

code of ethics verbal threats political pressures court proceedings

# CHRONICLE

OF ATTACKS AND PRESSURES

# AGAINST JOURNALISTS

IN 2014

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 2014**

**NUNS  
Early Warning System**

**Belgrade 2014**

# Chronicle of Attacks and Pressures against Journalists in 2014

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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 is 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.

The current year the media scene in Serbia featured various problems that both journalists and media encounter. The most recent report by the European Commission estimated that media freedom and freedom of expression deteriorated in Serbia, particularly in the first half of 2014. The report indicates strengthening tendency of self-censorship, combined with undesirable impacts onto the editorial policy of the media. Non-transparency of public funding and unclear legal framework are also under criticism.

Despite legal guarantees in regards to safety, journalists and other media professionals are still in danger while carrying out their work. During the year NUNS has recorded 20 cases of physical and verbal attacks and threats while six new court proceedings have been initiated against journalists.

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

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

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

In concrete cases NUNS Early Warning System includes the below said activities:

1. Upon receiving information on an incident or a problem NUNS contacts plaintiffs in order to obtain as much information as possible on the issues and thereafter decides on how to act.
2. After publicly reacting NUNS continues to communicate with the specific target groups inclusive of national institutions, and if necessary, international institutions.
3. NUNS covers more burning issues and problems with articles implying deeper analysis of the problem, posted onto the website and released in the Association's 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 the lawyers provide free legal advices to media professionals in regards to their professional and labour rights.

In the report herein, the most striking cases recorded in 2014 are enlisted in chapters.

# I Safety and Security of Journalists and Other Media Professionals

## *The Protest Against the Lists of the “Unsuitable”*

**28<sup>th</sup> April 2014** - NUNS strongly protests against new persecution lists of the “traitors of Serbia” which are being made by the right wing movement SNP *Nasi* and requires from competent authorities to provide protection of public figures who are stigmatized in this way. Among “Serb-haters” are renowned artists, professors and distinguished journalists mostly members of NUNS. NUNS respects the right to public expression and different opinion but still believes that it is unacceptable that in Serbia in 21<sup>st</sup> century the lists of the “unsuitable” are being made again<sup>1</sup> and requests from authorities to undertake legislative measures and prevent public outbursts of hatred and people labelling.

**3<sup>rd</sup> June 2014** - The Prosecutor’s Office for High-Tech crimes filed indictment charges against Ivan Ivanovic, the member of the organization *Nasi*, because on 28<sup>th</sup> March he had released the list of the “30 most prominent Serb-haters and traitors among public figures” on the SNP *Nasi* website. The indictment charges were made before the Higher Court in Belgrade for the criminal offence in regards to racial and other discrimination since he released on the internet portal site of the organization the controversial list, stated the high-technology crime prosecutor Branko Stamenkovic. During the investigation the Prosecutor’s Office for high technology crime conducted hearing of numerous public figures mentioned in Ivanovic’s list.

## *Journalists Under Police Protection*

**4<sup>th</sup> April 2014** - NUNS publicly reacted to the lawsuit filed by Luka Bojovic, head of Zemun criminal organisation and a suspect for severe crimes, against journal-

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<sup>1</sup> Such lists had been made during nineties, under Slobodan Milosevic’s rule when journalist and public figures who spoke against the regime were labelled foreign mercenaries, threatened, attacked and, in some cases murdered.



ist Brankica Stankovic<sup>2</sup>. NUNS asked the police and the Prosecutor's Office to clear off the confidentiality from all the documents in regards to the threats against the author of the *Insajder (Insider)* programme and journalists whose safety was in jeopardy. On 16<sup>th</sup> May the request to access the information of public interest was forwarded to the Ministry of Interior Affairs pertaining questions on who and upon what criteria decides which journalists should be under police protection, how many journalists are under police protection ... In its answer the Ministry of Interior Affairs of Serbia stated that one journalist was under police protection whilst the answers to other questions raised were general and unspecific. Some details on safety measures regarding journalists were cited, without mentioning information on instigators of threats.

## ***Threats Against Editor of the Portal Juzne vesti***

**21<sup>st</sup> March 2014** - Bojan Marinkovic, the owner of a local football club and a restaurant, made a phone call to Predrag Blagojevic, our member and the editor-in-chief of the portal *Juzne vesti*, to warn him to never again write about the director of the public water supply enterprise *Vodovod Dejan Andrejic* and his associates. In the phone call the journalist was told "that he had better cut his tongue short because he might regret later". Predrag Blagojevic reported the threats to the Nis police. NUNS reacted immediately and called for prosecutors to undertake legislative measure against Marinkovic. By the end of September a charge was filed against Marinkovic before the Basic Court in Nis, the main hearing is scheduled for 18<sup>th</sup> December 2014.

## ***Physical Attack Against Journalist Davor Pasalic***

**3<sup>rd</sup> July 2014** - NUNS issued a public condemnation of the attack against Davor Pasalic, the editor of the news agency *FoNet* which occurred in New Belgrade on the night between 2<sup>nd</sup> and 3<sup>rd</sup> July this year. NUNS requested that police most urgently identify three attackers and bring them to justice.

**10<sup>th</sup> July 2014** - NUNS publicly expressed concern over the fact that even af-

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<sup>2</sup> Brankica is a renowned award winning journalist who mostly investigates organised crime and state corruption. Because of the threats she receives, she's been living under 24 hour police protection for the last 5 years.

ter seven days had passed the authorities failed to find attackers of the *FoNet* journalist Davor Pasalic. NUNS asked the Ministry of Interior Affairs to inform the public on measures they undertook in order to discover perpetrators of a cruel beating of our colleague. NUNS estimated that this case ought to be a priority of the police work and investigation authorities because the three thugs beat Pasalic asking for money and shouting that he was an “ustasha and Croat” which gave a particular weight to this case<sup>3</sup>.

**27<sup>th</sup> August 2014** - NUNS again reacted publicly since the police turned a deaf ear on the beating of Pasalic. It expressed dissatisfaction over the fact that even after two months had passed the police failed to find attackers of the *FoNet* editor. Dissatisfaction was even greater as there was no any answer from the Ministry of Interior Affairs to an earlier request of NUNS to openly state what measures were undertaken in order to find perpetrators of this violent act against the journalist. NUNS reiterated its request that the investigation results be revealed to public as soon as possible regardless of what the content might be.

**10<sup>th</sup> October 2014** - NUNS demanded a public explanation from the Minister of Interior Affairs Nebojsa Stefanovic why even after three months the attackers of Pasalic had not been found. NUNS asked the Minister to include this case amongst priorities in the shortest period of time and inform on the investigation results.

**2<sup>nd</sup> November 2014** - Vukasin Obradovic, the President of NUNS, spoke in *Pet minuta za NUNS (Five minutes for NUNS)*, a video programme of the portal [www.kojeodgovoran.rs](http://www.kojeodgovoran.rs) about the attacks against journalists. The occasion for the interview was the fact that four months had passed since the attack on Davor Pasalic and police still wasn't able to identify three attackers.

**18<sup>th</sup> November 2014** - NUNS submitted a request to Milorad Veljovic, Police Director to receive representatives of the association given the fact that even after four and a half months the attackers of our colleague Davor Pasalic have not been found.

**21<sup>st</sup> November 2014** - During the meeting with Vukasin Obradovic, the President of NUNS, Milorad Veljovic, the Police Director, announced that the Ministry of Interior Affairs would establish a special investigation team to uncover the attack against journalist Davor Pasalic. The discussion highlighted the importance

of discovering the perpetrators of this crime and it was agreed that additional engagement of the Ministry of Interior Affairs' staff will be made. NUNS released a statement about the meeting.

