

MONITORING OF THE MEDIA SCENE IN SERBIA

FOR THE MONTH OF JULY 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 July, the Independent Association of Journalists of Serbia (NUNS) and the Balkan Research Network BIRN Serbia (BIRN) published the report "[Safety of journalists in the digital environment](#)".

One of the conclusions reached in the Report is that the digital, online sphere has brought about changes in the way of threats, pressures and attacks on journalists, and that the number of them has increased significantly. The main form of threats on digital platforms are threats and insults addressed to newsrooms or journalists in comments left on websites and on social media profiles of both media and journalists, as well as organized and synchronized "bot" attacks. Also, the Report states that neither at the level of newsrooms nor at the level of the profession is there an adequate response to this type of attacks and threats, and that investing in protection systems would be too great a blow to the already impoverished resources. It is emphasized that when it comes to attacks and threats, there are no internal protocols for dealing with such cases. The protection mechanisms established so far (Permanent Working Group, Government Group for Safety of Journalists, SOS telephone) are only somewhat effective, but certainly not enough to prevent new attacks. Finally, the Report underlines that jeopardizing the safety of journalists potentially leads to their self-censorship, giving up on stories and topics that are important to the public, which undermines the quality of public information, media independence and freedom of speech.

The most striking finding of the research is that hate speech, threats, insults, intimidation, pressure and other forms of digital violence against journalists are so widespread in Serbia that journalists believe that it has become a daily, "normal" environment in which they work and the price they pay for their work they are doing. When they are faced with some form of digital threats and insults, they generally do not report them because they know that, at the institutional level of protection, something is rarely undertaken and resolved", stated Dr. Aleksandra Krstić, associate professor of the Faculty of Political Sciences of the University of Belgrade and one of from the authors of the report.¹

As the first half of 2023 passed, the Association of Journalists of Serbia (UNS) announced that in that period, it recorded 67 cases of endangering the safety of journalists in its database, which is one case more than in the same period of the previous year. Pressures (20), followed by threats (18), and

¹ [NUNS i BIRN objavili izveštaj „Bezbednost novinara u digitalnom okruženju“](#), NUNS article published on July 18, 2023at Cenzolovka portal.

followed by physical attacks, cases of preventing work, intimidation, as well as attacks on journalists' property and threats to their privacy, were the most frequent forms of endangering security. Considering that the negative trend regarding the increase in the number of cases of endangerment continues, UNS called on colleagues to inform them about any form of endangerment, so that the case is reported to the competent institutions in a timely manner, and they are provided with the necessary legal and other assistance.²

The case of Olivera Vladković, the owner of OK Radio, and Svetlana Ivanov, an employee of OK Radio

The files of the case in which Dejan Nikolić Kantar was sentenced to one year and six months in prison due to the threats he made to Olivera Vladković, the owner of OK Radio, and Svetlana Ivanov, an employee of that radio, during the trial, disappeared from the building of the High Court in Vranje. The public was informed about the said event through a press release issued by the Association of Independent Electronic Media (ANEM) after receiving unofficial information about the disappearance of the item. The public has been informed that ANEM will request confirmation of the same from the High Court in Vranje, as well as the fact that the Ministry of Justice (Sector for Justice), responsible for supervising the proceedings of the High Court in Vranje, has also been informed in connection with this case. Since ANEM issued a statement, the case of missing case files is receiving media attention.³

Against the first-instance court decision (which was discussed in [the Monitoring of the media scene for the month of June 2023](#)), the defense attorneys of Dejan Nikolić Kantar filed appeals, and the case was forwarded to the High Court in Vranje for a decision on the same. The case files were received on July 12, 2023, and on July 18, 2023, it was noticed by the competent court services that the files created based on the reported appeals of the Basic Court in Vranje were missing from the files.

Veran Matić, president of ANEM and a member of the Permanent Working Group for the Safety of Journalists, says that this is an attempt at obstruction, which in this case is not the first:

² [UNS-ova baza napada na novinare: Još jedno rizično polugodište](#), author A. Ninčić, article published on July 25, 2023 at UNS portal.

³ [U Višem sudu u Vranju, nestao predmet Kantar](#), article published on July 21, 2023 at Javni servis portal.

Last year, Dejan Nikolić Kantar was sentenced to 14 months in prison for the same crime against the same victims. During the trial, he repeated the same crime, and because of this, the Basic Court in Vranje handed down a first-instance verdict of 18 months in prison. Since Nikolić's 14-month prison sentence expires at the end of August, I think that there is clearly increased obstruction in order to delay the decision of the High Court, i.e. in order for Nikolić to go free, before the possible confirmation of the new verdict, which is certain because he uttered the threats in the courtroom, in front of numerous witnesses.⁴

The fact that the case that was marked as urgent in the Basic Court in Vranje in the second-instance procedure was assigned to a judge who was on vacation at the time also indicates that it was an attempt at obstruction. In the case of the same judge, there are also reasons for disqualification, since her daughter, in the capacity of Nikolić's defense attorney, filed an appeal against the first-instance decision on July 12, 2023.⁵

The High Court in Vranje replied that all the necessary measures were taken in order to find the case, that commissions to investigate the incident were formed, and that the Acting President of the High Court in Vranje initiated the procedure for the urgent renewal of the case file, all in order to respond to complaints in a timely manner and conduct criminal proceedings smoothly.

