

# **MONITORING OF THE MEDIA SCENE IN SERBIA**

## **FOR THE MONTH OF MARCH 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

The Council of Europe platform, which focuses on promoting the protection of journalism and the safety of journalists, published the report ["War in Europe and the fight for the right to report"](#). The report states that Serbia is among the countries where journalists were most harassed and intimidated: "The most cases of harassment and intimidation were recorded in Russia, but also in Serbia, Italy, Poland, Croatia and Greece." In addition, it says that "journalists and media in Albania, Bulgaria, Croatia, France, Italy, Poland and Serbia are being sued for defamation more and more often". As an example the Report states the lawsuit filed by Dijana Hrkalović, former state secretary of the Ministry of Internal Affairs, against Stevan Dojčinović, the publisher of the investigative portal KRIK and its editor-in-chief. In the Report, the name of journalist Dada Vujasinović was among the names of journalists whose murders were not solved, and therefore their perpetrators were not punished.

According to the latest report of Freedom House for 2022, published at the beginning of March, Serbia is still in the group of "partially free countries". The report states that media freedoms in Serbia are violated by threats, lawsuits or criminal charges filed against journalists, murky media ownership, pressure exerted by politicians on editors, direct pressure on journalists, as well as a high rate of self-censorship. Also, it was pointed out that the authorities regularly ignore or reject journalists' requests for information, which hinders their work. It is also stated that several members of the ruling party have openly threatened journalists, as well as that the President of Serbia regularly publicly disparages independent media. Journalists, notes Freedom House, also face physical attacks, smear campaigns, online harassment and punitive tax inspections.

In the period covered by this report, several cases of pressure on journalists and the media were recorded. Regarding the cases that will be discussed in this report - the attacks on Milan Nikić, a journalist from TV N1, Marko Dragoslavić, a FoNet reporter, and Marko Vidojković, a writer, journalist and one of the authors of the podcast "Good, Bad, Evil" - representatives of the OSCE reacted, expressing great concern about the attack on journalists. The authorities in Serbia are

invited to thoroughly investigate all incidents and bring those responsible to justice as soon as possible. OSCE Media Freedom Representative Teresa Ribeiro stated:

*“I am concerned by acts of violence and threats against journalists in Serbia. No journalist should face attacks or intimidation over their work, or be compelled to leave their home country for that matter. Acts that threaten the personal safety and integrity of journalists represent a serious obstacle to media freedom and hamper the free flow of information and citizens’ right to access information of public interest. I urge the authorities to do their utmost to thoroughly investigate all the incidents and swiftly bring all perpetrators to justice, and ensure journalist’s safety, online and offline.”*

The Head of OSCE Mission in Serbia Jan Braathu added:

*“The safety of journalists is a fundamental principle among the OSCE participating states. Each case of attack on journalists and other media professionals should be efficiently and effectively investigated and condemned publicly by the authorities, as foreseen by the 2018 OSCE Decision on Safety of Journalists. The Mission will continue cooperating with the Permanent Working Group for Safety of Journalists, government institutions and media organisations in line with OSCE consensus commitments”.*

### **The case of Milan Nikić, TV N1 correspondent**

At the beginning of March, while he was reporting from the protest of the workers of PUK "Vodovod i kanalizacija" in Kragujevac TV N1 correspondent Milan Nikić was harassed by the police. The workers' protest organized due to the termination of the employment contract took place in front of the company. At one point, in order to take a better shot, Nikić climbed onto the excavator that was located near the official premises. After that, a police officer in uniform approached him and told him not to climb on the excavator. Nikić informed the police officer that security guards are in charge of security, and answered him by asking if his job description

included issuing such warnings. The police officer then walked away, and got into a police car parked nearby.

Some time later, while he was talking to the workers, Nikić was approached by an unknown man with a large build, in civilian clothes, with no visible markings. He invited Nikić to talk behind the excavator. Nikić agreed to the proposal and turned on the camera. An unknown man approached Bager first, Nikić followed him. After he realized that Nikić was filming him, the unknown man repeatedly told him not to film him, the last time in a raised tone. Nikić stopped filming and headed towards the workers. Behind him, he heard the commanding tone: "Nikić, let's talk." He turned the camera back on and asked the unknown man to introduce himself. The unknown man refused, avoiding the camera. After that, the unknown man entered the building of PUK "Vodovod i kanalizacija", which he never left. The workers told Nikić that the unknown man was a plainclothes policeman. Nikić asked them to go with him to his vehicle, packed his equipment and left the scene.

