

MONITORING OF THE MEDIA SCENE IN SERBIA

FOR THE MONTH OF FEBRUARY 2023

INTRODUCTION

Monitoring of the media scene is carried out with the aim of continuous monitoring of events and processes affecting the state of media freedom in the Republic of Serbia. The authors of the monitoring deal with: freedom of expression; monitoring the implementation of existing regulations; adopting of new regulations, also by amending and supplementing the current ones - from the field of media as well as from other areas directly or indirectly affecting the freedom of the media; and also by analyzing SLAPP lawsuits (strategic lawsuits against public participation) directed against journalists and media.

Publicly available data, data obtained from journalists, editors and other media workers, journalist associations and media associations, as well as state and non-state bodies are used for monitoring.

I FREEDOM OF SPEECH

In the period covered by this report, several cases of indirect and direct pressure on journalists and the media were recorded, which will be presented in their chronological order in the Monitoring. The case entitled "Voice of Western Serbia - loud disrespect for the Code" stands out

as a case that once again underlines the importance of the Code of Journalists of Serbia, and the necessity of respecting it, bearing in mind that the Code is the first step towards respect for the law, that is, compliance with the Code implies compliance with the law.

The report by [Media Freedom Rapid Response](#) – a mechanism developed across Europe with the aim of monitoring and reacting to violations of media freedom in the member states of the European Union, as well as in countries that are candidates for EU membership - was published in February. The report states that journalists in Serbia work in a "toxic environment", which "continues to be of concern". It is emphasized that: "Politicians and other media constantly encourage the labeling of journalists as traitors or enemies of the state, thereby legitimizing additional intimidation of the public."

Voice of Western Serbia – loud disrespect for the Code

At the beginning of February, the Voice of Western Serbia portal published an article in which a number of insults were made about an unnamed individual, some of which could be interpreted as threats. Using words like registered homosexual (it should be noted that the person being talked about shamelessly declares himself as such), the author of the article threatens the individual's right to sexual orientation. By perverting the right into an insult, the author focused on insulting. The text concludes with the words: "The people said a long time ago, whoever uses it, the municipality buries him." The Independent Association of Journalists of Serbia (NUNS) assesses those words as a direct threat, pointing out violations of the Code of Journalists of Serbia.¹ In the end, both literally and figuratively, the author does not even want to sign himself with his name, but does so by signing the editorial office – GZS (short for Voice of Western Serbia in Serbian).

The announcement notes:

¹ [NUNS: Glas Zapadne Srbije ozbiljno prekršio Kodeks novinara](#), announcement published on February 4, 2023 at NUNS portal.

The Constitution of the Republic of Serbia prohibits any discrimination, direct or indirect, on any basis, especially on the basis of race, gender, nationality, social origin, birth, religion, political or other belief, property status, culture, language, age and mental or physical disability.²

The Law on the Prohibition of Discrimination stipulates that discrimination and discriminatory treatment mean any unjustified distinction or unequal treatment, i.e. omission (exclusion, limitation or priority) in relation to persons or groups as well as members of their families (or persons close to them), in an open or covert manner, based, among other things, on sexual orientation, that is, on the basis of other, as well as assumed personal characteristics.³

The European Convention for the Protection of Human Rights and Fundamental Freedoms prohibits discrimination and stipulates that the enjoyment of the rights and freedoms prescribed in this Convention is ensured without discrimination on any basis, such as gender, race, skin color, language, religion, political or other opinion, national or social origin, connection with a national minority, property status, birth or other status.⁴

The Law on Public Information and Media (hereinafter referred to as: the Law on PIM) prescribes the prohibition of hate speech as incitement of discrimination, hatred or violence against a person or group of persons because of their belonging or not belonging to a certain race, religion, nation, gender, because of their sexual orientation or other personal property, through the publication of ideas, opinions, or information.⁵

The Code of Journalists of Serbia, in the section dealing with the issue of journalistic attention, stipulates that a journalist is obliged to approach work with due professional care. A journalist must be aware of the danger of discrimination that can be spread by the media, and do everything

² Article 21 of the Constitution of the Republic of Serbia ("Official Gazette of the RS", no. 98/2006 and 115/2021)

