



**Delegation of the European
Commission to Croatia**
Trg žrtava fašizma 6
10 000 Zagreb

Summary Report
for the
Delegation of the European Commission to the
Republic of Croatia:
The Petition Against the Cathedral of Darkness Campaign

On November 18th 2009 the Partnership for Social Development requested that the Croatian Radio Television (HRT) Programming Council begin a process of investigation into the actions of the Chief Editor of the News Programming division, Hloverka Novak Srzić, and the Head Director of HRT, Vanja Sutlić, in the hope that through the process of investigation the Programming Council would find evident grounds for dismissal. This request was undertaken by the Partnership for Social Development because it found that the proven actions and confirmed general dispositions of the two above mentioned individuals are in gross violation of the Law of HRT, the Constitution of the Republic of Croatia, the European Convention of Human Rights and Fundamental Freedoms and UN Charter of Human Rights and Freedoms, among other international treaties and domestic acts protecting the freedom of expression and the media. A request was also made for Hloverka Novak Srzić and Vanja Sutlić to be immediately suspended from their positions while the investigation is taking place as to avoid any unnecessary obstruction or influence they might have on the investigation process. The Partnership for Social Development also began a petition on November 19th, 2009 to gain public support for the dismissal Hloverka Novak Srzić and Vanja Sutlić. The Croatian public has responded with an overwhelming show of support with over 5,600 signatures. These signatures come from diverse geographic and social sectors of Croatian society covering all the major ethnic, religious and minority groups. The number of Croatian citizens who have signed the petition is growing at a rapid rate. The Partnership for Social Development has called this campaign the Petition Against the Cathedral of Darkness.

The initial reasoning upon which the Partnership for Social Development has made this request for a change of management of HRT, especially the News Programming division, is the observed trend that the public space for democratic discourse and discussion over the national media outlets has been intentionally decreased and narrowed. There is a noticeable trend within the HRT's institutional structure to eradicate and silence critical journalists and editors who do not conform to the authoritative demands of management. This trend has been primarily carried out through the censorship of the management of HRT through frequent pressure and threats to the journalists and editors of the News Programming division attempting to open the public debate on the themes of political corruption and organized crime. Conversely, the management of HRT did not suspend, dismiss or reprimand those journalists who were under the suspicion of associating with organized crime or stood accused of a conflict of interests. This exemplifies the dualistic structure and the dichotomy of ethical standards that were employed by HRT management to sanction and



reprimand journalists. The Partnership for Social Development's stance towards these events is that they represent the instrumentalization of public television for the purpose of political manipulation in the attempt to stifle public discourse, which contradicts and violates the principles of a liberal democratic society.

There are a number of confirmed examples demonstrating this general tendency of the HRT management to censor the News programming content of HTV. It is evident that the actions and decisions of Hloverka Novak Srzić and Vanja Sutlić led to the sanctioning of the journalists: Denis Latin, Aleksandar Stanković, Ana Jelinić, Robert Zuber, Lela Knežević, Ivana Dragičević Veličković, Sanja Mikleušević Pavić, Zoran Šprajc, not to mention others. This can be deduced from various accessible documents and decisions from the governing bodies of HRT that point out that these journalists had only come into conflict with management after publishing or attempting to publish information that uncovered or raised suspicion of corruption, organized crime, the relation of organized crime and politics, or spoke out against the dubious actions and behavior of HRT management. A particular example that could be sighted as evidence of illegal control and censorship over HTV content is the action taken against Ana Jelinić the former editor of the show Dossier.hr who was demoted from her position on November 12th, 2009. Hloverka Novak Srzić expressed her personal disdain and dislike of the guests on the show Dossier.hr (Malić, Miljuš, Jelinić, Appelt, and Podumljak). It is important to note that these guests were mainly discussing and debating the issues of corruption and organized crime in relation to the political and administrative structures of the Republic of Croatia. It should here also be mentioned that Ana Jelinić has since been cleared by the Ethical Committee of HRT of any unethical or unprofessional action as the editor of Dossier.hr. This case was brought to the Ethical Committee by Hloverka Novak Srzić only after Ana Jelinić had been demoted. This is a clear example of Hloverka Novak Srzić's attempt to use her authority as the Chief Editor of the News Programming division to censor the reporting of corruption and organized crime, to violate the rights of journalists and editors to exercise their independent opinions and thus to close the space for democratic discourses through the public media. This type of interference with the rights of journalists and editors to publish and air "politically sensitive" information has been generally numerous times without any sanction or reprimand.

This type of behavior engaged in by the Chief Editor of News Programming leads one to question the role and authority of the Head Director of HRT Vanja Sutlić. As the Head Director of HRT, Vanja Sutlić, has the obligation and duty with the authority invested in him by the HRT Programming Council to act upon these numerous interferences on behalf of the public interest. Vanja Sutlić's obvious negligence and incompetence in these matters as well as his questionable approval, knowledge and participation in such behavior leads one to the conclusion that he is unfit to defend the public interest as the Head Director of HRT. This is not to mention the various accusations of public procurement irregularities that have recently brought Vanja Sutlić's conduct into question.