The next day, Nikić noticed from the window of his apartment that a vehicle was parked in the immediate vicinity, occupying a central position in relation to the window frame. An unknown person from that vehicle looked straight ahead and smoked three cigarettes. Nikić, observing the scene, took several photos of an unknown person in the vehicle. After about 40 minutes, he took the camera and headed towards his car parked next to an unknown vehicle. He kept the camera with him the whole time, filming the street. According to Nikić, the unknown person started the vehicle without turning on the lights. At the intersection in the immediate vicinity, the unknown driver made a U-turn and headed back towards Nikić. Nikić crossed to the other side of the street, without turning off the camera. An unknown vehicle drove past Nikić at high speed. At one point it stopped so that another unknown man could enter. Two unknown persons in an unknown car never returned.

Nikić reported both cases to the Higher Public Prosecutor's Office in Kragujevac. According to information available in the media, Nikić was forced to leave home for his own safety. He was in a secret location for a while, and he decided to leave in mid-March, because until then he had not received a formal response from the authorities or any reaction about the filed criminal charges.

At the end of March, the prosecution dismissed the criminal complaint with the explanation that it was not convinced that Nikić's safety was at risk, given that the person who told him not to climb on the excavator was a police officer who was on official duty. When it comes to the second reported person, the one who, according to Nikić, asked to speak with him behind the excavator, the prosecution established that that person did not take any official action. In connection with the event that took place a day later, the prosecution established that these were persons who, for private reasons, found themselves at the place where Nikić lives. The Prosecutor's Office concluded that the submitted reports do not contain elements of threat or physical attack on the applicant of the criminal report.

### **The case of Marko Vidojković, writer, journalist and co-author of the "Good, Bad, Evil" podcast**

Vidojković, one of the authors of the podcast "Good, Bad, Evil" was relocated from Serbia to another country due to threatened security that lasts for a long period of time. After assessing that Vidojković's life was seriously threatened, PEN International, a world association of writers dedicated to the promotion of literature and the defense of freedom of expression, assisted in Vidojković's quick evacuation and relocation to another, safe location.

In January 2023, [PEN International addressed the public with a statement](#), strongly condemning the death threats directed at Marko Vidojković. In this statement, the Serbian authorities were invited to take all necessary steps in order to identify those responsible and bring them to justice.

In March, [PEN International sent a letter to Veran Matić](#), the president of the Commission for the Investigation of Murders of Journalists and a member of the working groups for the protection and safety of journalists. The letter, among other things, states the following:

*The death threats against writer and journalist Marko Vidojković have intensified since the publication of his best-selling novel Djubre (Trash), in September 2020. Vidojković said he received over 50 death threats in 2021 and 2022 and reported more than 20 of them to the Prosecutor's Office through lawyers working with Nezavisno udruženje novinara Srbije (NUNS), resulting in only two criminal convictions. Anonymous threats depicted him being shot in the head, burned or*

*beaten to death, hanged, having his tongue cut out, and having his arms broken so he could no longer write. Vidojković reported being publicly smeared on numerous occasions by some government officials and pro-government outlets from 2019 onwards, with such outlets coordinating targeted campaigns against him – thus giving rise to online abuse and death threats. Vidojković also told PEN International that Aleksandar Šapić, vice-president of the ruling SNS and mayor of Belgrade, is harassing him legally through three lawsuits that further undermine his security and financial position.*

In its letter, PEN International also warned that "continuous threats to Marko Vidojković come in the midst of continuous attacks on writers and journalists in Serbia, orchestrated by various actors, whose aim is to silence their work and critical reporting".

PEN International welcomed the establishment of the Working Group for the Safety and Protection of Journalists, considering that the group represents a useful mechanism for civil society organizations to establish a direct link with the political leadership and be able to make proposals for adequate changes to the law. However, in order to achieve a change in the current situation, political will and even more intense involvement of the relevant state institutions are necessary and irreplaceable:

*However, political will and more engagement by the relevant state institutions are necessary to change the existing situation on the ground. PEN International expresses concern over the fact that representatives of the authorities in Serbia do not sufficiently contribute to the creation of an environment suitable for media pluralism, including through clear and consistent public condemnations of all threats to writers and journalists and more effective investigations of cases of threats to their safety.*

After Vidojković was relocated from Serbia, the Ministry of Internal Affairs, on its own initiative, carried out an assessment of his security. Police officers visited Vidojković on Sunday, in the afternoon hours. Vidojković was not informed about this visit. When they came to his door, only Vidojković's mother was in the apartment, Vidojković was on his way to Belgrade. The police

officers, without stating the reasons for their arrival, asked her where her son was at the moment. They received an answer that he was abroad. This was followed by a few more questions: how long was he staying there, was he coming home, and could they know where he was. Vidojković was informed about the reasons for their arrival after talking with his mother and contacting Veran Matić, a member of the working groups for the safety of journalists. Matić learned from a representative of the Ministry of Internal Affairs that the visit concerned the assessment of Vidojković's security. In a column published two days later, Marko Vidojković described the said event, highlighting the fear his mother felt.<sup>1</sup>

The Ministry of Internal Affairs released a statement which stressed that the security assessment was initiated by information that appeared in the media that Vidojković's security was threatened, and that the police officers have acted professionally and within the law. Also, it appealed that the police should not be misused for daily political purposes.