³ Article 2, paragraph 1, point 1 of the Law on Prohibition of Discrimination ("Official Gazette of RS", No. 22/2009 and 52/2021)

⁴ Article 14. Law on the Ratification of the European Convention for the Protection of Human Rights and Fundamental Freedoms ("Official Gazette of the SC - International Treaties", No. 9/03, 5/05 and 7/05-correction, "Official Gazette of the RS - International Treaties", no. .12/10 and 10/15)

⁵ Article 75 of the Law on Public Information and Media ("Official Gazette of RS", No. 83/2014, 58/2015 and 12/2016 - authentic interpretation)

to avoid discrimination based, among other things, on race, gender, age, sexual orientation, language, religion, political and other opinion, national or social origin.⁶

According to the data published on the NUNS portal, in the last five years, the Voice of Western Serbia portal received about 270,000 euros in tenders for co-financing of media projects of public interest. The funds were allocated despite the fact that, according to the said association, the owner and editor of the mentioned portal "has long been known for such outbursts".⁷ In this connection, and in the context of the case in question here, the importance of stopping the practice of disobeying the Code of Journalists of Serbia is highlighted. The proposal that found its place in the Media Strategy as a binding criterion when applying for funds through project co-financing states the obligation to comply with the Code in such a way that print and online media that apply for public funds must accept the competence of the Press Council as an obligation.

The case of Pero Jovović, Nova.rs portal journalist

Pero Jovović, a journalist of the Nova.rs portal, was exposed to serious threats sent via the social network Twitter. A person with the user account @goran63030358 told the journalist that "someone should put a gun to his forehead and fire a bullet without a shred of conscience." Jovović wrote that "this is a case for the prosecution", to which he received a response from a user who threatened him that all members of the LGBT population "should be killed publicly". The case was reported to [the Higher Public Prosecutor's Office in Belgrade, Special Department for Combating High-Tech Crime \(Special Prosecutor's Office\)](#).

These threats are not the first that Jovović has received. For two years now, he has been threatened with: "pushing his eyes down his throat", "putting his grandmother's bones into the washing machine", "making pancakes out of his skull". All threats were reported to the Special

⁶ Section V of [the Journalists' Code of Serbia](#)

⁷ [NUNS: Glas Zapadne Srbije ozbiljno prekršio Kodeks novinara](#), article published on February 4, 2023 at NUNS portal.

Prosecutor's Office. According to the information presented in the media, none of the sent threats has yet received a judicial epilogue, the submitted applications are still being acted upon.⁸

The Criminal Code of the Republic of Serbia (hereinafter referred to as: Criminal Code), Article 138 para. 1 and 3, stipulates that whoever endangers the safety of a person by threatening to attack the life or body of that person or a person close to him, will be punished with a fine or imprisonment for up to one year. If the offense was committed against the President of the Republic, a Member of Parliament, the Prime Minister, members of the Government, a judge of the Constitutional Court, a judge, a public prosecutor and a deputy public prosecutor, a lawyer, a police officer and a person who performs tasks of public importance in the field of information in connection with the tasks that performs – shall be punished by imprisonment from six months to five years.⁹

Bearing in mind the fact that the results of expert analyzes carried out, which had as their topic a comparison of the actions of competent state institutions in cases of endangering the safety of media workers and other persons whose safety is specially protected by Article 138 para. 3 of the Criminal Code – it is concluded that in case of endangering the safety of media workers, the reaction must and can be more effective. One of the conclusions of the analysis "Freedom of expression, the second regular report on the protection of freedom of expression in the judicial system of Serbia before the court" (for the period from 2017 to 2020), an analysis conducted by the Slavko Ćuruvija Foundation and the Center for Judicial Research (CEPRIS) is that, when it comes to cases of endangering security, two and a half times more cases in which the security of the President of the RS was threatened than of all media workers together received a judicial epilogue.¹⁰

⁸ [Jezive pretnje novinaru Peru Jovoviću „Trebalo ti staviti pištolj na čelo i opaliti metak bez trunke savesti”](#), author Danica Đokić, article published on February 9, 2023 at Cenzolovka portal.

