

Helsinki bulletin



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MEDIA IN SERBIA: LOST AND LOBBYING FOR THE STATUS QUO

Serbia's media scene is merely a reflection of society's loss of bearings and moral devastation. This is especially so because, like all other national institutions, the media gave full support to the national projects embodied by Slobodan Milošević at the end of the twentieth century. Above all, the media's weakness is seen in its attitude to the past, which is similar or identical to that of most political players, as well as in its attitude to the transformation of society in the wake of radical nationalism.

Over the past ten years the Serbian media, held hostage to the national project, has failed to develop into a major independent agent of social transformation. Instead of spearheading the anticipated process of democratisation and the establishment of a new system of values (in the wake of the Milošević regime's ouster), the media has remained marginalised, although the industry itself has diversified considerably in the meantime. The proliferation of both print and electronic media outlets has not brought any improvement in the professional standards which were largely destroyed during the ten years under Milošević. Tabloidization is almost the order of the day, with the decay of professional standards and the confusion of values continuing. At the same time, the space

for the media to adopt an autonomous position with respect to both formal and informal centres of power is steadily narrowing.

In the absence of a formal legal framework which would guarantee the media complete freedom in promoting and upholding the public interest and oblige them to behave responsibly, they are transforming into "promoters" and "patrons" of influential political economic lobbies, of anonymous groups and their interests, and the interests of their proprietors, most of whom remain unknown to the community at large.

Journalists in Serbia are thus the targets of all kinds of pressure, intimidation, serious physical attacks and even death threats. The increasingly frequent threats and attacks on journalists who are well known for their anti-nationalist attitudes (e.g. Dejan Anastasijević, *Insajder* editor Brankica Stanković, and Teofil Pančić) raise serious concerns that they are the work of organised right-wing groups sponsored by influential conservative circles within the political, intellectual and religious elites.

In addition, the economic status of journalists is very poor: generally they are paid little and

irregularly, have no workplace and professional security and no social benefits at all. The economic-financial crisis, which has particularly affected the media, has made their position even more vulnerable.

WAZ AFFAIR

The recent announcement by the German media group WAZ that it would pull out of Serbia (after many years and considerable investment) sent shockwaves through the media scene and raised a number of crucial issues concerning the media establishment. Above all is the question of who owns the media and how they were acquired through a privatisation process that was, in general, non-transparent.

Various explanations have been offered of the “real” reasons the renowned German group¹ decided to withdraw, and these provide insight into business conditions in Serbia, particularly in the media sector. As it transpired, WAZ discovered it was unable to become majority owner of *Večernje novosti*², the high-circulation daily it had purchased some years earlier in accordance with the local “rules of the game”. While negotiations were conducted and various contracts being signed during the time of the Vojislav Koštunica government (2005-08), the Germans were advised to allow local businessmen to tie up the deal on their behalf and on their account, a proposal they accepted. However in the first half of 2010, when WAZ finally attempted to make the transaction official and claim the majority share of *Večernje*

novosti, they discovered that this was not possible. The Commission for the Protection of Competition formally blocked the acquisition of the majority share by denying WAZ the necessary permit. It was only at this point that the affair was made public, initially as a simple announcement that WAZ was pulling out of Serbia. The figures most frequently connected to this scandal have been Manojlo Vukotić (for many years director and editor-in-chief of *Večernje novosti*), well-known businessman Milan Beko (and, somewhat less frequently, another businessman, Miroslav Mišković), and Switzerland-based Stanko Subotić, usually described as a “controversial businessman”.

This affair is dragging on with no end in sight. In an attempt to summarise the controversy, which dominated the media for weeks, weekly *Vreme* wrote: “WAZ, Milan Beko, Stanko Subotić and intermediaries (Manojlo Vukotić and others) decided to take over the newspapers and newsstands in this country. They signed contracts, organised the public and brokers and set up (off-shore) companies. Then they had a falling-out. As financier, WAZ failed to follow the letter of the contract ... it relied on “local agents” to “push the deal through fast”³. In the meantime, through Austrian arbitration, WAZ took over one of Beko’s three companies registered in Austria (Ardos Holding), which has a 24 per cent stake in *Večernje novosti*. The denouement is expected in the autumn when (as announced) WAZ will acquire Beko’s other two companies, which are also registered abroad and which “hold” the remaining 40-odd per cent of *Večernje novosti* shares.