## ***Insults Hurlled by Minister Velimir Ilic***

**10<sup>th</sup> July 2014** - NUNS most severely condemned the behaviour of Minister Velimir Ilic and requested that he make an apology to Milica Saric, a journalist of the Centre for Investigative Journalism of Serbia who he had insulted in telephone interview. NUNS also asked journalists to boycott any political activity of Minister Ilic until he publicly sends his apology. NUNS reminded that this was not the first time that Velimir Ilic had physical and verbal showdown with journalists<sup>4</sup>.

**10<sup>th</sup> July 2014** - Minister Ilic sent his apology to journalist Milica Saric publicly.

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<sup>4</sup> Mr Ilic is known for disrespectful treatment of journalists which include physical assaults during a TV interview.

# II Pressures Against Journalists Through Court Proceedings and Practice

## *Court Proceedings*

In mid June 2014, by the judgement of the Basic Court in Nis, Milutin Ilic, a former director of the public heating utility services enterprise *Gradska toplana* in Nis, Dobrivoje Stanimirovic and Mija Jankovic, the employees of the same enterprise, were acquitted of the charges that they had threatened the editor of the portal *Juzne vesti* Predrag Blagojevic and jeopardized his safety in the beginning of April 2013.

**20<sup>th</sup> June 2014** - NUNS has publicly expressed dissatisfaction over the decision of the Basic Court in Nis to acquit Milutin Ilic, the former director of the public heating utility services enterprise *Gradska toplana* in Nis, and his colleagues Dobrivoje Stanimirovic and Mija Jankovic of the charges for the threats against the editor of the portal *Juzne vesti*.

NUNS reminded that Ilic was charged for his threats against editor Blagojevic that were said in a telephone call over the work of *Gradska toplana* on 4<sup>th</sup> April 2013: "If you had released such a thing in America, would you have seen the sun next morning?" Mija Jankovic was charged for the message: "You should not play with these things". Dobrivoje Stanimirovic was charged because he had threatened with a raised voice: "Don't play with fire". The Basic Court in Nis believes that the words said by Ilic, Jankovic and Stanimirovic were not threats because their statements " do not put the plaintiffs into a prospective position of being personally attacked by the accused men, or any person close to him, i.e. they will not suffer any evil act".

In early June 2014 the Higher Public Prosecutor's Office in Nis dismissed the complaint filed by a journalist of the Radio Television of Serbia - RTS Dragana Sotirovski against the decision of the Basic Public Prosecutor's Office in Aleksin-

act to reject criminal charges she filed against Ljiljana Isakovic, the director of the Special Hospital in Sokobanja, for severe threats Isakovic had addressed to her. The rationale of the Prosecutor's Office that the message "you shall remember me" cannot be qualified as a direct threat to the life and body of the journalist or any member of her family is almost identical to the rationale of the Basic Court in Nis in the acquittal of the individuals who threatened Predrag Blagojevic, the editor of the portal *Juzne vesti*.

## ***Court Proceedings Against Journalist in 2014***

According to our findings six new court proceedings have been initiated against journalists in 2014:

### ***1. Pavle Opacic Against Pavle Zlatic and Veran Matic***

Pavle Opacic sued the B92 television, Pavle Zlatic, the editor of the *B92 NET* and Veran Matic, the editor of the news programme, over the information posted on the *B92* website for damaging honour and reputation of the plaintiff because he was, in his opinion, indicated as a killer of Nikola Bojovic.

In the period from 2<sup>nd</sup> to 4<sup>th</sup> August 2014 the defendants were reporting, inter alia, on the arrest of the plaintiff in a joint action of the Criminal Force Directorate and Gendarmerie. The action conducted on the 2<sup>nd</sup> August 2014 was a part of a series of actions with an objective to solve the murder of Nikola Bojovic, the brother of Luka Bojovic, the head of local criminal organisation Zemun Clan, and other killings in the territory of Serbia and Montenegro in connection with this murder. This piece of news was also covered by other media.

There is no doubt that the plaintiff was arrested in the evening on 2<sup>nd</sup> August 2014. All information in this regard – the city where the plaintiff was arrested, the place of his residence and the doubts arising therefrom, his possible role in the killing of Nikola Bojovic and similar information had been released and confirmed by the Police Director Milorad Veljovic whilst in their report the defendants cited these information truly. In addition, plaintiff was not designated as a perpetrator of the crime in neither of the contested articles as it was stated in the filed in the charges itself, in a part where disputable articles were cited.

## **2. Ivan Pekovic Against Senka Vlatkovic and Veran Matic**

Ivan Pekovic sued Senka Vlatkovic, a journalist of the Radio Broadcast Company *B92*, and Veran Matic, the editor of the news program, for damaging his honour and reputation because he had been presented to the public “as a member of an organized gang of robbers being engaged in art work thefts in the Western Europe”.

The defendants did report on the judgment issued against the four-member group including the plaintiff. However, when reporting on that judgment and acting in accordance with due journalistic diligence they correctly cited both the information from the court proceedings against the plaintiff and three other persons and the information from police statements released during the arrest of the plaintiff. The first-defendant covered the period when the plaintiff was arrested. In addition, the released video clip, for which the plaintiff claims it shows his face is in fact a police video footage that was available to all media and the face of the plaintiff shown in a video footage is not recognizable. In this view it is certainly not possible to determine whether the footage contains the plaintiff’s face or not and therefore his rights could not be violated in this way.

## **3. Luka Bojovic Against Brankica Stankovic and Samizdat**

Luka Bojovic sued Brankica Stankovic, the author of the television series *Insajder (Insider)* and the book *Insajder, moja prica (Insider, My Story)* and the publisher *Samizdat* for the damaging his honour and reputation due to the information presented in the book.

However, this book is based on actual events, which are, among other things, documented by official records of the competent state authorities. Brankica Stankovic quoted in the book the documents of the relevant state authorities, in which, inter alia, the following was stated: “On 6<sup>th</sup> January 2011 I was informed by Miljko Radisavljevic, the prosecutor for organized crime that the Prosecution is in possession of yet unverified information that the members of the organized criminal groups in the area of Montenegro procured two sniper rifles for the elimination of the journalist of *B92* Brankica Stankovic (the man who ordered this elimination is Luka Bojovic)”. From the moment the book was published neither of the state bodies, nor any other person, has contested the validity of these and all other information published in the book.

#### 4. *Dalibor Kekic Against BUM and Aleksandar Djekic*

The lawsuits against the Becej Youth Association - BUM and Aleksandar Djekic, the editor of *Moj Becej (My Becej)*, were filed by Dalibor Kekic, a member of the municipal council (representing Liberal Democratic Party - LDP), his brother and his wife for damaging their honour and reputation. Namely, the Municipal Assembly of Becej appointed a new director of the public water supply enterprise *Vodokanal*, Aleksandar Maric (LDP) who had hired auditors to inspect the work of the previous director Slobodan Mitrovic (LDP). BUM had previously asked Mr. Mitrovic to grant them access to the documentation regarding procurement procedure. Slobodan Mitrovic had not deliver information and therefore an article was released stating that the public water supply enterprise *Vodokanal* was hiding the public procurement of 28<sup>th</sup> September 2013. The new director of *Vodokanal* Aleksandar Maric filed criminal charges against Slobodan Mitrovic following the audit report. *My Becej* reported in full details from a press conference regarding these public procurements. Slobodan Mitrovic asked *My Becej* to publish his denial and that was done. After this denial Tamara Ivanisevic, the deputy president of the municipality (LDP), gave her statement because she had been mentioned in Slobodan Mitrovic's denial and asked for it to be published, which was done. Dalibor Kekic, a member of the municipal council was also mentioned in this article. After the publication of this denial Slobodan Mitrovic spoke again stressing that that was his last address and delivered a new denial. The plaintiff Dalibor Kekic did not release his denial. Since his brother and spouse were mentioned in the denial they also filed charges against BUM and Aleksandar Djekic.