⁹ Article 138 para. 1 and 3 of the Criminal Code of the Republic of Serbia ("Official Gazette of the RS", no. 85/2005, 88/2005 - corrected, 107/2005 - corrected, 72/2009, 111/2009, 121/2012, 104/2013, 108/2014, 94/2016 and 35/2019)

¹⁰ [Sloboda izražavanja, drugi redovni izveštaj o zaštiti slobode izražavanja u pravosudnom sistemu Srbije pred sudom](#), authors Nataša Stojadinović, Vida Petrović Škero, Ana Zdravković, Nataša Jovanović and Kruna Savović

These threats were condemned by the international and professional public, demanding an urgent response from the competent state authorities.^{11 12}

The case of Nenad Živković, editor-in-chief of the Pančevo Si Ti portal

Igor Arsić, police colonel and former head of the Pančevo Police Department, filed a private criminal complaint against Nenad Živković, editor-in-chief of the Pančevo Si Ti portal, and Ljiljana Spasić, executive director of the Pančevo Civic Action as the founder of the portal, due to a satirical text published on the Pančevo Si Ti portal.

Arsić filed a lawsuit for violation of honor and reputation, violation of the right to personal dignity and violation of the right to privacy. The text of the satirical content is titled: "Colonel Arsić: The best type of policeman is an undercover policeman!" It is about an apparently fabricated interview (of ten questions) conducted with a police colonel.

The provisions of the Law on PIM provide that the personal dignity (honor, reputation, or piety) of the person to whom the information refers is legally protected. However, the same Law stipulates that caricature, satirical, collage and other similar depictions of faces are not considered a violation of dignity, that is, the right to authenticity.¹³

The Criminal Code of the Republic of Serbia stipulates that the perpetrator will not be punished for insult if the statement was made in the context of serious criticism in a scientific, literary or artistic work, in the performance of official duties, a journalistic call, political activity, in defense of a right or protection of legitimate interests, if from the manner of expression or from other circumstances it is seen that he did not do so with the intention of disparagement.¹⁴

The filing of a private criminal lawsuit was condemned by the Journalist Association of Journalists of Vojvodina, saying that "state officials do not have to have a sense of humor or understand

¹¹ [UNS: Tužilaštvo za visokotehnološki kriminal da pokrene postupak protiv osoba koje su pretile Peru Jovoviću](#), announcement published on February 9, 2023 at UNS portal.

¹² [Reporteri bez granica: Privedite onog ko preti smrću Peru Jovoviću](#), article published on February 12, 2023 at Cenzolovka portal.

¹³ Article 79 of the Law on PIM

¹⁴ Criminal Code ("Official Gazette of RS", no. 85/2005, 88/2005 - corrected, 107/2005 - corrected, 72/2009, 111/2009, 121/2012, 104/2013, 108/2014, 94/2016 and 35/2019)

satire, but that they are obliged to respect the laws that order them to perform their work in accordance with the regulations, transparently and in public interest."¹⁵

In the said statement, it was pointed out that it is not the first time that Nenad Živković and the Civic Action Pančevo have been subjected to lawsuits, insults and threats. In the upcoming court proceedings, it will be established that the apparently fabricated interview was objectively offensive in nature, and whether it was capable of infringing the plaintiff's rights.

The case of Željko Matorčević, editor-in-chief of the Žig Info portal and the Žig Info Case

Željko Matorčević, editor-in-chief of the Žig info portal, told the website of the Association of Journalists of Serbia (UNS) that he reported Milan Marčeta (a person who presents himself as a friend of Dragoljub Simonović, the former president of the Municipality of Grocka)¹⁶ to the police because of the threats he made to him in front of the courtroom. The case in question took place immediately after the trial where the closing arguments were presented in the criminal proceedings for the burning of the house of Milan Jovanović, a Žig info journalist. Dragoljub Simonović, as the first defendant, is charged in the aforementioned proceedings with inciting the burning of Milan Jovanović's house. Marčeta insulted Matorčević, asked him what he was doing there, and then told him to go outside because he would get hurt. That the threat was addressed to him, Matorčević, was confirmed by Dragoljub Simonović, according to Marčeta.

Due to the suspicion that he threatened Matorčević's safety,¹⁷ Marčeta was ordered to be detained for 48 hours. During the hearing, Marčeta denied the commission of the criminal offense he was charged with. After the hearing, the prosecution submitted a proposal to the First Basic Court in Belgrade to order the suspect into custody for 30 days because there are circumstances that indicate that he will interfere with the proceedings by influencing the witnesses. The First

¹⁵[Opasan pritisak na novinara Nenada Živkovića od strane policijskog zvaničnika](#), article published on February 24, 2023 at NDNV portal.

