

To: Mr. Obrad Kesić

RS Office for Cooperation, Trade and Investment

1701 Pennsylvania Ave NW, Ste 300. Washington, DC 20006

Dear Mr. Kesić,

Here's a point-by-point reply to your letter.

1. Lack of Fairness:

You claim that you were denied an opportunity to dispute our „fake claims“, yet you fail to provide any evidence that we have „generated fake news“, as you claimed. These are the false and/or misleading claims you made to substantiate your statement that we demonstrated lack of fairness and generated fake news:

a) You falsely claim that we haven't acknowledged Mr. McEwen's position in the Council for National Policy. We have been covering the claims of the RS officials about the US President's inauguration for a month and all the articles we have published on the topic were referenced in the original article that prompted you to contact us. The first one (dating 27.12.2016., available on the link <http://istinomjer.ba/dodik-trumpova-inauguracija-predsjednik-saveza-nezavisnih-socijaldemokrata-na-balu-ekstremne-religiozne-desnice/>), gives an extensive overview of the dispute concerning the nature of the supposed official invitation that Milorad Dodik received, including the fact you wrongly claim we have failed to publish: that Mr. McEwen is a director of Council for National Policy (along with a link to, and a screenshot of, the organization's website).

It's important to stress that neither you or Mr. Dodik have ever confirmed that the invitation did, in fact, come from Bob McEwen (you even avoided directly confirming it in this letter). Moreover, Mr. Dodik showed the invitation letter with the signature omitted, leaving the public to guess who it came from - and most of the informed guesses pointed to McEwen. However, as there was no official confirmation or evidence, we never claimed that Bob McEwen was the sender of this letter, nor did we present him as such. The focus of our article wasn't on him, but on the fact that Mr. Dodik presented an invitation to an unofficial event as an official invitation by the Trump's transition team, even stating that he will be „seated in the seventh row“ at the ceremony.

Former Congressman McEwen was even less of a subject in the article you are commenting on – he was literally mentioned once, in brackets and clearly titled as the „supposed sender“ of Dodik's invitation to the „Faith, Freedom and Future“ Ball. There was no reason whatsoever to re-publish his biographical data (mostly obtained from his own personal website, which, btw, fails to mention either his CNP or „transition team“ positions) which was

presented in the first article. It is unclear why you single out this irrelevant detail and present it as a major flaw or „unfairness“.

You then go on to accuse us of not writing about the supposed vilification of MccEwen and the malevolent phone calls you claim he has received from „many of our fellow “journalists” and activists of Bosniak NGOs.“ In doing so you are being deliberately offensive and extremely manipulative. You imply that we should have gone searching for something we didn't know existed (the supposed mistreatment that McEwen suffered) and about someone who was but a side-note in the article we published. This makes no sense and clearly serves no other purpose but to fabricate evidence of our supposed bias.

b) You falsely claim that we didn't publish the pictures of invitations to inaugural ceremonies provided by Ms. Cvijanović, because that (along with the CNN's “gigapixel” photo) would have proven that they had formal invitations to the swearing-in ceremony. None of this is true.

Not only have we published the very photograph provided by Ms. Cvijanović, but we wrote an article centered around it, that was also linked and referenced in the original article (<http://istinomjer.ba/cvijanovic-u-washingtonu-privatno-o-drzavnom-trosku/>). We did not re-publish this, or other photographs you mention further in your letter, as we provided links to all the relevant material we have published in the past month. We did not publish the “gigapixel” - for obvious technical reasons - but we did provide a link to the „Klix“ article discussing that very photograph.

You then go on to make more misleading claims about the inaugural protocol that we feel should be quoted here in entirety. You claim that Ms. Dodik and Ms. Cvijanović received the “official invitation packet issued by the official Congressional Inauguration Committee” and that CNN's photo “...clearly shows them before the beginning of the ceremony, in the seating section, (Green - House of Representatives – Zone) reserved for official attendees, both domestic and international. Likewise, you misrepresent where they are sitting as being “a zone for visitors” and not for official guests. This is an easily documented lie as “visitors” would only be able to have access to the public standing room zones behind the areas reserved for guests with official tickets to the swearing in ceremony. The CNN picture and their tickets prove your statements to be false. The tickets with which we were provided came from a member of Congress and a former Chair of the Republican Party. We were also provided with tickets in the Yellow (Senate) sitting zone by a Senator.”