#### 5. *Dragan Antic Against B92*

Dragan Antic filed a lawsuit against *B92* for the damaging his honour and reputation. The lawsuit was filed because *B92* had reported two articles from the *Politika* daily in which Dragan Antic, a member of the Volunteer Guard of Zeljko Raznatovic Arkan<sup>5</sup>, was mentioned as a new actor in the investigation on the murder of journalist Milan Pantic<sup>6</sup>. The information about his involvement in Milan Pantic murder originates from the statement given to the police by Jugoslav Petrusic, a former member of the paramilitary group *Spider*. *Politika* released a part of

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<sup>5</sup> Raznatovic was a leader of paramilitary units, war and organised crime suspect murdered in 2000.

<sup>6</sup> Pantic reported on criminal affairs and corporate corruption. He was murdered in 2001. His assassins have not been found.

the statement in the said articles. The charges were filed in reference to these two articles although the legally defined deadline for filing charges had already passed and therefore it should be rejected, at least for this part. The lawsuit also included (in order to demonstrate the “hunt” against the plaintiff) a third article which had quoted the press release issued by the Commission on Investigation of Murders of Journalists<sup>7</sup>. In the opinion of the plaintiff this text is disputable because it only gives a brief mention of the plaintiff denials regarding statements made by Jugoslav Petrusic i.e. through the press-release of the Commission. The plaintiff believes that *B92* was obliged to publish his letter in wherein he denied all allegations made by Jugoslav Petrusic and expressed his findings and opinion on the “hunt” against him full because it had been sent to Veran Matic, the president of the Commission and the editor of *B92*. He requested of Matic to publish the letter in full on the *B92 NET* website as a denial of the articles reported from *Politika* which he failed to do. Veran Matic forwarded the said letter to the Commission which released a statement that was afterwards covered by all media.

## **6. *Mirjana Acimovic Against Blic and Center for Investigative Journalism***

Mirjana Acimovic from Belgrade sued Ringier Axel Springer, the publisher of the daily newspaper *Blic*, and the Centre for Investigative Journalism (CINS) over the articles written by CINS journalists and reported in *Blic* under their own editorial style (with a different headline, inter alia) claiming damages in the amount of 1,000,000.00 RSD.

She alleges in her complaint that releasing the articles under the headline *The Black Lady of the Serbian Gambling* (the editorial headline of the *Blic* daily under which the CINS had never released its articles) endangered the presumption of her innocence and that the released articles contain unverified information.

The response to the lawsuit on 23<sup>rd</sup> July 2014 stated that the lawsuit was, inter alia, unclear because no concrete information released by the Centre for Investigative Journalism was quoted as untrue, incomplete, i.e. that it was released contrary to the Law on Information, and therefore it should be returned to the plaintiff for amendment.

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<sup>7</sup> Commission established in 2012 with an aim to solve the murders of Serbian journalists.



At the same time it was indicated that the claim was groundless in regards to the solidarity compensation payment for the damage to be reimbursed by the Ringier Axel Springer and the Centre for Investigative Journalism since these are not in common share business relations in view of journalists, the editor-in-chief and the legal entity which is the founder of the public media outlet.

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

## *Condemnation of Censorship and Abuse of the Internet*

**2<sup>nd</sup> February 2014** – NUNS with the Independent Journalists' Association of Vojvodina – NDNV and the SHARE Foundation severely condemned the attempts of censorship and freedom restraints regarding exchange of contents on the Internet. On 1<sup>st</sup> February, based on the false charges of misuse of copyright, a number of video footages were deleted from the YouTube channel and other websites showing the president of the Serbian Progressive Party - SNS Aleksandar Vucic, at the time Serbia's First Deputy Prime Minister, taking part in rescuing snow-stranded people in town of Feketic and carrying a child in his arms through the storm. In addition, numerous contents and comments were erased in various ways, mainly those featuring this event posted in mainly irony style or through parody. NUNS, NDNV and the SHARE Foundation informed international organizations for media freedoms on the Internet about these events.

**6<sup>th</sup> February 2014** - NUNS publicly called on media to prevent abuse of freedom of expression on the Internet and undertake concrete measures to stop comments on articles and stories turn into another field of inter-party showdown. After the disclosure of one political party's instructions for the Internet campaign it became clear that political parties use social networks to market the contents aimed at sole realisation of the party's interests.

During the state of emergency caused by floods which hit Serbia in May a number of citizens were arrested to be formally questioned for allegedly spreading panic.

**26<sup>th</sup> May 2014** - NUNS invited all those who took part in exchanging information on social networks and receive a request for informative questioning by the Ministry of Interior Affairs for allegedly spreading panic during the state of emergency, to ask for free legal assistance of NUNS Legal Services.

**1<sup>st</sup> June 2014** - NUNS called on the competent police authorities for cybercrime to find out and publicly inform who stands behind apparently organized attacks and several hours long take-down of the *Pescanik* portal website. Svetlana Lukic, the editor of the portal, said that the website was taken down after the release of the article seriously indicating that a part of the doctoral dissertation of the Minister of Interior Affairs Nebojsa Stefanovic was plagiarized.

**2<sup>nd</sup> June 2014** -The police launched an investigation on taking-down of the *Pescanik* portal following the request of the Higher Prosecutor's Office to collect necessary information. The Special Prosecutor for High-Tech Crime Branko Stamenkovic said to the media that "due to the media allegations and NUNS press-release the Higher Prosecutor's Office made a case and forwarded appropriate an request to the Special Department for Combating High-Tech Crimes within the Ministry of Interior Affairs of Serbia to check these allegations".

**5<sup>th</sup> June 2014** - NUNS released a public request by the European Federation of Journalists – (EFJ) addressed to the Government of Serbia asking it to comply with media freedoms and allow journalists to report truth on recent floods in the country when several dozens of people were killed, quoted the release forwarded to NUNS by EFJ with its headquarters in Brussels. The EFJ request followed the alleged attempts of the government to censor criticism about its activities and measures in regards to the devastating floods.

**6<sup>th</sup> June 2014** - NUNS expressed its concern and protest against police arrest of Dragan Nikolic, a journalist of the radio-television *Mladenovac* for an informative questioning over critical content on particular political figures posted on his Facebook profile. It is especially worrying that the report against the journalist was filed by a public official Milorad Cvetanovic, a ruling party (SNS) deputy from Mladenovac.

**9<sup>th</sup> June 2014** - The European Federation of Journalists (EFJ) openly expressed its support for NUNS protest over the arrest of Dragan Nikolic, RTV *Mladenovac* journalist for his critical comments posted on his Facebook profile. EFJ supported the statement released by NUNS reminding the public that the freedom of expression is guaranteed by the Constitution of Serbia, the Law on Public Information and the European Convention on Human Rights.

**26<sup>th</sup> June 2014** - NUNS again requested from the relevant authorities to find and sanction organizers of growing and more dangerous hacking attacks on Internet portals that directly threaten the freedom of information and expression as soon as possible. NUNS called the Prosecutor's Office for High-Tech Crimes to prevent "an organized hacking offensive" in cooperation with the Ministry of Interior's Special Department for Combating High-Tech Crimes. The duty of the Prosecutor's Office is to find who and under whose order hacked the websites of *Pescanik, Teleprompter, CINS, Kurir*, cited NUNS.

## ***Complaints of the Radio Station Subotica Journalists***

**28<sup>th</sup> May 2014** - A group of journalists of *Radio Subotica*, the newsroom in Serbian language, sent a letter to NUNS and NDNV complaining about the behaviour of the Radio's acting director Ljubisa Stepanovic who was appointed as a the Socialist Party of Serbia candidate in compliance with the coalition agreement of the local authorities in the city. The letter was signed by Ljiljana Elek, the acting editor-in-chief of the newsroom in the Serbian language and six other journalists.