The scandal is certain to affect Serbia’s relations with Germany, by far the largest foreign financier and investor in Serbia. The behaviour of certain circles in Serbia to WAZ has also been remarked on by Germany’s ambassador

1 WAZ has a 50 per cent share in *Politika* (newspapers and magazines), a 55 per cent share in Novi Sad’s *Dnevnik* and shares in much of the press distribution network in Serbia.

2 *Večernje novosti* is very close to the national-conservative bloc. Middle-generation writer Svetislav Basara calls the daily the ‘official gazette of the Serb people’.

3 *Vreme*, July 1, 2010



in Belgrade, Wolfram Maas, who described it as a signal to other potential investors in Serbia. There is no doubt that this is a serious scandal and must be given particular attention. Significantly, it has also raised many questions about media ownership in Serbia. As it turns out, media have been privatised with little regard for rules and transparency, particularly with regard to ownership structure. Who owns *Večernje novosti*, for instance, is still unknown. Asked who owned the companies holding the majority stake in the daily, the deputy minister for culture in charge of media affairs, Nataša Vučković Lesandrić, replied that the information was in the register in Austria, where the firms concerned are also registered.

The controversy surrounding *Večernje novosti* illustrates the general chaos and lack of transparency in media ownership. The situation is clear only with daily *Blic* and its other publications (*NIN*, *Alo*, and *24 sata*): these are wholly owned by the Swiss media corporation Ringier AD. Meanwhile the most influential political daily, *Politika*, is still owned half by WAZ and half by the state – a completely illegal state of affairs.

Although a special working group of the Ministry of Culture drafted a bill on unlawful media concentration and transparency of media

ownership in 2008, the document has never reached the National Assembly. One of the architects of the legislation, Rade Veljanovski, said that media people were opposed to such a law and that “there was no interest in revealing who the owners are”. Veljanovski says that those opposing the law included the president of the Association of Print Media, Manjlo Vukotić, who “banged his fist on the table and said that no such law was ever going to be adopted”⁴.

BROKEN PROMISES

Public attention focused on the media in 2009 when the Public Information Act was amended. The amendments provoked a heated debate and led to UNS, the Association of Journalists of Serbia, opposing the governing coalition.

The amendments, drafted on the initiative of Minister Mladen Dinkić and his G17 Plus party, were widely seen as an attempt by Dinkić to settle accounts with dailies *Kurir* and *Glas javnosti* for criticising him on a number of occasions. The professional community and the media centred their criticism on the amendments having been introduced under urgent

procedure and with no prior public debate; they also objected to provisions for draconian fines and the prohibition of transferring media operating rights. In fairness, the new provisions were, for the most part, not implemented. This demonstrates that the provisions interpreted by journalists as “suppression of media freedom” remained controversial after they were passed by the National Assembly. In the summer of 2010, the Serbian Constitutional Court declared the majority of the new articles unconstitutional.

Despite the fierce controversy over the amendments, the impression is that no one was or is interested in bringing order to the chaotic media sector. As it turned out, the “ethical” debate was a front for the efforts of the opposition parties to bring down the government by forcing an early election. To prevent this, the Liberal Democratic Party supported the amendments (with NUNS, the Independent Association of Journalists of Serbia, also adopting an ambivalent attitude) while pledging to push through a whole new suite of media laws within a few months. This has not happened, and the problems have since multiplied.

Government figures continue to deny that the amendments were counter-productive. Culture Minister Nebojša Bradić, for instance, considers them reasonable and necessary at the time they were passed and says they have had “positive effects”⁵.

In fact the only positive development connected with these amendments has been affirmation of the role of the Protector of the Citizens (Ombudsman). After Ombudsman Saša Janković asked the Constitutional Court to examine the constitutionality of the controversial provisions, the Court found most of them unconstitutional. The Ombudsman thus won

a major battle at a time when the government was seeking to discredit and virtually tie the hands of independent regulatory bodies (the Ombudsman, the Commissioner for the Protection of Equality, the Anti-Corruption Agency, the Commissioner for Information of Public Importance and others).