First of all, in the article linked above, we published, side by side, the photograph of the supposed official invitation and the screenshot of Joint Congressional Committee on Inaugural Ceremonies' “Inaugural Site Map & Guidelines”, which show that the exact same design and wording (requesting “the honor of your presence”) is used in the invitations accompanying **all tickets** issued by the Committee, including those for the standing areas furthest from the Capitol. The tickets were color-coded, providing entrance to different visitor zones, but not to the Capitol building, where the official guests were seated.

We found no mention whatsoever that the green zone - or any other ticketed zone, for that matter - was “reserved for the official attendees” as you claim, despite searching numerous media reports on the inaugural preparations and the websites of both Congressional and Presidential inaugural committees. We never disputed that Cvijanović and Dodik had tickets – they clearly did, as they were in the ticketed area. We did, however, dispute that Ms. Cvijanovic's ticket is equal to a formal invite that would justify treating her trip as an official visit to the US and we stand by that claim - based on the exact evidence you are attempting to use to counterfeit it.

Namely, you claim that “visitors” could only attend the public standing areas, unlike the “guests” (which you also refer to as “official guests”) who had tickets. This level of disrespect for the facts is downright offensive as, yes, we are capable of doing “a simple Google search” and learn about the fact that having tickets for the inauguration does not make one an official guest. As you are surely also aware, 250.000 tickets were printed and delivered to the members of the House and the Senate, who then handed them over to their constituents at their request. You stressed that you got the tickets from two members of Congress (one from the House and one from the Senate). Of course you did - there was no other way to obtain the inauguration tickets, but to get them from the members of Congress (unless you bought them from another person who got them from their Congress representatives, which was probably unnecessary as you are an American citizen and are fully entitled to request tickets from your representatives).

Presenting all this as some kind of proof of any „official capacity“ is utterly misleading. There were no „official tickets“ as opposed to „unofficial“ tickets. The Joint Congressional Committee on Inaugural Ceremonies issued **all the tickets** and they were all „official“ in that sense. They were not, however, official in the sense of being an „official invitation“ that would make the ticket-holder an „official guest“. Official guests, invited by the Committee, were seated at the Capitol's main platform, not in the ticketed areas. You also equate standing zones with non-ticketed zones, which is incorrect. The ticketed areas were both seating and standing, and there was a separate, non-ticketed standing area at the back of the Mall. Additionally, the CNN's “gigapixel” does not show Ms. Dodik and Ms. Cvijanović before the ceremony. They are captured during Trump's speech, at the moment when they near the concrete fence separating the Capitol grounds from the pavement in front of the building, taking a “selfie” which they shared with the media (<http://edition.cnn.com/interactive/2017/01/politics/trump-inauguration-gigapixel/>).

In order to stop this nonsense you keep spreading in attempts to misinform the public about the elements of the inaugural ceremony such as official tickets, (un)official guests and visitors, official and public zones, etc; let us, yet again, provide a link to the official guide to the 2017. inauguration (containing detailed map of ticketed areas, clearly distinct from the Capitol Building) hoping to settle this matter once and for all: <https://www.inaugural.senate.gov/imo/media/doc/Inaugural%20Site%20Map%20and%20Guidelines.pdf>

c) You use the same „arguments“ as above to prove that there were other „international guests“ in the official capacity, providing links that seem to point to publicity stunts similar to the one you tried to pull with Mr. Dodik and Ms. Cvijanović. To illustrate this remark, here is a citation from Presidential Inaugural Committee spokesman, disputing the article you provided as to prove that „leaders of Israel's settler movement are being treated as honored guests at Trump's inauguration ceremony and ball.“

“The only representatives who will be invited are members of the diplomatic corps who are based here in Washington, DC,” he said. (source: <http://www.timesofisrael.com/invites-in-hand-settlers-see-trump-inauguration-as-sign-theyve-arrived/>)

This, certainly, applies to all the other fake claims of inviting „official international guests“ to the inauguration, including Ms. Cvijanović and Mr. Dodik.