**29<sup>th</sup> May 2014** - NUNS and NDNV issued a joint condemnation of the humiliation and harassment of editors and journalists of *Radio Subotica* by Ljubisa Stepanovic, the acting director of the media founded by the local self-government.

**3<sup>rd</sup> June 2014** – The representatives of NUNS, NDNV and OSCE Mission in Serbia met with the editors and journalists of *Radio Subotica* who publicly confirmed that they have been exposed to mobbing by the acting director. On the same day a meeting with the Deputy Mayor of Subotica Tomislav Veljkovic and the member of the City Council Oto Bus was held and the representatives of NUNS and NDNV urged the city authorities, as the representatives of the media founder, to protect journalists and editor and demand of the director to comply with the laws and legislative acts of *Radio Subotica*. At the meeting in the City Hall it was jointly concluded that it was necessary to take measures to find a solution through a dialogue which would enable normal operation of the company in accordance with the legal provisions and the rules of journalism. The representatives of NUNS and NDNV were not able to talk to the acting director of the radio Ljubisa Stepanovic who was, allegedly, busy with pre-arranged obligations.

**10<sup>th</sup> June 2014** - NUNS and NDNV sent an open letter to the Mayor of Subotica Jen Maglai expressing significant concern about the developments in *Radio Subotica*. The letter to the Mayor pointed out that municipal authorities turned a deaf ear to all warnings of the journalists' associations and that in the meantime an unqualified individual was appointed editor-in-chief instead of Ljiljana Elek.

**26<sup>th</sup> June 2014** - NUNS and NDNV once again reacted publicly stating that new developments in the *Radio Subotica* newsroom indicated that the editorial policy of this media outlet was put under the direct influence of the political parties - Alliance of Vojvodina Hungarians and the Socialist Party of Serbia. The associations of journalists invited the editorial board of the *Radio Subotica* newsroom in the Serbian language to found its editorial policy exclusively on public interest, particularly having in mind that the media founder is the local self-government and that it is funded by all taxpayers of Subotica through public budget. NUNS and NDNV stated that *Radio Subotica* programme in the Serbian Language acting editor-in-chief, Tatjana Milosevic refused to broadcast the City Committee of the Democratic Party press-release which was published by all the local media, the state news agency *Tanjug* and the public broadcasting service *Radio-television of Vojvodina*. The listeners of *Radio Subotica* could only hear the explanation why the statement released by the Democratic Party criticizing the Mayor Jen Maglai would not be broadcast. Therefore, the editor-in-chief roughly breached legislative, professional and ethical standards and the principles of journalism. NUNS and NDNV called for the founder of this media outlet – the City Assembly of Subotica, to reconsider its personnel appointments in Radio Subotica in order to ensure conditions for unbiased and true information provision to all its citizens.

**17<sup>th</sup> July 2014** - NUNS and NDNV protested publicly over the decision of the City Assembly of Subotica to extend the mandate of the acting director of *Radio Subotica* Ljubisa Stepanovic despite the public opposition of journalists and journalists' organizations regarding Stepanovic management of the radio in the past. NUNS and NDNV warned that the humiliation of journalists who publicly protested against Stepanovic continued with relentless intensity with an apparent aim to put this media outlet fully into the propaganda service of the parties in power and marginalize or eliminate those journalists who refuse to breach the professional standards of journalism and become mere executors of orders. The two journalists' associations invited civil society organizations in Subotica

and independent intellectuals to speak out against the situation in this public enterprise. Ljubisa Stepanovic, a member of the SPS personnel, was appointed to the position of the director while the position of the Supervisory Board president was unlawfully, and contrary to the statute of this company, entrusted to the SPS member Mirko Zinaic, a retired member of the Ministry of Interior Affairs. A person without a single day of working experience in electronic media was appointed to the editor-in-chief position.

## ***Agreement with the News Agency Xinhua***

**8<sup>th</sup> April 2014** - NUNS received the request from its member Milan Radonjic for assistance because he was not able to get payment for a part-time cooperation with the Chinese news agency *Xinhua*.

On 10<sup>th</sup> April NUNS sent a letter to the regional department of the Chinese news agency *Xinhua* to amicably resolve the dispute over unpaid compensation to Radonjic for the period from June 2012 to December 2013. The NUNS appeal with justification formulated with the assistance of NUNS lawyer was accepted so that colleague Radonjic reached an agreement with the employer and received payment for his claims without engaging into legal proceedings.

## ***Media Discrimination in the National Assembly of Serbia***

**27<sup>th</sup> April 2014** – To mark the oath-taking of the new Government, the National Assembly of Serbia invited only the cameramen of *Reuters*, *TV Pink*, the news agency *Tanjug* and the *INFOBIRO* agency to report. On the same day NUNS publicly protested indicating that it was unacceptable to discriminate media. NUNS called the Serbian Parliament to act in compliance with the law and ensure that all media outlets report on this public ceremony. The protest of NUNS was supported by the organization *Transparency Serbia* and the parliamentary group of the New Democratic Party. The President of the National Assembly Maja Gojkovic promptly explained that the decision was revised and that all media would be allowed to film the oath-taking ceremony of the new Government.

## ***Discrimination of the Journalists by the Public Enterprise for Electric Energy Distribution Jugoistok Nis***

**5<sup>th</sup> June 2014** - The editor-in-chief of the *Juzne vesti* portal informed NUNS about the discriminatory behaviour of Darko Bulatovic, the acting director of the public enterprise for electric energy distribution *Jugoistok* in Nis, who refused to give a statement to the news portal *Juzne vesti* while at the same time he answered questions asked by the *Tanjug* news agency. On 6<sup>th</sup> June NUNS lodged a protest against the discriminatory attitude of the said public company towards the media demonstrating that with such behaviour director Bulatovic breaks the Law on Public Information which requires all state authorities, public services and public enterprises to ensure that information about their work is accessible to the public and under the same conditions to all journalists and all media. By acting in such manner the director of the public enterprise for electric energy distribution *Jugoistok* breached the Law on Free Access to Information of Public Importance which specifies that “the authorities must not give preference to any journalist or media outlet ...”

After several days journalist Blagojevic informed us that the enterprise again refused to provide him with the information of public importance whilst sharing the same information with other media outlets in Nis.

**16<sup>th</sup> June 2014** - NUNS reiterated its protest against the discriminatory attitude of the public enterprise for electric energy distribution *Jugoistok* and sent a letter to director Bulatovic – *Jugoistok* did not answer.

## ***Protests in Front of B92 and Studio B***

**27<sup>th</sup> September 2014** - NUNS invited journalists to gather on Sunday 28<sup>th</sup> September at 21:00 in front of the *B92* head office to express dissatisfaction over the cancellation of the programme *Utisak nedelje (Impression of the Week)* from the television schedule. “It is a particularly troubling fact that author Olja Beckovic said that the show was cancelled under political pressure”, stated NUNS in its press-release. NUNS said that joining this silent protest should be the expression of personal attitude of journalists who were concerned about ever more obvious narrowing of the space for the exchange of different opinions in the Serbian

media and public discourse in general. "Without denying the right of any media outlet to independently determine and implement the editorial policy NUNS reminds that one of the duties of journalists and media covering news programme is to promote freedom of expression and allow pluralism of opinion. We are confident that the programme *Utišak nedelje* is one of the few TV programmes on the Serbian public scene wherein something like this was possible," cited the statement.

