

Introduction to the Sitting of the Parliament Council on the theme of  
“ Freedom of the Media and fight against corruption”

Distinguished members of the National Board for monitoring implementation of the Strategy of fight against corruption,

Dear colleagues journalists,

Dear participants,

At the very beginning of my presentation today, I would like to remind you of what does Constitution of the Republic of Croatia and Act on Media proscribes on freedom of Media. Article 38 of the Constitution of the Republic of Croatia proscribes following: “Freedom of thought and expression shall be guaranteed. Freedom of expression shall specifically include freedom of the press and other media of communication, freedom of speech and public expression, and free establishment of all institutions of public communication. Censorship shall be forbidden. Journalists shall have the right to freedom of reporting and access to information”. Moreover, Constitution guarantees the right to correction to anyone whose constitutional and legal rights have been violated by public information.

According to the Art. 4, Act on Media “no person has right to influence on the program content of the media by using force or misusing public position or by any other illegal other way restrict media freedom.

However, in Croatia, last year, main editor and owner of the “Nacional” has been murdered, Dušan Miljuš, journalist of the “Jutarnji list” has been beaten with the baseball stick , five other journalists had to receive constant police protection.

Recently, after 11 years of service, I got fired, shortly after that I got invitation to participate in today’s Sitting of the Parliament Board. In my presentation I tried to detect problems which appear from the theme of the Sitting itself, so lets start from fundamental presumptions.

On the 2008 index scale of Reporters without boundaries Croatia has been derogated to the position number 45. Based on the media freedom it is behind Bosnia and Herzegovina, most European countries, even behind South Africa. During 2007 Croatia held position number 41, in 2002 position number 33. The worst scale position, position 69, Croatia held in 2003 when explosive device has been installed under the vehicle of Ninoslav Pavic, owner of the majority media in Croatia.

Unfortunately, for the descending lane above, there is no expert explanation as permanent and sustainable monitoring of media does not exist. But, it is quite interesting that it

overlaps with general moods of journalists in main journalists' Houses in Croatia, and they are:

Over the years, as the greatest problem in Croatian journalism appears work of public and state media ( HTV, HINA, Vjesnik) all for the obvious accommodation to the actual government. But, recently, there is impression that key private publishers acts in alliance with politics, capital investments, even corruption and crime. In situation like that, journalists are completely helpless in accomplishing their rights to information access.

In Croatia, ownership of private media is in hands of total of four serious publishers, one of them is EPH. Those publishers act on market in nontransparent way which can not be controlled. In general media ownership is not transparent and their functioning has not been synchronized with the Act on Media. As the result, the only papers in the country which have Statute by which regulates participation of the journalists in choosing main editor is Glas Istre.

Until today nobody saw Contract of purchase of Slobodna Dalmacija which its EPH owner signed with Fond almost five years ago. Signing the Contract EPH started monopole on the national market of printed media.

Edition of all printed media drastically falls, even prior to the recession. Except tabloids, there is no other media which resist falling trend. According to the internal research of certain tabloid, which has never been publicly published, reason for such high edition was not only low price but the fact that readers acknowledge tabloid as the only papers with an attitude.

Some of the most respectable Croatian journalists were literally left on the street and they are fighting for the very existence: most of the journalists of the Feral, Natasa Skaricic of the Slobodna Dalmacija and last – even myself. Many respectable and notable journalists on the public TV and private media suffer from the censorship and they have been under various sanctions all for raising their voice against censorships or talking against corruption: Denis Latin, Sanja Mikleušević, Petar Štefančić, Viktor Ivančić, Aleksandar Stanković and etc. There are many others, but I will restrain myself of publicly saying their names as they silently endure on their workplaces, used on censorships.

On February 2009 journalists Sanja Modric and Natasa Skaricic as well as the activist for human rights, Sanja Sarnavka started initiative against censorship in media. Initiative has been signed by 42 notable journalists, about 50 non- government associations for the

protection of Human rights and some of the significant Croatian scientist. Month later, same Initiative referred open letter to the Prime minister Ivo Sanader, accusing Mr. Sanader, along with his Government, for the heaviest crises in Croatian journalism since the nineties. Nobody reacted, not even the public TV which did not even report the subject to the public. Up to now, three people who signed a letter got fired, one person has been banned from the writing, but he is still on the pay roll, another one left the Redaction. News on that Initiative and its consequences has been published across many national and international portals, but not one larger media in Croatia, except Radio 101, has published anything on that matter. This brings us to the conclusion that matter of freedom in journalism does not concern any more either journalist or publishers, though publishers are ready to suffocate the freedom using force.