¹⁶[Suđenje za paljenje kuće novinara: Tužilac tražio 24 godine zatvora za okrivljene](#), author Milica Ljubičić, article published on February 20, 2023 at *Raskrikavanje* portal.

¹⁷ Article 138 paragraph 3 of the Criminal Code

Basic Court in Belgrade passed a decision by which it ordered the suspect to be prohibited from approaching, meeting and communicating with the injured party.¹⁸

This wasn't the first time Marčeta insulted and threatened someone from the editorial office of Žig info. According to Matorčević, Marčeta also threatened the newsroom through the social network Facebook. According to him, Matorčević takes the threats directed at him very seriously, bearing in mind that more than four years ago he was beaten on the street, and that the main suspect was connected to Dragoljub Simonović, then the president of the Municipality of Grocka.¹⁹ The incident happened a month before the burning of Milan Jovanović's house. In the analysis "Freedom of expression, the second regular report on the protection of freedom of expression in the judicial system of Serbia before the court" (for the period from 2017 to 2020)²⁰, regarding the effectiveness of the investigation, the following was said:

However, in the case of serious physical injuries, the prosecution is not undertaken for the more serious form of this offense (paragraph 6, when it is committed against a person performing work of public importance for which a prison sentence of one to eight years is prescribed), but for the basic form of this offense (for which a sentence of six months to five years of imprisonment is prescribed). It should be noted that the case refers to the editor of the local portal Žig info, who preceded the burning of the house of Milan Jovanović, a journalist from the same newsroom, for whom the first-instance conviction was revoked at the end of 2021 and the proceedings returned for a retrial. The criminal complaint for serious bodily injury against the identified person was dismissed, and an objection was filed against the actions of the prosecutor's office, which was rejected as unfounded. Although the case was officially resolved by dismissing the criminal complaint against the identified suspect, the case was re-formed and is in the register of active prosecution cases as a KTN case, i.e. a case in which the perpetrator is an unknown

¹⁸ [Announcement of the First Basic Court in Belgrade published on February 22, 2023.](#)

¹⁹ [Matorčević: Simonovićev prijatelj mi je ispred sudnice rekao da izađem jer ću nastradati](#), article published on February 22, 2023 at UNS portal.

²⁰ [Sloboda izražavanja, drugi redovni izveštaj o zaštiti slobode izražavanja u pravosudnom sistemu Srbije pred sudom](#), authors Nataša Stojadinović, Vida Petrović Škero, Ana Zdravković, Nataša Jovanović and Kruna Savović

person. As more than three years have passed since the execution of this serious crime against life and limb, and the perpetrator is still unknown, it can be concluded that the investigation is not effective in this case.

In the conclusion of the analysis of this case, it should be pointed out the importance of the reaction of the competent state authorities in the segment of its speed and thoroughness. Such a reaction in dealing with Matorčević, had it not been absent, might have been able to prevent a future criminal offense committed against his colleague Milan Jovanović, only a month later.

When it comes to the treatment of the Žig Info portal by the local government, at the end of last year, the journalists of that newsroom sent the President of the Municipal Council a letter in which they reminded him that the Rules of Procedure of the Municipal Council of the Municipality of Grocka require that materials and invitations to meetings be delivered to media. The answer of the President of the Municipality and the President of the Municipal Council, Dragan Pantelić, to the UNS website was: "By law, I am supposed to send them material for the council, so I will not do that. I can only announce to them that the session will be held. I can't believe that it is our obligation by law to send them material". At the same time, journalists from the Žig Info portal claim that the decision to prohibit the presence of journalists is made as soon as one of the journalists from Žig info appears at the Council session.²¹

Closing the doors to journalists, closing sessions that are supposed to be open to the public, is a gross prevention of the public from being informed about the issues they have an interest in being informed about. It is assumed that these issues are discussed at the mentioned sessions.