The Ministry also stated that police officers wanted to interview Marko Vidojković, but that he was not at the registered address. "After Vidojković addressed the police officer, who is a member of the Permanent Working Group for the Safety of Journalists, he was presented with the reasons for coming to the address of his residence, and then the police interviewed him over the phone in order to assess his safety," it was said in the statement.

Marko Vidojković and Nenad Kulačin, the authors of the podcast "Good, Bad, Evil", have been exposed to brutal threats for years (some of these threats also concerned their family members). According to the special records of criminal acts committed against journalists (records from public prosecutor's offices), a total of eleven cases were opened in connection with the reported threats directed at Marko Vidojković and Nenad Kulačin for the period from 2019 to 2023. It is noted that certain cases contain both a greater number of perpetrators and a greater number of threats. Marko Vidojković appears as the injured party in nine cases (in three cases as the only injured party, in six cases as one of the injured parties, together with Nenad Kulačin). A total of two cases ended with a guilty verdict, in four cases the reports were rejected. Bearing in mind

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<sup>1</sup> [„Procena bezbednosti” nedeljom popodne](#), author Marko Vidojković, article published on March 14, 2023at Danas portal.

the above threatened security of journalists – threat as a personal feeling of journalists, threat as an objective fact recognized by Pen International, journalist associations and the Internal Affairs Ministry itself – it would be good, one can say expedient when it comes to alleviating the feeling of threat, that the visits carried out with the aim of checking safety are carried out so that neither the day nor the time of their organization additionally disturbs neither the journalist, nor his family member or members.

### **The case of Marko Dragoslavić, FoNet reporter**

Marko Dragoslavić was attacked at the beginning of March, in central Takovska street in Belgrade, while reporting from the "Students for Kosovo" protest. According to his testimony, an unknown man approached him from behind, pulled a hood over his head, punched him twice in the face and then ran away. The journalist described the event with the words: "Everything happened in a second, I staggered, and the attacker, dressed in a black jacket with some inscription that I could not see, ran away towards the Post Office building." In the Emergency Center, Dragoslavić was given the necessary medical assistance. A bruise was found on his cheek.

According to data available in the NUNS database of attacks on journalists, at the end of March, the police identified and detained one person on suspicion of physically attacking and injuring Marko Dragoslavić. That person was ordered to be detained for 48 hours, the next day, and issued a restraining order.

[The SafeJournalists network condemned the attack on Marko Dragoslavić](#) and called on the competent institutions to take seriously the attacks on journalists and the threats directed at them, to urgently find the perpetrators of these acts and adequately punish them.

[The Committee for the Protection of Journalists \(CPJ\) also reacted](#) to the mentioned event. "The authorities in Serbia must thoroughly investigate the recent attack on FoNet reporter Marko Dragoslavić and bring the perpetrators to justice (...) The authorities must ensure that representatives of the press safely report on events of public interest, without fear of being harassed and attacked", it is stated in the reaction of the CPJ representative.

The attack on Marko Dragoslavić was [also recorded on the Platform of the Council of Europe](#) for the Protection of Journalism and the Safety of Journalists.

### **The case of Stevan Dojčinović, KRIK portal editor-in-chief**

Stevan Dojčinović, editor-in-chief of the KRIK investigative portal, was a guest in the podcast "Strength of Mind", which is broadcast on the Nova S portal. After his appearance, the author of the podcast published a clip from the show on the TikTok social network. In the comments below the published video, a threatening message was left: "So how did you survive, fuck you in the mouth. Give the cheap ones so we can kill you."

During the guest appearance, the KRIK editor-in-chief spoke about the knowledge he gained as a journalist and editor who has been dealing with topics related to the detection of organized crime and corruption for many years, topics that usually do not find space in classic investigative stories. Dealing with those, Dojčinović paid attention to the way of life and thinking of members of the domestic criminal milieu, as well as the ways in which young people end up in organized crime.

The KRIK newsroom reported the case to the Special Prosecutor's Office for High-Tech Crime. The person who sent the threatening message has not yet been identified.

