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Freedom Of The Press - Serbia (2011)

Status: Partly Free
Legal Environment: 9
Political Environment: 15
Economic Environment: 9
Total Score: 33

Freedom of the press is protected under Serbia's constitution and legal system. The current government appears to be making obvious efforts to break the climate of impunity and improve access to public information. Despite legal protections, due to a highly politicized culture, the media operate in an unfriendly environment and continue to face physical and verbal attacks. For instance, while reporting on Kosovo has long been a complicated matter, in 2010 members of the media reporting on nationalism, extremism, football fan clubs, human rights issues, and gender and sexuality issues were also harassed. Libel remains a criminal offense but, since 2006, it has been punishable only by fines, not jail time.

There were a number of notable positive legal developments in 2010. In a defamation case against journalist Dragana Kocic and editor Timosenko Milosavljevic of the daily *Narodnih Novina*, the High Court in Nis ruled in August in favor of the defendants, after they were first sentenced to pay a fine for publishing quotes from official documents. Although the Court of First Instance in April rejected charges against six people accused of threatening B92 journalist Brankica Stankovic in late 2009 for her reporting on the activities of extremist football fan clubs, the Higher Court of Appeal overruled the decision later in the year. Three of the six suspects were sentenced to prison terms of 3 to 16 months, in the authorities' first use of amendments to the Criminal Code from 2009 that specifically make endangering the work of a journalist a crime. The three suspects who were arrested in 2009 for their involvement in the 2008 car bombing that had killed the owner and director of the Zagreb weekly *Nacional* went on trial in April in Serbia. In another boost to media freedom, the Constitutional Court in July struck down a set of 2009 amendments to the Law on Public Information, which had sought to limit who could establish a media outlet.

The media governing body, the Republic Broadcasting Council, has undergone reform in recent years; in 2009, guidelines for appointing members of the board were adopted, and procedures for decision-making and allocating frequencies have become more transparent. All decisions of the body are now published on the internet. The agency has also opened several local offices in the country. In 2010, it agreed to reduce licensing fees, which were one of the region's highest. Media organizations are concerned about the adoption of the new Electronic Communications Law allowing the government to monitor and store citizens' electronic communications, which could be used to stifle investigative reporting.

Despite positive developments, the media in Serbia continue to face considerable political pressure, and government

interference in editorial policies remains a concern. Journalists outside the capital often face direct pressure from local authorities. In April, local officials in Novi Pazar sought to terminate a contract with the local station TV Jedinstvo, under which the station was due to receive a monthly allowance for its coverage of the mayor and local administration, in order to influence its editorial policy. In February, authorities in the town of Pirot withdrew contractual support for the weekly *Pirotske Novine* after the newspapers published a critique of the mayor's financial activities. In August, the mayor of Zajecar prevented directors of companies and public institutions in his city from speaking to the media without his consent.

Physical attacks, in particular, were a concern in 2010. In July, a reporter for the weekly *Vreme* was attacked by two men with metal bars in Belgrade. The journalist, Teofil Pancic, believes the attack was linked to his work. The police identified his attackers as members of an extremist organization. The suspects were convicted in September and sentenced to three months in prison, although the law stipulates a minimum six-month imprisonment for violent assault. Pressure on journalists continues to come not only from extremist and fringe elements of society, but also from authorities. In February, Minister of Infrastructure Milutin Mrkonjic verbally and physically assaulted a *Kurir* journalist, Milan Ladjevic. In September, a *Blic* journalist was reportedly physically attacked by the driver for the mayor of Aleksandrovac. In February, Aleksandra Delic, a journalist for the daily *Vecernje Novosti*, reported that she was threatened by a Serbian Orthodox priest, who is a co-owner of the Serbian weekly *Glas Podrinja*, which Delic was investigating in her articles. There has been little progress in the investigations of the murders of journalists dating back several years, including the 1999 murder of Slavko Curuvija, and the attempted murder of a journalist in 2007.

The broadcast media are dominated by the public broadcaster RTS1, but print media are numerous and very diverse. They are mostly privately owned, although major broadcasters are still owned or controlled by the government, in spite of a law prohibiting state ownership. The economic environment remains a significant constraint in Serbia, particularly as the economy contracted in 2009, and then only modestly improved in 2010. The media are now more heavily dependent on advertising contracts and government subsidies. 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 in Serbia. Economic 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. The government has yet to adopt the Law on Media Concentration and the Law on Advertising.

In 2010, 41 percent of Serbians accessed the internet. Although the internet is unrestricted, a new Law on Electronic Communications adopted on June 29 requires telecommunications providers to keep records of the source and destination of all electronic communications for one year for potential government use.

Note: This report does not reflect conditions in Kosovo, which is now covered separately.