Freedom of the Press 2016 - Serbia

Publisher Freedom House
Publication Date 28 September 2016

Press Freedom Status: Partly Free
Legal Environment: 12 / 30 (↓1) (0 = best, 30 = worst)
Political Environment: 21 / 40 (↓4) (0 = best, 40 = worst)
Economic Environment: 12 / 30 (0 = best, 30 = worst)
Press Freedom Score: 45 / 100 (↓5) (0 = best, 100 = worst)

Quick Facts

Population: 7,097,190
Freedom in the World Status: Free
Internet Penetration Rate: 65.3%

Overview

In 2015, the administration of Prime Minister Aleksandar Vučić and aligned media outlets escalated a drive to portray investigative and critical media organizations as foreign-backed propagandists seeking to damage his government and destabilize the country. Self-censorship was a worsening phenomenon that journalists attributed to concerns about both harassment and economic pressure. Journalists continued to experience threats and physical attacks. A number of outlets, including ones that hosted minority-language programs, closed down during a media privatization program outlined in a package of 2014 reform laws backed by the European Union (EU). Political and investigative programs also continue to close, leaving the public with fewer sources of information.

Key Developments

- In January, the Balkan Investigative Reporting Network (BIRN) published an investigative piece that questioned a contracting decision by a state-owned firm. In response, Vučić called its reporters "liars" and alleged that the outlet was receiving financial support from the EU to slander his government.
- In November, BIRN and two other investigative outlets were criticized as foreign-funded provocateurs in a series of pieces appearing in progovernment media outlets.
- A media privatization process was completed in December, and resulted in the closure of numerous outlets in Serbia's oversaturated media market. Journalists have expressed concern that many surviving outlets are held by owners likely to use them to promote their own business or political interests.

- In June 2015, a trial opened against four former state security officials accused of the 1999 murder of investigative journalist Slavko Ćuruvija.

Legal Environment: 12 / 30 (↓1)

Freedoms of speech and the press are protected under Serbia's constitution and legal system. However, these protections are not consistently upheld in practice. The Vučić administration in 2015 escalated hostile rhetoric toward critical and investigative media, particularly toward BIRN, a regional media organization partly funded by foreign grants.

Defamation was decriminalized in 2012, and is now a civil offense. Articles criminalizing insult remain on the books; such offenses are technically not punishable by prison sentences, but journalists can be imprisoned if they are unable to pay associated fines. Investigative reporters and media outlets risk lawsuits or threats of legal action for insulting powerful people. Some confusion within the judiciary over Serbia's media laws continues; in particular, journalists say judges often ignore a law holding that reporters cannot be penalized for publishing or rewording official government statements.

Despite the existence of the 2004 Law on Free Access to Information of Public Importance, authorities frequently obstruct journalists' efforts to obtain public information. Other laws relating to the media are unclear or contradictory, and some pose a threat to media freedom. Journalists are subject to prosecution under the 2009 Data Secrecy Law, which protects information related to national security, public safety, and foreign affairs, among other categories. While internet access is not restricted, the 2010 Law on Electronic Communications requires telecommunications providers to keep records on the source, destination, and timing of all electronic communications for one year for potential government use, provided that a court approves such requests for information.

The Regulatory Authority for Electronic Media issues licenses to broadcasters. However, its processes are nontransparent and it has yet to prepare by-laws that permit the implementation of some 2014 reforms, and the EU has encouraged it to take additional measures to ensure its independence. According to Serbian journalists, the regulator charges arbitrary and frequently expensive fees for licenses. Print media outlets are considered private firms and do not pay license taxes.

Political Environment: 21 / 40 (↓4)

Media outlets and journalists continued to face serious pressure from politicians and owners over content and editorial policies in 2015. Some of the most visible pressure on the media came from Prime Minister Vučić and his allies, who continued to verbally harass critical journalists and outlets. In January, after BIRN published an article alleging that a state-owned firm had awarded a significant construction contract to a Serbian company that lacked necessary expertise, Vučić called its reporters "liars" and alleged that BIRN was receiving financial support from the EU to slander the Serbian government. He further alleged that BIRN was promoting the interests of a foreign construction company that had submitted a more expensive bid for the same project. BIRN, as well as and two other investigative journalism outfits – the Serbian Center for Investigative Journalism (CINS) and the Network for Investigating Crime and Corruption (KRIK) – are frequently criticized in progovernment media as foreign-backed operators seeking to damage the Vučić administration and destabilize Serbia. Such activity escalated markedly in November 2015, during which the progovernment *Informer* daily released a series of articles seeking to discredit the three outlets. One such article featured documents the *Informer* claimed were financial statements from a BIRN account with Austria's Raiffeisen Bank, which it attached to a separate *Informer* story claiming that the European Commission was "directly funding attempts to bring Vučić down and instigate chaos in Serbia." Raiffeisen promptly issued a statement saying that the document had not originated with it. Around the same time, TV PINK, a progovernment television station with national reach, aired a four-hour special dedicated to similar claims that foreign actors including the EU were funding BIRN, CINS, and KRIK in order to destabilize Serbia; guests included Interior Minister Nebojša Stefanović.

Many journalists report that their editors have placed restrictions on topics they are permitted to write about. Some journalists with print outlets that were privatized following the approval of the 2014 reform laws report that new owners have discouraged them from pursuing critical or investigative reporting. In recent years, a number of journalists have been fired from their jobs or saw their shows banned in what they have characterized as political retaliation for critical coverage. In April, the prominent journalist Antonela Riha was unexpectedly dismissed from her position as the politics editor at the weekly magazine *NIN*, and has claimed that the move was politically motivated. Separately, Danica Vučenić, host of the political talk show *Jedan na Jedan*, announced in March that she was retiring from the practice of journalism; she claimed that government officials began refusing to appear on her show after she had hosted Olja Bećković, whose program *Utisak Nedelje* was canceled in 2014, allegedly on orders from Vučić.