Syndicate of Croatian Journalists referred of the very last on March 2009, on a World Freedom of Media Day Syndicate worn that journalists have been underpaid, underestimated, exposed to the numerous pressures as well as to the self will of the publishers. On the 3th of May 2009 Syndicate organized action "Five minutes of tremendous silence" by which Syndicate wanted to worn of the need of preserving author freedom of the journalists and protection of professionally non based interventions, in order to deliver exact information to the public and to rise the conscience that owning a papers does not mean owning a journalists and truth.

Beginning the recession year appeared information of the necessity of reduction positions in media, although, according to the HND, there have been no sign of recession consequences in the journalism, because, as I already previously mentioned, such market has not been organized on the grounds of healthy competition. If a journalist loses a job at one publisher it is not likely that he or she will find another position on such restricted market any time soon.

How freedom of the media looks in practice?

Allow me to introduce myself: my name is Hrvoje Appelt and until March 2009 I have been working as a professional journalist in main edition of the concern EPH, Jutarnji list and Globus. Wider public is familiar with my work through great corruption affairs: work of the Zagreb Council headed by the Mayer of the Zagreb, Milan Bandić, Debts of the Kamen Ingrad forgiven by the Croatian Government, non transparent way of gaining shares of the Liburnija Rivijera Hotels by the HDZ campaign donors, oil contrabands, corruption on the University of Zagreb, "Affaire watches" and finally affaire Imostroj and affaire of tax fraud by minister of Foreign Affaires, Miomir Zuzul.

For Imostroj story, in 2002 I have been awarded by Marija Juric Zagorka reward which hands out HND for the Investigative journalism. I am free to say that, in a period of the 2002 up to 2009, I profiled myself as one of the key journalists of EPH who investigated problems of the corruption. But, the fact that I got fired in March on the grounds has its chronology which witnesses that media are more keen on protecting the corruption rather than to reveal it.

Why can I say it today?

In the 2002 Jutarnji list was extremely proud on a way we covered a story on arresting Mayer Bandić during his drink and drive misconduct, followed by attempt of bribery of the police officer. The truth is that, after I came to the possession of the official police records of the event, Goran Litvan, who used to be editor of the city news, addressed to me that cooperation with city news have been terminated. By the intervention of than main editor Tomislav Wruss I have been transferred to the Internal politics of Jutarnji list. From that point on, I started to investigate corruption on national level, I researched origin of the assets of many politicians and officials, conflict of interests, public procurement issues etc. Later on I wrote numerous articles of Mayer's Bandić shady purchase of real estate: penthouse in Bozanova st., apartment in Preradovićevea in which Mayer Bandić gained right of buying up on the grounds of his fictive divorce.

In 2004 I investigated complete business actions of then minister of Foreign affaires, Miomir Zuzul. I discovered tax fraud in rentals of his apartment but Attorney General Mladen Bajic never filed an official claim. At the end, this affair heavily reflected to minister's career. Story has been published in Jutarnji list only after heavy pressures from all journalists in the Redaction, after deputy of the main editor, Davor Butkovic, forbidden it. Explanation which Davor Butkovic gave to main editor Tomislav Wruss was that "Journalists do not understand what a waste would be to loose such enterprising minister".

In summer 2005, after Government handed 85% of shares of touristic imperia Liburnija Riviera Hotels to the funds preceded by Darko Ostoja and Count Eltz of Vukovar on the behalf of debts from so called couponed privatization, I wrote a story that Ostoja and Count Eltz are two main HDZ donors. Avoiding purchasing through the public contest they were in favor for cca 2 mil. Kuna. The real consequences for the national budget are yet to be seen at the end of the court process filed by Ostoja and Count Eltz as Government confiscated given shares in order to avoid suspicion in political corruption. After that I was forced to take a part in a spin of then spokesperson of Ministry of the Interior, Zlatko Mehun, who personally brought "compromised" documentation on acquisition of coalition Government.

