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Freedom of the Press 2012 - Serbia

2012 Scores

Press Status: Partly Free

Press Freedom Score: 35

Legal Environment: 9

Political Environment: 15

Economic Environment: 11

Freedom of the press is protected under Serbia's constitution and legal system. In 2011, the government continued its push toward European integration, which included the high-profile arrests and extradition of two indicted war criminals, as well as the alignment of legislation and regulations with European Union (EU) norms. Although the legal framework for the protection of media freedom is broadly in line with EU standards, the media environment remains constrained by political pressures, pervasive corruption, a climate of impunity, regulatory setbacks, and economic difficulties.

Libel is a criminal offense, but since 2006 it has been punishable only by fines, not jail time. In July, the government announced that libel and defamation would soon be decriminalized, though the legislation had not been adopted by the end of the year. Journalists are also subject to prosecution under the Data Secrecy Act, which protects information of interest to national security, public safety, and foreign affairs, among other categories. A journalist and an editor from the daily *Nacionalni Gradanski* in Novi Sad were charged with disclosing a state secret in a June article that revealed serious problems in Serbia's defense system.

In September 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 EU guidance, implementation is not always consistent. The Association of Independent Electronic Media, a watchdog organization, argued that the Law on Cinematography, adopted at the end of the year, contradicts the spirit of the new media strategy. It allows for the reallocation of funds collected by the Republic Broadcasting Agency (RBA) and the Republic Agency for Electronic Communications (RATEL) from broadcasters and telecommunications operators to the film industry, all but ensuring that broadcasting fees remain high for the financially strained media industry. Moreover, despite recent reforms, the procedure by which members of the RBA's governing council are appointed remains a concern.

Media outlets 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. The independent broadcaster B92 continues to bear the brunt of harassment directed at independent media. For example, in February 2011, after reporting about alleged abuses at a state-owned coal mine, the station and its journalists received very public death threats. Some investigative journalists residing in Belgrade and outside the capital live under 24-hour police protection. In October, a local politician allegedly threatened an editor of the web portal Vranjepres over a story linking the politician's party to a corruption scandal involving the Kolubara coal-mining complex. 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. Judicial and political treatment of attacks on journalists worsened in 2011, with culprits generally receiving mild punishments when their cases were brought to court.

The broadcast market is dominated by the public broadcaster RTS1, but print media are numerous and highly diverse. There are more than 500 print outlets, including 20 dailies. In total, Serbia has more than 1,000 media organizations for just 7.1 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. The television market is also oversaturated, and high broadcasting fees pose a challenge to the viability of many stations. 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 2011.

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 a number of outlets have faced closure over the past several years. With the legal environment undergoing reform and the political situation an issue that the media have learned to deal with, most local media report that economic pressures are the factor that most negatively affects media freedom. Such pressures include payment defaults, termination of cooperation and contracts, changes to business contracts, and financial inspections. The economic crisis has exacerbated self-censorship, with media organizations reporting a significant decrease in investigative journalism.

In 2011, 42 percent of Serbians accessed the internet. Although the internet is unrestricted, the 2010 Law on Electronic Communications requires telecommunications providers to keep records of the source and destination of all electronic communications for one year for potential government use.

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