The SafeJournalists network [condemned the threats directed at Dočinović](#), and called on the competent institutions to react urgently. The event was recorded in the database of [the European Center for Freedom of the Press and Media](#), as well as on [the Platform of the Council of Europe](#) for the Protection of Journalism and Safety of Journalists.

It is important to note that the KRIK portal newsroom, since its establishment in 2015, has been under various types of pressure.<sup>2</sup> Strong discrediting campaigns were conducted against them in the tabloid (pro-regime) media, with various international organizations and the local professional public reacting several times.<sup>3, 4</sup> Several representatives of the government also led

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<sup>2</sup> [Medijski napad na KRIK](#), article published on November 9, 2015 at KRIK portal.

<sup>3</sup> [Serbia: Groups condemn deafening silence of government over KRIK smear campaign](#)

<sup>4</sup> [Serbia: MFRR condemns baseless smear campaign aimed at KRIK](#)

these campaigns, while in three cases the apartments of members of the newsroom were raided,<sup>5</sup> with one journalist's equipment taken away.<sup>6</sup> There are indications that the BIA monitored and eavesdropped, and even provided one tabloid with information from the private and business life of the editor-in-chief.<sup>7</sup> Insults and threats via the Internet followed the publication of almost every article they wrote.<sup>8</sup> The KRIK portal journalists and editors have also been exposed to a large number of SLAPP lawsuits, which was discussed in previous reports.

### **The case of the Independent Association of Journalists of Vojvodina**

The email was sent to the Independent Association of Journalists of Vojvodina (NDNV) by the right-wing organization "Naši Conservative Movement". Numerous insults and accusations were made against NDNV, as well as against the portal Autonomija, of which NDNV is the publisher. They were told that they were "foreign mercenaries", that they were waging a "media war against Russia and Serbia" and that they were "promoting Ukrainian neo-Nazism".

Dinko Gruhonjić, program director of NDNV, editor-in-chief of the Vojvodina Research and Analytical Center (VOICE) portal and deputy chief and responsible editor of the Autonomija portal, and Teofil Pančić, columnist of the Autonomija portal, were singled out in that letter as "foreign mercenaries" who are invited to "give answers about their work before the competent institutions."

"That extremist movement advocates the application of the Russian model according to which the independent media are labeled as foreign agents, fueling the dangerous thesis that the media and organizations that co-finance projects and promote democratic values represent exponents of the West whose only goal is to wage a media war against Russia and Serbia", it is stated in the

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<sup>5</sup> [Obijen stan KRIK-ovoj menadžerki društvenih mreža](#), article published on November 5, 2020 at KRIK portalu.

<sup>6</sup> [Novinarki KRIK-a oduzeli telefon dok je fotografisala Danila Vučića i Acu Rošavog](#), article published on June 10, 2020 at KRIK portal.

<sup>7</sup> [Pašalić: BIA da dostavi dodatne informacije o Dojčinoviću](#), article published on December 6, 2018 at Danas portal.

<sup>8</sup> [KRIK: Najopasnije pretnje novinarima nevidljive za pravosuđe](#), authors Dragan Gmizić & Miodrag Marković, article published on April 14, 2023 at BIRN portal.

statement published by the Independent Association of Journalists of Vojvodina after they received the said email.

It was emphasized in the statement that this email does not represent an isolated case of threats. NDNV reminded that for years they have been the target of attacks by extremists because they represent the ideas of an open society, media professionalism and media freedom.

[The Coalition for Freedom of the Media spoke out](#) about the disputed event, stating: "We appeal to the police and the prosecution to take all necessary actions and investigate the heavy targeting that was done to NDNV, especially since this is not the first such case, and that such accusations can seriously threaten safety of journalists". The coalition assessed that in Serbia "there is no deterrent effect on those who target journalists and easily turn them into enemies of the state", as well as that "recently there has been an increase in targeting and threats against journalists".

Dinko Gruhonjić has been a victim of harassment, attacks and threats for years. His family was not spared from such attacks and threats.<sup>9</sup> As a strong form of pressure to which Gruhonjić was exposed, the fact that unknown persons wrote hateful graffiti on the apartment building where he lives will stand out. The higher public prosecutor's office in Novi Sad formed a case and initiated preliminary investigation proceedings against the unknown perpetrator (or several of them) due to the suspicion that the crime of inciting national, racial and religious hatred and intolerance under Article 317 of the Criminal Code was committed.<sup>10</sup> The event took place in 2020, and the perpetrators have not yet been identified.