The Rules of Procedure of the Municipal Council of the Municipality of Grocka stipulate that the material and the invitation for the Municipal Council session are delivered to the members of the Municipal Council, no later than two days before the session, and in exceptional cases it can be delivered at the session itself. The invitation and material for the session are delivered to the head

²¹ [UNS: Opštinsko veće Grocke da poštuje sopstveni pravilnik i šalje medijima pozive za sednice](#), article published on February 1, 2023 at UNS portal.

of the Municipal Administration, the Public Attorney's Office, material processors and the media.²²

The Law on PIM expressly states that direct and indirect discrimination of media editors, journalists and other persons in the field of public information is prohibited, especially according to their political orientation and belief or other personal characteristics. Also, the same Law stipulates that everyone has the right to be truthfully, completely and timely informed about matters of public importance.²³

The Association of Serbian Journalists called on the local government in Grocka to respect its own Rules of Procedure and reminded it that the Municipal Council is obliged to respect the acts it has adopted.²⁴

Under verbal pressure from high government officials

There was no lack of pressure on journalists from the top of the state in February. The Prime Minister of Serbia made the following statement:

"Lalić (accused witness and member of the Veljko Belivuk clan) mentioned the president's son that he was guilty of murdering one of them, and that's all he said, because the clan wanted to weaken the president. They criminalized Danilo and put him in the context of the clan... They had the direct support of investigative media".²⁵

The accusation of cooperation with a criminal group discredits investigative media, and threatens the safety of journalists working in those media. When such an (unfounded) accusation comes from the very top of the state, it has far-reaching consequences. It is emphasized that, although it is an undeniable fact that should be adopted as a norm of behavior of state officials, putting the

²² Articles 14 and 15 of the Rules of Procedure of the Municipal Council of the Municipality of Grocka

²³ Articles 4 and 5 of the Law on PIM

²⁴ [UNS: Opštinsko veće Grocke da poštuje sopstveni pravilnik i šalje medijima pozive za sednice](#), article published on February 1, 2023 at UNS portal.

²⁵ [Brnabic: Klan Veljka Belivuka imao je direktnu podršku istraživačkih medija](#), source: Beta, article published on February 5, 2023 at Danas portal.

media and journalists in danger should not happen. Not in a society that cherishes democratic values and believes in them.

Aleksandar Šapić, the Mayor of Belgrade, addressed a BIRN journalist with the words: "You are big liars, we will go to court and we will check who is a liar...", after the journalist asked a question about his (Šapić's) real estate in Belgrade and Trieste. Namely, according to data obtained by BIRN, there is a significant difference between the actual square footage of Šapić's villa in Trieste and the square footage reported to the Agency for the Prevention of Corruption. Since the issue of the property of the Mayor of Belgrade is an issue about which the public has a legitimate interest in being informed, Šapić's answer to the BIRN journalist reads: "Whether I broke the law, we will determine when I sue you for accusation of me breaking the law"²⁶, can be considered an inappropriate address to a journalist in the course of performing a journalistic task. Such an address to the media, especially taking into account that the filing of a lawsuit is threatened, can be treated as a kind of pressure.

In connection to this, the following provisions of the articles of the Law on Prevention of Corruption are recalled. A public official, within 30 days from the day of election or appointment, submits to the Agency a report on his/hers property and income, the property and income of his/hers spouse or common-law partner, as well as minor children if they live in the same family household, according to the situation on the day of the election or appointment. A public official who is immediately re-elected or appointed upon termination of public office shall not resubmit the Report if there is no change in the data from the previous Report, but is obliged to inform the Agency thereof within 30 days from the date of re-election or appointment. When it comes to extraordinary reporting of assets and income, if the assets or income of a public official have changed significantly in the previous year, the public official submits a report to the Agency according to the situation on December 31 of the previous year, and no later than the deadline for submitting the annual tax return for determination of personal income tax. A significant change exists when assets or incomes that, according to the previous Report, exceed the average

²⁶ [Šapić na pitanje BIRN-a: Nismo mi čuvali ovce, niti igrali fudbal u paviljonima](#), article published on February 8, 2023 at N1 portal.

annual earnings without taxes and contributions in the Republic of Serbia have been increased or decreased, or when the structure of those assets has changed. Also, in light of how long the issue of private property of public officials has been a topic about which the public has a legitimate interest in being informed – witness the following: a person whose public office has ceased is obliged to submit a report according to the situation as of December 31 of the previous year, no later than the deadline for submitting the annual tax return for the determination of personal income tax, provided that assets and income have significantly changed compared to the previous year.²⁷