TWO BODIES

The existence of the Association of Journalists of Serbia (UNS) and the Independent Association of Journalists of Serbia (NUNS) is an anachronism dating from the Milošević regime. At the time when Serbia was waging wars, its media sector was clearly divided into the “state”(war-mongering) media and the “independent” media. While UNS stood firmly behind Milošević and his belligerent policy, marginalised journalists working for the independent media established NUNS.

The change of regime in 2000 plunged the media scene into complete confusion. Although the new “democratic” authorities appointed loyal journalists as directors and editors-in-chief in all media establishments, a number of those who had worked for Milošević’s “state media” also survived. This testifies to the nature of the changes which occurred in 2000. Under these new circumstances, NUNS found itself in a rather precarious position because those who had formerly been its natural allies against the Milošević regime were now in power.

The indistinct “line of demarcation” between UNS and NUNS is partly a product of attitude to the recent past. UNS was quick to adapt itself to the new situation and continued to embrace the conservative national project. Its members include some of the most vociferous warmongers who served under Milošević. Although at first they bore the “guilt complex”

of the defeated side, the line separating them from the others gradually blurred as the general relativisation of responsibility became part of official policy.

The situation in UNS changed significantly after the election of Ljiljana Smajlović as its president. Smajlović has been very influential on Serbia's media scene for almost two decades.

Until 2000 she worked for independent, mostly private, outlets (*Vreme* and *Evopljanin*, the fortnightly magazine owned by Slavko Ćuruvija, who was murdered in 1999). Af-



ter the change of government she moved to *NIN*. Thanks to her well-established position in media outlets outside state control during the 1990s, she enjoyed exceptionally good relations with international media donors in Serbia, particularly with IREX. Her drive and enterprise soon propelled her to the head of a team of Serbian media reporters covering ICTY proceedings, notably the trial of Slobodan Milošević.

In 2005, with Vojislav Koštunica as prime minister, Smajlović was appointed executive editor of *Politika*. It was here that her ideological bias came into full prominence. It had already been apparent while she enjoyed the status of sacrosanct media "arbiter" on issues concerning proceedings before the International Criminal Tribunal for the Former Yugoslavia (at the time, she held the right to a fair trial above the right of victims to justice). A staunchly loyal supporter of Vojislav Koštunica and his vision of "Serbian state and national interests",

Smajlović was relieved of the post of *Politika* editor-in-chief in 2008, a decision she attributes to Serbian President Boris Tadić.

The dismissal was the first serious blow in her career. President Tadić also denied her the position of ambassador to Canada, despite the fact that she had already been appointed and approved by Ottawa. Despite these setbacks



she was elected president of UNS (in the spring of 2009).

The position of UNS president has allowed Smajlović to use her undeniable abili-

ties as an organiser and professional to the full. She has succeeded in establishing herself as a key player on Serbia's media scene by skilfully taking shelter behind incontestable principles and standards of freedom of speech and the defence of professional journalists against pressure from any quarter, particularly from the government in power.

Smajlović is highly regarded, both as a person and a professional, by the conservative, nationalist circles of Serbia's intellectual and political elites. She is using her present position to advantage in order to shape the media's interpretation of the recent past. The interpretation she skilfully helps promote aims to plant into the collective memory the thesis that the war in the former Yugoslavia was the outcome of secessionism in the western republics. Smajlović also advocates the relativisation of war crimes and responsibility for them. This is clear from her open conflict with NUNS, which supports the initiative of the Office of the War Crimes

Prosecutor to prosecute individual journalists who, by writing war-mongering articles, directly contributed to the creation of an atmosphere in which the most brutal of war crimes were possible.

Following a brief leadership crisis (newly-elected president Đorđe Vlajić resigned after less than three months for “personal reasons”), Vukašin Obradović was elected president of NUNS early in the summer of 2010. Obradović, who is owner and editor-in-chief of weekly *Vranjske*, is a veteran of independent journalism in Serbia. Active since the 1990s, he has built his weekly into one of the most influential regional publications and it is frequently quoted in Belgrade media. No doubt his election is a positive development for the journalist organisation, not only because it recognises Obradović’s personal energy and enthusiasm to tackle a multitude of problems, but especially as acknowledgement of media professionals from the interior of the country. Given the clout of local potentates, these journalists often find themselves in a more difficult and more delicate position than that of their opposite numbers in the “central” media.

