

STRIKINGLY OBVIOUS

The Association of Gambling Providers (UPIS) informs the public that it submitted, on 4 May 2012, a formal request to access information of public interest for getting insight to the documents based on which:

1. starting with 30 September 2011, the *Daily Press* company has been organizing a game of chance in the talk show *Piramida (Pyramid)* aired on its own TV *Vijesti*;
2. the Games of Chance Administration has taken a stand that the game organized by the *Daily Press* on its TV *Vijesti* during the talk show *Piramida* is a prize game, as asserted by the Games of Chance Administration and by the Ministry of Finance, and not a game of chance as asserted by UPIS and stipulated in the Law on Gambling, the only act in force regulating this issue;
3. providing the game in the talk show *Piramida* by TV *Vijesti* is covered for the periods the “decisions” issued by the Games of Chance Administration were not in force:
 - a. from the beginning of the broadcasting on 30 September 2011 to 16 December 2011 when the first “decision” by the Games of Chance Administration No 02/01-1170/2 adopted on 14 December 2011 entered into force;
 - b. from 3 February 2012 when the abovementioned “decision” 02/01-1170/2 expired to 2 March 2012 when, according to a statement issued by the Ministry of Finance of 30 April 2012, the “decision” by the Games of Chance Administration of 28 February 2012 02/01-159/3 entered into force and expired on 16. March 2012; and
 - c. from 16 March to date, the period for which the Games of Chance Administration and the Ministry of Finance failed to present the corresponding “decision” or another document based on which the talk show *Piramida*’s game might be provided.

UPIS requested the abovementioned acts as a material evidence confirming or denying our doubts based on facts concerning the collaboration between the *Daily Press* and some state institutions aimed at acquiring illegal material profit; i.e. which would serve as a material evidence proving or denying the claims made by UPIS and presented to the State Prosecutor’s Office and numerous state institutions, diplomatic missions including the EU Delegation to Montenegro headed by Ambassador Leopold Maurer.

Explanation

From the Association of Gambling Providers’ point of view, the violation of law is strikingly obvious here, together with a series of committed criminal acts, even if we accepted - what we find legally unfounded and moreover, contrary to the Law - the stand of both the Games of Chance Administration and the Ministry of Finance that the game provided by TV *Vijesti* in its talk show *Piramida* is a prize game, not a game of chance.

The proof that something was wrong is the fact that broadcasting of the talk show *Piramida* started on 30 September 2011, while the legal representative of *Daily Press* declared as early as December to have an “oral authorisation” by an employee of the Games of Chance Administration that the *Daily Press* is

allowed to provide the game; that on 8 December an act by the *Daily Press* (TV *Vijesti*) was sent to UPIS saying that they had initiated a request for an “opinion”, while, on the other side, the Law on Gambling – the only law in force regulating this field – is devoid of both “oral authorisation” and “opinion”.

Our doubts are substantiated by the fact that the company *Daily Press* had already illegally provided the games of chance in their TV shows *Mazda-Vazda* (*Mazda-Always*) and *Licitacija* (*Auction*), whereas the Ministry of Finance said in an official statement on 30 April 2012 that “Based on the proceedings of the Games of Chance Administration, providing of games *Licitacija* and *Mazda Vazda*, as well as the similar ones, was suspended”, while on the other side no essential difference was indicated between the games provided in the shows that were suspended by the “proceedings” of the Games of Chance Administration and the game provided in the show *Piramida* that has not been suspended to date and for which neither an act nor at least a “proceeding” by the Games of Chance Administration was specified as an intent to do so.

Organized crime?

From all the aforementioned, as well as numerous other proofs only a small part of which was presented to the State Prosecutor, many state institutions and foreign diplomatic missions, UPIS has a reasonable doubt that what might be going on here is a sponsorship of state institutions – namely the Games of Chance Administration and the Ministry of Finance – over long lasting illegal providing of games of chance in TV *Vijesti*’s talk show *Piramida* and the earlier games *Licitacija* and *Mazda-Vazda*. Therefore, UPIS has a reasonable doubt that it is a case of organized crime sponsored by the abovementioned parts of the state administration and on these grounds, on 8 December 2011, it brought criminal charges for illegal activities to the State Prosecutor’s Office against the than director of the Games of Chance Administration Aleksandar Moštrokol.

Furthermore, UPIS is hereby expressing doubt based on numerous facts that the draft Amendments to the Law on Gambling, which failed to be adopted by the relevant parliamentary committee, is made to meet the needs of the abovementioned and possibly other interest groups and against the public interest of the state of Montenegro. This stand has already been presented to all the competent government bodies and diplomatic missions in Montenegro.

The Association of Gambling Providers publicly states that, on Friday, 4 May 2012, it addressed the diplomatic missions in Montenegro sending them an English translation of the latest correspondence between the Ministry of Finance and UPIS (Statement of the Ministry of Finance of 30 April 2012; Act of the Minister of Finance sent to the Association on 27 April 2012; Act – Rejoinder of the NGO UPIS to Minister Milorad Katnić of 2 May 2012), which we find that, together with the previously submitted and presented documentation, makes it strikingly obvious that the Association of Gambling Providers and its individual members have been intentionally targeted and exposed to a public media lynch by the NGO MANS, tabloid *Vijesti*, TV *Vijesti* and weekly tabloid *Monitor* in an attempt to discredit and cause harm, as well as to file charges for false threats, aimed, as well, to discredit and cause harm; all calculated for the effect of covering up their criminal acts and collaboration between the interest-based unprincipled coalition as this Association has been repeatedly pointing out to government institutions and the public, during the previous months

UPIS will continue to provide insight to and submit the complete documentation concerning the abovementioned collaborating interest-based unprincipled coalition as long as it gets full confidence in the institutions of the legal system of the state of Montenegro both to the public and the diplomatic missions.

The NGO Association of Gambling Providers publicly calls the State Prosecutor's Office to start doing what they are paid for from the pockets of the citizens of Montenegro and to protect the citizens and the State from the organized crime.

We are publicly asking the respected members of the diplomatic corps:

In their countries, would it be allowed to organized criminal groups made of media and parts of state administration working together to conduct media lynch against companies doing business in accordance with law and respecting all their legal obligations, as confirmed by the Ministry of Finance on 30 April 2012?

In their countries, would it be possible for media collaborating in an organized criminal group with a part of state administration to launch a media lynch by publishing biased, untrue and baseless allegations in front page headlines and by breaching the right of those attacked to have their denial published, whereas not a single government body reacts; and, finally, once it is all presented through a joke and mockery, by proclaiming it a threat against those media?

In their countries, do editors praise as their own highest virtues and editorial capabilities scores of publicly slurred companies and untrue allegations about them, for the benefit of the media owner?

In their countries, do editors send messages to subjects of their writings demanding \$30-40 000, and then file suits for murder threats against the same people they demanded money from?

In their countries, is the only sanction against people like this a reprimand and demagogic removal from the position of editor?

In their countries, are civil sector organizations and business companies subject to prosecution only because they pointed out to unlawful and unprincipled activities of government bodies and media?

In their countries, could something so visible, strikingly obvious and logically conclusive be named a media war or do their media, like ours, call everything they dislike oppression against media?

In their countries, do institutions of criminal investigation and prosecution act in accordance with someone's feelings or based on material and legally based facts?

**Association of Gambling Providers
UPIS**