**29<sup>th</sup> September 2014** - NUNS expressed satisfaction with the protest rally held the previous night in front of the *RTV B92* as a sign of the protest against cancellation of Olja Beckovic's programme *Utišak nedelje* from the television schedule. With gratitude extended to all journalists and citizens who showed a clear attitude towards this latest attempt of narrowing the public space for social dialogue in this manner, NUNS said that this protest was not finished. The statement stated that, above all, with this gathering journalists demonstrated they were willing to defend own dignity and the right to perform their work in a way that would contribute not only to the reputation of the profession, but also to creation a social environment in which there are no forbidden topics, contents or interlocutors. NUNS estimates that recent events in the media sphere pledge Serbian society to continue the struggle for freedom of the press and widening the public space for expression of critical thinking. In this view, NUNS announced that it would take a series of actions with an aim to argue the importance of free media and social dialogue to domestic and foreign public, media, and representatives of the current government.

**30<sup>th</sup> September 2014** - NUNS supported *Vratite nam Utišak (Give us Back the Impression)* initiative of the Journalists' Association of Serbia and invited all journalists to sign the petition. In its statement NUNS assessed that the support for author Olja Beckovic is, in fact, support to journalism based on professional standards, dialogue and the right to freedom of opinion.

**30<sup>th</sup> September 2014** - NUNS called on journalists to gather on Monday 6<sup>th</sup> October at 21:00 in front of the *RTV Studio B* head office for a silent protest against the "cancellation" of the programmes *Sarapin problem (Sarapa's Problem)* and *U centru (Into the Centre)*. NUNS believes that programme schedule changes and the omission of these two programmes *RTV Studio B* significantly curtail the space for public dialogue. In this manner the viewers are deprived of the opportunity to hear different opinions on the most important social topics. NUNS considers this



decision of the editorial board of *RTV Studio B* as unacceptable and unreasonable especially having in view the fact that showing respect for the public interest in the field of information is the obligation of this media outlet which is majorly funded from the public budget.

**6<sup>th</sup> October 2014** - NUNS called for a new public protest on Monday 6<sup>th</sup> October at 21:00 in front of the *RTV Studio B* head office. NUNS announced that its *Proclamation On Media Freedoms in Serbia* will read in public and offered to journalists and citizens to sign. The *Proclamation* was also posted online as a petition.

## ***NUNS Proclamation on Media Freedom***

**6<sup>th</sup> October 2014** - At the protest in front of *Studio B* NUNS presented the *Proclamation on Media Freedoms* and called on journalists and citizens to support it with their signatures. The *Proclamation* begins with the warning that freedom of speech in Serbia is seriously jeopardized and that journalists face it on a daily basis. "In the Serbian media the pluralism of opinions and ideas, criticism of the Government and struggle for the public interests are dying. It affects journalists who care about the dignity of the profession, brings widespread damage to the citizens and reduces the ability of the society to solve the enormous problems it encounters", stated the *Proclamation*.

In regards to the cancellation of the television programmes such as *Utisak nedelje*, *Sarapin problem* and *U centru*, the *Proclamation* estimates that this directly "reduces space for the exchange of opinions and ideas, while the doubts that the Serbian authorities suppress freedom of speech become justified".

"It is high time that we began to worry seriously about the following obvious facts:

- Political television programmes containing exchange of opinions and attitudes and where the authorities had to answer embarrassing questions raised by the audience are vanishing from the television screen at quick pace;
- Investigative journalism has almost died out;
- Instead of investigative journalism we have tabloid campaigns wherein the media outlets move along the pre-defined framework using the "informa-

tion" delivered by so-called confidential sources whose objectives are to accomplish their own, not the public interest. Those who demonstrate a sign that they are "not on the line" increasingly face foul "debunking" and revelation of their privacy in tabloid newspapers, deprived of any possibility to defend themselves;

- At press conferences held by Serbian officials there is almost no journalistic question that is not pre-arranged with cabinets;
- Self-censorship among journalists and fear for their existence are growing day by day;

The signatories of the *Proclamation* believe that the true freedom of the press and expression, the law-observing state and the rule of law are necessary pre-conditions for the survival of the society and they are determined not to leave such freedom to the mercy and wantonness of political interests and personal interests of individuals who seize power and influence.

We demand from the executive and legislative authorities in Serbia to create the conditions for the full development of these freedoms.

To all colleagues who are exposed to censorship and self-censorship and live in fear for their existence we promise that we will cherish the right to the truth, the critical word and protect the public interest even in their name.

The signatories of the *Proclamation* are determined to do their best to prevent the executive power from bringing us back into the dark period of the nineties when we were being arrested, accused, convicted, fired, and persecuted and when many of us paid the highest price. If for nothing else then for them we are obliged to cherish freedom for which we have been struggling, caring and defending for decades", reads the *Proclamation on Media Freedoms*.

**8<sup>th</sup> October 2014** - NUNS said that the *Proclamation on Media Freedoms* in Serbia was signed by more than 1000 journalists and citizens in less than two days thus expressing concern about the overall situation in the Serbian media and the disappearance of pluralism of opinions and ideas, criticism of the Government and struggle for the public interest. During the protest on 6<sup>th</sup> October 2014, in front of the *RTV Studio B* head office, the *Proclamation* was signed by 209 journalists and citizens. By Wednesday noon, 8<sup>th</sup> October 2014, 864 persons provided

their support to the NUNS action electronically. NUNS reminded that the signing of the *Proclamation on Media Freedoms* in Serbia was continued by the online petition at [www.peticije24.com/proglas\\_o\\_medijskim\\_slobodama\\_u\\_srbiji](http://www.peticije24.com/proglas_o_medijskim_slobodama_u_srbiji) until 13<sup>th</sup> October.

The *Proclamation* and the signatures were forwarded to the Committee for Culture and Information of the National Assembly of Serbia with a request to organize a public hearing in the Parliament about the increasingly evident trend of restricting media freedoms in Serbia.

**9<sup>th</sup> October 2014** - NUNS invited colleagues and citizens to come on Sunday 12<sup>th</sup> October at 21:00 in front of the *TV B92* head office to stage a new protest against the cancellation of the programme *Utisak nedelje*. During the gathering the following topics were discussed: who needs *Utisak nedelje*, whether privatization and business interests allow ultimatums, whether there is censorship, whether the individual courage is sufficient for resistance or we all need to involve in it, whether the fate of *Utisak nedelje* depends on Serbian public.

## ***For Public Hearing on Media Freedoms***

**13<sup>th</sup> October 2014** - NUNS openly asked the Committee for Culture and Information of the National Assembly of Serbia to schedule a public hearing on media freedoms. Along with the request NUNS submitted approximately 2000 signatures of journalists and citizens who supported the *Proclamation on Media Freedoms* as a basis for discussion in the Parliament. In the rationale of the request it reads that NUNS is concerned with the ever more obvious curtailing of the space for the free exchange of information, opinions and attitudes on the Serbian media scene. NUNS stressed that the media outlets and media freedoms are among the weakest areas assessed in the European Commission's report on the progress of Serbia in 2014 and that this is an additional reason for concern and careful consideration in regards to the steps to be taken to improve the situation in this important area of compliance with the European Union's standards. NUNS expressed the belief that the organization of a public hearing in the Parliament would contribute to the affirmation of the media freedoms and freedom of expression as the fundamental social values without which Serbia cannot make any progress on its European path.

## ***Parliamentary Committee on Media Freedoms***

**17<sup>th</sup> October 2014** - The session of the Committee for Information of the National Assembly of Serbia which was supposed to discuss media freedom in Serbia was postponed because the Members of Parliament (deputies are also members of that body) failed to agree on the agenda. The Committee's chairperson Vesna Marjanovic put the agenda that included discussion on individual cases of censorship to a vote. However, the deputies of the ruling coalition did not agree and therefore the agenda was not adopted whilst the session was terminated.

**29<sup>th</sup> October 2014** - The session of the Committee for Information of the National Assembly of Serbia about media freedom in Serbia was postponed due to the boycott of its members – the ruling coalition deputies. A new session of the Committee on the same subject was scheduled for 6<sup>th</sup> November.