²⁷ Article 68 and 69 of the Law on Prevention of Corruption ("Official Gazette of RS", no. 35/2019, 88/2019, 11/2021 - authentic interpretation, 94/2021 and 14/2022)

II MONITORING OF THE IMPLEMENTATION OF EXISTING LAWS

Project co-financing

Media experts in the field of project co-financing announced the status quo with the words “Everything as before in Novi Pazar and Nothing new in Novi Pazar”:

*For years, RTV Novi Pazar has been known as the absolute record holder in the field of project co-financing. And obviously no one has the will or wants to change anything. In other words, we continue to live in a parallel reality. On the one hand, we have a new ministry, a new minister, a new Working Group that is rapidly working on amendments to the Law on Public Information and Media. The only thing is that everything is as it was in the field of project co-financing. Without any hope that anything will change for the better during this year.*²⁸

The commission for evaluating projects in the field of public information in Novi Pazar proposed to the City Council that in 2023, it co-finances 19 media projects in the amount of 46 million dinars. As in previous years, RTV Novi Pazar should receive the most funds – 36.9 million dinars (80% of the total allocated money for media projects). Two million dinars are earmarked for Sandžak television (in the media, that television is associated with the Justice and Reconciliation Party), and 1.4 million dinars for the Emedia group (the founder of the Indeksonline portal, which is close to the local government). Other media and production groups, including those owned by RTV Novi Pazar employees, received from 200,000 to 750,000 dinars.²⁹

After the third regular session of the City Council, it was announced that an amount of 46 million dinars has been allocated for the co-financing of media projects, and that the City will use these funds to support 19 media projects that meet the conditions of the previously announced competition. At that session, the narrative and financial reports of the media whose projects were supported in the previous calendar year were adopted.³⁰

²⁸ [Ništa novo u Novom Pazaru](#), author Veran Matić, article published on January 23, 2023 at Javni servis portal.

²⁹ [Novopazarska komisija za ocenu projekata u oblasti javnog informisanja predložila da većinu novca dobije jedan medij](#), author Nikola Kočović, article published on February 1, 2023 at Danas portalu.

³⁰ [Grad donira 20 000 eura pomoći narodu Turske i Sirije](#), announcement published February 7, 2023 at official presentation of Novi Pazar municipality.

The situation is not much different in Pirot either. The City of Pirot has earmarked an amount of 35.8 million dinars for financing media content in 2023. After the tender, half of that money was received, which was not unexpected, by two Pirot televisions, for content that has been part of the regular programming scheme for years. Of the 40 registered media, half received the money. The upper limit for the project was 13 million dinars, half a million less was received by Television Pirot, owned by Kruševac businessman Radoica Milosavljević, who is close to the ruling party. Another television owned by Milosavljević - TV Caribrod - received 450,000 dinars. Television P Kanal (owned by the company Tigar AD, a company that is majority owned by the Republic of Serbia, and among its shareholders are Poštanska štedionica, Dunav osiguranje, Republic Fund for Health Insurance, as well as the City of Pirot) received 6.9 million dinars and an additional 600,000 dinars. Among the media that received money in the competition are: Niš media AD Sloboda Niš (for its branch in Pirot) and weekly Sloboda – 3 million dinars; TV Bellamie (owned by Vidosav Radomirović, as well as AD Sloboda Niš) – 2.5 million dinars; Television Zona plus (officially owned by the son of SNS member and Minister of Internal Affairs Bratislav Gašić) – 1.1 million dinars and an additional 200,000 dinars; two Pirot media (their content is often found on the city's website) Pirotске vesti – 2.4 million, and Plus online – 2.5 million dinars and an additional 1.5 million dinars (for radio owned by the same owner).³¹

³¹ [Podeljen novac za medije u Pirotu, najviše novca za televizije bliske vlastima](#), author J.V., article published on February 7, 2023 at Južne vesti portal.

III ADOPTION OF NEW REGULATIONS AND CHANGES TO THE CURRENT ONES

Law on Public Information and Media

The scheduled deadline for drafting the Law on Amendments to the Law on Public Information and Media has passed without a completed Draft. The situation did not change even on February 10, when the deadline for completing the draft was extended.