Journalist Teofil Pančić was the victim of a drastic attack that took place in the middle of 2010. Before the attack, two unknown men followed Pančić for some time, then they followed him into the bus and, in front of the passengers, began to brutally hit him on the head and body with a metal rod.<sup>11</sup> As a result of the attack, Pančić was diagnosed with a skull contusion and an injury

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<sup>9</sup> [Serbian journalist Dinko Gruhonjić receives death threats online](#), CPJ

<sup>10</sup> [Tužilaštvo za RSE: Formiran predmet u slučaju napada na novinara Dinka Gruhonjića](#), article published on November 26, 2020 at Radio Free Europe portal.

<sup>11</sup> [Pretučen Teofil Pančić](#), article published at Vreme portal.

to his right hand. The perpetrators were convicted of violent behavior and sentenced to one year in prison each.<sup>12</sup>

### **The case of Žaklina Tatalović, TV N1 journalist**

Žaklina Tatalović, a journalist from N1 television, was exposed to insults and threatening messages sent to her via the social network Twitter. Two unknown persons from the profile "Alma Begović" and "Sabo Zoltan" told her, calling her derogatory names, that she "should be hanged and burned on the guillotine". In another message, the hope was expressed "that the Russians will not stop only at the Ukrainian Nazis, but will come for people like the journalist and others like her."<sup>13</sup>

The attack was [strongly condemned by journalistic associations](#). Support was also provided by the SafeJournalists network, whose announcement states: "The SafeJournalists network, which represents more than 8,200 media professionals in the Western Balkans, strongly condemns threats to journalists." The network called on the competent institutions in Serbia to find, prosecute and punish those responsible, stating that "the institutions must send a clear message that this kind of behavior is unacceptable." Also, they pointed out to the public that threats coming from the online sphere are just as dangerous as those uttered live and that everyone is responsible for what they write on the networks. The SafeJournalists network also stated that it will inform relevant national and international stakeholders about this case. Any attack on journalists is an attack on the public interest, democracy and the rights of all citizens," the network said in its reaction.

The case was reported to the competent authorities. So far, there is no information on whether the persons who sent the threats have been identified.

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<sup>12</sup> [Veća kazna napadačima na Pančića](#), article published on November 3, 2011. at B92.NET portal, source: Tanjug.

<sup>13</sup> [Safejournalists: Pretnje novinarki Žaklini Tatalović na Tviteru u Srbiji](#), article published on March 30, 2023 at NUNS portal.

## The case of Nina Čolić, Danas journalist

Nina Čolić, a journalist from the newspaper Danas, spoke on the official Tik Tok account of the newsroom about the seizure of a Lamborghini driven by Uroš Panić, the son of Petar Panić Pana, who is associated in the media with the President of the Republic of Serbia, Aleksandar Vučić. Uroš Panić became known to the public after he started posting videos on social networks that clearly show him speeding through the streets of Belgrade, disregarding the speed limit and committing a whole series of other traffic violations. In the comments below the video in which Nina Čolić talked about the actions of Uroš Panić, a whole series of threats were addressed to the journalist: "You're playing with your life", "You won't last long", "If you had talked less", "Bullet", "Run away before the darkness eats you", "Expect a sniper", "You'd better keep that head you carry on your shoulders, than to post views on social networks".

In one part of the video, Nina Čolić talks about an event whose actor was Petar Panić Pana, Uroš's father – after the TV duel between Vojislav Šešelj and the lawyer Nikola Barović in 1997, Barović was beaten. Petar Panić Pana was responsible for causing serious physical injuries to the lawyer. The sentence: "He slipped on a banana peel" is an allusion to that event of brutal beating, which is why the same sentence can be found in numerous variations below the video – "You want to slip on a banana peel too", "If you continue to you talk you'll also slip on a banana peel" and "Banana peels are dangerous", and these should be taken very seriously. When Vojislav Šešelj uttered it, that sentence meant a cynical "summary" of the event from 1997, written to Nina Čolić could be an announcement.

The Coalition for Media Freedom [asked the police and the prosecutor's office to take the sent threats very seriously](#) and to take all necessary measures and actions and find the persons who sent them.

The threats were reported to the competent Special Prosecutor's Office for high-tech crime. As of the date of publication of this report, no information has been published in the media about whether some of the persons who sent the threats have been prosecuted.

### Under pressure from high government officials

Journalists Jovana Polić and Sanja Lončar, co-authors of the documentary series "The Ruler",<sup>14</sup> received a counterclaim filed against them by the President of the Republic of Serbia, Aleksandar Vučić, in mid-March. The documentary series "The Ruler" is the work of the author team consisting of the late Slaviša Lekić, Jovana Polić and Sanja Lončar. The series consists of two shows, shown in February 2020, on TV N1. The counterclaim, filed more than a year after the death of Slaviša Lekić, was filed as part of a lawsuit filed by the author's team against the President of Serbia.