On occasion, websites carrying news about sensitive topics have been temporarily blocked, prompting concerns about government censorship of the internet. Self-censorship is widespread and on the rise, with journalists attributing the phenomenon not only to harassment that often follows critical or investigative reporting, but also to economic pressures, such as the risk of losing advertising contracts in connection with such reports. In 2015, Aleksandar Rodić, owner of Serbia's influential Adria media group, issued a public apology for disseminating news that was biased in favor of the Vučić administration. He further claimed that the Vučić administration had threatened to damage Adria's reputation and create legal problems for it, and that such threats had contributed to self-censorship among journalists operating in Serbia.

Political or investigative radio and television programs continued to close in 2015. The independent television station TV B92, known for its political coverage, has downsized and shifted toward entertainment and lifestyle programming. In July 2015, Radio B92, an affiliated outlet, fired 12 of its remaining 17 employees as part of a restructuring expected to see the station adopt a similar focus on entertainment programming. Some freelance journalists produce critical material, but it is not widely published. A number of outlets closed down during the media privatization process mandated by the 2014 reform laws, including a number of minority-language outfits.

There were 34 attacks on journalists in 2015, according to the Independent Association of Serbian Journalists. They included 10 physical assaults, 20 verbal threats, and 3 property attacks. Of these, 10 incidents were prosecuted but only 2 were resolved; in both cases, the defendants were ordered to undergo psychiatric treatment. In December, Defense Minister Bratislav Gašić made a vulgar comment about a female journalist with TV B92 who was covering his visit to a factory. Vučić indicated that he would fire Gašić over the remark, but had had not done so at the year's end.

In June 2015, a trial opened against four former state security officials accused of the 1999 murder of investigative journalist Slavko Ćuruvija. The cases of two other journalists murdered since 1994 remain unsolved.

Economic Environment: 12 / 30

Serbia has roughly 800 print outlets, 280 radio stations, 175 television stations, and 330 online news portals serving a population of about 7.1 million. The public station RTS1 competes with a handful of national commercial broadcasters. Television is the primary source of news in Serbia for most people. Newspaper readership has fallen significantly in recent years, with one study released in 2015 showing that only 7 percent of people living in Serbia buy newspapers. Online media are increasingly important, and about 65 percent of Serbia's residents accessed the internet in 2015.

The 2014 media reform laws envisioned a new register in which the ownership of each media company was to be listed. The register opened in February 2015, and set an August deadline for outlets to submit information. Despite its establishment, ownership of print and broadcast outlets remains difficult to determine in practice. The ownership of the national dailies *Večernje Novosti* and *Politika* was unclear at the year's end. Ownership of online media is thought to be highly concentrated among a few owners with close links to political structures.

Under 2014 media laws, the government was to privatize almost all publicly owned outlets and cease direct funding of most media through its budget by July 2015. Media outlets will instead compete for state grants. The public broadcasters, Radio Television of Serbia (RTS) and Radio Television of Vojvodina (RTV), are exempt from the prohibition against state funding and will remain in the budget until 2016, after which time they will be funded by a separate tax. A similar public broadcaster for ethnic Serbs in Kosovo, as well as certain other minority media outlets, are also exempt from the prohibition against direct state funding.

The privatization process concluded in December 2015. Of the 73 outlets to be privatized, only 34 found new owners. Another 22 are expected to see the company's assets transferred to employees, while 13 will close, and 4 will transition to other industries. Journalists have expressed concern that many of the privatized outlets that remained in business are now held by owners likely who are likely to use them to promote their own business or political interests. Meanwhile, the state news agency Tanjug, one of the most prominent outlets to be privatized, was technically closed in November by order from the government after it was unable to find a private buyer. It nevertheless continued to publish through the year's end, though on a reduced scale. BIRN, citing a former Tanjug employee, reported that staff close to the agency's management director were among those who retained their jobs.

Many news outlets depend heavily on the government's subsidies and advertising purchases, which are allocated through opaque processes. According to BIRN, only 20 percent of state funding to media outlets is awarded through competitive processes, and the rest is disbursed via subsidies or contracts. Serbian journalists say state control of these processes lets the government exert great influence over editorial policies. In 2015, the advertising market in Serbia was worth roughly €155 million, an amount considered inadequate for Serbia's numerous media outlets.

Most outlets in Serbia's overcrowded media market are not financially self-sufficient and are unable to fund high-quality journalism. One result is a widespread lack of professionalism, with many outlets obtaining news items from social media, and regularly publishing press releases as news.

In June 2015, Serbia completed a digital switchover required to harmonize its technical infrastructure with EU regulations. The transition expanded the reach of many outlets, but has presented economic difficulties for smaller stations less able to afford upgrades to their equipment.

It is becoming increasingly difficult to make a living as a journalist in Serbia. Some 1,000 media workers reportedly lost their jobs amid the privatization drive. Other economic pressures including payment defaults, termination of contracts, changes to business contracts, unreasonably high fees for copyrights and related rights, and financial inspections. Although journalists' associations work to protect members' interests, they lack resources to gain influence. There are three such associations, though none advocate for freelance journalists. Broader economic problems have contributed to an increase in self-censorship and a significant decline in investigative journalism in recent years.