



REGULATORY
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Report of the Monitoring and Analysis Service

Ex officio **procedure**, based on a complaint

MSP: TV Pink — PINK MEDIA GROUP društvo sa ograničenom odgovornošću, Neznalog junaka 1, Belgrade.

Complaint: 04.11.2024

Subject of oversight: News and current affairs programme, 8, 9, 17 and 18. 10. 2024

Short description: News and current affairs contents related to the trial of the Kecmanovićs.

Report: The complaint refers to the broadcasting of details from a hearing in which K.K, minor and perpetrator of a crime, participated in the capacity as a witness. The complainant is of the opinion that an infraction was committed regarding the protection of the minor by broadcasting his full name and surname, as well as by broadcasting the content of the trial that is closed to the public for the purpose of the protection of the minor, because of which, based on the allegations of the complaint, the First Basic Public Prosecutor's Office initiated a case for the purpose of examining the breach of proceedings confidentiality.

The disputed parts of the TV Pink news and current affairs programme are presented in the transcripts contained in the complaint filed.

By examining the indicated disputed details of the news and current affairs programme of TV Pink, it was established that the details that allegedly violated the confidentiality of the proceedings (while indicating that it was unofficial information) refer to the courtroom setting — the courtroom was divided into three parts, separated by bulletproof glass, etc.

A part of the allegations from the complaint relates to a programme that analyses the reports in the daily press that present K.K.'s allegations incriminating his parents. The programme host repeated that the credibility of the allegations was questionable and that there were no official confirmations related to the event.

In one of the broadcasts, one of the parents of the students who had been killed at the Vladislav Ribnikar school was interviewed. Allegations from the testimony of the minor K.K were repeated, in which he blamed his mother for the crime he had committed because *she yelled at him and pushed him to be the best*, as well as the father who had the gun he used to commit the mass murder.

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In addition to the incriminations of the father and mother, while referring to the reports in the print media, the other details of the testimony of the minor K.K. were presented in the programme, such as the fact that he killed as if he was playing a game and that his favourite book was Idiot. A TV Pink reporter, who was accredited to the trial and invited to the studio as an interlocutor, stressed that the trial was closed to the public and therefore was unable to comment on its content, so the information from the daily press was again presented.

Proceeding from the fact that the trial was closed to the public for the purpose of protecting the identity of the minor and the obligation of the regulator relating to the protection of minors, the Technical Service takes into account the fact that the disclosed content of the proceedings (appearance of the courtroom, criminal charges against the parents, etc.) is not such that it violates the dignity of the minor and his other rights. Regarding the broadcasting of the full name and surname of the minor, although the **Rulebook on the Protection of the Rights of Minors in the Area of Media Services** states that the MSP has an obligation *to protect the identity of minors even when a public authority or other person failed to do so*, the allegation of identity confidentiality breach is without merit since the identity has been fully public since the actual crime was committed in May 2023. In addition, the identity of the minor is also clear based on the publicly known identity of his parents, who are also the subject of the specific court proceedings in which the minor appears as a witness. Even if it were taken into account that the minor has been harmed by releasing his identity, as well as the details of his testimony in court, the Technical Service is of the opinion that the harm is minor compared to that which stems from the liability for the atrocious murder with which he is charged.

In the TV Pink programme, a so-called B-roll footage from the court building was broadcast, showing the shaken parents of the murdered children. The MSP's obligation referred to in Article 19, paragraph 1 of the **Rulebook on the Protection of Human Rights in the Area of Media Service Provision** is *to broadcast information about the tragic event without sensationalism and with respect for privacy and dignity of the victim of such an event, the victim's relatives or other persons close to the victim*. The described content could be interpreted as sensationalist and as a breach of privacy and dignity of persons affected by the tragic event. Consequently, the obligation prescribed by the above provision has not been fulfilled.

Conclusion: Proposal to initiate an examination procedure related to the violation of Article 19, paragraph 1 of the **Rulebook on the Protection of Human Rights in the Area of Media Service provision**.
