

code of ethics verbal threats political pressures court proceedings

CHRONICLE

OF ATTACKS AND PRESSURES

AGAINST JOURNALISTS

IN 2015

safety physical attacks media reform security court practice economic pressures

insults

IJAS Early Warning System

IJAS
INDEPENDENT JOURNALISTS
ASSOCIATION OF SERBIA

PRESS

Chronicle of Attacks and Pressures Against Journalists in 2015

NUNS Early Warning System

Belgrade 2015

Chronicle of Attacks and Pressures
Against Journalists in 2014

Publisher:
Independent Journalists' Association of Serbia
Resavska 28/II
11000 Belgrade

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Circulation
300



This publication has been released in cooperation with the Civil Rights Defenders and with the financial assistance of the Swedish International Development Cooperation Agency

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Introduction

In the beginning of 2014 the Independent Journalists' Association of Serbia – NUNS introduced an Early Warning System. The objective of the system was to cover Serbian media scene events in five key areas directly linked to media freedoms and the status of journalists and other media professionals more systematically and more efficiently.

In the course of 2015 as well, media and media professionals on the media scene of Serbia were facing various issues – from those relating to legal aspects of labour and professional problems to social, or, to put it more specifically, existential issues.

According to key indicators on the media scene collected in this report, it is not hard to draw a conclusion that the freedom of expression and media freedoms are far from a passing grade.

This is also evident in the European Commission's 2015 Report on Serbia's Progress. During the previous year, according to the EU report, "Serbia has achieved some level of preparation concerning the right to freedom of expression, however, no progress has been made overall". In spite of a new legislative package aimed at improving the situation in media, particularly in relation to state financing and control of the media, "conditions for the full exercise of freedom of expression are not yet in place", states the EU report. The report also points out that "threats and violence against journalists remain of concern" and that "the overall environment is not conducive to the full exercise of freedom of expression". Some criminal charges have been filed but final convictions are still rare. Prolonged police protection of several journalists, with no tangible action taken to remove the reasons for these security measures considerably complicates their lives and hampers the exercise of their profession.

In their report on progress, EU suggests that in 2016 Serbia should "create an enabling environment in which freedom of expression can be exercised without hindrance", which means that "threats, physical assaults and cases of incitements to violence against journalists and bloggers should be reacted to and publicly condemned". Besides this, it is necessary to complete the process of privatization of the state media, to increase the independence of the Regulatory Body for Electronic Media, to ensure adequate funding of public broadcasting service and editorial independence.

Despite legal guarantees in regards to safety, journalists and other media professionals are exposed to high risks while carrying out their work. In the course of 2015 (until December 7), NUNS recorded 34 cases of physical and verbal attacks, threats and pressures.

The analysis of NUNS public reactions, in compliance with the mission and objectives of the Association, identified five specific fields of actions:

- Reaction to endangering of safety and security of journalists and other media professionals;
- Reaction to political, economic and other pressures against journalists and other media professionals;
- Press-releases due to pressures against journalists exerted by virtue of filing charges, court proceedings and judgements which are not compliant with the practices of the European Court of Human Rights;
- Public condemnation of breaching journalist code of ethics;
- Activities in the field of media legislation reform.

In addition to addressing general public, depending on the nature of a particular case, NUNS addressed various institutions and individuals - responsible and competent for the discerned issues and their solution.

In specific cases, NUNS Early Warning System includes several various activities:

1. Upon receiving information on an incident or a problem, NUNS contacts the parties involved in order to obtain as much information as possible, and thereafter decides on further steps;
2. After reacting in public, NUNS continues to communicate with the specific target groups, including national and, if necessary, international institutions as well;
3. Regarding more burning topics and problems, NUNS covers them by articles which imply deeper analysis of the problem and are posted on the Association's website and published in the newsletter;
4. Particularly intensive communication is maintained with the journalists and other media professionals who are, due to their professional work, exposed to pressures, intimidation and attacks;
5. Within NUNS legal assistance, lawyers provide free legal advice to media professionals in regards to their professional and labour rights.

In the report herein, the most striking cases recorded in 2015 are enlisted within the chapters.

I Safety and Security of Journalists and Other Media Professionals

The previous year of 2015 was not only a calendar continuation of 2014, but also a continuation of frequent troubles experienced by journalists and other media professionals while carrying out their work. Underratings, insults, threats, harassments and physical attacks have become “side effects”, which seem to become a part of the journalists’ job that is featured by “weak” reactions of the police and judicial systems. Almost as a rule, criminal charges against the attackers on media workers are rejected. However, if such “cases” do become subjects of a court decision, the punishments are too lenient, or the culprits are declared mentally incompetent.

In 2015 NUNS recorded 34 attacks on media professionals, among which there were ten physical attacks, three attacks on property, 20 verbal threats and pressures. Unfortunately, taking into consideration the “practice” exercised up to now, these dark numbers of the journalist profession in Serbia, probably won’t be final until the end of the year.

Ten criminal charges were filed against the attackers, two out of which were resolved, two rejected as unfounded, while six of them are still pending. In the first case that was solved, the perpetrator was pronounced a safety precaution measure of compulsory psychiatric treatment at large, lasting up to three years. In the second case, the perpetrator was declared mentally incompetent at the time of the attack and was released from custody with a measure of compulsory psychiatric treatment.

The fact that 17 months later the police have still not identified the attackers against Davor Pasalic, the editor of the news agency FoNet, is particularly worrying and disturbing. Late in the evening of July 3, 2014, near his flat in residential Blok 23 in New Belgrade, Pasalic was beaten up by three youngsters who were insulting him by calling him an Ustasha. Progress in the investigation was indicated at the end of January this year, when a meeting was held in Serbian Ministry of the Interior, also attended by the NUNS president and the Head of the Working Group for Solving Murders of Journalists who said that the Group had also taken charge of the Pasalic case and that there were some breakthroughs in the investigation. NUNS approved of this in a public release. However, six months later, NUNS reminded that “exactly one year had passed since the savage beating up of the FoNet news agency editor Davor Pasalic, and that the attackers had not yet been identified, although at the end of the last year a special investigation team for this case had been established by the Ministry of Internal Affairs”.

The most severe cases of jeopardizing the safety of media professionals in 2015:

24th March, 2014 NUNS publicly condemned threats to Predrag Blagojevic, journalist and editor of the *Južne vesti* portal, made by a 36 years old Bojan Marinkovic, owner of a local football club and a restaurant from Nis. NUNS reacted immediately and called upon prosecutors in Nis to undertake legislative measures against Marinkovic. Having

been informed on the threats, as per knowledge of the *Južne vesti* portal, the police talked to Marinkovic.

In the afternoon of March 21, Bojan Marinković made a phone call to Blagojevic threatening him because of the text Blagojevic had written about Dejan Andrejic, director of the Nis water supply enterprise "Vodovod" and his associates. "Don't you dare write anything else about Andrejic, or you'll have to deal with me. Hold your tongue if you don't want to regret later", was what, among other things, could be heard in the phone call recording, which was handed to police. In his phone conversation with Blagojevic, Markovic made a reference to his connections in the Serbian Progressive Party.

Criminal charges were submitted to the prosecutor's office in Nis. After the four scheduled hearings postponed due to Markovic's absence, the first hearing was held on June 4, 2015 (13 months after the incident). The proceedings are still underway.

1st January 2015 - NUNS publicly asked the prosecutor's office in Leskovac to launch proceedings referring to death threats against Dragan Marinkovic, journalist from Leskovac and correspondent of the Nis-based portal *Južne vesti*. The death threat against Marinkovic was aired via Facebook ("I would send you a bullet. . ."), which was caused by his article on the refusal of the emergency medical service to help an old woman who thereafter died. The threats were reported to the Leskovac Police Department, but the Public Prosecutor's Office rejected the charges deeming that the journalist is not faced with jeopardy.

28th January 2015 NUNS requested that the police urgently hand over to the competent prosecutor's office the person who had physically attacked and hurt Zarko Bogosavljevic, *Radio 021* journalist, while he was taking photos of a car accident in Novi Sad. The officer who was investigating the crime scene and who was the witness of the event did not even take a statement from the perpetrator - participant in the car accident, just telling the journalist "Go away, you can see that he is a fool".

15th April, 2015 - NUNS requested the police and competent prosecutor's office to identify the attacker against journalist Vladimir Jesic as soon as possible. In a street in Indjija, a "man of a large build, wearing a black jacket" hit Jesic, threatening to kill him. The attacker escaped in a car which the police found within a short period of time. However, according to what Jesic said, the person behind this case, the president of the municipal SNS division hasn't yet been processed, and that currently the Internal Affairs Sector within the Ministry of the Interior is in charge.

22nd April 2015 - NUNS requested identification and punishment of the person who had beaten up journalist Senad Zupljanin at his workplace - the Information Services Department of Novi Pazar Town Administration. Zupljanin reported the attack to the police. Rasim Ljajic, Vice President of the Government, publicly condemned the attack requesting an investigation. Zupljanin found out that the attacker is a close relative of certain municipal security staff members and that he is known to the police. However, eight months later, the case has not moved from the starting point.

13th July 2015 – NUNS reacted upon a serious incident which took place in daytime, at a press conference in *Jokanovic House* in Uzice, when an unidentified person, using a knife, had severely injured Milan Djokic, journalist of *Uzicka nedelja* weekly. The unidentified attacker managed to escape from the building, but the police found and

arrested him within a short period of time. In mid-August, the court trial in the case of D.G. was initiated based on criminal charges.

Journalist Djokic, who was subjected to a major surgery after the attack (his spleen was removed), recently stated for NUNS that the video taken by security cameras shows that the attacker didn't want to attack him, but Tihomir Petrovic, the Mayor. "As far as I know, the attacker first spent two days, and then another 30 days in custody. Upon expiry of that month, he spent 21 days in a psychiatric hospital in Belgrade. While he was in hospital, I gave a testimony on August 17. They haven't called me since then", said Djokic.

17th August 2015 - NUNS and the Independent Journalists' Association of Vojvodina protested in public against the police torture exerted upon journalist Predrag Blagojevic, editor of the Nis portal *Juzne vesti*, requesting urgent initiation of proceedings against the police officers who had abused their powers". Late in the evening, at the entrance of the stage of *Nisvil* festival, Blagojevic was apprehended by a police officer. At the officer's request, Blagojevic produced his press ID card, explaining that he didn't have his civil ID card with him.