d) You falsely claim that you have always “stated that (Mr. Dodik) had been invited to unofficial inaugural events organized by influential organizations and individuals“, which the very article you are commenting here proves to be false. This is a quote of the statement you gave on 28.12.2016. that we published in the article, where you state that Trump campaign will „add“ foreign officials to the diplomatic core that usually has an official seating in the ceremony:

„Ambassadors of all countries are largely present at the swearing-in ceremony. However, there is a decision in the Trump campaign and organization to also invite some people from the international community, which they wish to build better relationship with. As far as I know, 20 foreign officials were invited, including President Dodik and Nigel Farage from London“

(Original quote: Na samoj zakletvi u velikoj meri su prisutni ambasadori svih zemalja. Ali, iz Trampove kampanje i organizacije postoji odluka da se pozovu i neki ljudi iz međunarodne zajednice s kojima žele da izgrade bolje odnose. Koliko znam, pozvano je do 20 stranih funkcionera, među kojima i predsednik Dodik, kao i Najdžel Faraž iz Londona.)

We also quoted you saying that Cvijanović was going to sit in the area “reserved for members of Congress, former and current” which, again, is untrue, as the members of the 114. Congress (at least those who chose to attend) were seated in the Capitol terrace, not in the ticketed area. Prior to the Inauguration day, you even made a remark that you aren't at liberty to reveal where Cvijanović will be seated „for reasons of security measures“, which is utter nonsense.

e) You falsely claim that we downplayed your contact with Reince Priebus and described it as bizarre. This is a misleading statement. The term was not used to describe the contact (we're not sure what that would even mean), but to describe the shady “proofs” that have been presented by you and Ms. Cvijanović to document the supposed ties of RS officials to the new US administration. More specifically, it was used to describe a photograph accompanying the article in which you presented your random encounter with Trump's chief of staff, which happened at a reception organized by The Hellenic Initiative, as a diplomatic activity. This incidental and unofficial encounter was given additional gravitas when the RS prime minister, Željka Cvijanović, was quoted saying that “The RS Representative Office has already held conversations with high officials”, referring to your presence at the reception – if the RTRS' report is to be trusted. We hold that the term „bizarre“ is entirely justified here, as you illustrated the claims of your office's supposed diplomatic engagements with high officials of Trump administration, with an extremely low-quality photograph, taken from behind and above Mr. Priebus, making it unclear if he was even aware that he was being photographed (particularly in this context and for purposes of illustrating „high level contact“).

The term equally applies to the other two photographs taken at this reception that we didn't publish in the article (but have provided a link to the article where they are published). You state that we deliberately left out these pictures because they “support your claims” of making high-level contacts. However, one shows you in a similarly incidental encounter with George Papadopoulos, while another is a photograph of Mr. Priebus receiving a Medal of St. Paul of the Greek Orthodox Archdiocese of America, which is not even remotely relevant to your claims of making diplomatic contacts - except, perhaps, to prove that Mr. Priebus really was present at the reception (which we never disputed anyway).

You further state that these photographs document “only one aspect of your efforts and contacts established over the last several weeks leading up to the inauguration”. Yet, in a maneuver similar to that you've been publicly displaying in the past few months, you once again avoid giving any specific detail or factual proof that would support this claim. At the

same time, you continue to insist on the “evidence value” of the photographs which literally prove nothing but the fact that you’ve met Mr. Priebus and Mr. Papadopoulos because you all attended the same reception. This makes the choice of your next „subtitle“ quite ironic.

2. Faulty, Slanted and Misleading Use of Statistics and Evidence

a) You accuse us of misrepresenting your Office's work by using faulty methodology and selected statistics, referring to the comparison between the amount of investments from the US to RS and the money spent on your Office and other US firms hired by RS Government. You continue to suggest that our methodology is flawed because we didn't focus on your accomplishments, but on the amount of US investment in the RS.

It is nonsensical to claim that comparing the *amount of investment in RS from the US* to the amount spent on *promotion of investment to RS in the US*, is a flawed methodology. Of course we have looked into economic trends, rather than searched for isolated occurrences such as those you chose to list as your Office's accomplishments (opening of one office in Banja Luka, a single visit from Jon Hopkins Hospital's surgeon, a promotion of a book by a Bosnian-born and currently US-based author). Moreover, there is no single address which would provide for an overview of even such accounts, as in the 3,5 years of your Office's existence, you are yet to make an effort to put up an official website with detailed track record and relevant institutional information. That would be a good start for the more thorough account of your results that you offer to provide in your letter, in the name of transparency you claim to have displayed in your work.

