

To whom it concerns

We would like to inform you that our colleague's Vladimir Otašević (Daily Dan) mobile phone is confiscated by the Podgorica Police Department on 14th [September 2017](#). Otasevic used that phone to call the brother of Montenegrin Prime Minister Duško Marković several days earlier.

Daily Dan announced on [September 12th](#) this year text titled "Do not ask why someone killed somebody, you mother f...r", claiming that Vladimir Otasevic was threatened by the Prime Minister Brother on 11th September.

The Media Law defines that "a journalist and other persons who, in the course of gathering, editing or publicizing program contents, obtain information that could indicate the identity of the source, shall not be obliged to disclose to the legislative, judiciary or executive authority or any other natural or legal person the source of information that wants to remain unknown".

In this case, the police are in a position to have an insight into the sources and content of journalists' communication, and their actions undoubtedly have a deterrent effect on the sources of journalists. This is because every journalist's phone contains the information received from sources, as well as communication with the sources.

All of this affects the work of journalists, who should be the main guardians of the democratic society and governmental regulators, which the European Commission has repeatedly stressed.

The Media Law also defines that the state guarantees the right to free founding and undisturbed work of media based, inter alia, on the free flow of information.

This right was violated by the police called into question access journalistic sources and free flow of information, as a result of that.

We also consider that our colleague's right to freedom of expression, guaranteed by Article 10 of European Convention on Human Rights, has been violated.

The Article 10 stipulates that "Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers".

In this case it is about direct interference of public authorities in the process of receiving and impart information, moreover because Prime Minister Duško Markovic said in a public statement that his family should be left alone.

The European Court of Human Rights in the judgment "Ressiot and Others v. France" stated that "protection of journalistic sources is one of the basic conditions for press freedom. Without such protection, sources may be

deterred from assisting the press in informing the public on matters of public interest".

The Court also concluded the right to protect sources is not a privilege, but an integral part of the right to information.

For all of the above, we believe that, in the case of Mr Otasevic, there is the pressure on journalists, the abuse of their rights and the creation of the practice that police have right to involve in journalists' work, compromise sources and directly threaten the freedom of the media.

Please use your influence to help journalists do not become the target of the powerful, and their rights and obligations not be suspended.

Podgorica, 30.09. 2017.

Društvo profesionalnih novinara Crne Gore (DPNCG)/Association of professionalan jurlalist's/

General Secretary Mila Radulović

  