According to confirmed information, the missing file was successfully reconstructed based on the electronic documentation of the Basic Court in Vranje. A new judge has been appointed who will decide on appeals in the Chamber of the High Court in Vranje. The council session is expected to be held as soon as possible. The High Court in Vranje submitted a criminal report to the competent prosecutor's office, after which a request was sent to the police to take action in order to discover the identity of the unknown perpetrator of the criminal acts listed in the report: obstruction of justice and falsification of an official document.⁶

The Ministry of Justice initiated the supervision procedure and announced that after the statement of the president of the court, the Ministry will take the necessary measures, taking into account the

⁴ [U Višem sudu u Vranju, nestao predmet Kantar](#), article published on July 21, 2023. at Javni servis portal.

⁵ [ANEM traži utvrđivanje odgovornosti zbog nestanka spisa predmeta iz Osnovnog suda u Vranju](#), Beta article published on July 25, 2023 at Nova.rs portal.

⁶ [Saopštenje Asocijacije nezavisnih elektronskih medija povodom reakcije Ministarstva pravde na nestanak spisa predmeta Osnovnog suda u Vranju](#), announcement published on July 25, 2023 at OK radio portal.

circumstances of the case.⁷

ANEM welcomed the urgent response of the Ministry of Justice, pointing to important arguments for which trials in the case of Nikolić should be more expeditious, with the aim of preventing (possible) obstructions:

ANEM informed the Ministry of Justice about other important facts. Namely, on August 17 last year in the Central Prison, Dejan Nikolić Kantar threatened an employee of the Ministry of Justice, i.e. prison officer. According to the indictment, Kantar said on that occasion "that he would kill his children, that he would give 30,000 euros for him and his family if they were gone." The indictment in this drastic case of threats was sent to the court from the Second Basic Prosecutor's Office only in February of this year. The judge of the Second Basic Court scheduled the main trial only for October. Also, it was pointed out to the Ministry that Dejan Nikolić Kantar avoids coming to the final hearing in the case of a threat to the head of the Police Administration, as well as that the trial for threats and violence against the former partner MV [...] It is recalled that last year the Administration for games of chance sent evidence that Nikolić Kantar has been criminally convicted multiple times and that one of the criminal judgments was made for illegally organizing games of chance. Bearing in mind the fact that due to the mentioned circumstances, Dejan Nikolić Kantar did not have the right to obtain a license for betting shops and casinos, the Administration for Games of Chance closed them. After that, the Administrative Court from Niš annulled the decision of the competent state body and enabled the operation of these entities again.⁸

⁷ [Announcement regarding media reporting on disappearance of court files](#)

⁸ [Saopštenje Asocijacije nezavisnih elektronskih medija povodom reakcije Ministarstva pravde na nestanak spisa predmeta Osnovnog suda u Vranju](#), announcement published on July 25, 2023 at OK radio portal.

The case of Dinko Gruhonjić, program director of the Independent Journalists' Association of Vojvodina (NDNV), editor-in-chief of the Vojvodina Research and Analytical Center (VOICE) portal and deputy editor-in-chief of the Autonomija portal

Dinko Gruhonjić was exposed to attacks that followed his guest appearance on N1 television, where he spoke, among other things, about the genocide in Srebrenica and *the plundering policy*⁹ of Milorad Dodik. After that, Milorad Dodik also spoke out, accusing Gruhonjić of "hating Serbs and that this is proof of the worst chauvinism that serves the purpose of destroying democratic and civil values"¹⁰. Shortly after Dodik's statement, Gruhonjić started receiving threats via social networks. Dodik's accusations also served as a means to request a ban on N1 television in the territory of Republika Srpska.