Explaining the reasons why the author team of the documentary series sued the President of Serbia, journalist Jovana Polić said:

*After the broadcast of The Ruler in 2020, after airing of two episodes, more than 1,000 offensive texts, TV reports, shows, guest appearances in various regime media were published in the next two weeks, until the corona madness started, all of which were preceded by the words of Vučić, who tried for days in different media to discredit us, with insults, what was the worst, by presenting, to be polite, a huge number of untruths, from who finances us, what are the reasons... At that time, we also announced filing lawsuits, among others, against Aleksandar Vučić, after a terrible Informer front page inspired by what Vučić said. And then we filed a lawsuit against Aleksandar Vučić (...)"*

In the statement sent by the JSP TV production regarding the counterclaim, it was pointed out that the President of the Republic claimed in the counterclaim that the journalists "caused him severe mental pain and suffering" and hurt his "highly ranked reputation and honor". According to the allegations in the counterclaim, the plaintiff "felt intense fear" because the series "The Ruler" represented "a kind of media attack" on the President of Serbia.

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<sup>14</sup> <https://www.danas.rs/vesti/drustvo/milion-pregleda-filma-vladalac-za-nedelju-dana/>

After the media published the news that Aleksandar Vučić sued female journalists, the President of the Republic of Serbia announced with a video via his Instagram account:

*“I have never in the last eleven years filed a lawsuit against any journalist or even someone who called himself a journalist, nor did I do it this time, it was done by the attorney general, and he will immediately withdraw the lawsuit, because I don't do it. I'm not doing it because they couldn't destroy my honor or harm my reputation, because they don't have that reputation. And that can only be done by someone who has a reputation, and only by someone who speaks the truth.”*

Questions arise: Why was the lawsuit filed if there was no reason for it? Was it filed in order to be withdrawn or was it withdrawn because it could not be filed (because there was no injury to honor and reputation, according to the counter-plaintiff, because the lawyer could not file it in the ignorance of his client)? Questions will remain without a satisfactory answer.

## II MONITORING OF THE IMPLEMENTATION OF EXISTING LAWS

### Project co-financing

In mid-March, the Ministry of Information and Telecommunications announced nine tenders in the field of public information for the year 2023, and allocated an amount of 310 million dinars. Tenders for project co-financing have been announced by [numerous local governments](#).

The Committee for Evaluation of Projects in the Field of Public Information in Obrenovac proposed to the City Council of the Obrenovac Municipality to finance the "TV MAG" project in the amount of 12.25 million dinars, and to finance the "TV Saga" project in the amount of 4.5 million dinars. "Radio MAG" received 2.2 million dinars for the project, while the Enterprise portal for information and marketing "Studio MAG" received 1.35 million dinars.<sup>15</sup> The portal "Lokalne novine" was awarded almost 3 million dinars, while the agency "Vesna Joksimović PR Agency for Publishing and Marketing Palež štampa Obrenovac" was awarded funds in the amount of 1.2 million dinars for the implementation of the project "Regional landfill Kalenić, with a century utility companies", with the fact that the tender committee's explanation did not specify the media that will implement the project. Therefore, two projects were applied for co-financing of television media content, by two television stations to which funds were allocated, while a total of 16 media projects were applied for co-financing of media content for radio, print and internet media, of which only four were supported. As reasons for rejecting the other 12 media projects, the main arguments were that the goals of the projects were set too broadly, and that the topics and purpose of the projects were not feasible.

At the proposal of the Commission for the evaluation of projects in the field of public information, the City Council in Vranje made a decision on the distribution of funds for co-financing of public interest in media content. For this purpose, an amount of 25 million dinars has been allocated from the city budget this year. The majority of the allocated funds (21 million dinars) were

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<sup>15</sup> [Dodeljena sredstva GO Obrenovac za sufinansiranje medija u 2023. godini](#), author Jasmina Prodanović, article published on March 2, 2023 at Cenzolovka portal.

received by two local television stations, which was also the case in previous years – "Vranjska Plus" television and "Radio television Vranje". "Radio Television Vranje" received 8 million dinars, "Vranjska Plus" television received 8.5 million dinars. Those two televisions also received money for the operation of their portals, "Radio Television Vranje" one million dinars, and television "Vranjska Plus" 1.2 million dinars. In addition, the project at the station "Radio Vranje" will be supported with 2 million dinars. Among the other media that received money from the budget are: "Radio Television Bujanovac" (600,000 dinars), "OK Radio" (one million dinars, of which 350,000 dinars are earmarked for their internet portal), "Informative Internet Portal" Vranje News" (550,000 dinars), "Portal Info Puls Vranje" (350,000 dinars), "Vranjski Online Magazin" (200,000 dinars), "Pčinjski 017 - Portal" from Bujanovac (150,000 dinars). When it comes to other projects of radio stations that will receive financial support, they are: "Miloš Stošić PR Agency for Marketing Skay Media Team Ranutovac", with a project on the radio station "Radio Skay" (150,000 dinars have been allocated) and "Radio Rhythm Vranjska Banja" (allocated 700,000 dinars). 3.85 million dinars were available for co-financing the internet portal.<sup>16</sup> Additionally, 500,000 dinars will be allocated for the "Stories from Vranje" project of the Kopernikus production house from Belgrade.<sup>17</sup>

