeanour judge²⁴⁹ who scheduled the hearing for 18 December 2013. Ivanović told *Human Rights Action* that two witnesses were heard at this hearing – the chief of the police unit and an investigation judge who conducted the eviction – who claimed that the journalist was hindering them in the execution of the court decision on eviction. He said that, among other things, he presented the video footage as evidence to the Court, which has not scheduled the new hearing yet.²⁵⁰

26 December 2013 – Explosion in front of *Vijesti* editorial board premises

In the evening of 26 December 2013, an explosive device was activated in front of the *Vijesti* editorial board offices, below the window of the Editor-in-chief Mihailo Jovović's office, and the perpetrators were not identified by the end of January 2014.

At the time of the attack, Mihailo Jovović was in the office together with fifteen other people, but no one was injured. The strong explosion caused the glass on windows of the office to shatter. The Podgorica-based daily published information that surveillance footage shows one hooded perpetrator approaching the *Vijesti* building, placing the explosive under the window of Editor's office and then disappearing from the frame, followed by a flash of the explosion, a minute and a half later. The daily further stated that Podgorica police announced that they blocked the

²⁴⁶ TV show „Robin Hud“, RTCG, 17.1.2014

²⁴⁷ "Fingerprint for 5 euro and a hamburger", *Dnevne novine*, 19.1.2014.

²⁴⁸ Ivanović: „They were looking for the documents I possess on economic crime“, *Vijesti*, 17.12.2013.

²⁴⁹ "Darko Ivanović released after hearing", *Vijesti*, 29.11.2013, <http://www.vijesti.me/vijesti/darko-ivanovic-nakon-saslusanja-pusten-slobodu-clanak-163169>.

²⁵⁰ Darko Ivanović told HRA in a telephone conversation on 30 January 2014.

entire city in search of black “Opel Corsa” that, as reported, rushed away from the building at high speed, from the back of the *Vijesti* building towards the Clinical Centre and the same car was then seen rushing towards the Children's Hospital, and then towards Zabjelo.

On-site investigation was conducted under the direction of Deputy Basic State Prosecutor in Podgorica, in the presence of an expert on fires, explosions and accidents, and the Police informed *Vijesti* that “the officials of the Ministry of the Interior – the Police Directorate, the Security Centre Podgorica, with the support of the Criminal Police Department have undertaken intensive activities on solving the case of activating an explosive device against the injured party daily *Vijesti*.”²⁵¹

By the end of development of this report, on 30 January 2014, there was no new information on the progress of investigation of this case.

31 December 2013 – Stoning the premises of NTV Montena editorial board

NTV Montena editorial board premises in Blok VI neighbourhood in Podgorica were stoned in the evening of 31 December 2013, and by 30 January 2014 it was not reported whether the perpetrators have been found.

The Director of *NTV Montena*, Đuro Vučinić said for *Portal RTCG* that the attack on this media outlet was clearly planned and deliberate, that the motives for the attack are not known to him, but that it was fortunate that at that time no one was in the room that was stoned.²⁵²

3 January 2014 – Attack on journalist of Dan Lidija Nikčević

Journalist of daily *Dan*, Lidija Nikčević, was brutally beaten by a masked assaultant in the evening of 3 January 2014 in front of the editorial board unit of that daily newspaper in Nikšić. Until 30 January it was unknown whether the police found any suspects for this attack.

An unidentified perpetrator, dressed in a black overall, with a mask on their head, attacked Nikčević from behind, grabbing her shoulder, after which he hit her head with a bat, causing her multiple injuries followed by substantial bleeding²⁵³. The journalist tried to put resistance, injuring her arm. After the attacker escaped she cried for help.

The media reported that Nikčević received medical help in the hospital in Nikšić, and the hospital director, Ilija Ašanin, made a contradictory statement that Nikčević suffered serious bodily injuries in the area of her head, as well as a concussion.²⁵⁴

The Police Directorate stated that the Prosecutor qualified the attack on Nikčević as criminal offence Attempted robbery “based on the statement of the injured person and other facts”²⁵⁵. On 3

²⁵¹“Dinamite activated in front of Vijesti: Will the State arrest the murderers or kill the media?”, *Vijesti*, 27 December 2013, <http://www.vijesti.me/vijesti/dinamitom-vijesti-hoce-li-drzava-zatvarati-ubice-ili-ubijati-medije-clanak-168540>.

²⁵² „Stones at TV Montena”, *Portal RTCG*, 30 December 2013.

²⁵³ “UP o napadu na novinarku Dana: Razbojnik Nikčevićvoj pokušao da otme tašnu”, *CdM*, 3.1.2014; „Sačekuša za novinarku 'Dana'”, *Dan*, 4.1.2014.

²⁵⁴ „Nikšić: Napadnuta novinarka Dana”, *Portal Analitika*, 3.1.2014; „Napad kvalifikovan kao pokušaj razbojništva”, *portal RTCG*, 4.1.2014; „Sačekuša za novinarku 'Dana'”, *Dan*, 4.1.2014.

January, immediately after the attack, the media reported that she stated that at one point the attacker „pulled her handbag“²⁵⁶. Lidija Nikčević responded that she was shocked by the decision of the Prosecutor's Office to qualify the attack on her as attempted robbery. She said that the attack can in no way be characterised as attempted robbery, as the assaultant brutally and on purpose hit her head with a bat, and stole none of her stuff. Nikčević said that allegations that she stated that the assaultant pulled her handbag were not true, and the proof for that are the injuries she suffered²⁵⁷. NGO *Human Rights Action* also considers that, based on the way it was carried out and the injuries that were imposed, the attack on journalist Nikčević seems more like an attempted murder than attempted theft.²⁵⁸

According to the latest information, the police took all texts Nikčević has published during 2013 until the day of the attack.²⁵⁹ Her coat and her handbag were sent to Forensic Center in Danilovgrad for further examination. Many persons were interrogated.

²⁵⁵ Security Centre Nikšić statement of 3 January 2014, available at: <http://www.mup.gov.me/upravapolicije/centri-bezbjednosti/Niksic/134474/Sluzbenici-CB-Niksic-intenzivno-tragaju-za-licem-koje-je-pocinilo-krivicno-djelo-na-stetu-novinarke-Dana-L-N.html>.

²⁵⁶ "Police Directorate on the attack on journalist of Dan: Perpetrator tried to steal the bag from Nikčević" *CdM*, 3 January 2014; Nikšić: "Journalist of Dan attacked", *portal Analitika*, 3 January 2014. "The Police is searching for the assaultant who attacked journalist of Dan Lidija Nikčević", *Pobjeda*, 4 January 2014.

²⁵⁷ "Motive known, but not the perpetrator?", *Dan*, 5 January 2014.

²⁵⁸ "Gorjanc – Prelević: Ensure stricter punishment for attacks on journalists", PCNEN, 4 January 2014; "Perpetrators should get a just punishment", *Dan*, 5 January 2014; "Nikčević: They may strike, but I will also strike with my quill", *portal Vijesti*, 4 January 2014.

²⁵⁹ "The Police relies on DNA analysis", *Dan*, 10 January 2014.