The Coalition for Media Freedom underlined how dangerous targeting Gruhonjić is, especially considering that a public official is doing it, which is why it can easily become a model of behavior that others will follow.¹¹

Dinko Gruhonjić has been exposed to attacks for years:¹² "I can't remember the number, really. I have been targeted for more than 20 years [...] Nothing has ever been resolved, of the many reports we submitted, except for one, where the perpetrator admitted his guilt and settled with the Prosecutor's Office based on the principle of opportunity. We have everything archived, and so does the Prosecutor's Office. I am therefore a legitimate victim, it is only a matter of days, months or years when it will turn into physical violence."¹³

⁹ [NDNV: Dinko Gruhonjić na meti napada iz bh. entiteta Republika Srpska](#), announcement published on July 18, 2023

¹⁰ [BAZENUNS.RS](#)

¹¹ [Koalicija za slobodu medija: Dodik da shvati da je sloboda medija mera slobode društva](#), announcement published on July 19, 2023

¹² The attacks on Dinko Gruhonjić were also discussed in the Monitoring of the media scene for the month of March 2023

¹³ [Gruhonjić: Ja sam legitimna lovina, samo je pitanje kada će se to pretvoriti u fizičko nasilje](#), article published on July 20, 2023 at Autonomija portal.

The case of the publication of the video "Stop foreign propaganda" targeting journalists N1, Nova S and Nova

On the Instagram account of Vladan Sekulić, member of the main board of the Serbian Progressive Party and director of the transport company "Lasta", a video clip "Stop foreign propaganda" was published. In the video, the journalists of the media houses N1, Nova S and the newspaper Nova are called *an evil that we must confront*. The video also offers a "path to liberation", and that path is embodied by an animated character holding a flamethrower.¹⁴

The Coalition for Media Freedom issued a statement in which it highlighted the danger journalists were put in by broadcasting such a video:

*"We have already warned several times that such actions are very dangerous and that the consequences can be far-reaching. This kind of atmosphere and negative attitude towards journalists and the media is transmitted to citizens, who, most often, on social networks, also send threats, harass and insult journalists and further incite hatred."*¹⁵

Commenting on the video, Veran Matić, president of ANEM, reminded that the Permanent Working Group for the Safety of Journalists requested changes in the Criminal Code that would enable the prosecution to undertake criminal prosecution ex officio in such and similar cases.^{16, 17}

Apart from the mentioned pressure and threat, the journalists of television N1 were forbidden to attend the media conference held in the Government of the Republic of Serbia, even though they were invited to it the day before. The reason for the impossibility of admitting them to the conference was, as they were informed, that the capacities were full. The journalists of that television have not received answers to the questions they asked, to the calls they made, to the emails they sent for some time. According to them, it is getting more and more difficult to get permits to enter the airport, markets and city swimming pools.¹⁸

¹⁴ [BAZENUNS.RS](#)

¹⁵ [Koalicija za slobodu medija: Javni funkcioneri da prestanu sa opasnim targetiranjem medija](#), announcement published on July 11, 2023

¹⁶ [Veran Matić o spotu protiv N1 i „Nove“: Ovakve bolesne aktivnosti najveći su neprijatelji slobode medija, ko god da ih deli želi najgore i Srbiji](#), author Nataša Latković, article published on June 12, 2023 at Nova.rs portal.

¹⁷ [Kako je nastao predlog izmena Krivičnog zakona vezan za zaštitu novinara?](#), author Veran Matić, article published on October 27, 2021 at Javni servis portal.

¹⁸ [BAZENUNS.RS](#)

In accordance with the ban on attendance mentioned above, the incident that took place in the building of the Science and Technology Park in Belgrade, after the media conference where the Digital Europe program was presented, is mentioned. Prime Minister Ana Brnanić, Minister of Information and Telecommunications Mihailo Jovanović, EU Ambassador Emanuele Giaufret, as well as Director of Science and Technology Park Gordana Danilović Grković were present at that conference. After the end of the program, the journalists wanted to ask the attendees questions, but they were literally prevented from doing so. The person in charge of the protocol locked the door, and the journalists stayed behind it, in one room.¹⁹

The case of Srđan Nonić, editor-in-chief and responsible editor of the Niš initiative portal and civil activist

The Basic Public Prosecutor's Office in Niš filed an indictment against Nikola Panić, editor-in-chief of City Portal 018. Nikola Panić is known to the public as an SNS activist, and is employed by the City Administration of Niš. There were more words about this case in the Monitoring of the media scene for the month of January 2023. With the indictment, the prosecution charged Panić with the criminal offense of endangering the safety of a person who performs tasks of public importance in the field of information (Endangerment of safety, Article 138 paragraph 3 in connection with paragraph 1 of the Criminal Code of the Republic of Serbia). The Prosecutor's Office asked that the defendant will be sentenced to imprisonment for six months, with the provision that the same will not be carried out if the defendant does not commit a new criminal offense within two years.

The trial is scheduled for September 14, 2023.

¹⁹ [BAZENUNS.RS](https://bazenuns.rs)

II IMPLEMENTATION OF EXISTING LAWS

Project co-financing

The month of July was marked by the delay of the Ministry of Information and Telecommunications in publishing the decision regarding the results of the competition for co-financing the production of media content of interest to the public. Tenders were open until April 12 of the current year, the commission had 90 days to make a decision on the allocation of funds, and that deadline expired on July 11. The stated results were belatedly announced by the Ministry of Information and Telecommunications only on August 11, which is one month after the deadline (and they will be analyzed in more detail in the report for the month of August).