"While they were taking me to the patrol wagon, the police hit me into head twice, as evidenced by the emergency service in writing", said Blagojevic. Blagojevic was additionally orally informed that the Internal Affairs Sector, acting on their own initiative, determined that the police "did not exceed their powers".

Then Blagojevic filed a complaint referring to the work of the police. "As conveyed to me in spoken words, my complaint had been rejected. The police asked me whether I accepted the answer that "the powers were not exceeded", which I refused. Then I was informed in writing on the confrontation with the police officer before a special commission, scheduled for October 15. As on October 15 I had a scheduled interview for obtaining the UK visa, I informed the police that I was prevented from attending the confrontation", explained Blagojevic for NUNS, assuming that the proceedings have been closed due to his absence.

26th August 2015 – NUNS made public request that the competent bodies urgently identify and punish the authors of death threats directed to the B92 editor-in-chief Veran Matic and his colleagues. The B92 team of lawyers filed two criminal charges against unidentified persons due to straightforward death threats against Veran Matic and other employees of this media outlet. Among other things, the threatening messages cite that they "will be beaten up to death", and that "they should be exterminated", while one of the messages sent to Matic says: "We have to ... Veran's head ... in the middle of Terazije, as an example to the others". The B92 team of lawyers pointed out that three out of four messages were sent from the same IP address, which drives to a conclusion that the author of the threats is "the same person", or possibly a group of mutually connected people having a common deal".

Matic sent to NUNS the answer he had received from the Ministry of the Interior regarding these threats, which we publish here in their entirety: "On November 23 2015 we identified a person whose pseudonym on the internet domain was "Radiovoje". It is a person with the initials M.V., born in 1952, resident of Novi Sad. During the search, unambiguous electronic evidence was found that he had sent the threatening message. Upon consulting the prosecutor's office, criminal charges were filed against

him as a part of regular proceedings, with reference to Article 138, KZ RS Criminal Law of the Republic of Serbia) – endangering of security”.

28th August 2015 - NUNS requested in public that the competent bodies identify and punish the attackers on the journalist Ivan Ninic. Ivan Ninić was attacked the night before this date at the entrance into his residential building in the Belgrade quarter Karaburna. As per his words, two youngsters attacked him with metal bars. “They attacked me and hit me brutally. I have a hematoma under the eye, bruises on my femur and an injured right shoulder. I provided the police with all the guidelines and gave them a summary of all my activities as a journalist within the last ten years, i.e. the period during which I have been investigating corruption on a daily basis”, said Ninic on this occasion.

Three months after the attack, Ninic still has no information on the investigation. “Immediately after the attack, I gave a statement to the police, providing also an amendment to the statement after I was asked to recognize four possible attackers”, said Ninic for NUNS recently. He filed two requests to examine the files to the prosecutor’s office at the Ministry of the Interior, and the results will be additionally provided to the public.

15th September 2015 – NUNS most severely publicly condemned insulting and threatening messages sent via Facebook to Dusan Vojvodic, journalist and co-owner of the media outlet *Za Media*, by a Zajecar citizen Vujadin Milosevic. NUNS requested the competent bodies to investigate the threats. Four days prior to this, Vujadin Milosevic wrote on his Facebook profile: “Today I have received charges from a self-appointed journalist Dusan Vojvodic... who asks for a compensation of 440,000 dinars for the offence against honour!!!!... I publicly promise that the “Crystal Night” will take place a day after the elections in Zajecar!”

In an open letter, Vojvodic said that the reason for the threats were charges he had filed against Vujadin Milosevic, due to the insults written in two open letters, in which he called Vojvodic a hireling, a traitor and a criminal. “The case was not processed as the Basic Public Prosecutor’s Office in Zajecar rejected the criminal charges. I have filed charges to the court because of the insults and I am now involved in a private litigation”, said for NUNS our colleague Vojvodic, adding that he had recorded “all the circumstances referring to this case in the documentary film *Threat*”, available on the internet.

27th September 2015 - NUNS protested due to the fact that communal police had prevented the team of the *Istinomer* portal from shooting a video in front of Belgrade restaurant *Savanova* and asked the competent bodies to investigate the case. The staff of the restaurant first instructed the *Istinomer* team, who were taking an interview with Dobrica Veselinovic from the initiative *Ne da(vi)mo Beograd*, to leave the spot immediately, as the owner does not allow any shooting near the restaurant. As the journalists on the team did not leave the spot, several municipal police officers soon appeared on the promenade and issued minor offence charges to a journalist, two cameramen and photographer of *Istinomer*, as well as to Dobrica Veselinovic.

NUNS assessed that this was a limitation of journalists’ right to freedom of expression. Due to the obstruction and the use of force, NUNS and the editorial board of *Istinomer* lodged a joint complaint to the Head of Belgrade Communal Police against the

conduct of the communal police officer. The *Istinomer* also lodged complaints to the Ombudsman and Commissioner for Protection of Equality. The answer given by the Communal Police provides a statement that communal police acted based on their statutory authorities. The Ombudsman initiated an inspection and an audit procedure of Communal Police activities.

30th September 2015 - NUNS lodged a complaint to Serbian Ministry of the Interior against an anonymous police officer for denial of the freedom of movement, hindrance and discrimination of journalists. The complaint depicts an incident in which in Belgrade, on 27th September 2015, police officer in charge of safeguarding a protest gathering prevented the *Danas* daily journalist Bozidar Andrejic from passing further. As a condition to continue walking, i.e. to pass behind the cordon, the officer requested to see Andrejic's SNS membership card. Andrejic told the officer that he was not a member of SNS and showed him a NUNS press card. Nevertheless, Andrejic was not allowed to pass further.

On 13th October 2015, the Internal Affairs Sector of the Ministry of Interior informed NUNS that the complaint referring to the acts of the anonymous police officer, namely to denial of the freedom of movement, hindrance and discrimination of journalists, "had been referred to Belgrade Police Administration".

21st October 2015 – NUNS reacted publicly by expressing astonishment with the act of Belgrade mayor Sinisa Mali's security staff who had physically prevented the journalist team *Crime and Corruption Investigation Network – KRIK* from performing their work. The mayor's security personnel seized their mobile phones and a camera and deleted the videos showing the journalists' attempts to ask the mayor about the purchase of the 25 apartments in Bulgaria at the promenade near the *Savanova* cafe. NUNS condemned the scandalous incident inviting the competent bodies to investigate this case of illegal censorship and discrimination against journalists. Mayor Sinisa Mali was also requested to make a public apology because of the manner in which his associates treated the journalists. The Mayor apologized publicly to KRIK, condemning the behavior of the Municipal Police. The Ombudsman requested the Communal Police to state their position on KRIK, and the Communal Police initiated disciplinary proceedings in which they suggested suspension of one officer. NUNS requested dismissal of Nikola Ristic, Head of the Communal Police, for hindering the rights and freedom of journalists. There is still no official decision on suspension of the officer.

06th November 2015 - NUNS publicly condemned the physical attack against the *Blic* daily journalist Milica Ivanovic at Agricultural Conglomerate *Porecje* in Vucje near Leskovac where she was to carry out professional duty. When she asked a question about the employees' salaries, the director of the cold-storage section attacked her seizing her by the neck and grabbing her by the arm. The director, whose name is Goran Zivkovic as later learned by the journalist, tried to prevent her from making a few more photos and demanded she left the factory site. "As I refused to leave, explaining that we have permission of the general manager, he attacked me savagely", said Milica Ivanovic for NUNS. The police took the minutes and submitted them to a competent prosecutor in Leskovac. The deputy of the Basic Prosecutor's Office in Leskovac first estimated the attack as a minor offence, while later on the prosecutor's

office informed our colleague Milica Ivanovic that they did file criminal charges against the perpetrator.

06th November 2015 - NUNS lodged a protest against the attack on the *Politika* journalist team, requesting that legal authorities punish the perpetrator of the scandalous attack on the journalists who were performing their professional duty. While obtaining information on a bomb explosion in Vracar, one of Belgrade quarters, journalist Danijela Vukosavljevic and the *Politika* daily photographer were attacked by Bozidar Filipovic, tenant of the building in front of which the explosion had taken place. He invited them to his flat and they accepted the invitation believing that they would obtain some information. However, they were exposed to horrible threats. On this occasion, Filipovic said as follows: "Now that you have come in, you will never get out. I will fill you up with lead and then we'll see who will write the article". He kept us imprisoned for about 15 minutes. He also had an electronic bracelet around his arm, as he had been convicted for assaulting an officer. His lawyer was also in the flat. We wanted to wait for the police, but the flat owner demanded that we leave the flat, said Vukosavljevic. The Vracar Police Station instituted criminal charges against the violator to the First Basic Public Prosecutor's Office. A hearing of the participants and the eyewitnesses of the incident is to be held.

30th November 2015 - NUNS warned the public that the safety of the journalist Slavisa Letic was endangered, after the broadcast on TV Pink during which the editor-in-chief of the *Informer* tabloid, Dragan Vucicevic, named Letic as one of the participants in an alleged coup. Nikola Selakovic, Minister of Justice, also mentioned journalist Letic in the same context. NUNS called upon the competent bodies to undertake the necessary measures and protect, first of all, Letic's physical integrity, as in this way he was labeled as the public enemy. NUNS warned Selakovic, Minister of Justice and Nebojsa Stefanovic, Minister of the Interior, stressing that they would be directly responsible if safety of Slavica Letic was endangered in any way. On 25th November 2015, at the police station in Milana Rakica Street, Slavisa Letic informed the police about the threats and the people who had been following him. The police drew up an official note, but Letic was told that the Ministry of the Interior cannot do anything about it as his complaint contains no elements of a criminal offence.

07th December 2015 - NUNS made a public request for dismissal of the Defence Minister Bratislav Gasic due to his scandalous, vulgar, sexist comment about the B92 journalist Zlatija Labovic. NUNS urged all media and journalists to freeze any communication with the defence minister and boycott all the events in which he participates until Gasic's dismissal. Besides this, NUNS supported the initiative of two distinguished journalists to hold a protest of media professionals in front of the Government of Serbia, in Nemanjina Street No. 11, at 7pm on December 7, 2015. More than 150 media professionals were present at the protest. The day before, in the town of Trstenik, Minister Gasic made a scandalous comment when the B92 correspondent crouched down to get out of her camera operator's shot. "I love female journalists who get down on their knees easily", said the minister. Serbian Prime Minister Aleksandar Vucic condemned Gasic's gesture, announcing his dismissal. Gasic publicly apologized for his misconduct.