You falsely claim that reports of your activities mentioned above are available in the public documents that we used to obtain the financial information we cited in the article. You state that we chose to omit them and focus only on the spending, in order to “trigger an emotional response of our readers”. This accusation is without any merit. The documents we used, as explicitly stated in the text, are the semi-annual reports you filed under the Foreign Agents Registration Act. As you are well aware, the only detailed account of your activities presented in these reports is the listing of your political activity demanded by the FARA provisions and defined as any activities intended to influence official US bodies or office holders to advance the interests “of a foreign country or a foreign political party” (you’ve reported 123 such contacts in the span of two years covered by your reports). Any and all of your other activities are summarized in short narratives only, without any mention of specific deals or agreements you might have made in the past 3,5 years, including those which you cited in this letter as your Office's accomplishments that we „deliberately failed to mention“. Again, here are the links to the FARA reports, to make clear that they hold no such content, contrary to your claims: [March 2014](#), [October 2014](#), [May 2015](#), [October 2015](#).

You continue to suggest the comparative analysis which, in your opinion, would have been more accurate cost/benefit analysis, such as comparing your office to the BiH Embassy in US, the representative offices of cities, regions and neighboring countries. This was clearly completely outside of our focus in the original article, but we would be interested to see such analysis, if you are interested in providing them. On the other hand, there are indeed several other approaches we could have taken in establishing the success of your office, which are more in line with your job description. For example, looking into promotion of trade would show that US has been stagnating around the 20th place in the list of countries where RS is exporting its products, not moving up for years since the amount of exported goods has plummeted in 2009. It has dropped from 171.396.000 KM in 2006, to in 12.557.000 KM in 2015, while the import increased from 19.686.000 to 47.200.000 KM in the same time period (source: Official RS trade statistics from [2006-2010](#) and [2011-2016](#)). The trade rates could

also be juxtaposed to the amount of public funds your office has been receiving during the time it has been active, compared to those received by other RS representative offices in several countries where they have been set up. There are certainly more angles of cost/benefit analysis that we didn't choose for this article, which we'll try to correct in the future.

b) You claim that we „misrepresent the RS lobbying budget, lumping in all costs in the U.S. under lobbying.“ This is only true in the part that we did use the term “lobbying” as an umbrella term for hiring different companies in the States to council, represent or advocate for the RS Government and/or officials. If you suggest a better term that would encompass all these activities in a similar fashion, we're prepared to correct it accordingly.

However, it is malicious to suggest that this was a deliberate omission or distortion of facts, as we did provide a detailed account on what each firm was hired to do and explicitly stated what were the exact services and activities that each of the firms listed in the FARA reports. We even created, and presented in the article, a separate document to provide this detailed information, based on the data we extracted from 20 semi-annual reports filed under FARA (available here:

https://docs.google.com/document/d/1II2Su7Yw0fXNwXTj1mupQALdiH3_KMFh9CaYtexjDmU/pub)

As to your other arguments in this „section“, it's unclear to us which legal case against Paddy Ashdown you are referring to and how this is related to the topic of our original article.

c) You accuse us of „selectively providing your professional background and work history“. The truth is, we haven't „provided“ it at all, as it was of no relevance for our article, which was focused on your current activities.

Your biographical data was mentioned in two side-notes:

- once to point out that your professional ties with Ms. Vlastelić Rajić go back some 20 years ago, when you both worked for the same company (the ICN, then owned by Milan Panić). As she is a long-time business associate of yours, who is currently both an employee of your public Office and a business partner in your private company, this clearly raises concerns that you've been using RS public funds to advance your business connections. This is the extent to which this biographical data was relevant and therefore mentioned. We never addressed your political positions or beliefs, so there was absolutely no need to get into your history of toppling Slobodan Milošević, which you suggested would have been a „fair“ thing to do. This would have made sense if our focus was on you personally, which it was not. That being said, we have to notice that getting into this part of your biography would hardly be beneficial for the political beliefs and positions you are expressing today – or for holding a position from which you attempted to slander our work as being „in the interest of foreign governments“. Specifically, we are referring here to statements such as these that you have made in 1996, at the [Hearing on political turmoil in Serbia](#), held before the Commission on security and cooperation in Washington:

“In order to encourage the peaceful resolution of the present crisis and ensure the democratic development of Serbia, the United States should, among other things, consider the following options. One, continue to pressure Mr. Milosevic and his regime by maintaining the diplomatic isolation by recalling our representative, Mr. Miles, for consultations, and encouraging our European allies to do the same with their Ambassadors. We should continue to block Yugoslavia's participation in regional and international economic and political

meetings until the government indicates a willingness to compromise with the opposition. Furthermore, we should look into the possibility of introducing targeted economic sanctions against Serbia's ruling elite and their families. Secondly, we should include Serbia's media and nongovernmental organizations in all programs of assistance currently being funded by the U.S. Government in the region."

- the second time, in a very brief mention that, as a member of the Democratic party, you have voiced your support for Bernie Sanders - as this rang very peculiar in comparison to your recent praises of Donald Trump and the high hopes you have expressed for his foreign policy. We don't see this as an unfair or biased move, but if you insist that this portrays you in an unfair light, we're prepared to take your arguments into account.

3. Opinionated and Activist Journalism with a (un)Clear Political Agenda

This whole claim is nothing but a series of statements without a single shred of proof to sustain them, so we will be short in our answer. Our objectivity and fair journalism is something we are proud of and have been for the whole period of the past 7 years we have been working on. Statements similar to yours, both in content and lack of any proof, have been oriented towards us from various political actors in BiH, depending on how our analysis portrayed their work.

However, over a long period of years and hundreds and even thousands, including the tracking of promises, fact-checks we have made, we have never had to make a single correction of our fact-checks. In the two times we have been asked to do it, we have both times made a successful argument that our claims were correct. Also, the raising interest in the media, both local and international, to our work (as it was the case also with this analysis you refer to, as you have probably been informed by the funders and founders of your office), together with a fast-growing constituency of our readers, proves that people have started to appreciate hard-evidence journalism with a strong integrity base and that the controlled and non-ethical media reporting is not longer to be trusted in this society.

To finish, all our articles are containing clear links to sources and are using only hard data and evidence, as any reader who reads them can testify to – and the analysis we are referring to falls no short of that standard, even more, we find it to be one of our most argued and documented articles. We would encourage you to adhere to same standards when making your statements and accusations.

4. Lack of Transparency

As this paragraph is also full of speculation and statements with no evidence, we will also be short. We are totally transparent in all aspects of our work: all of our editorial is named and all the articles are signed (unless written by a group of authors), methodology is clear and made public, all our sources are always cited and linked to, and all our funding is made available to anyone who requests it together with all our financial documents and any other information of that kind. There are even media reports easily searchable and available on our funding for Istinomjer.

To make it easier for you, Istinomjer is funded by the National Endowment for Democracy in the amount of 71.000 USD for 2017. That funds our Istinomjer staff of 6 people and we fact-check some 300 statements per year at least, have over 50 different analysis and track over 600 promises made by the parties that formed governments on the entity and state level in BiH. And, the same as with your office, we document all our expenditure to BiH government

in total, and to any other government in the cases our funds come from them. All of the other things stated in your point we will not address, since we are not subject of them, even if you make several outstanding statements that we would love to debate on. In any case, we will leave the rest of the discussion to some other arena, since that is not the point of this debate.

Finally, your accusation that we broke the fact-checkers Code of Conduct is particularly manipulative and misguided, for several reasons. First, the original article that you are commenting on was published as an analysis, not as a fact-check. This is clearly visible from the lack of rating we assign to all of our fact-checking pieces. However, the Code of Conduct you provide lists the following principles, which we haven't broken in this article or otherwise:

1. „A COMMITMENT TO NONPARTISANSHIP AND FAIRNESS: We fact-check claims using the same standard for every fact check. We do not concentrate our fact-checking on any one side. We follow the same process for every fact check and let the evidence dictate our conclusions. We do not advocate or take policy positions on the issues we fact-check.“

We have so far fact-checked hundreds of statements from all major political parties' members and official representatives in BiH, as well as tracked the preelection promises of all entity and state governments in BiH since 2006-2010 term. We stand firmly in stating that we've treated them all to the same standards. For the past six and a half years of the work of Istinomjer, we have not had to make a single correction of our fact-checks, we have had two claims in total that our fact-checks have not been correct and both of these claims have been proven to be wrong, with our publishing of the claims in full and our responses to them.