**6<sup>th</sup> November 2014** - After more than five hours of stormy and at times quarrelling debate on media freedoms the Committee for Culture and Information of the National Assembly of Serbia adopted Conclusions which called on the state authorities to respond vigorously to any case of attack on journalists and editors and appearance of censorship. The Committee concluded that the media have a legally guaranteed right to freedom of work and that this is the foundation of any democratic society. The Committee pledged to hold a public hearing on media freedom and called on all media and stakeholders of public life to take care of the public interest. Furthermore, the Committee invited all media to contribute with their work to the pluralism of opinion in Serbia. The session was attended by representatives of journalists' associations, editors and journalists who were completely divided in assessing the state of media freedom in Serbia. The editors of certain media (Dragan Vucicevic - *Informer*, Ivana Vucicevic - *RTV Studio B*) were consistent with the views of the ruling coalition's deputies that there was no censorship in Serbia while the representative of NUNS (Vukasin Obradovic, the President) said that the media scene was loaded with censorship, that critical opinions were being stifled and that certain television stations cancelled programs where one could hear critical thinking, that investigative journalism died down and tabloid campaigns emerged instead.

## ***Controversial Registration of Journalists in APR***

**4<sup>th</sup> November 2014** - NUNS and the Journalists' Association of Serbia - UNS openly requested from the Serbian Business Registers Agency - BRA to immediately terminate the obligation of registering users, especially investigative journalists who search the archives of this register. A few days before the statement APR commenced to make records on who accessed the archives and which of the legal entities were reviewed either by direct inspection of the documents or photocopying, or by using electronic search. NUNS and UNS believe that this procedure may lead to the disclosure of information about who and what he/she was searching for and thus directly threaten the safety of journalist researchers, and the right of the public to receive information of public importance. NUNS and UNS assessed that this puts pressure on the media and restricts the right of journalists to free access to information. Therefore the two journalists' associations welcomed the decision of the Commissioner for Information of Public Importance Rodoljub Sabic to initiate a supervision procedure in the Serbian Business Registers Agency in regards to the implementation of the Law on the Protection of Personal Data.

NUNS and UNS reminded that the purpose of APR is exactly provide access to data to the public, interested individuals and institutions and not to control the right of the public to know, reveal and deliver the data to those who have the right to know.

**24<sup>th</sup> November 2014** - A public debate was held in the Media Centre on the problems with the registration of journalists in the Business Registers Agency (BRA). Director of BRA, the Commissioner for Information of Public Importance and Personal Data Protection and the chief editor of NUNS Centre for Investigative Journalism, largely agreed on the existence and importance of the issues in regards to the registration of the companies for which journalists show interest. Director of BRA Zvonko Obradovic announced that the Agency would consider changes of its procedures so that access to documentation does not include precise records about companies that journalists and anti-corruption investigators are researching.

# IV Breaching the Journalists' Code of Ethics

## *Articles by Istvan Kaic*

Istvan Kaic, an associate of the Institute for Public Policy, accused several prominent journalists and media outlets for discrediting the investigation into the murder of Slavko Curuvija<sup>8</sup> in the article *The Third Bullet of Branka Prpa* published in *Politika* daily newspaper on 8<sup>th</sup> April 2014.

**8<sup>th</sup> April 2014** - NUNS publicly condemned the article published in *Politika* emphasizing that the author discredited several prominent public figures without any arguments, contrary to the professional and ethical standards. NUNS President Vukasin Obradovic and other journalists accused in Istvan Kaic's article filed a complaint to the Press Council considering that the daily newspaper *Politika* grossly violated the Serbian Journalists' Code of Ethics. Although the majority of the members of the Complaints Committee of the Press Council assessed that this article breached the Code no decision was made because the UNS representative in the self-regulatory body exercised his right to veto it.

In this view NUNS requested amendment to the Rules of Procedure of the Appeals Committee of the Press Council in order to prevent any obstruction<sup>9</sup> in the work in future which was accepted by other founders of the Council – UNS, the Association of the Media and Local Press. It was anticipated that the amendments to the Regulations be formally adopted by the end of the year.

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<sup>8</sup> Curuvija was murdered in 1999, there are clear indications that his murder was organised by the state. Branka Prpa, his partner at the time, was witness to the assassination. His assassins have not been found.

<sup>9</sup> Complaints Committee member who vetoed the decision represents UNS, an association headed by Ljiljana Smajilovic, who is at the same time the editor in chief of *Politika* daily that published the disputed article.

## ***Christianization***

**23<sup>rd</sup> April 2014** - NUNS publicly condemned the frequent occurrence of the programme contents promoting Kristijan Golubovic, an individual who has an extensive criminal record who been repeatedly convicted of serious crimes. Interview with Golubovic had been repeatedly broadcast by national broadcasters *TV Pink*, *TV B92*, *TV Prva* and *TV Happy*. In this sense, the concern was expressed about the context in which people from the criminal milieu are presented to the general public, particularly to younger generations.

**24<sup>th</sup> April 2014** - NUNS submitted a complaint to the Council of the Republic Broadcasting Agency – RRA against *TV Pink* for broadcasting a television show that hosted Kristijan Golubovic. NUNS believes this violates norms mandatory to the public broadcasters.

**13<sup>th</sup> May 2014** - In an open letter to the Council of RRA NUNS raised again the question of why even after 20 days the Council of the RRA did not take any action against the national television broadcaster.

**30<sup>th</sup> May 2014** – Following the complaint of NUNS the Council of RRA reviewed the contents of the controversial TV shows with Kristijan Golubovic. The Council concluded that there was no violation of the Broadcasting Act and the Code of Conduct of Broadcasters in the case of the shows mentioned.

**2<sup>nd</sup> June 2014** - NUNS publicly expressed its disappointment with the decision of the Republic Broadcasting Agency to terminate proceedings concerning petition in regards to the appearance of Kristijan Golubovic in the programmes of *TV Pink*, *TV B92*, *TV Prva* and *TV Happy*. NUNS called on the Council of RRA to comply with legal regulations in its work and take into account the public interest which must be above the current commercial interests of the national broadcasters.

## ***Violation of Privacy and the Rights of Children***

**27<sup>th</sup> November 2014** - NUNS warned the Regulatory Authority of Electronic Media - (that replaced Republic Broadcasting Agency) that the *Pink Television* grossly violated the Law on Public Information and Media and the Serbian Journalists' Code of Ethics by broadcasting an interview with the mother who accuses her husband of rape of their three and a half years old daughter. NUNS believes

that the disclosure of the mother's identity in *TV Pink's* morning program, in fact, jeopardized the fundamental rights of the victim because the full disclosure of the mother's identity led to disclosure of the minor's identity and severely jeopardized the victim's right to privacy.

NUNS reminded the media which report about these or similar family tragedies that their primary duty is to protect children from cheap sensationalism which may result in irreparable damage to their future lives.

**2<sup>nd</sup> December 2014** - NUNS filed a petition to the Council of the Regulatory Authority of Electronic Media against *TV Pink*. In its complaint NUNS indicates that in *TV Pink* morning program an interview was broadcast on 27<sup>th</sup> November 2014 with the mother with full disclosure of the identity (photo, name, city in which she lives) who accused her husband of the rape of their three and a half years old daughter. Therefore, *TV Pink* breached the General Binding Instruction on the Broadcaster Code of Conduct and the Law on Public Information.

The General Binding Instruction on the Broadcaster Code of Conduct, in the chapter on Protection of Children and Youth, states the obligation for broadcasters "to take special care to protect the dignity and physical and mental health of the person concerned." In addition, "a juvenile individual must be protected from explicit public appearances regardless of the fact if the individual is a victim or a perpetrator of violence or other criminal acts. Broadcasters are required to protect the identity of minors in such cases".

In the part of the instruction relating to the presentation of vice, crime and disturbing phenomena it reads that "one must not manipulate the human suffering and make the victims, the dead and their families be subjected to suffering again."