II Pressures Against Journalists Through Court Proceedings and Practice

The court practice in cases against media professionals, as it seems, varied from passing very troublesome to passing very progressive verdicts. The European Commission Report notes that there are no consolidated records on the number of cases being conducted against media for offence against honour and reputation.

Based on the data collected by NUNS and the law office Zivkovic & Samardzic, the quality of verdicts in media disputes during 2015 varied.

Journalists as Plaintiffs against NUNS

As an example of the above stated, we can single out a verdict in the case of the proceedings conducted against NUNS, referring to criminal charges filed against John Doe for so-called warmongering.

Three journalists reacted regarding this event (Nenkovic, Stojic and Bosnjak) by filing claims for compensation of damages for offence incurred against their honour and reputation. The claims were filed against NUNS, as the party who had filed the above stated criminal charges and the association which had informed the public on the contents of the filed criminal charges – by publishing on their official website the text of the criminal charges and the accompanying enclosures.

The plaintiffs claimed compensation of non-pecuniary damages due to the offence against honour and reputation, although the criminal charges had not been filed against them, but against an unidentified person. They pointed out that by publishing the text of the criminal charges and the enclosures, NUNS made an offence against the plaintiffs' honour and reputation, although their names and articles were mentioned only in a publication issued by NUNS, which was enclosed to the criminal charges as an explanation of their context. Without estimating the context of the filed criminal charges and the interest of the public to be informed on it, the First Basic Court in Belgrade, as the first instance court, accepted the plaintiffs' statements as founded and imposed a duty upon NUNS to pay non-pecuniary damages at the amount of 200,000.00 each. These proceedings are still underway, as a complaint was lodged to the Court of Appeal in Belgrade and a second instance verdict is expected to be brought.

Vukadinovic vs the Danas Daily and Basara

Unlike the previous verdict, the other verdicts to follow, as elaborated in further text, send a different message. In fact, they support freedom of expression and make a

good balance between protection of human rights and public interest, which cannot be said for the previous case.

In May 2010, Djordje Vukadinovic filed a claim for compensation of damages for offence against honour and reputation against Svetislav Basara, Zoran Panovic and the *Publishing Company Dan graf d.o.o.* In his claim, Vukadinovic specified that the column *The Second Anniversary*, the author of which is Svetislav Basara, provided fictitious, offensive, unverified and absolutely incorrect information on him. In his column, Basara referred to the events since the time when Kosovo declared independence, commented that very event, wondering about further perspectives. Basara did mention Djordje Vukadinovic in his section, which is why Vukadinovic filed the claim. He claimed that the disputable part of the column consisted of untrue information which presented a gross offence against his dignity, reputation, honour and personality, due to which he was suffering a serious mental pain, while the public was deprived of the right to be informed truthfully. The disputable part of the column reads as follows: "...on the same day a gang of hooligans, spontaneously organized by UDBA, took a triumphal revenge on Pristina by demolishing Belgrade. Patriotic forces supported and justified the demolition, while Vukadinovic and Antonic, the leading fists of Kostunica's junta in the field of words, threw themselves on the following tasks: one of them was trying to identify "the individuals that keep American flags at their homes", while the other one directed his fair destructive anger towards the TV station B92..."

In the beginning of May 2013, a verdict was brought by which Vukadinovic's claim was partially adopted. Svetislav Basara was obliged to pay to the plaintiff 150,000.00 dinars, together with the statutory default interest, as compensation of non-pecuniary damages on the grounds of the mental pain suffered as a result of the offence against his honour and reputation. *Dan graf d.o.o. Beograd* is obliged to publish a legally valid verdict of the High Court in Belgrade, while the claim for compensation of non-pecuniary damages against Zoran Panović and *Dan graf d.o.o. Beograd* was rejected in its entirety. A complaint to this verdict was lodged in the mid-May.

In January 2015, the Court of Appeals altered the first-instance verdict by which Basara was obliged to compensate for the damages he had incurred to Vukadinovic by publishing the article "The Second Anniversary", and rejected the entire claim as unfounded.

Risticivic vs B92

Marijan Risticivic filed charges against RDP B92 because of a report aired on TV B92 during the newscast. In his charges, the plaintiff specified that his honour and reputation were offended by broadcasting the information on TV B92 and claimed compensation of non-pecuniary damages at the amount of 1,250,000.00 dinars. The subject matter of the report was information on the fact that *Risticivic Company*, namely the company run by Risticivic's spouse, informed the Commodity Reserves Board that they had a certain quantity of corn for sales, submitting to this end a certificate issued by *Technical*

Testing and Analysis Company SGS Beograd d.o.o Beograd. In the same report, Marinko Ukropina, director of *Technical Testing and Analysis Company SGS Beograd d.o.o*, said that they had never cooperated with *Risticvic Company*, specifying that the reports and statements on quantity, quality and fulfilling the conditions submitted to the Board were fraudulent. It was also mentioned that *Technical Testing and Analysis Company SGS Beograd d.o.o Beograd* had filed criminal charges against the plaintiff's spouse, based on suspected fraud together with forgery of documents.

The author of the report also conveyed the plaintiff's statement on this matter, simultaneously checking the accuracy of the released information with the *Commodity Reserves Board* where he was informed that the Board had requested a review of certificates. The *Board* also stated that they would not release any more information on this matter until determining the truth, also mentioning that the money for the promised corn had been paid both to all other companies and to *Risticvic Company*, as well. All the information mentioned was broadcast in the report.

The High Court in Belgrade rejected Marijan Risticvic's claim as unfounded. Investigating the grounds of the claim, the Court took the attitude that the report consisted of the facts revealed by the author, other legal entities and natural persons, as well as the plaintiff. First of all, evaluating whether the journalist – author of the report had acted in accordance with due journalist's attention, the court found out that all the statements were conveyed accurately, i.e. that they were conveyed exactly as they read. Further, the court considered the report aired in the *News on TV B92*, in the context of the plaintiff as a public figure, which the court treated as a generally known fact.

This verdict is very interesting because of everything the court had passed through prior to assuming an attitude that, in this case, the plaintiff's claim was unfounded. These proceedings are still under way, as the plaintiff has lodged a complaint.

Milanovic vs B92, Matic and Radisic

Another decision which can be included in the examples of good judicial practice is the first instance verdict of the High Court in Belgrade, rejecting the claim of Dragoljub Milanovic against RDP B92, Veran Matic, editor-in-chief of news programme and Nikola Radisic, author of the report aired on TV B92 in which, as per plaintiff's words, the defendants made an offence against his honour and reputation. More specifically, the following statements were made: "Dragoljub Milanovic, former general manager of RTS, appeared in public for the first time upon being released from prison. He spent 10 years behind bars, as he was found guilty of the death of 16 RTS workers. Now he is standing a trial for an illegal allocation of state apartments. . . Did he forget these scenes (the ruined RTS building could be seen) after 10 years spent in prison on the account of the fact that, during the bomb attack on RTS, he sacrificed 16 of his employees? There is no answer to this question, as Dragoljub Milanovic, former RTS manager, refused to

answer the questions posed by B92. Dragoljub Milanovic appeared in public for the first time having served a 10-year sentence because of the death of RTS workers”.

The High Court in Belgrade rejected the plaintiff’s claim in its entirety as unfounded. As per court’s explanation, in his statement that “the plaintiff was found guilty for the death of 16 RTS workers” the author of the report did not give inaccurate information. The court considered the mentioned statement within the context of the plaintiff’s failure to act upon the Federal Government Order on relocation of manpower and technical equipment to alternate locations, while the consequence of such failure to act was the death of 16 RTS workers, as determined by a valid verdict of the District Court in Belgrade, pronouncing the plaintiff guilty of having committed a serious criminal offence against general safety.

Referring to the term *sacrifice*, the court assumed an attitude that it refers to value judgement based on true facts, therefore, in this specific case this term was used to make the report understandable to an ordinary viewer, i.e. to make it clear that the plaintiff is a public figure who had refused to give a statement to the defendant.

The proceedings upon the complaint lodged by the plaintiff are underway and in the period to come the Belgrade Court of Appeals is expected to pass the verdict.

New Cases Instituted against Journalists in 2015

We do not have data on the exact number of proceedings instituted against journalists in 2015. However, one of the proceedings worth analyzing in this context, due to the fact that it deals with a critical article stating the author’s set of values, is Danijel Kulacin’s legal action from 4th February 2015 against the defendant, *Partizanska stampa novine and magazin doo Kikinda* - publisher of the weekly paper *Kikindske*. According to the plaintiff, these court proceedings were instituted on the basis of the mental pain suffered due to the offence against honour and reputation incurred by publishing inaccurate and partial information via media. This refers to the article entitled *The Nacis on all Vojvodina frequencies*, written by Zeljko Bodrozić.

Having in mind that in his article the author covers the topics referring to privatization of the local media in Kikinda, the public has all reasons to be interested in being informed on possible new owners of these media. Danijel Kulacin’s company was one of the parties interested in privatization of the local media in Kikinda. Normally, this puts Danijel Kulacin, potential buyer of the Kikinda Information Center (Radio Kikinda), into the center of the debate, as well as his suitability to be a possible new owner of the media. Danijel Kulacin is also a political activist – as a member of the party “The Third Serbia”, he was the secretary of this party in the parliament of Novi Sad.

III Political, Economic and Other Pressures Against Journalists and Other Media Professionals

Pressures against journalists and media in Serbia are not abating even nowadays.

In spite of the authorities' declarative promises, the pro-European agenda made stronger by opening new chapters in negotiations, the changes in media legislation, and in spite of legal guarantees of freedom of expression, the media scene in Serbia today is strictly controlled. Journalists are exposed to various pressures, they are underpaid, inclined to self-censorship, while tabloidization is a phenomena dominating not only in media, but also in politics and in other spheres of the society.

Political pressures are directed towards the already critical contents in media, while the loudest ones among those exerting pressure are the highest ranking representatives of the governing body.

Broadcasts in which various opinions used to be heard are being withdrawn from TV programmes with national frequencies, investigative series that used to deal with corruption are not a part of the programme any more, while instead of these contents, citizens are offered the lowest-ranking reality content. At the same time, despite legal prohibitions, several TV stations with national frequencies broadcast live gatherings of the governing party, while the same party criticizes the public service for broadcasting personal opinion of the editor-in-chief of one of the media outlets.

