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Freedom of the Press 2013 - Serbia

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2013 Scores

Press Status: Partly Free

Press Freedom Score: 36

Legal Environment: 9

Political Environment: 16

Economic Environment: 11

Freedom of the press is protected under Serbia's constitution and legal system. However, the media operate in a highly politicized environment, and journalists continue to face physical and verbal attacks. Following presidential, parliamentary, and local elections in May 2012, a new government led by Prime Minister Ivica Dačić did little to reform the Serbian media landscape, which remains constrained by pervasive corruption, regulatory setbacks, and economic difficulties. Some laws pose a threat to media freedom. Journalists are subject to prosecution under the Data Secrecy Act, which protects information of interest to national security, public safety, and foreign affairs, among other categories. Although the internet remains unrestricted, the 2010 Law on Electronic Communications requires telecommunications providers to keep records on the source and destination of all electronic communications for one year for potential government use.

In 2011, the government adopted a long-awaited media strategy, which aims to increase the independence of media outlets and protect them from improper influences. The strategy is the first step toward the passage of legislative changes to that effect. However, despite ongoing legislative reforms, mostly under European Union guidance, implementation of the media strategy has lagged. A working group was formed by the new Ministry of Culture, Media, and Information in 2012, though it is unclear whether the group will focus on revising the media strategy or implementing the key media laws proposed in the document. In December, the parliament adopted an amendment to the Law on Copyright and Related Rights, but it did not solve the problem of high fees that are threatening to cripple the country's broadcasters. Also in December, the parliament adopted the Law on Public Companies, which – contrary to the media strategy – would create the possibility of establishing new state-owned companies in the field of information. Amendments to the criminal code passed in the same month established more stringent protections for journalists who are threatened in the course of their work, though the maximum punishment was lowered from eight years to five years in prison.

The criminal code amendments also eliminated defamation as a criminal offense, but it had been punishable only by fines since 2006, and articles criminalizing similar reputation-related offenses like insult apparently remained in force. Earlier, in July, press freedom organizations harshly criticized Serbia for imprisoning journalist László Sas after he was unable to pay a 150,000 dinar (\$1,700) fine for insulting a far-right politician. Two weeks into his 150-day prison sentence, however, President Tomislav Nikolić pardoned him, allowing his release. Civil defamation is also an issue in the country. In May, Nikolić – then running as a presidential candidate – filed lawsuits against the dailies *Kurir* and *Blic*, demanding 200 million dinars (\$2.3 million) from each. Other journalists and outlets have faced lawsuits and civil damages for allegedly publishing false information.

Media outlets and journalists continue to face partisan and government pressure over editorial policies. Information of public importance is often withheld, and public officials have been known to grant interviews or give statements only to select journalists. According to a report by the Association of Independent Electronic Media (ANEM), a watchdog organization, journalists encountered increased political coercion during the campaign for presidential and parliamentary elections in May 2012. A media survey conducted by the Social Research Bureau showed that media coverage during the campaign lacked critical analysis and in some cases even amounted to political advertising. In March, the Timočka television and radio station in Zaječar was harassed by the authorities. It received a subpoena for an alleged illegally installed transmitter, which had been in the same location for 17 years. The editorial team was also instructed to vacate their business premises. A week later, the station's signal was removed from the package offered by a cable provider. According to ANEM, activists from a political party had been petitioning against Timočka, and the decisions against it were politically motivated.

Threats and physical attacks against journalists were a significant concern in 2012. In February, a Studio B television crew was attacked by a man in downtown Belgrade while reporting about public transportation in the city. The man was arrested and later faced charges. In March, a city councilor from Sremska Mitrovica insulted a journalist who had inquired as to whether or not the councilor was resigning. In a separate incident a day later, the president of Žagubica's city council allegedly struck the camera of a local television broadcaster and barred it from filming at a municipal gathering. In May, the director of a weekly magazine, *Bačkopalanački Nedeljnik*, was threatened by the mayor of Bačka Palanka, who allegedly told him that if his publication were to write anything more about him, he would throw a bomb into the journalist's house and the magazine's offices. In June, the owner of *Kurir* received a threatening text message from the president of the United Regions of Serbia political party.

Several journalists were targets of explosive devices during the year, although at year's end it was unclear whether the incidents were linked to their work. Tanja Janković, a B92 journalist in Vranje, had an explosive device planted in her backyard in October. A month earlier, she had been attacked at a relative's wedding, reportedly with the involvement of a police inspector. Also in October, Molotov cocktails were thrown at the houses of Biljana Vujović, a presenter with TV Kopernikus, and Damir Dragić, the director of the Belgrade-based tabloid *Informers*. No one was injured in the attacks, and police were investigating them at year's end.

A number of investigative journalists in Serbia live under 24-hour police protection, as they face threats from mafia-like organizations. Traveling abroad has been a concern for these journalists, as their police guards cannot travel armed, whereas criminal organizations operate beyond Serbia's borders. Local press organizations argue that when police and the courts identify the perpetrators of crimes against the media, they often fail to investigate the motives. The murder cases of three journalists remain unsolved. However, in December 2012 the government announced the establishment of a commission to investigate unsolved killings of journalists. Judicial and political treatment of attacks on journalists did not improve in 2012, with culprits generally receiving mild punishments when their cases were brought to court.

The broadcast market is dominated by the public RTS1, but print media are numerous and highly diverse. There are more than 500 print outlets, including around 20 dailies. In addition, some 48 percent of Serbians accessed the internet in 2012. In total, Serbia has more than 1,000 media organizations for just 7.2 million people, meaning most outlets are not financially sustainable. Ownership of the print media remains problematic and in some cases unclear, particularly for daily tabloids. Prior to his arrest on embezzlement charges in December 2012, it was discovered that businessman Miroslav Mišković, the owner of Serbia's largest privately held company, Delta Holding, owned 50 percent – the largest individual stake – in the daily newspaper *Press*. The government still has major stakes in the dailies *Politika* and *Večernje Novosti*, and in Belgrade's municipal broadcaster, RTV Studio B. Under the recently adopted media strategy, the government committed itself to selling its stakes in media organizations by March 2015 at the latest, but no such steps had been taken by the end of 2012. Like the media market in general, the television market is oversaturated, and high broadcasting fees pose a challenge to the viability of many stations. The switchover from analog to digital broadcasting, originally scheduled for April 2012, was postponed until June 2015.

The economic environment remains a significant constraint in Serbia. The media are now more heavily dependent on advertising contracts and government subsidies to survive financially, and every year millions of euros are allocated to state and progovernment media at the expense of other media. A number of outlets have faced closure over the past several years. In 2012, nearly 15 percent of electronic media with valid broadcasting licenses were facing shutdown because of nonpayment of regulatory fees. In September and October, the regulatory body for broadcasting, the Republic Broadcasting Agency (RBA), initiated 67 procedures to revoke licenses for failure to pay broadcasting fees. In November, RTV 5, a top-rated regional media company, stopped broadcasting after 18 years of operation due to financial difficulties that resulted in its license being revoked over unpaid fees. Other economic pressures on journalists and the media include payment defaults, termination of cooperation and contracts, changes to business contracts, unreasonably high fees for copyrights and related rights, and financial inspections. The economic crisis has exacerbated self-censorship, with media organizations reporting a significant decrease in investigative journalism.

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