On the New Years Eve 2006, I published transcript from closed Sitting of the Government from which is visible that Prime – minister Ivo Sanader , in spite of the warnings from

minister Marina Matulovic- Dropulic and minister Branko Vukelic that Vlado Zec has been illegally mining mineral raw material from Nature Park and damaged Stae for 60 mil kuna, he agitated to reduce debts of Kamen Ingrad Company and to enable payment in 4 stages. Because of publishing the transcript from which is clearly visible that Prime minister asked ministers to favor Kamen Ingrad Company, some Government employees were questioned by POA ( Intelligence Service ) as Prime minister wanted to find out who handed over documents, but according to my knowledge, it has never been resolved. Kamen Ingrad still owes to the State and Prime ministers' role in this story has never been clarified.

In case you didn't know, EPH was familiar with affair Verona , story of the nontransparent role of the Government in process of Barr taking over PLIVA, months before affaire appeared. Journalists of Slobodna Dalmacija and Jutarnji list have been delegated in advanced, they covered story in strictly controlled conditions. Journalist Natasa Skaricic, during HND Assembly in Opatija, publicly announced that many of her benevolent colleagues enjoyed work well done in India, in luxury manners.

Prime ministers' affair "Watches" never had an epilog, tanks to instruction of Tomislav that I should not insist further more on getting insight into receipts of Ivo Sanader purchase of the watches. Investigation of the Board for suppression of conflict of interest on the origin of Prime ministers assets valued several million euro has been stopped and transcripts from plenums chaired by Desa Mlikotin Tomic, today one of the main suspects for corruption have been graded as strictly confidential. Media were silent about the matter as well.

In 2007 I investigated business transactions of Dimitrije Zeleznjak, prior to his arrival to Croatia. From Moscow Anti corruption Office I obtained documentation which vividly incriminates Zeleznjak for gaining illegal wealth. Several editors accused me of making up the story claiming that Moscow documents are not authentic. I found myself in total media blockade for several months, at the same time Zeleznjak has been seen on the premises of EPH.

Furthermore, in 2008, on the Initiative of president of the Board of EPH Directors, Stipe Oreskovic a first Center for Investigative Reporting supposed to be established, on the board with editors Ivan Zvonimir Cicak, Gordan Malic and Natasa Skaricic. Ivan Zvonimir Cicak and Natasa Skaricic offered me cooperation instantly, but after colleague Skaricic applied as possible topic investigation of the corruption in health system, Center was never established.

In summer 2008 I submitted, to the Attorney General Mladen Bajic and Head of USKOK, Dinko Cvitan, evidences of payments for the exams at the University of Zagreb, after that operative action Index followed. Up to now, it is greatest anti- corruptive action of the USKOK- three months after secret police measures and monitoring 108 students, professors and mediators have been arrested. Waiting for the results of the taken actions new main editor of Jutarnji List, Mladen Plese, invited me in his office asking me whether I considered

transfer to new Redaction. After that, when I started to work for Globus, he asked me to sign that I had no part in action Index, more so he insisted to write that USKOK succeeded in a job which journalists unsuccessfully tried for years. I replied firmly that I have no intention to write lies and I sent him a text which has never been published.

Shortly after that I started to investigate oil contrabands in Croatia. After three months of researching and collecting data results were devastating: during five year, according from data of the Ministry of Finance, it has been sold 2.5 mil of heating oil and petrol and diesel more than Ministry managed to charge VAT ( Value edit tax) and excises. This information shows that head of Customs Mladin Barisic did not issued any order for cistern control, and more than 25000 droved through Croatian roads daily. In spite of court orders Mladen Barisic never gave back position to Robert Matijevic, former customs officer who got fired after discovering coffee and oil contrabands. Oil Smuggler Alen Barki has been sentenced for two years on probation, based on the non valid judgment , on the other hand, civil servants who covered criminal become high ranked officials. Recently Council enforced Conclusion according to which "state enforced law slow". As I am familiar with, minister Damir Polancec has never answered where is 2.5 mil heat oil as well as millions of liters of petrol and diesel. Minister of Finance Ivan Suker whom are missing these days millions of Kuna in budget these days, never raised a question and spokespersons of Ministry, Sanja Bach and Customs Sanja Crnković tried to cover and hide actions of organized crime from public notion, still continuing to do what ministers tell them to do.

Few months ago police discovered private oil refinery close to Zagreb which manufactured heating oil into diesel. However information on how did petrol stations in Rugvica sell diesel State hides as same as coffee smuggler who escaped prior to the court verdict. This theme had no media epilog as well.