Within the media sphere, a lack of critical dialogue can be undoubtedly felt, which causes considerable damage to the initiated democratic processes in Serbia.

This report quotes only the most striking cases of pressures against journalists and media in 2015.

10th January 2015 NUNS strongly protested because of the manner in which Prime Minister Aleksandar Vucic spoke about the Balkan Investigative Reporting Network (BIRN). NUNS assessed such behavior of the Serbian Prime Minister as an open pressure and violation of freedom not only of BIRN journalists, but of the entire media as well. Naming BIRN journalists as "liars" and accusing them of receiving money in order to "speak against the Government of Serbia" is vocabulary belonging to the past and is unacceptable for a democratic society and a country which, as pointed out by Vucic, tends to become a part of the European Union. NUNS warned that the development of a critical public as an integral part of a democratic system is not possible without the investigative journalism practiced by BIRN.

28th February 2015 – In a joint release, NUNS and NDNV assessed that the reaction of the local committee of the Alliance of Vojvodina Hungarians of Mali Idjos, expressed over the article *Disputable Industrial Zone in M. Idjos*, published by *Vojvodina-research Center* (VOICE), is entirely inappropriate and that it is an attack against media freedoms. The reaction of this political party is another proof that politicians do not understand the fact that media is not, namely that it should not be, a means for their promotion, but that media has a significant control function in society, which particularly relates to investigative journalism.

03rd April 2015 – NUNS condemned the mayor of Leskovac due to his insulting behaviour towards journalists of the *Beta Agency*, the *Blic* daily, the portal *Juzne vesti* and *TV Leskovac*. Goran Cvetanovic accused the journalists of the portal *Juzne vesti* of being paid to write against him. Ten days earlier, Cvetanovic had attacked journalists of *Beta Agency*, the *Blic* and a local TV station as he was not satisfied with the critical reporting on him. During his visit to Leskovac, on 29th April 2015, a NUNS representative met mayor Cvetanovic and had constructive talks with him. The mayor confirmed that his behaviour towards the journalists was inappropriate, but he added (submitting the evidence) that certain local journalists used to be paid by local self-government, which ceased since his appointment as a mayor, citing this as a reason of their anger and revengeful attitude towards him.

In May 2015 NUNS strongly condemned a widespread dismissal of employees in Ringier Axel Springer Serbia company, publisher of the *Blic*, *Alo*, and *24 časa* dailies and *NIN*, *Blic Žena*, and *Pulsa* weeklies.

More than 30 employees and full-time associates, including single mothers and journalists near the retirement age, were dismissed without any notifications or clear explanations of the reasons and criteria for their dismissal. The employees of this company informed NUNS that establishment of trade unions is unofficially banned. As a result, the dismissed employees do not have any protection or information on their labour and legal rights.

26th May 2015 - NUNS publicly reacted and contacted IFJ/EFJ, seeking support in condemning such practice. During the month of June associations and trade unions of German and Swiss journalists also provided their support to NUNS. On June 8, they sent a joint letter to Marko Dekan, director of the company Ringier Axel Springer, in which they requested investigation of dismissal procedures. Serbian Media Association gave an expected answer saying that NUNS aired “entirely incorrect anonymous statements, tendentiously and malevolently commenting and evaluating business decisions of a private publishing house”. The Media Association, as a business association of publishers, warned that “inappropriate attacks against its members may also cause damages to business” and condemned “defamation of a publisher, based on anonymous statements and without any checking”.

12th June 2015 – NUNS provided a public reply referring to the statement of the Media Association Managing Board on the release containing the protest against dismissal of employees in Ringier Axel Springer Company. NUNS concluded that it was exposed to unjustified criticism, evidently as a result of the information given to the Managing Board of the Media Association by the Ringier management team. Once again, NUNS invited the owners and managers of this media outlet to act in accordance with good business practices and the principles of social dialogue and at least talk to their employees when making decisions on “rationalization of business”, namely decisions which imply dismissal of journalists and other media workers. NUNS assessed that “despite silence on part of the management, the truth about the atmosphere in editorial offices of this company and insecurity of journalists and other colleagues regarding their employment cannot be hidden”.

The fact that few media reported on this case is interesting and worrying at the same time.

While the journalists who lost their jobs could seek justice before courts, IFJ/EFJ in cooperation with the Trade Union of Serbian Journalists, NUNS and UNS organized a comprehensive conference on labour rights and freedoms of journalists, during which the case of dismissal of employees from Ringier Axel Springer was separately elaborated.

22nd April 2015 - NUNS and the Independent Journalists' Association of Vojvodina (NDNV) most seriously condemned the attack against the *Sremska televizija* team by a member of the Sid Municipal Council, Dusan Stefanovic, and asked the competent bodies to process this case urgently and impose a proper punishment upon the attacker. NUNS and NDNV invited the heads of the Sid municipality to institute proceedings for suspension of Stefanovic who had been hurling insults at the journalist and cameraman of the *Sremska televizija* while they were performing their job, threatening that he would “crush their cameras”.

The editor of the *Sremska TV*, Dunja Romandic gave a statement for NUNS that the prosecutor's office informed her that “there were no elements for instituting any kind of proceedings:” “What can you say when the mayor publicly says at a press conference that he requested the head of the police in Sid to intervene upon this incident, as he considers that no importance should be attached to this case. “If we add the fact that Dusan Stefanovic is a former head of the mayor's cabinet, it is clear that the case was covered up on political basis”, says Romandic.

14th May 2015 – NUNS most seriously condemned the act of Serbian President Tomislav Nikolic and his cabinet towards a journalist of the *Alo* daily, assessing this as “an incident provoked by absolutely nothing, seasoned with a certain degree of chauvinism, which is incompatible with the Constitution, laws, and basic norms on decency, as well as with the presidential function”. Upon the journalist's attempt to obtain data on economic circumstances of certain members of Nikolic's family, the

president's cabinet replied by a release expressing their suspicions regarding intentions of two papers owned by a German-Swiss company, whose journalists came to the address of a member of Nikolic's family. "without any intention to meddle into the editorial policy of Serbian media, the Cabinet of the President of the Republic concludes that it is extremely wierd that the address of a protected person, notably member of the President's family, is to be disclosed seemingly through an article in papers only two hours after the meeting held in order to prevent attempts of destabilization of Serbia", cites the release. The Cabinet also specified names of two journalists, as well as the fact that one of the journalists was "a native of Prizren". NUNS asked the President of Serbia and his Cabinet to apologize to the editorial office and the mentioned journalist of the *Alo* daily. President Nikolic never did it.

07th August 2015 - NUNS and NDNV most seriously condemned "shameful campaigns that certain media, first of all the *Informer* and *RTV Pink*, lead against political opponents of Republic authorities, requesting that they be urgently stopped". NUNS and NDNV asked the Ministry of Culture and Information to react upon the most recent media declarations against the Democratic Party President Bojan Pajtic, "which are not only in breach of media laws, touching the bottom of professional and moral attitudes, but also completely resemble a call for a lynch". A few days earlier, graffiti calling for Pajtic to be murdered could be seen in Novi Sad, which may be a consequence of the mentioned media campaign.

12th October 2015 - NUNS publicly asked the Prime Minister to pay attention to his public communication as it is inadmissible for a Prime Minister to use insulting words such as "ragtag" for the editors of the *Teleprompter* portal and the *Tabloid* daily. NUNS is of the opinion that certain media, among which are the *Tabloid* and *Teleprompter*, cause the greatest damage to journalism as a profession by their editorial policy and by breaking the the Code of Journalists. However, by using improper expressions, Aleksandar Vucic does contribute to tabloidization of the public scene that promotes an insulting behaviour. NUNS called upon Prime Minister Vucic to leave the issue of non-professional media conduct and possible sanctions to competent bodies, regulatory authorities, and self-regulatory organizations, which are obliged to react in all cases of offended honour and reputation of the Prime Minister, but any other citizen as well.

13th October 2015 – NUNS rejected the accusations of Serbian Progressive Party that "NUNS stands equally, side by side, with those who are everything else but media – the *Teleprompter* and *Tabloid*". NUNS never supported "scandalous articles", as SNS had claimed in their release, "such as, for example, the article citing that Aleksandar Vucic, President of the Serbian Progressive Party, had a sexual intercourse with his juvenile son". On the contrary! In the beginning of 2013, NUNS publicly condemned the writings of the *Tabloid* about Aleksandar Vucic and his juvenile son. It is also known that, due to the release mentioned, Milovan Brkic filed charges against NUNS and that Belgrade Court of Appeals rejected his charges for offence against

honour and reputation. We also remind that on a similar occasion, in March 2015, NUNS publicly protested against airing the photos of Aleksandar Vucic's juvenile son at the *Teleprompter's* website, indicating that it represents a breach of Serbian Code of Ethics and Serbian Laws on Public Information and Media. NUNS repeated their expectations referring to the fact that the Prime Minister of Serbia should pay attention to his public communication and leave the issue of unprofessional media conduct to competent regulatory authorities and self-regulatory organizations.

18th October 2015 - NUNS publicly protested against the release of the Serbian Progressive Party (SNS) issued after Zoran Panovic, editor-in-chief of the *Danas* daily, had appeared as a guest in the 7:30 RTS newscast. NUNS assessed that by this release SNS exerts a direct pressure over the editorial policy of the public service. NUNS warns SNS that journalists are obliged to pose questions to their interviewees on the most important social subjects, while the essential issue regarding the existence of the public service and media in general is creating an opportunity for different opinions to be heard. By equalizing the interviewee's opinion with the questions posed by the newscast anchor, together with making a general qualification that these are all the "allegations made by RTS", the Serbian Progressive Party shows that they do not understand the concept of public service which has to be open for any type of social dialogue. NUNS expressed their concern over such reactions of SNS and over SNS's disregard of basic postulates of the freedom of public speech, as the basis of democracy in any society.