NUNS believes that the Article 80 of the Law on Public Information and Media which requires that a juvenile "must not be made recognizable in the information that may endanger his/her rights or interests" was also breached.

**8<sup>th</sup> February 2014** - Tamara Skrozza, NUNS representative of the Complaints Committee of the Press Council, spoke in the video programme on the portal [www.kojeodgovoran.rs](http://www.kojeodgovoran.rs), in the section *Pet minuta za NUNS (Five Minutes for NUNS)* on the responsibility of journalists in reference to revealing the identity of the minors as victims in the media contents which endanger their future.



## ***Against the Popularization of the Sports Fan Violence***

**24<sup>th</sup> November 2014** - In accordance with ethical and professional standards NUNS asked journalists and the media not to promote violence and hooligans, give them media space, cover pages and prime time news programmes when reporting on sporting events. In this regard NUNS pointed out the recommendations adopted by the Association of Sports Journalists of Serbia in October 2009. Television media are recommended that the scenes of fan violence be displayed for three seconds at maximum which is in compliance with the recommendations of the International Federation of Sports Journalists, FIFA and UEFA. Print and online media should not publish photographs of fan violence, only the consequences of this violence. The media should not publish photographs or interviews with the so-called "fan leaders". Media attention focused to the scenes of violence, groups of hooligans and their leaders, their relations with athletes and clubs represent a bad message to young people who, with no clear moral and value standards, passively adopt this behaviour as something normal and desirable.

**1<sup>st</sup> December 2014** - Ratko Femic, a member of the Executive Committee of NUNS, spoke in the video programme of the portal [www.kojeodgovoran.rs](http://www.kojeodgovoran.rs) in the section *Pet minuta za NUNS (Five Minutes for NUNS)* on the fan violence which, he said, has an undeservedly enormous space in the media which, in fact, popularizes bullying among young people, especially juvenile sports fans.

# V Media Reform

## *New Kurir*

In early February 2014 a new daily appeared at the media market under name *Kurir: the most influential newspaper in the Balkans*. On 12<sup>th</sup> February 2014 NUNS openly called the Ministry of Culture and Information to verify in what way the new daily *Kurir: the most influential newspaper in the Balkans* was established. In a letter to the Ministry and in the press release NUNS pointed out that the reorganization within the limited liability company *Kurir Info Group* cannot be carried out in a manner contrary to the law, that causes confusion about the identity of the public media, and that in the end it may be to the detriment of creditors of the limited liability company *Kurir Info Group*. According to the Register of Public Media within the Business Registers Agency the newspaper *Kurir* has ceased to exist in early February when the founder and publisher of the “new” daily newspaper *Kurir: the most influential newspaper in the Balkans* became limited liability company *Adria Media Serbia*. NUNS believes that the readers are misled and that this breached one of the articles of the Law on Public Information which literally reads: “In the event of termination of a media outlet, deletion from the register of public media or otherwise ... it is not allowed to establish media under the same or similar name that may cause confusion about the identity of the public media.” This means that after the cessation of the “old *Kurir*” it was not possible to immediately establish a new *Kurir*, because the ban is valid for one year. This press-release was followed by an intensive correspondence between Aleksandar Rodic, the owner of *Kurir* and Vukasin Obradovic, the President of NUNS.

After two months in a letter to NUNS the Ministry of Culture explained that the law was not breached because the daily *Kurir* ceased to exist and that a new daily with a similar but different name and with a new founder cannot cause any confusion at the market.

## *The Laws Adopted Under Urgent Procedure*

**23<sup>rd</sup> July 2014** - NUNS publicly opposed the adoption of media laws under urgent procedure by appealing to the Government of Serbia. NUNS stated that

these laws should be passed under regular procedure since it provides a higher level of transparency and democracy in the process of voting on legislative solutions. It reminded that the transparent legislative process is required and prescribed by the resolution of the National Assembly on legislative policy, Law on Public Administration, the Rules of Procedure of the Government of Serbia and Public Administration Reform Strategy. As an additional reason for regular procedure, for both the Government and the Ministry of Culture and Information, is the fact that the general public do not know very well the content of the Law on Electronic Media and the Law on Public Services.

**27<sup>th</sup> July 2014** – In its press release NUNS welcomed the adoption of the set of proposals for media law and once again protested because the proposals would be referred to the National Assembly in an urgent procedure. Since there is no reason for an urgent procedure, NUNS said that the Government of Serbia does not leave enough time for lawmakers and the general public to learn about the solutions of the draft Law on Public Information, the Law on Electronic Media and the Law on Public Services. This greatly reduces the possibility for the Parliament to improve the proposed solutions upon the submission of amendments.

**28<sup>th</sup> July 2014** - The European Federation of Journalists - EFJ openly expressed concern about the decision of the Government of Serbia that the set of media laws be passed in an urgent procedure without proper debate and transparency in the process of adoption.

The letter sent by EFJ to the Head of the Delegation of the European Commission to Serbia Michael Davenport stated that NUNS, UNS and SINOS (Serbian union of journalists) informed EFJ that the Government of Serbia adopted proposals of three laws on media and that the Parliament would discuss them in an urgent procedure. EFJ indicated that the new media laws regulate many important issues such as privatization of media saying that consultations with media professionals, journalists' associations and trade unions need to be organized.

## ***Amendments to the Law on Media***

**29<sup>th</sup> July 2014** - NUNS and the Center for Advanced Legal Studies – CUPS said they believed that the proposed media laws were good but that they could be improved and therefore they sent the amendment proposals for certain provi-

sions of the law to all parliamentary parties. In a joint statement NUNS and CUPS assessed that the proposed media laws were in accordance with the basic intentions of the Media Strategy and that the most important suggestions of the media community were accepted, including the need to protect the interests of the citizens of the country, primarily in regards to the issues that the state stays away from media “ownership” or their privatization, the transition from the budget to the project funding, transparency of ownership, definition of the public interest in the field of public information ...

The Parliament adopted an amendment to the Law on Public Information and Media relating to the limitations of the right to privacy of public officials.

## ***Interruption of Privatization – Error***

**21<sup>st</sup> August 2014** - NUNS demanded that the Privatization Agency publicly explain the decision to cease the privatization of many regional and local media. On the list of the companies in the field of information and communication which was published on the website of the Privatization Agency along with the *Public invitation for expressions of interest for the subjects of privatization* appeared a note “suspension of privatization” next to the names of numerous state media on 20<sup>th</sup> August.”

On the same day the Privatization Agency publicly denied that it was a note on the cessation of privatization explaining that “termination of privatization” in certain media outlets is a technical error that was corrected immediately after the press-release issued by NUNS.

## ***Invitation to Journalists to Take Part in Privatization***

**12<sup>th</sup> September 2014** - NUNS openly invited journalists from state-owned media outlets to participate in the privatization of these media reminding them that the 15<sup>th</sup> September, according to the Law on Privatization, is the deadline for submission of letters of interest. NUNS believes that journalists and media workers as owners can protect their interests in the best way and that it is therefore very important that representatives of the profession collectively or individually check in as potential buyers of the media in which they work.

## ***Who is the Owner of RTV B92 and TV Prva?***

**5<sup>th</sup> November 2014** - NUNS joined the campaign *Stand Up For Journalism* initiated by the European Federation of Journalists (EFJ) with a public request to the Commission for Protection of Competition to end the investigation process about media concentration regarding the ownership structure of the Radio Broadcasting Company *B92* as soon as possible and disclose whether the owners of *RTV B92* and *TV Prva* are the same. Although the new legislation does not prohibit ownership in a number of broadcasters if the share in total viewership or listenership does not exceed 35 percent the precise knowledge of the ownership structure in these two media outlets would greatly contribute to the clarification of many dilemmas associating the ownership structures in *RTV B92* and *TV Prva* with endangering of media pluralism.