The Pirot agency "JMedia" won 620,000 dinars at the media competition in the municipality of Dimitrovgrad. It asked for that amount when applying, even though at that moment, according to data from the Agency for Economic Registers, it was in "temporary suspension of activity".<sup>18</sup> It is worrisome that the Commission in charge of checking the documentation, during the check, did not notice any irregularities, and that the omission was noted only after the media reacted, and the funds had already been allocated to the agency. The Commission for Project Evaluation proposed that the application of the "JMedia" agency be subsequently rejected, which the Municipal Council accepted, and the Mayor of the Municipality, Vladica Dimitrov, signed a new decision partially canceling the previous one, in that the agency's application is rejected.

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<sup>16</sup> [Od Grada 180.000 evra za RTV Vranje i Vranjsku Plus, OK Radiju 9.000 evra](#), article published on March 7, 2023 at Cenzolovka portal.

<sup>17</sup> [Od 25 miliona dinara za sufinansiranje, oko 21 dobila dva medija u Vranju](#), article published on March 7, 2023 at Danas portal.

<sup>18</sup> [Poništen deo medijskog konkursa u Dimitrovgradu: novac dodeljen agenciji koja trenutno ne obavlja delatnost](#), author L.J.F., article published on March 10, 2023 at Južne vesti portal.

According to the information available in the media, the 620,000 dinars that "JMedia" originally received remained in the budget, reserved for the same purposes, but so far it has not been decided whether there will be another competition and how that money will be spent.

Based on the proposal of the Commission for Project Evaluation, the proposal of the Decision on the distribution of funds for the co-financing of projects in the field of public information, for the year 2023, in the territory of the municipality of Gornji Milanovac, was adopted at the session of the Municipal Council. Of the 13 projects whose implementation was supported, the largest amount (half of the funds intended for that purpose) went to the "Television Broadcasting Company Televizija GM Plus Cable d.o.o. Gornji Milanovac" (7.5 million dinars), while 2.5 million dinars have been earmarked for two projects that will be implemented on the "GM Press" portal. "DOO Zogaks Gornji Milanovac" received 2 million dinars for the implementation of the project on the radio "Stari Milanovac", and a total of 1.65 million dinars is intended for projects that will be implemented in the media in Čačak. "Takovske Novine" received only 100,000 dinars out of the 15 million dinars budget (they received the same amount the previous year; this is also the minimum amount that can be allocated to one media).

### III ADOPTION OF NEW REGULATIONS AND CHANGES TO THE CURRENT ONES

#### **Law on Public Information and Media and Law on Electronic Media**

The Draft Law on Amendments to the Law on Public Information and Media, as well as the Draft of the new Law on Electronic Media, were not completed by the time this report was concluded. Completion of drafting is expected at the end of April or beginning of May.

#### **Law on Copyright and Related Rights and Law on Electronic Communications**

With the end of the public debate on the Draft Law on Copyright and Related Rights, the Ministry of Economy analyzed the proposals and suggestions for improving the text of the Draft Law. The draft law aroused great public interest. A total of 630 comments were received, of which five were related to the draft as a whole, while the remaining 625 were related to individual articles. It was assessed that they were mostly constructive.<sup>19</sup> Necessary changes were made in the text of the Draft, and the Ministry of Economy published [the Report on the conducted public discussion](#).

It is worth reminding that in the working group for drafting the Law on copyright and related rights, there was no place for representatives of journalistic associations or media associations. Although Measure 3.5 of the Media Strategy lists numerous indicators and measures that should contribute to the “establishment of a fair system of copyright protection that, to the greatest extent possible, protects the interests of the media as users and authors and collective organizations” – this was not enough reason for any of the representatives of the media associations or journalistic associations to be included in the working group. From the explanation of the Draft, it can be seen that everyone else was consulted except them:

*Stakeholders who participated in the drafting of the Draft Law are representatives of numerous social groups whose interests are protected by this law or whose interests are affected by the decisions of this law. In the roughest division, there*

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<sup>19</sup> [Izveštaj o sprovedenoj javnoj raspravi o Nacrtu zakona o autorskim i srodnim pravima](#), news item published on March 6, 2023 at Ministry of Justice web site.