21st October 2015 - NUNS expressed their dissatisfaction and concern over a "scandalous decision of the Regulatory Authority of Electronic Media (REM) that there is no basis for instituting proceedings against TV stations *Pink*, *Happy* and *Studio B* which had aired a live broadcast of the celebration of the seventh anniversary of the Serbian Progressive Party". In a public release, NUNS reminded REM on Article 47 of the Law on Electronic Media which clearly states that a media service provider, in accordance with its programme conception "is obliged to observe the prohibition of political advertising at all times other than during the pre-election campaign". As estimated by NUNS, it is quite clear that REM did not act in accordance with the Law on Electronic Media, thus creating a basis for suspicion that the members of the regulatory authority have abused their powers. On October 23 2015, NUNS asked Ivan Tasovac, Minister of Culture and Information and Gordana Jankovic, Head of the OSCE Mission to Serbia's Media Department for interpretation of Article 47 of the Law on Electronic Media, regarding the opinion of the Regulatory Authority of Electronic Media (REM) that, upon passing a set of new media laws, the General Binding Instructions for Broadcasters are no longer valid and that broadcasters are allowed to air the gatherings of political parties without any sanctions. After about ten days, NUNS received the interpretation of OSCE which indicates that "despite the fact that the General Binding Instructions on Conduct of Broadcasters are no longer valid, a comprehensive legal framework regarding this issue is a part of the valid Law on Electronic Media, Article 47, which explicitly governs broadcasting of political commercials", and that "media

service providers are obliged to observe the prohibition of political advertising at times other than periods of political campaigns (Article 47.1.5.):' No interpretation regarding this matter was received from the Ministry of Culture and Information.

22nd October 2015 - NUNS and NDNV publicly expressed their disapproval of the release of the Serbian Orthodox Church (SPC), namely the Eparchy of Backa, which contains not only hostility towards the freedom of speech and thought, but also a call for a lynch of journalists Dinko Gruhonjic and Nedim Sejdinovic. "By using the language more than inappropriate for a religious institution and applying the method from the 1990s, SPC qualified the activities of NDNV, Gruhonjic and Sejdinovic as hostile and anti-State, supporting this with either open or disguised threats". The Eparchy of Backa issued this release as a reaction to the NDNV release in which this association criticized the speech of the Irenaeus Bulovic on RTS, as hate speech and war inciting.

10th November 2015 – NUNS condemned political pressures against TV Valjevo Plus and called on politicians and their parties to respect freedom of media and public dialogue as fundamental principles of the democratic system. In providing information on political issues, media has a professional right and an obligation to make it possible to those citizens and representatives of all political options who observe the values provided in Constitution and in the laws to publicly express their opinions. Slobodan Gvozdenovic, President of the SNS Valjevo Committee and Member of Parliament, publicly accused *TV Valjevo Plus* of being an initiator of the campaign against the Government of Serbia, adding that everything started on November 5, 2015 when Bojan Pajtic, Democratic Party President, was a guest at TV Valjevo Plus. NUNS is of the opinion that such an accusation made by a politician and based on a "personal opinion" without any specific evidence is an inadmissible pressure against the freedom of media.

13th November 2015 - NUNS said that they "consider as insulting the statement given by Petar Cvetkovic, Director of Military Security Agency (VBA), that media comprises associates of all departments and that such cooperation should not be perceived as pejorative". By this inappropriate statement, the VBA Director insults all journalists in Serbia, said NUNS, reminding that the Journalist Code of Ethics clearly points out that "the work in counter-intelligence services, secret services and other security services, as well as working for these services cannot be combined with journalism as a profession".

24th November 2015 – NUNS called on the competent state bodies to find out and provide the information on the abuse in spending public funds for advertising and marketing of state institutions. Miroslava Milenovic, a member of Anti-Corruption Council of the Government of Serbia, made a public warning over this issue. In her statement given to TV N1, Milenovic said that a new report will be sent to the Government of Serbia, on the influence that state institutions exert on media through

advertising and marketing. The report indicates that there are no media which didn't receive money from state budgetary funds.

Miroslava Milenovic, forensic accountant and member of the Anti-Corruption Council, was attacked physically at noon on Saturday, November 21 in the hallway of the residential building she lives in. The investigation on the attacker against Miroslava Milenovic did not get much further, while the Government has not yet considered the report of the Anti-Corruption Council on the influence that state institutions exert on media through advertising and marketing.

30th November 2015 - NUNS most severely protested against the spreading of the atmosphere of fear and panick in an extraordinary broadcast on TV Pink, being particularly worried because of the fact that certain journalists and media were labelled as participants in or organizers of an alleged coup. "This is an open call for persecution and lynch of certain journalists, while their safety is directly endangered", indicates the release of NUNS together with the assessment that "it is very dangerous to conduct investigations and pass verdicts in the media instead of in adequate institutions".

01st December 2015 - NUNS publicly expressed their deep concern over the opinions of Serbian Prime Minister Aleksandar Vucic expressed during the public service talk-show *Upitnik*. By the opinions given, Vucic practically legalized and encouraged the journalism featured by media hunts of journalists and the media, harassment of people of different views, breaches of laws, and unprofessionalism. NUNS assessed that it is "inconceivable that the prime minister of a country that tends to become a democratic one easily disregards the evident abuse of the national frequency by TV Pink". By praising journalists who organize persecution of their colleagues and violate fundamental rights of citizens by publishing their personal data from health cards, the prime minister actually encourages an impermissible practice of settling scores with those of different views, which does not contribute to increase of the degree of media freedom.

IV Breaching the Journalists' Code of Ethics

Media hunts and hate speech

NUNS is one of the founders of the Press Council a self-regulatory body, which exists and operates since 2011.

"The Press Council Complaints Commission has, up to now, considered several hundreds of citizen complaints regarding various articles in print media, at websites and portals. Various people, both so-called ordinary people and so-called celebrities, complained that they were damaged by certain contents in the papers", quotes for this report Vlado Mares, member and Chairman of the Commission. The Commission estimated the majority of complaints as founded and warned the media that they had made a breach of Code of Ethics of Serbian Journalists.

"It is easy to recognize the situation when a journalist, wishing to be as attractive as possible, acts dishonestly about the person he or she is covering - when, for example, a journalist calls such person a criminal or a thief relying on a general public opinion on that person, but offers no evidence for such a statement. This type of breaching the Code is the most frequent one, but there are also breaches of the same type, yet much worse, when bad intentions or a special interest of the journalist or the publishing media can be recognized. Then, in my opinion, this as a double breach of the Code, but as the Commission does not have an option to grade breaches, they are considered equal, which is somewhat unfair, explains Mares.

He also points out that there is an "insufficient number of complaints about a disturbingly large number of articles containing open hate speech, all kinds of discrimination and insults based on nationality. The need of many journalists to present themselves as homophobes, xenophobes, macho boys or girls while carrying out their jobs on the one side, and a lack of need of the injured parties to complaint in public on the other, seem to be parts of the same extremely problematic cultural model. In these cases, interventions of non-governmental organizations which lodge complaints on behalf of the injured are more than welcome".

"The most pleasant time working with the Complaints Commission is when you have nothing to do. When the complainant and the sued newspapers or the portal meet as a result of the Commission's mediation, when they apologize to each other, forgive each other, show understanding or reach settlement, or sometimes give up the idea to file charges at the court. It happens rarely, but it does happen sometimes, thus raising the hope that we can be smarter and do better", says Vlado Mares, Chairman of the Complaints Commission in his statement for this year's annual report of NUNS.

The Press Council does not act upon its own initiative, but only upon individual complaints. That's why NUNS is forced to react independently based on almost everyday

breaches of professional and ethic standards of journalism. This report lists only certain, specific breaches made by the media.

In April 2014, Istvan Kaic, an associate at the Public Policy Institute, accused several distinguished journalists and several media outlets of discrediting the investigation of Slavko Curuvija's murder in 1999, in an article "*The Third Bullet of Branka Prpa*", published in *Politika* daily. Having in mind that the *Politika* daily made a gross offence of the Code of Ethics of Serbian Journalists, a severe public discussion followed, ending in a common report submitted to the Press Council by the journalists and the public figures mentioned in the article. The Press Council members of the Complaints Commission could not make a decision on the breach of the Code of Ethics, because a member of UNS (whose president approved publishing of Kaic's article and strongly defended it afterwards) used his right to veto in the self-regulatory body. On this occasion, NUNS requested amendment of the Press Council Articles of Association with the aim of preventing future obstructions in the Commission's work. The suggested request makes it possible to make a decision if the existing quorum is obtained and if more than a half of the Commission members vote for it. The idea was supported by other founders of Press Council. However, the Media Association suggested that the Complaints Commission adopt decisions and public warnings applying the majority principle, i.e. if at least eight members of the Complaints Commission vote for them. The request for amendment of the Articles of Association was updated with another proposal relating to changing the number of members of the Press Council Managing Board, so that now the Managing Board consists of five members, one representative of each founder, while the Media Association is entitled to appoint two of its representatives. On this occasion, the Commission's Rules of Procedure were also modified with several amendments, such as:

- A public warning may be pronounced to the media outlet which does not recognize the competence of the Press Council;
- The founders were imposed an obligation to publish on their websites the decisions and public warnings of the Complaints Commission;
- If a media outlet which violated the Codex does not publish the decision or the public warning, the other media outlets which recognize the competence of the Press Council are advised to publish such a decision or public warning;
- It is now mandatory for the Press Council to issue quarterly reports on work activities of the Commission for Complaints.

13th January 2015 - NUNS and NDNV publicly criticized the "editorial failure of Tanjug for airing one year old news, about Serbia's better position in The Reporters without Borders' World Press Freedom Index". Regardless of the fact whether Tanjug did it on purpose or it was a mistake, Tanjug should not have allowed to react only after the website *cenzolovka.rs* had found out that it was the last year's ranking of the countries per degree of their media freedoms. The news agency's professional obligation was to check accuracy of the information with the source, in this case with the organization Reporters Without Borders, and to air a denial in due time.

29th January 2015 – Deciding on the petition of NUNS, Regulatory Authority of Electronic Media (REM) pronounced a warning to TV Pink for violating the provisions of

the Law on Electronic Media on Protection of Minors during the *Morning Programme (Jutarnji program)*. In their petition, NUNS indicated that on November 27, 2014, during the Morning Programme, TV Pink aired an interview with a mother (completely revealing her identity by airing her photo, name and family name, and the city she lives in) who accused her spouse of a statutory rape of their three and a half years old daughter. In the opinion of NUNS, TV Pink thus violated the General Binding Instructions on Conduct of Broadcasters (Code of Conduct for Broadcasters) and the Law on Public Information and Media.