After writing numerous articles on organized crimes I have been threatened on four occasions. One anonymous letter claimed that " I am next on the hunting list, along with my family" but that threat referred to my writing about 18 mil. Kuna valued assets which Slobodan Ljubovic, right hand of Milan Bandic managed to purchase over few years without any loan, although, according to Tax Office data, during that period of time he earned barely a million Kuna.

Police still did not discover who sent these threats but they did restrict my movements recently. On my request for the written explanation on why I can not travel with their official vehicles when travelling outside of the Zagreb, although that right enjoy other protected persons, I am still waiting for the reply.

Beginning of this year in Globus, according to former editor Igor Alborghetti, in the middle of the night, just night before final print of the cover page on partner contract between Vladimir Mamic, Dijana Culjak Selebaj and Vladimir Selebaj Sellier, same has been stopped on the initiative of Ninoslav Pavic.

The end of this chronology is well known by public, I announced it during the first theme Sitting last year: On February this year I wrote for Globus a story on money laundering in Croatian Rails which has been published in Jutarnji List, on my insisting, trying to avoid censorship. Week after I suggested to investigate conditions of scholarships for Prime ministers daughter and her boyfriend in New York. Three weeks later, in a mailbox I found notification of work determination listing as a reason that I have not been reachable for three weeks. I would like to point out that I got fired while I was under police protection which is, looking from the aspects of employers' concern of my wellbeing, unacceptable. For the reasons of breaching the obligations I had no options but to take legal steps against EPH.

Month before my dismissal I signed the Initiative for combating the censorship in media. Initiative has announced establishment of the expert groups for analyzing contents of notable Croatian media. Without such analyze it is impossible to give expert overview of political and business censorship in Croatian media. However, I would like to raise the attention of this respective Council to the issues already known to the public but which were left without a notice by publishers, Government or present bodies of the journalism.

It is a everyday practice for the ministers in Government as well as high judicial officials communicate with representatives of the editors and members of the Board. Their wishes and demands are passed to journalists. Ratko Macek, former spokesperson of the Government, now lobbyist and consultant, is a regular visitor of EPH premises. Even editors, and I am referring here to Mladen Pleše wrote under pseudonym in order to agitate for rehabilitation of certain politicians. Editor Pleše, in case you did not know, under pseudonym Istvan Kriz wrote and published a story of "Great world exposition of arts in St. Moritz" He forgot to mention that he attended exposition together with his wife and minister Zuzul. What happened over dinner is hard to guess and who paid for the expenses in luxury accommodation, someone has to answer.

Minister of scienc, education and sport Dragan Primorac, EPH Board and Editions of Slobodna Dalmacija, Jutarnji List and Globus cooperate regularly on ways of reporting on every action of the Ministry. This is the reason why three jurnalists from Slobodna Dalmacija and Jutarnji List filed a claim to the CJS. Resultes are devastating: during students movements minister Primorac personally walked into the Redaction of Jutarnji List, journalists were stunned. However, CJS did not react, so far.

On November last year minister of health and social care Darko Milinovic presented health reform to the public: EPH system did not published any critical article on that matter. Deputy of the main editor of Slobodna Dalmacija, Natasa Skaricic reported public on CJS Assembly that Ivo Sanader invited main editors to the presentations of the reform prior of its

presentation to the journalists, public and political partners. This situation has never been declined from the Government, CJS never judged such inappropriate alliance between publishers and Government.

Former EPH journalist Nedjad Haznadar writes speeches professionally for the Mayer Milan Bandić, before he left he asked information on any possible future articles on Milan Bandić.

With all this information I am referring to your distinguished Body so you can value these events, especially the fact that not one expert journalist body reacted on such clear examples of suppression by the publishers and editors. I am asking you to evaluate responsibility of CJS for lacking of its engagement regarding dismissal of colleague Skarica and myself.

Especially, I would like to point out that such measures have been taken exclusively by the public media as their alliance with politics is a part of our historical tradition. My opinion is that situation is drastically getting worse when private media steps in as well, not only because in such situations journalists have no choice but because private profit overlaps with politics.

Unfortunately, there is no reason for such behavior other than corruption. I remind you that corruption according to general definition refers to any misuse of authority for personal or group gain, in private or public sector.

Whether or not you recognized corruption in this presentation, evaluate yourself.

At the end, in case you are wondering why I did not report on this matter before, I have to say that EPH in its contracts with journalists strictly prohibits any negative claims against main editor house, threatening with dismissal.