Relations between the two parallel journalist organisations took a particularly bad turn following the adoption of the amendments to the Public Information Act, legislation which UNS opposed strongly. It appears, however, that this situation of parallel organisations reflects less and less the need to protect the profession they represent and more the personal prestige of their leading members. Neither UNS nor NUNS has made much effort to define the media space according to the new political needs or the new demands of the times. This applies particularly to greater reliance on new media which is increasingly becoming a reality abroad. Although estimates say that more than sixty per cent of the population have access to the Internet, new media are still not

part of the local media space. There are, for instance, still no quality professional portals in Serbia. Those portals which do exist, notably B92, E-novine and Peščanik, have not managed to capitalise on the crisis in the print media to establish themselves as appropriate sources of information.

NEW MEDIA STRATEGY

According to the leaders of UNS and NUNS, the two journalist associations are equally dissatisfied with the media situation in Serbia. UNS president Ljiljana Smajlović describes the level of media freedom as having deteriorated rather than improved: “Words of criticism are suppressed and filtered, self-censorship is evident everywhere, and even journalists with the most reputable media complain of pressure and censorship”⁶.

Her NUNS counterpart, Vukašin Obradović, says the media situation is worse than at any time since 2000. He cites the lack of a legal framework, the failure to implement court decisions, political pressure and the tycoonisation of media: “Wherever you look you notice a trend of diminishing media freedom and growing influence of informal power centres”⁷. However he puts the blame for media chaos largely on the shoulders of journalists themselves because of “various concessions to government and owners and, above all, because we are unable to distinguish between professionalism, propaganda ad politics”⁸.

The media has been marginalised as a major agent of social change by a string of unsuccessful (and sabotaged) attempts to rationalise the sector and bring it into line with European and democratic standards. A new media strategy is

6 *Danas*, July 27, 2010

7 *Ibid.*

8 *Ibid.*

scheduled for adoption this autumn. A study comprising guidelines for the drafting of a strategy to transform the media scene in Serbia was presented early this summer by the Serbian Ministry of Culture together with OSCE and European Commission representatives in Belgrade. The study and strategy program are the work of experts engaged by the European Commission, using media experience in Denmark, Austria and Germany as models⁹.

This exceptionally important document will be discussed publicly throughout September.

9 Tanjug, June 25, 2010

The deputy minister for culture in charge of media affairs, Nataša Vučković Lesandrić, has announced that the OSCE will hold six round tables on topics considered relevant to the Serbian media sector¹⁰.

Culture Minister Nebojša Bradić emphasised that the media strategy would take account of “public interest in the information field” and said that Serbia’s media market would be organised according to the strategy to meet “the highest European standards”¹¹

10 *Danas*, August 13, 2010

11 *Ibid.*

SUMMARY:

However the media has yet to be transformed in order to be able to assume the role of a major agent of transition. Thanks to its tycoonisation and tabloidization, it has become a major factor in obstructing transition and an advocate of the status quo. Nor have the media adapted to new conditions globally which have had a significant impact of the role print media in particular. In Serbia, the phenomenon of “new media” as an increasingly important source of information abroad has not attracted the attention it deserves.

As a result of its failure to address crucial issues, local media has been marginalised as an agent for important social and political change. It has, moreover, become more a tool and agent of the interests of certain groups who have no interest in changing the status quo.

The diminishing role of media in society is also a result of professional standards and professional integrity having been called into question. Sensational reporting and the constant manipulation of real or fictional scandals has reduced the media to the level of a bulletin board.

The participation of the OSCE in the six media round tables in September could give a strong impetus to the debate and help adopt a legal framework for media regulation. This in turn could stimulate reforms in Serbia and eventually encourage the general public to play a more constructive role in public affairs.

Serbia obviously lacks the potential to regulate its media space on its own; such an ability is also lacking in other major political and economic spheres, particularly when it comes to coordinating and organising dialogue on specific issues. Because of this, the increased involvement of appropriate international institutions is necessary to maintain the present momentum in transforming the local media scene.