13th March 2015 - NUNS protested against the fact that had aired on their website the photos of the juvenile son of Prime Minister Aleksandar Vucic. Revealing the identity of a minor does not only represent a gross violence of the code of ethics, but is also a threat to his safety. Media may report on all matters which it considers important for the public, but it is obliged to strictly observe the rights of minors which, in this case, were violated by airing the photo. NUNS reminded that it is emphasized in the Journalists' Code of Ethics that minors enjoy a special protection.

16th March 2015 – On the occasion of a helicopter crash in which seven people lost their lives, NUNS publicly warned media that in reporting on this event they have to observe basic professional standards of journalism. It is impermissible to inform citizens based on releases and scenarios prepared in advance, and thus mislead the readers, listeners and viewers. This harms credibility of the journalist profession, also causing a lack of trust in media. Abuse of media for the sake of someone's interests represents the most serious manner of violating the code of ethics.

29th April 2015 – In their common release, NUNS, Croatian Journalists' Association (HND) and Association of BH Journalists most severely condemned xenophobia and hate speech in media reports and comments via social networks on the occasion of a terrorist attack on a police station in the town of Zvornik (BiH). Hate speech, impassioned and incendiary reporting by a certain number of media, first of all by the news portals and online media platforms, as well as advocating violence via social networks and internet forums, are directly opposite to the freedom of speech and principles of a professional and responsible journalism. Journalists' Associations from Bosnia and Herzegovina, Croatia and Serbia called upon media professionals to respect ethical standards of journalism.

06th August 2015 - NUNS and NDNV jointly most severely condemned the *Informer* daily article entitled "*What Would Happen if War Happened: Croatians, you don't stand any chance*", which is a classic example of war-mongering journalism. What is particularly dangerous is the fact that this article, even if only by means of a hypothesis, calls for war-related testing of strengths between Serbia and Croatia, at the moment when the already marred interstate relations are additionally burdened by an euphoric celebration of the Croatian *Victory Day* on the one side, and Serbian recollections of the *criminal military operation "Storm"* on the other. NUNS and NDNV assessed that the *Informer* daily consciously supports international intolerance for the sake of causing fear among citizens of Serbia.

25th August 2015 - NUNS called upon media to observe the standards of journalist profession when reporting on refugees from the areas disturbed by conflicts, and pay due attention to their protection. Media reports should not, without previous consent

of the refugees, reveal the identity of the interviewees who try to escape drafting and openly criticize political and war-related difficulties in their countries. Owing to the Internet and social networks, media articles, photos and videos are available all over the planet, so that the refugees that may be recognized in these photos or videos could have serious problems in their native countries.

08th October 2015 – NUNS warned the public that the blog of Andrej Fajgelj contains an article which openly calls for bloodshed, thus abusing the freedom of public expression in the most brutal way. In the article “It’s Only Sniper that will Save Serbia”, its author Marko Kovacevic advocates violence as a way to fight against those with different views. Without any scruples, the author also suggests physical liquidation of those who, in the author’s opinion, act against the interests of Serbia. NUNS reminded that the freedom of public speech is not unlimited and that publishing of such articles incurs great damage to public dialogue, as an indispensable content of democratic processes.

12th October 2015 – Deciding upon the charges filed by NUNS, the Council of the Regulatory Body for Electronic Media (REM) issued a warning to TV Happy due to the breach of the Law on Electronic Media and the Rules on Protection of Human Rights in the Field of Rendering Media Services.

At the session of the REM Council it was concluded that, by calling upon the viewers to submit the information they have on “criminal activities of the judge of the Commercial Court in Pancevo and her spouse” TV Happy offended human dignity and launched a campaign by its frequent requests referring to submission of the above mentioned information.

26th November 2015 - NUNS most severely condemned the violence that could be seen last night in the reality programme “*Farma*”, aired on *TV Pink*, calling on the Council of the Regulatory Body for Electronic Media (REM) “to urgently pronounce the most severe penalty to *TV Pink* because of this scandalous incident”. NUNS reminded that on September 16 2015, the REM Council issued a warning to *TV Pink* for broadcasting “inappropriate content” in the reality programme “*Farma*”. At the time, REM announced that *TV Pink*, as well as *TV Happy*, which had been issued a warning for the same reasons, would be pronounced more severe penalties, if they did not observe the orders of the REM council. NUNS also reminded that, at the end of August, when announcing the new shows of “*Farma*”, the owner of *TV Pink* said that, in comparison with other reality programmes, “*Farma* looks like a ballet show”.

30th November 2015 – NUNS filed charges against *TV Pink* to the Regulatory Body for Electronic Media, “because of the breach of the Rules for Protection of Human Rights in the Field of Rendering Media Services”, the breach referring to the rights to privacy. In the *TV Pink* broadcast *Overthrowing Vucic, The Final Act*, the health card of I.K. was shown, which presented a gross offence of the right to privacy guaranteed by the Constitution and the laws”, as well as of the Law on Personal Data Protection, the Law on Patients’ Rights and Criminal Procedure Code.

V Media Reform

The year passed as a year of implementation of new media legislation. The key features of this significant and to the same degree complex process are privatization and state withdrawal from ownership in the media, as well as establishing of the system of project-based co-financing in the public information sphere. These two main courses of media reform are featured in the Media Strategy and the Law on Public Information and Media. However, in practice they are paved with numerous problems, frequently caused deliberately, first of all due to the interests and influences governing the relations between politics and political parties.

Local self-government units were not ready to apply the mechanism of project-based media co-financing which is why numerous competitions were conducted in an unlawful and non-transparent manner, often with the obviously intentional violation of legal provisions. The problem is also the fact that in the course of 2015 the media showed disorientation in the sphere of project co-financing. The weakest phase of the project-based co-financing system is evaluation of media projects, the skill without which it is impossible to apply even basic control over expenditure of public funds.

Media privatization was also carried out with some problems. More serious analyses of this process are yet to be made, but even without a detailed investigation, it is clear that the state media companies were purchased mainly by the government coalition, using mostly the money belonging to local budgetary funds.

Out of 73 media companies that, in the beginning of this round of privatization, were owned by the state and by local self-government units, 34 were sold. Out of this number, 14 media outlets were bought either by individuals or companies evidently close to the parties constituting the government coalition. As many as thirteen of these purchases were made by those close to Serbian Progressive Party, while one purchase was made by an entity close to the Social Democratic Party. Almost as a rule, new, private owners were buying the media using the funds from the budget.

Project-based Media Co-financing

From January 1st to December 10th, 2015, the legal obligation to co-finance projects in the field of public information, for the sake of realization of public interest by means of competition (Law on Public Information and Media) was met by 101 local self-government units (towns and municipalities) and four city municipalities. As many as 43 local self-government units did not announce competitions for media projects, even after the official warnings of the Coalition of Journalist and Media Associations (NUNS, UNS, NDNV, ANEM and Loal pres).

Out of 101 local self-government units which were announcing public competitions, 21 announced the competition twice, while the self-government of Sremska Mitrovica announced the competition three times.

Serbian Ministry of Culture and Information and Provincial Secretariat for Culture and Public Information of Vojvodina announced two competitions, each in the course of 2015.

Out of the total of 127 public calls for media projects, not counting the competitions announced by the Ministry and by the Provincial Secretariat, 44 had not been harmonized with the Law on Public Information and Media, with the sub-Acts – Rules on Co-financing of Projects for Fulfillment of Public Interest in the Public Information Sector. The Coalition reacted in 38 cases of violating the regulations. The majority of local self-government units (21) adopted the remarks and made corrections to their competitions. In the cases of municipalities and cities which ignored the warnings against the discrepancies, the Coalition reacted by not appointing the candidates as members of competition commissions. According to the best knowledge of the Coalition, instead of the competitions for co-financing media projects of public interest, nine local self-government units announced public calls (Ada, Gornji Milanovac, Krupanj, Kucevo, Mali Zvornik, Osecina, Pancevo, Plandiste and Pozarevac). All of them ignored the warnings of the Coalition that by doing this, they had violated the law.

Explanations of those local self-government units which did announce competitions for co-financing of media projects are various – from poverty, through explanations that no funds were allocated in their budgets for co-financing projects of public interest, to alleging that there are no media on the local level.

Defining Public Interest in the News Media

Being of the opinion that the way of defining public interest is of vital importance for the entire system of co-financing of media content, within the period from March to July 2015 NUNS realized the project *Public Interest for Citizens and Media*. The project the pilot version of which was realized in Nis, Vranje and Cacak was supported by the Open Society Fund.

During the first phase of the project, in the course of April, separate preliminary talks with the representatives of local governments and the civil society were held in all three of these towns. During the meetings, NUNS explained its initiative, which was ardently supported.

The second phase, during the month of May, was featured by mutual talks between the representatives of city administrations, media and the civil sector. The conclusion reached upon the talks was that they need to have permanent cooperation in order to define the right issues of the public interest in the sphere of public information.

The third and final phase of the project, carried out in the course of June in Nis, Vranje and Cacak was featured by public debates during which the representatives of NUNS

were promoting the *Mechanism of Defining Public Interest in the Sphere of Public Information*. A model of the *Rules on Co-financing Projects for Realization of Public Interest in the Public Information Sector in Local Self-government* was presented. The model was created by the expert team of the Center for Advanced Legal Studies. *Research on Media Financing* realized by The Balkan Investigative Reporting Network attracted special attention during the debates.

Representatives of various social organizations who were taking part in public debates were suggesting concrete topics for media projects which should be supported by funds from the budget as they present public interest. Children's rights, education and youth unemployment, consumer rights and patient rights, social politics, problems of the "third age", environmental concern, foodstuffs control, promotion of entrepreneurship in agriculture, fight against violence, position of national minorities, issues of the persons with disabilities, volunteer work, promotion of professional development and artistic endeavour and many others. These were the most important topics suggested to local self-governments and to media by the civil societies of Nis, Cacak and Vranje.

Good and Bad Practice of Co-financing

30th January 2015 – In its public release, NUNS warned that the town assemblies of Novi Pazar and Pancevo had adopted budgets for 2015 contrary to the Law on Public Information and Media (ZJIM). Namely, in the budgets of Novi Pazar and Pancevo no funds were allocated for co-financing of media projects as envisaged by the Law. Novi Pazar and Pancevo had allocated only the funds for the subsidies intended to local public information companies, which is forbidden by law. Subsidies to public companies in these towns were been allocated in the budgets for the entire year of 2015, in spite of the provisions of the Law stipulating that as of July 1 2015 only project-based co-financing of media is allowed. Having this in mind, in December and February 2015, NUNS requested a meeting with the mayor of Novi Pazar, but there was no answer to this initiative.