During February, the members of the Working Group for the amendment of the Law on PIM agreed that it is necessary for the media that apply for the competition for project co-financing to accept the jurisdiction of the Press Council. In addition, the members of the Working Group agreed that the submitted projects should be evaluated (and) according to the extent to which the media proposing the project adheres to professional and ethical standards, which is proven on the basis of data which are obtained from competent bodies, and which contain information on whether a measure has been imposed on said media, in the case of an electronic media, or whether an act of a self-regulatory body (Press Council - for online and printed media) has been adopted, which determines that the said media violated the legal provisions, that is, the standard of professional ethics. If such a measure is imposed, it is agreed to take into account the severity of the injury and the number of imposed measures, as well as the behavior after the imposed measure (the same is proven on the basis of data obtained from the competent regulatory or self-regulatory body).

At the meeting held, the Working Group made the decision in question by voting, and out of the eleven members present, eight of them voted for, two against, while one abstained.³²

Law on Electronic Media

In the period to which this report refers, the Draft Law on Electronic Media was not drafted. The final deadline for drafting has not been given, but it should be borne in mind that the new Law on Electronic Media must be adopted by May of the current year, since at the end of that month,

³² [Savet za štampu ušao u Nacrt Zakona o javnom informisanju i medijima](#), author A.N., article published on February 7, 2023 at UNS portal.

and without a drafted law, the Republic of Serbia will be excluded from the funds of the Creative Europe.³³

Law on copyright and related rights

In the period from January 30 to February 19, a public hearing was held on the Draft Law on Copyright and Related Rights.³⁴

The Program for the Public Debate on the Draft Law states that, after the end of the debate, the Ministry of Economy will analyze all objections and proposals, and prepare a report on the conducted public debate and the Draft Law, which will be published within 15 days from the day of the end of the public debate on the website of the Ministry of Economy and on the "eKonsultacije" portal.³⁵

³³ Creative Europe is the main program of the European Union, which provides financial support to institutions and organizations in the field of culture in order to preserve, develop and promote European cultural and linguistic diversity, as well as heritage, and improve the competitiveness and economic potential of cultural, and especially audiovisual, activities.

³⁴ [Conclusion of the Ministry of Economy on conducting a public hearing on the Draft Law on Copyright and Related Rights 05 number: 011-670/2023 dated January 25,2023](#)

³⁵ [Program of public debate on the Draft Law on Copyright and Related Rights](#)

IV SLAPP LAWSUITS DIRECTED AGAINST JOURNALISTS AND THE MEDIA

In the [Media Freedom Rapid Response report for the year 2022](#) (the report was published in February of the current year), among the registered cases of pressure on the media in Serbia were also those that – as SLAPP proceedings – hit the editorial office of the KRIK portal. This type of (SLAPP) pressure was recognized by the judgment which (partially) accepted the lawsuit filed by Bratislav Gašić, the Minister of the Interior (at the time of filing the lawsuit, Gašić was the director of the state Security Intelligence Agency), in the dispute he led against the journalist and publisher of the editorial office of the KRIK portal. As a form of (SLAPP) pressure in relation to the editorial staff of the KRIK portal, the report also mentions the lawsuit that Dijana Hrkalović³⁶, former secretary of the Ministry of Internal Affairs, filed against the journalists and publishers of that portal.³⁷

For the sake of context, it is stated that the proceedings on the lawsuit of Bratislav Gašić are currently in the decision phase based on the appeal filed by the journalists of the KRIK portal against the first-instance verdict³⁸, while the proceedings on the lawsuit of Dijana Hrkalović are currently in the main hearing phase.

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³⁶ [Hrkalović tužila KRIK i urednika Dojčinovića](#), author Bojana Pavlović, article published on August 1, 2022 at KRIK portal.

³⁷ [Napadi na KRIK i SLAPP tužbe u izveštaju Evropskog centra za slobodu štampe](#), author Milica Ljubičić, article published on February 9, 2023 at *Raskrikavanje* portal.

³⁸ [Detalji presude KRIK-u: privilegovani funkcioneri, autor Stevan Dojčinović](#), article published on November 9, 2022 at KRIK portal.