The commissions in charge of evaluating projects in the municipalities of Sombor, Inđija and Bor have published their proposals, and what they all have in common is the established principle of awarding the largest sums to the media close to the ruling party.

The commission in charge of evaluating projects in the municipality of Sombor proposed that 18 media projects receive money from the budget, out of 40 that applied in total. According to usual practice, the largest sums went to the media close to the ruling party, so they received 2.5 million dinars each: "Citizens' association I love Sombor" for the project that will be implemented by the media "025.rs". "NS vid media doo Novi Sad" for the project that will be implemented by "Radio Sombor" and "Televizija Sombor doo" with the project that will be implemented on "TV Sombor".

The amount of 2.4 million dinars went to "Enterprise for radio and television activities STV Ka-54 doo Sombor" for the project that will be implemented by "Televizija Fortuna" and "Milan Šveljo PR production of cinematographic works of audio visual products and television of the "Video creative team Sombor" program for the project that will be implemented on the "Vojvodjanski.com" portal.

"Vtv doo Subotica" also received millions of dinars for the implementation of the project on the portal "Vojvodjanski.com" - 1.5 million dinars, "Company with limited liability information - propaganda center Kula, Kula" - 1 million dinars for the implementation of the project on "Q media" and "ApaOne Novi Sad Limited Liability Company" for the project on "Biznisvesti.rs" - 1.1 million dinars.

[Other projects](#) that will be supported with money from the budget received amounts from 400,000 to 800,000 dinars.

The committee for the evaluation of media projects in Inđija decided that 20 media projects will be supported by the amount of 25.8 million dinars from the municipal budget.

"Sremska televizija doo Šid" and "Radio televizija Inđija doo, Inđija" each received 6 million dinars, that is, almost half of the total amount available. "Inđijska panorama" received 1.35 million dinars, 1 million dinars were awarded each to "Company for trade, traffic and services Infocyber doo Inđija", "Gradske info doo Novi Sad", "Saveta Kovačević PR audio" and video production central production Veliki Radinci". The production of "QWP media limited liability company Belgrade - Novi Beograd" received 2 million dinars, and the "Newspaper-publishing company Sremske novine doo Sremska Mitrovica" for the project that will be implemented by "Sremske novine" received 1 2 million dinars.

[Other media](#) received amounts from 200,000 to 900,000 dinars for projects.

When it comes to the media in Bor, out of the 8 million dinars foreseen for co-financing in 2023, the Commission for the Evaluation of Media Projects distributed 7.6 million dinars, and the largest amount was allocated to the production of "Smilja Đorđević, an entrepreneur in the production of audio-video records and consultancy services of S media team Belgrade-Zemun" for the project that will be realized by TV Studio B - 1.5 million dinars. A slightly smaller amount, i.e. 1.48 million dinars, went to "Digital 030 Bor Limited Liability Company" for the project that will be implemented by the "Internet portal www.digital030.rs". It is interesting that the aforementioned portal was entered in the media register in 2021, and that until today there are only nine pieces of information on its website.

Of the other media that received money from the budget, they are: "Nada Gudurić PR agency for information activities and marketing Npress Bor" for the project that will be realized by the media "Npress" - 1 million dinars, "Media Center Radio Comet" - Click d.o.o. Bor" for the project on the radio "Klik FM 030 99.5" - 640,000 dinars. The limited liability company for the publication of the newspaper MM Boned, Bor, received 300,000 dinars for the project on the portal "Internet portal of the Timočka Krajina Timočka", and their printed newspaper, "Nedeljnik Timočka Krajina Timočka", received 500,000 dinars.

The company "Hype showtime doo Zaječar" received money from the budget for two projects, one that will implement "TV Hype 2" - 500,000 dinars, and an additional 200,000 dinars was allocated for the project on "Timočki radio 90.8".

[Other media](#) received amounts ranging from 100,000 to 400,000 dinars.

III MONITORING OF THE PROCESS OF ADOPTION OF NEW LAWS

The state is repeatedly postponing what it committed to, which is to adopt amendments to key media laws. The draft of the new Law on Electronic Media (ZEM), as well as the Draft of the new Law on Public Information and Media (ZJIM) - were completed in May, bearing in mind that the April deadline was missed. Public discussions on the mentioned drafts have not yet started, nor do the representatives of journalist associations and media associations know when they will start.²⁰

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²⁰ [Sve je odjednom zamrlo: Rad na medijskim zakonima bio kupovina vremena i zamajavanje, za usvajanje ne postoji politička volja](#), author Ivana Predić, article published on July 31, 2023