11th February 2015 – As initiated by NUNS, the Coalition of Journalist and Media Associations requested the city of Nis by means of a public release to, as soon as possible, declare null and void the Decision regarding public information of importance to the City of Nis, made in March 2013, in order to develop prerequisites for consistent implementation of the Law on Public Information and Media. The Coalition of Journalist and Media Associations welcomed the decision of Nis authorities to increase the 2015 budget item "Informing the Public" from 20 to 70 million dinars. Referring to this, the Coalition noted that in the aim of proper allocation of these funds it is necessary to harmonize local regulations with the Law on Public Information and Media and its by-laws.

09th April 2015 – As suggested by NUNS, the Coalition of Journalist and Media Associations publicly protested and condemned the act of the Mayor of Nova Varos,

Dimitrije Paunovic, who had altered after his own will the proposal of the commission which was evaluating the projects in the field of public information within the competition of this local self-government. The commission, consisting of two members appointed by the Coalition (the third member is from the local self-government administration), evaluated the projects and suggested the funds for their co-financing. However, the mayor radically altered the proposals of the commission, giving no acceptable explanation. The coalition reminds that the Law on Public Information and Media prescribes that evaluation of media projects at competitions is to be performed by professional commissions, and that the decision on the allocation of funds was made by the manager of the body which had announced the competition “based on the proposal of the commission”.

05th June 2015 - Coalition of Journalist and Media Associations publicly requested that the authorities of the city of Kragujevac harmonize the competition announced at the end of May for co-financing the projects referring to production of media content, with the Law on Public Information and Media and with the Rules for Co-financing of Projects. The Coalition reminded that it is envisaged by the Law and the by-Act that the right to participate in the competition is granted to publishers of those media which are entered into the Registry of Media, while the above mentioned competition limits that right only to the media having the headquarters in Kragujevac. The Coalition repeated that they would not appoint candidates for the commissions of those local self-government units which do not abide by the law.

The competition announced in Kragujevac was cancelled as late as in mid-July, when Mayor Radomir Nikolic accused the Coalition of cancelling the competition because the associations of journalists did not appoint the members of the competition commission. On August 21, 2015, the Coalition pointed out in public that Nikolic's accusation was untrue and tendentious, reminding that the Coalition had warned several times the city authority of Kragujevac that the competition announced was illegal. However, these warnings were ignored.

Despite the later notifications that Kragujevac will announce a new competition, this didn't happen. Instead of co-financing of media projects, during the City Assembly session held on October 16, 2015, the Assembly members voted for a very disputable decision to increase for 30 million dinars the amount of the subsidies to RTV Kragujevac, which had been privatized in the meantime. On November 3, 2015, the Coalition also publicly criticized this decision, requesting that the Ministry of Finance and The State Audit Institution declare on its validity.

14th July 2015 – At the competition in the city of Nis, the largest amounts of money were allocated to the projects of the media owned by the Radomirovic family (TV Belami, Narodne novine, Radio Belami, and Belami Internet Portal) – 31.5 million dinars, namely approximately 62 percent of the total allocated funds (51,128.200 dinars). TV Zona Plus, owned by Vladan Gasic, the son of the Defence Minister and the SNS Vice President, Bratislav Gasic, was allocated a bit more than eight million dinars, or 16 percent of the total sum.

This decision, anticipated in media circles of the city of Nis days before, attracted a lot of attention and caused dissatisfaction of both local media and the entire media community. Additional reason for dissatisfaction was the fact that the “independent” three-member commission had unanimously refused the request of the Local Anti-corruption Forum (LAF) to attend the sessions of the commission as monitors. The only explanation of the commission was that LAF’s suggestion “came rather late and would, therefore, prolong the whole procedure”. For the sake of clarification, Local Anti-corruption Forum is an independent body established by the Assembly of the City of Nis with the aim to monitor the activities of the City bodies and the way of spending the money paid by tax payers.

This inconceivable decision of the commission reinforced the doubts regarding regularity of the process of evaluating media projects. The key question reads as follows – was it just a matter of chance that the largest portion of funds ever allocated for media in Nis was been awarded to those who are close to Serbian Progressive Party, as shown by the data of the Anti-corruption Agency? Maybe a part of this question will be answered by the Bureau for Social Research and by the Local Anti-corruption Forum from Nis, as they have organized monitoring of implementation of media projects co-financed from the budget of Nis. Indicatively, the media owned by Radomirovic and Gasic, which were awarded the largest part of the budget allocated to Nis, were among the first ones who refused to participate in this monitoring.

20th July 2015 - Coalition of Journalist and Media Associations publicly requested municipal authorities of Novi Sad “to answer which journalists and media associations suggested appointment of the commission that was in charge of passing the decision on carrying out the public competition process for co-financing of media projects from the funds of Novi Sad in 2015”. The coalition assessed that “this may clarify the way of allocating the city budgetary funds by means of a competition, based on which certain associations were receiving the funds on as many as four to five grounds”.

21st July 2015 – The municipality of Srbobran announced a new, updated public call for co-financing media content production projects, after the warning of the Coalition of Journalist and Media Associations that the first competition of June 21 2015 was illegal as it limited the right to participation. Namely, in the first call published by Srbobran municipality, only “Srbobran-based media whose programme content has been available in the territory of Srbobran municipality for at least one year” had the right to participate.

17th August 2015 – Upon the reaction of the Coalition of Journalist and Media Associations, the municipality of Despotovac, made corrections to the competition for co-financing media projects and harmonized it with the Law on Public Information and Media and with the Rulebook on Co-financing of Projects to Fulfill Public Interest in the Public Information Sector. The Coalition had previously reacted because the deputy mayor, a member of the municipal Council, and Director of the Cultural Center were nominated as members of the professional commission, which is contrary to the media rules, as per media rules individuals performing public function or who are in

the conflict of interest cannot be nominated for members of the professional commission.

27th August 2015 - Upon intervention of the Coalition of Journalist and Media Associations, the Head of the Municipal Administration Bor passed a decision on cancellation of the competition announced on July 23 2015 for co-financing of media projects at the territory of Bor municipality. The Coalition had previously warned the municipality of Bor that the competition was not in accordance with the law, as the law also envisaged financing of live broadcasts of the Municipal Assembly sessions.

The Decision of the Municipality of Bor on cancellation of the competition states that “the competition is cancelled due to the fact that the Coalition pointed out to certain discrepancies”, as well as that “the basic criteria for making decisions should be to meet public interest of citizens”.

11th September 2015 – The municipality of Presevo announced the competition upon a warning issued by the Coalition of Journalist and Media Associations that presents a legal obligation of local self-government units. As suggested by the Coalition, three journalists were appointed members of the commission consisting of five people. However, as early as during the first meeting of the commission, on September 26 2015, the Coalition representatives rejected the request of the National Council of Albania not to extend co-financing to seven out of the twelve submitted media projects as illegal “as they do not broadcast content in Albanian language”. The Commission also identified other discrepancies, one of them being that only 5.8 million dinars were to be allocated, instead of the 11.7 million dinars earmarked by the competition. The same members of the Commission informed the competent staff at the Municipality that they would not attend the continued session scheduled for October 30 2015, as the agreement to require interpretation of the disputable issues from the relevant ministry had not been exercised. The issue of the disputable criteria was also addressed by the Coalition, namely the Coalition provided detailed information on this matter to the Serbian Ministry of Culture, Ministry of State Administration and Local Self-Government and the Office of Human and Minority Rights.

However, the Municipality of Presevo did decide to cancel the first competition without giving an official explanation, while on November 3 2015 they announced a new, also very disputable competition. On this occasion, the Coalition asked the Ministry of Culture and Information and the Ministry of State Administration and Local Self-Government for their interpretation of the validity of the competitions announced by the municipalities of Bujanovac and Presevo, as both of them limited the right to participate to the media outlets based in the territory of these municipalities. A particularly disputable competition is that of Presevo, per which the right to participate is granted only to media outlets based in the territory of the municipality “and producing the programme in the languages of the national minorities officially used in the territory of Presevo Municipality”, which directly denies the right to participate to the media outlets producing programme in Serbian language.

In its reply to the Coalition, the Ministry of Culture and Information states that it is “clear that the Law on Public Information and Media precisely defines the group of the entities which can participate in competitions for project-based co-financing and that this group cannot be limited by a public call for participation in the competition”. In its reply, the Ministry of State Administration reminded that, according to Article 1 of the Constitution,

“The Republic of Serbia is a state of Serbian people and all citizens who live in it, based on the rule of law and social justice, principles of civil democracy, human and minority rights and freedoms, and commitment to European principles and values”. Pointing out “that it is necessary to provide for equal informing of all citizens on the territories they live in”, the Ministry concludes that “full interculturality may be achieved only by comparing various opinions, ideas and cultures in the same area, with participation and cooperation of all the parties interested”.

On November 18 2015, upon receiving the interpretations of the two ministries, the Coalition “issued a public warning to the competent staff in the local self-government units of Presevo and Bujanovac that it would not participate in further work of their commissions for implementing the competitions for co-financing of media content, as the competitions are not in accordance with the Law on Public Information and Media”.

On 17th September 2015 a conference entitled *Public interest for citizens and media and new way to finance media content* was held in Sava Center in Belgrade. The conference was organized by OSCE, Delegation of the European Union, Ministry of Culture and Information, as a part of the project *Public interest for citizens and media*, implemented in the cities of Nis, Cacak and Vranje. Out of the 160 participants, representatives of municipal and city administrations were the most numerous. The conference comprised the following panel discussions: *The first year of financing public interest in media – panel discussion on professional experiences, civil society and the state* (participants in the discussion: Vukasin Obradovic from NUNS, Zoran Sekulic from Media Association, Nedim Sejdinovic from NDNV, Nela Dimitrijevic, member of Vranje Town Council, Sasa Mirkovic, state secretary for information); *Defining and monitoring of implementation of public interest in the sphere of information* (participants in the discussion: prof. Rade Veljanovski from Faculty of Political Sciences, Tanja Maksic from BIRN, Olga Drecun and Borka Rajsic from the Ministry of Culture and Information, Kalman Kuntic from Vojvodina Secretariat for Information); *Programme budget and co-financing of public interest in information* (participants in the discussion: Aleksandar Bucic from SCTM, Vesna Jokanovic from the Ministry of Culture and Information, Slavka Korolija from the Commission for State Aid Control and Irena Markovic from the Department for State Aid Control).