**10<sup>th</sup> November 2014** - Jovana Gligorijevic, a member of the Executive Committee of NUNS, spoke in the video programme of the portal [www.kojeodgovoran.rs](http://www.kojeodgovoran.rs) in the section *Pet minuta za NUNS (Five Minutes for NUNS)* on the problems caused by non-transparency of ownership that allows direct manipulation and control of the media, journalistic work and freedom of speech.

## ***Disputable Rules on Registration of Foreign Journalists***

**17<sup>th</sup> November 2014** - The Independent Journalists' Association of Serbia and the Independent Journalists' Association of Vojvodina publicly expressed their disagreement with the regulations of the Ministry of Culture and Information which closely defines the functioning of correspondents and correspondent offices of foreign media, noting that the solutions in the act are over-regulated, discriminatory and subject to abuses. In addition, the Regulation is inconsistent with international standards and the European Convention on Human Rights (Article 10) which provides that everyone has the right to freedom of expression, to have own opinion and receive and impartial information and ideas without interference by public authority regardless of borders. NUNS and NDNV requested that the Ministry correct these deficiencies and adjust the Regulation to the Article 55 of the Law on Public Information and Media which states that a representative of foreign media have "the same rights and duties" as well as local media professionals.

**18<sup>th</sup> November 2014** - The Ministry of Culture and Information responded to the criticism of NUNS and NDNV with the press-release claiming that the remarks on discrimination of foreign correspondents were not in accordance with the facts and the proper interpretation of legislation. The Ministry claims that the bylaw is arising from the Article 55 of the Law on Public Information and that it is fully in line with the Article 10 of the European Convention on Human Rights. The Ministry stated that the Article 55 of the Law on Public Information stipulates that representatives of foreign media correspondents MAY enrol in the records of the Ministry of Culture and Information and that "between the verbs may and must exist a large even a substantial difference."

**19<sup>th</sup> November 2014** - In a joint statement NUNS and NDNV repeated their objections to the bylaw that governs the work of foreign correspondents and correspondent offices noting that they do not object the Article 55 of the Law on Public Information and Media but rather call on the Regulation on keeping records and registration of the representatives of foreign media and foreign correspondent offices to comply with the Law.

The journalists' associations stated that during the period of making the draft laws and debates on the article defining the work of foreign correspondents and correspondent offices there was an idea in the working group that similar provisions which are found in the Regulation find place in the Law as well but experts rejected it with the similar arguments which were stated in the press release issued by NUNS and NDNV. NUNS and NDNV maintain the position that this regulation puts foreign correspondents and correspondent offices in disadvantage and that there lurks a possibility of its abuse. NUNS and NDNV reminded that they actively participated in the development of media laws and took part in the public debate about them very clearly supporting the media reform, but also reserving the right to criticize what in the implementation of the law is not good.

**24<sup>th</sup> November 2014** Svetozar Rakovic, the Secretary General of NUNS, spoke in the video programme of the portal [www.kojeodgovoran.rs](http://www.kojeodgovoran.rs) in the section *Pet minuta za NUNS (Five Minutes for NUNS)* on the new Regulation for the registration of foreign correspondents and media which is over-regulated, discriminatory and subject to abuses by the public administration.

## ***Disputable Public Procurement in Nis***

**1<sup>st</sup> August 2014** - The Media Coalition<sup>10</sup> publicly pinpointed irregularities and possible misuse of allocation of public funds for the purposes of informing citizens of Nis. The media coalition invited the local government authorities in Nis to adjust public procurement procedures to the principles of project financing provided for in the Media Strategy and the established set of new media laws which are being adopted. Otherwise, it was warned, a question may be raised whether the local authorities deliberately rush to allocate significant budget resources to selected media outlets before the new legislation implementation starts.

The call for public procurement for the provision of information of importance to the City of Nis it stated that a priority is "informing the public about the work of the Mayor, city government, holders of public offices ..."

The Media Coalition highlighted that the public interest in the field of public information, among other things, involves the production and publication of the "general news and specialized media content relevant to the life and work of citizens in local and regional communities," while the said formulation on the priority of public procurement of the City of Nis favours reporting on the work of public officials.

**16<sup>th</sup> August 2014** - The delegation of the representatives of the OSCE Mission, the Delegation of the European Commission, NUNS and Local Press spoke with City Mayor Zoran Perisic and his associates about the adoption of the new media laws in order to overcome certain misunderstandings with the local media. The Mayor of Nis expressed his readiness for the implementation of the new media law and called for the cooperation of the OSCE Mission, Delegation of the European Union and journalists' associations to create conditions for transparent and efficient financing of media projects by applying new legislative standards, primarily in the upcoming privatization of *Niska TV*.

**17<sup>th</sup> November 2014** - Predrag Blagojevic, a member of the Executive Committee of NUNS spoke in the video programme of the portal [www.kojeodgovoran.rs](http://www.kojeodgovoran.rs) in the section *Pet minuta za NUNS (Five Minutes for NUNS)* on an extremely difficult

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<sup>10</sup> Media Coalition was established by journalists' associations NUNS, UNS, NDNV and associations of local independent media Local Press and ANEM.

position of local and regional media in the context of the troubled budget co-financing which puts media into direct dependence on local authorities.

**25<sup>th</sup> November 2014** - NUNS President Vukasin Obradovic talked with the Mayor of Nis Zoran Perisic about the problems in regards budget financing of the media in Nis. Mayor Perisic said that the local government in Nis was “quite unprepared” for project financing anticipated by the new Law on Public Information and Media but that the City of Nis would certainly observe the new legislative procedures.

## ***Disputable Competition for Media Funding in Negotin***

**19<sup>th</sup> August 2014** - NUNS sent a letter to the Mayor of Negotin Jovan Milovanovic demanding cancellation of the recently announced call for financing which is contrary to the new Law on Public Information and the Media.

**22<sup>nd</sup> August 2014** - Instead of the Mayor of Negotin the letter of NUNS was answered by Marko Milosavljevic, the president of the municipal Commission for allocation of resources in the field of public information, who argues that the Commission at the time of the invitation for the competition “was not bound by the provisions of the Law.”

**22<sup>nd</sup> August 2014** - NUNS publicly criticized the Municipality of Negotin because there was no intention to cancel the competition for financing media though journalists’ associations and certain interested media suggested that the competition was contrary to the Law on Public Information and the Media. Although the aforementioned competition was announced four days after the adoption of the new Law on Public Information, and one day after its publication in the Official Gazette the municipal government of Negotin announced the competition in a manner contrary to the law. The President of the Municipal Commission’s explanation regarding the request of NUNS to withdraw the competition and comply with the law was indicated as unacceptable for NUNS. NUNS said that this interpretation was, in fact, legal gymnastics that aims to justify at any cost what could not be justified, and the intention was to, at “a minute to 12”, use previous, unfair and out-dated manner to award budget money to a selected media outlet.

Unfortunately, the administration of the municipality of Negotin decided to continue on their own, contrary to the law.



## VI Free Legal Advices

In the course of 2014 54 journalists and other media professionals sent questions to NUNS free legal service.

The majority of questions (40) related to the professional rights of journalists while eight questions were in relation to the labour law (usually in relation to mobbing at work). In the group of professional rights dominated interest in legal procedures in regards to publishing denials, corrections and answers to the information published in the media. Based on a number of issues, the caution journalist exercise has noticeably increased when revealing personal information about persons they report on. After the adoption of the Law on Public Information and Media questions in relation to media project financing and privatization of the state-owned media outlets were more frequent.

In the period of the state of emergency due to the floods NUNS opened its service for free legal assistance to citizens who were faced with summons for questioning in the police and even criminal charges for their comments on the social networks. In this regard five citizens asked NUNS for legal assistance.

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