*are two target groups: holders of copyright and related rights and users of copyright and related rights. Namely, in the work of the Working Group for the preparation of the text of the Draft Law on Copyright and Related Rights, in addition to representatives of the Ministry of Economy and the Institute for Intellectual Property, representatives of the Ministry of Justice, the Chamber of Commerce of Serbia, the Digital Serbia Initiative, representatives of organizations for the collective exercise of copyright and related rights participated (Sokoj, OFPS, PI) who represented the interests of music authors, music producers, interpreters, then representatives of the National Library of Serbia and individual lawyers. During the work on the Draft Law, the Working Group held consultations with representatives of the Organization of Photography Authors - OFA and a lawyer who represents the interests of authors of film works.*

This was repeated with the drafting of the Law on Electronic Communications. Although, according to the Media Strategy, the Law on Electronic Communications is classified as a "law regulating the field of public information", not a single representative of media and/or journalistic associations was included in the working group.

#### IV SLAPP LAWSUITS DIRECTED AGAINST JOURNALISTS AND THE MEDIA

The Mayor of Belgrade Aleksandar Šapić filed two lawsuits against journalists, editors and publishers of the investigative portal BIRN. Lawsuits were filed due to two texts related to Šapić's property. These are texts about Šapić's villa in Trieste and the legalization of the building on Bežanijska kosa (["Šapić's villa in Trieste: The Mayor of Belgrade did not register a house worth 820,000 euros"](#) and ["Aleksandar Šapić's illegal construction was illegally legalized after he became mayor"](#)). With lawsuits, Šapić demanded that, due to the non-material damage caused, the journalists, editor and publisher of the portal pay him a total of twelve million dinars, six million according to the procedure.

In the first lawsuit, Šapić claimed that false accusations were made that he broke the law by not declaring his assets to the Agency for the Prevention of Corruption. Šapić pointed out that he reported the purchase of real estate in Italy to the Agency in an orderly and timely manner, and then, at the Agency's request, he also submitted the sales contract, which includes all relevant data on the real estate. In the second lawsuit, Šapić claimed that BIRN's article published false information about the fact that the Municipality of Novi Beograd "illegally legalized" his seven-room apartment on Bežanijska kosa, although the BIRN journalists based their claim on the fact that the object - in that shape and dimensions - does not exist on the satellite image of the Republic Geodetic Institute from 2015, which, according to the Law on Legalization of Buildings, is the basic prerequisite for illegally built buildings to enter the legalization procedure at all.

Mayor Šapić's reaction to BIRN's research was covered in the February report. We remind that the Mayor, in response to questions from a BIRN journalist, announced future lawsuits with the words: "We will determine whether I broke the law when I sue you for accusing me of breaking the law."<sup>20</sup> Such behavior of the Belgrade mayor - his inappropriate address to a journalist who is performing his professional task, announcing the lawsuit in front of other journalists, setting an

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<sup>20</sup> [Šapić na pitanje BIRN-a: Nismo mi čuvali ovce, niti igrali fudbal u paviljonima](#), article published on February 8, 2023 at N1 portal.

extremely high claim (in domestic judicial practice, that amount is unattainable) - justifies the position of the editorial office of the BIRN portal that these are SLAPP lawsuits.

In reaction to the lawsuits filed against them by Aleksandar Šapić, BIRN journalists pointed out that during the preparation of the text about the villa in Trieste, they repeatedly addressed both the Agency for the Prevention of Corruption and the Mayor himself. Šapić did not answer the calls that were sent to him on two phone numbers known to the editorial office, just as he did not answer the questions that were sent to him in writing. BIRN journalists contacted the Agency for the Prevention of Corruption both before and after the publication of the text. In the Agency's first response, it was stated that all the reports submitted by Aleksandar Šapić were processed and published on their website. However, in those reports, the 399 square meter villa, the land on which it is located, nor the forest surrounding the villa - were not recorded, BIRN journalists pointed out.<sup>21</sup> Addressing the Agency after the publication of the text, BIRN journalists did not receive information on whether Aleksandar Šapić delivered the sales contract to them. In January 2023, when the text was already published, the Agency initiated the procedure of extraordinary verification of the submitted reports on the Mayor's assets and income. Since no information about the outcome of the proceedings has appeared in the public, BIRN journalists tried to get information by sending questions to the Agency on March 26, 2023. They did not receive an answer to those questions.<sup>22</sup>

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<sup>21</sup> [Aleksandar Šapić podneo dve tužbe protiv BIRN-a, traži 12 miliona dinara](#), article published on March 29, 2023 at BIRN portal.

<sup>22</sup> Ibid.