The Partnership for Social Development would also like to point out that this type of improper behavior from the management of HRT has caused widespread internal disagreements and animosity from the journalists and editors of the News Programming division employed by this public institution. This oppressive atmosphere created by the management culminated in the staging of a protest by 150 journalist and editors of the News Programming division on November 20th, 2009 whereby they placed bandages upon their mouths to symbolize the censorship and violation of their rights to freedom of expression. The HRT Programming Council began their session on November 20th, 2009 in which these issues were discussed. This session was continued on November 23rd and

PARTNERSTVO ZA
DRUŠTVENI RAZVOJ
ANTI-KORUPCIJSKI PROGRAM

LOMNIČKA 1
HRVATSKA
e-mail: info@psd.hr
telefon: 00 385 (1) 60 55 668



PARTNERSHIP FOR
SOCIAL DEVELOPMENT
ANTI-CORRUPTION PROGRAM

10 000 ZAGREB
CROATIA
web: www.psd.hr
fax: 00 385 (1) 60 55 669

November 30th 2009. The Partnership for Social Development presented them with the petition then signed by 3617 Croatian citizens for the dismissal of Hloverka Novak Srzić and Vanja Sutlić. The HRT

Programming Council decided to call for an investigation of the events that led to the widespread internal and external criticism of the News Programming division on November 23rd, 2009. The investigation was led by Director of HTV Blago Markota. The results of the internal investigation presented on November 30th, 2009 pointed to the negative perceptions of the employees towards the functioning, quality, atmosphere and management of the News programming division. This was deduced from four questions asked to 186 employees. Out of the employees surveyed 81 to 94% gave negative responses to all four questions asked. This led Blago Markota to conclude in his report that Hloverka Novak Srzić should be removed from her position as Chief Editor of the News Programming division. The HRT Programming Council will make their decision upon the report when their session continues on December 8th, 2009.

The Partnership for Social Development would here like to highlight the number of confirmed informal meetings that have taken place between the members of the HRT Programming Council since Blago Markota's report on the management of the News Programming division of HTV. These informal meetings violate the democratic principles of accountability and transparency that both the acts and regulations that govern the HRT Programming Council are meant to uphold. This represents an obvious public relations move by the HRT Programming Council to resolve the issues behind closed doors instead of in an open session of the Council. Another serious concern of the Partnership for Social Development is derived from media reports of an informal deal that has been worked out by the council members where by Hloverka Novak Srzić and Vanja Sutlić would be allowed to respectfully resign and accept a less public position within the structure of HRT. This type of public relations solution is problematic. The gross nature of their violations calls for their outright dismissals by the Council according to the Law on HRT. Furthermore, this would send an incorrect message and set a precedent for the incumbent and future managers of HRT and HTV. It would show them that they could violate and circumvent various international and domestic laws and regulations and not be subject to the stimulated penalties. The Partnership for Social Development is also alarmed at the media reports stating that Hloverka Novak Srzić has recently been in a private meeting with the Prime Minister of the Republic of Croatia Jadranka Kosor as well as other government officials. This again violates several legal and regulatory principles, namely, the independence of the public media from illegitimate political and government influence. The Partnership for Social Development would insist upon the importance of the HRT Programming Council to uphold all the statues, regulations and procedures that govern the sessions of the Council and the selection and dismissals of HRT management. This must be done in order to defend the professional ethics and norms within the domain of journalism and the media and to uphold the liberal democratic principles upon which the Constitution of the Republic of Croatia is based.

PARTNERSTVO ZA
DRUŠTVENI RAZVOJ
ANTI-KORUPCIJSKI PROGRAM

LOMNIČKA 1
HRVATSKA
e-mail: info@psd.hr
telefon: 00 385 (1) 60 55 668



PARTNERSHIP FOR
SOCIAL DEVELOPMENT
ANTI-CORRUPTION PROGRAM

10 000 ZAGREB
CROATIA
web: www.psd.hr
fax: 00 385 (1) 60 55 669

The Partnership for Social Development can only conclude based upon the evidence documented above that several international conventions, treaties, and principles have been violated as well as the human and constitutional rights of Croatian citizens. The Partnership for Social Development would also highlight that these events point to an infringement of the Copenhagen political criteria in particular the articles pertaining to the freedom of expression. The Partnership for Social Development calls for an immediate remedy to this situation without illegitimate political or government interference into the public media, a solution that respects all the relevant domestic laws and regulations of the Republic of Croatia. This is especially urgent due to the fact that at the present time Croatia is holding the campaign for presidential elections. The decisions of the HRT Programming Council on December 8th, 2009 will be a vital display of the current status of the rule of law and democratic rights in the Republic of Croatia.

For Partnership for Social Development:

A handwritten signature in black ink, appearing to read 'Munir Podumljak', is written over a faint, circular official stamp or seal. The signature is fluid and cursive.

Munir Podumljak, PSD Resident

Zagreb, 4 December 2009