30th September 2015 - Coalition of Journalist and Media Associations organized a public discussion with the topic covering the new practice of project co-financing of media content of public interest. During the gathering in the press center of the Association of Journalists of Serbia (UNS), the Coalition presented its first report for the

period from April 1 – September 15 2015. The report was made based on monitoring the process of co-financing of media contents in local self-government units, but also within the competences of provincial and republic authorities. Monitoring was performed as a part of the Coalition project *To be or not to be for media reform in Serbia* which was supported by the British Embassy in Belgrade. The keynote speakers at the discussion (Svetozar Rakovic - NUNS, Petar Jeremic - UNS, Snezana Milosevic - Lokal pres and Milorad Tadic – ANEM) spoke about the experiences – examples of good and bad practice, and recommendations for upgrading the entire process of co-financing media projects.

07th December 2015 – The city of Belgrade publicized the results of the competitions for co-financing of media projects. According to the decision on allocation of funds, which, as suggested by the professional commission, was made by the Head of the City Administration Information Department, the co-financing of 23 out of the 74 projects submitted to the competition was approved. More than a half of the budgetary funds earmarked based on this competition (45 million dinars) was allocated to the recently privatized Studio B for the project *Good Morning Belgrade* (23 million). Besides this, the attention of the media community was also drawn by the fact that the project *Current Issues of Belgrade – Media Monitoring of the Mayor and his Work and the Work of City Authorities* will be supported by 2.5 million dinars. The decision to spend the money from budget funds for promotion of public authority bodies is disputable from the standpoint of the definition of public interest in the sphere of public information, provided in the Law on Public Information and Media (Article 15). Such decision is directly contrasted to the essential idea of co-financing of media content of public interest. That is probably the reason why the subject - Media Monitoring of Mayor and his Work and the Work of City Authorities, was not envisaged by the competition of the city of Belgrade.

The attention of the public and particularly of media community was drawn by the appointment of the expert commission for evaluation of the projects included in Belgrade competition. A five-member commission included: Dalila Ljubicic, nominated by journalist and media associations; Aleksandar Simic, nominated by journalist and media associations; Jovan Sekulic, nominated by journalist and media associations; Ana Stamenkovic, independent media expert; Svetlana Aleksic, independent media expert. On behalf of the Coalition of Journalist and Media Associations, NUNS requested further clarification from the City Administration Department for Information, referring to the following issues: "Which journalist and media associations suggested the first three members of the Commission?" Besides this, NUNS also requested "professional CVs of the Commission members under numbers 4 and 5, which had been appointed as independent media experts".

The answer provided by Department for Information, among other things, read as follows: "The first three nominated commission members were Dalila Ljubicic, nominated by Media Association, Aleksandar Simic, nominated by the Association of Sports Journalists of Belgrade and Jovan Sekulic nominated by the Association of Sports Journalists of Belgrade ... Having in mind that the rest of the Commission members

are elected based on the suggestions received from independent media experts interested in the work of the Commission, Ana Stamenkovic and Svetlana Aleksic were appointed as members of the Commission”.

The Department for Information refused to provide the Coalition with professional CVs of the Commission members on the grounds of the fact that the “competition procedure is still underway and the CVs shall not be submitted for the sake of protection of all participants in the Competition and due to the very nature of the Competition.”!?

Dissatisfied with such explanation, on November 24 2015, NUNS sent a Request for access to information of public importance to the Department for Information, requesting to be sent the CVs of the competition commission members. The Commissioner for Access to Information of Public Importance and Personal Data Protection was also acquainted with the request.

Media Privatization by Political Parties

The majority of, or as many as seven media outlets – mostly regional TV stations, were purchased by Radojica Milosavljevic, controversial businessman from the town of Krusevac.

The public associates the name of Radojica Milosavljevic, a former mayor of Krusevac and an SPS activist, with their fellow-citizen Bratislav Gasic, the Defence Minister and the Vice President of SNS. Reportedly, Gasic’s silent business partner publicly wonders why people connect him with Gasic, when the only link between the two of them is the fact that they were born in the same village, and that Milosavljevic used to share his school desk with Gasic’s mother.

However, as Zoran B.Nikolic pointed out in his analytical articles for NUNS regarding media privatization, there are some serious indications of the contacts Milosavljevic has in SNS. The city of Krusevac had allocated 17,500 euros to the city television through project-based media co-financing only several hours before Milosavljevic bought it, paying 14,000 euros to purchase TV Krusevac. Similarly, in the city of Kragujevac, where the competition for media co-financing wasn’t even announced, and where their mayor Radomir Nikolic is a President of the SNS Executive Council, a subsidy of 30 million dinars was paid to TV Kragujevac only a week before Milosavljevic purchased it officially. That is approximately 250,000 thousand euros, while 85,500 euros were paid for the purchase of RTV Kragujevac.

A new indicator of Milosavljevic’s connections with the governing party was a recent appointment of the editor-in-chief of RTV Pancevo, which had also been purchased by Milosavljevic. Namely, Miroslav Milankov, President of the Council for Information of Pancevo SNS City Board was appointed the editor-in-chief of RTV Pancevo.

Milosavljević's purchases of media were also disputed because of the fact that in 1978, as the president of the Krusevac-based football club *Napredak*, he was sentenced to 16 months in prison for embezzlement. That is why the Entertainment media group, one of the parties interested in RTV Pancevo, filed a complaint with the Agency for Privatization on the following grounds: according to the Law, persons sentenced for criminal acts for which the prescribed sentence is 5 years or more, cannot take part in privatization, as is the case of Milosavljević. However, according to the Criminal Code, all consequences of a verdict cease to be valid 10 years upon serving the sentence at the latest, therefore the complaint was rejected.

The story about media privatization by political parties, tells us about some more cases besides the one including Milosavljević. Media outlet TV Kopernikus (Kopernikus cable network from the city of Nis) purchased Radio Sid, RTV Raska and Novi put from Jagodina comprising a radio station, TV station and a weekly paper.

As provided in the Anti-Corruption Council statement on media ownership structure, issued in February 2015: "This TV is considered to have been close to Serbian Progressive Party, since the 2011/2012 pre-election campaign when its third programme was leased by this party through the company Sens marketing doo. Vladimir Djukanovic, Member of Parliament and an official of Serbian Progressive Party, hosts an authorial show *Good Morning with Djuka*. Tatjana Vidojevic, member of the Central Board of Serbian Progressive Party and currently a member of the SNS Municipal Council of Cukarica in Belgrade was the editor-in-chief of TV Svet plus info – the third channel of Kopernikus TV".

TV Blace was purchased by a Nis-based TV Belle Amie, owned by Vidosav Radomirovic, also called "a Rupert Murdoch from Nis". Nis television was sold for 78,000 euros to a consortium composed of the *Narodne novine* daily owned by Radomirovic and a natural person Sladjana Ostojic, Director of the TV station Zona Plus, owned by Vladan Gasic, the son of Bratislav Gasic.

The media empire of Radomirovic family now comprises the *Narodne novine* daily, *TV Belle Ami*, *Radio Station Belle Ami*, *Belle Ami portal*, *TV Sokobanja*, Zajecar-based *Timok* daily, Pirot-based *Sloboda* weekly, *TV Blace* and *Nis TV* in co-ownership with Sladjana Ostojic, Director of TV station Zona Plus, owned by Vladan Gasic, son of Bratislav Gasic

In her analytical article for NUNS, journalist Vesna Todorovic says that, at a recent competition announced by the city of Nis for co-financing of media projects in 2015, the daily paper *Narodne novine*, as a new owner of *Nis TV* was granted the largest portion of budgetary funds, among all the applicants – their project *My City, My Home* was granted 14.8 million dinars, which is about 30% of the total funds allocated at the competition. Radomirovic's *TV Belle Amie* was among those media whose projects were highly ranked and financially supported by the allocation of 13.6 million dinars, while Gasic's *TV Zona plus* was granted a bit more than 8 million dinars for their project *Ask the Citizens*.

The Local Anti-Corruption Forum of the City of Nis and Belgrade Bureau for Social Research, which started to monitor the reporting of media projects supported by budgetary funds, reported that, at the competition announced in Nis, as many as 86 percent of the funds were granted to the media outlets which were assessed as being connected to the authorities in the Forum's Annual Report, this connection being related either to ownership, financial funds or editorial policies. As many as 31.5 million dinars were allocated only to the media outlets owned by the Radomirovic family (Belle Amie TV, Belle Amie Radio, Belle Amie Internet Portal and the Narodne novine weekly) which makes almost 62 percent of the total funds intended for the competition announced in Nis. Some other math calculations also show that the Radomirovic family were granted approximately 250,000 from the city budget, or three times as much as they had paid for purchasing Nis TV.

Novi Sad-based *TV Apolo* was purchased for almost 175,000 euros by company Srbijadanas d.o.o. based in New Belgrade, founded on March 6 2014 with the initial capital of 50,000 dinars as a founder of the internet portal Srbijadanas.com. The question is how a comparatively new internet portal managed to earn such a large amount of money to buy the Novi Sad based *TV Apolo*? Also, this website is very close to SNS. Emilija Maric, a director of the *TV Apolo* appointed by the city authorities consisting of SNS officials, remained at this position, even after the privatization.

VI Free Legal Advice

In the course of 2015, journalists and other media professionals asked and received answers to 29 questions within the NUNS *Free Legal Advice* service.

Legal advice was given by the Law Office Zivkovic Samardzic.

The questions are classified within the following fields:

- Right to labour and prevention of mobbing at work (12 questions);
- Media financing (2 questions);
- Publishing the answers to information (2 questions);
- Protection of copyrights (2 questions);
- Privatization of media (2 questions);

Other (criticisms directed to journalists via social networks, filing criminal charges against journalists, obtaining permission to take footage of privately owned premises, unlawful concentration, using of the repertories of SOKOJ and OFPS, filing charges with the Administrative Court, violation of human rights in media, presenting personal opinions outside the media a journalist is employed in - 9 questions in total).

Out of the above mentioned questions, it is evident that the majority of questions referred to labour rights. During the entire year, the issue of labour rights was most frequently addressed, however the number of questions asked increased in the second half of 2015.

The reason justifying this trend is media privatization and addressing the issue of employee status in media outlets which have not been privatized. Also, one of the reasons could be pressure against media which culminated during the year of 2015 so that the journalists often feel like the victims of mobbing.

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