2. „A COMMITMENT TO TRANSPARENCY OF SOURCES: We want our readers to be able to verify our findings themselves. We provide all sources in enough detail that readers can replicate our work, except in cases where a source's personal security could be compromised. In such cases, we provide as much detail as possible.“

All of our work – including this article – has **always** been backed up by providing verifiable sources. We have never published an opinion or a rumor and presented it as fact.

3. A COMMITMENT TO TRANSPARENCY OF FUNDING & ORGANIZATION: We are transparent about our funding sources. If we accept funding from other organizations, we ensure that funders have no influence over the conclusions we reach in our reports. We detail the professional background of all key figures in our organization and explain our organizational structure and legal status. We clearly indicate a way for readers to communicate with us.

We have never made any attempts to hide our funding or any of the sources we receive funding from. Our work on Istinomjer is funded by the National Endowment for Democracy and this can be easily found online, as there are even several easily searchable media articles citing that. Any request for any of our financial documents or information on finances and funding is always made available in the matter of hours or days (depending on the time we need to provide the information requested) to anyone that requests it.

4. „A COMMITMENT TO TRANSPARENCY OF METHODOLOGY: We explain the methodology we use to select, research, write, edit, publish and correct our fact checks. We encourage readers to send us claims to fact-check and are transparent on

why and how we fact-check.“

Again, this has been the case in this article and in all of our work.

5. „A COMMITMENT TO OPEN AND HONEST CORRECTIONS: We publish our corrections policy and follow it scrupulously. We correct clearly and transparently in line with our corrections policy, seeking so far as possible to ensure that readers see the corrected version.“

We are yet to be corrected on any of the fact-checks we published. So far, we have only received two requests to correct our claims. Both times, we published them in entirety and provided both a public and a direct response to the complaints. Both times, the complaining parties haven't contacted us again to dispute the facts given in our response.

Contacting Poynter Institute was clearly a malevolent move on your part, because you used insinuations, logical fallacies, incomplete and misleading claims, opinions presented as facts and politically charged accusations to attempt to damage our credibility - all the while accusing us, with no merit, of doing those exact things that you resorted to in your letter.

Overall, we find the tone of your response shameful and inappropriate for a public servant, particularly in the parts where you replicate the same aggressive rhetorics towards the media and the civil society, that the RS officials are already known for.

We do, however, acknowledge that we should have asked for your comment on the article before publishing it, although the „spin“ strategies you demonstrated in your letter leave little hope that this would have been a fruitful effort in obtaining facts. However, as you did express willingness to engage in open dialogue, provide detailed insight into your work and clarify your statements and claims, we'll take these statements at face value. With this in mind, we would like to publicly inquire about the following:

- How high has the monthly rent for the office space of the RS Office for Cooperation, Trade and Investment been in the past two years (please provide evidence)?
- Do you use, or have you ever used, the same office space for your private firm „TSM Global Consultants“ and the RS Office for Cooperation, Trade and Investment (please provide evidence)?
- Has your third partner in the „TSM Global Consultants“, Steven E. Meyer, ever been enlisted for a paid service by the RS Office for Cooperation, Trade and Investment? If so, what was he hired to do (please provide evidence)?
- Has your Office ever been audited by an independent company and has a cost/benefit analysis of your activities been conducted (or planned)?
- Who were the contractors or beneficiaries of the Outside Consulting Fees you list in your FARA reports and what were they hired to do (please provide evidence)?
- What „legal case against Paddy Ashdown“ are you referring to in your letter? Please provide documents showing when and where the case was brought up and how it was settled.
- Who are the House Representative and a former Chair of Republican party and a Senator that you claimed have provided you with inaugural tickets? How and in whose name were the tickets obtained (please provide evidence)?
- Do you hold any factual evidence which counter any of the claims we have made in the article you commented on, or in this letter? If so, please provide it in a verifiable form.