

Helsinki Committee



for Human Rights in Serbia

THE MEDIA AS A PART OF THE ANTI-EUROPEAN FRONT

**THE PRESS:
AN UNCHANGED
MATRIX**

Belgrade, December 2004

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"In the quest for ethical standards in the struggle against moral damages made by hate speech, we should remember that freedom of speech is the foundation of a free society. Civil society does not depend on state or social control of expression, no matter how insulting it may be. The real antidote for hate speech is not the suppression of speech, but rather much more speech. The key for civil society lies in the public, inasmuch as in those who convey (...) The reality is that if we really want and deserve an ethical society, then the apostles of virtue and politeness should victoriously appear on the market of ideas in an open confrontation with the cynical protectors of hate speech."

Louis Alvin Day, "Ethics in Media"

"Freedom of information is... the touchstone of all the freedoms."

UN, Freedom of Information Conference 1948.

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CONCLUSIONS

- The analysis of media in Serbia indicates that the illusion of the unification of "Serbian lands" and the concept of the Serbian nation as a "natural community" has not been given up. Despite the fact that this project is military defeated, the message sent through the media, by persisting on the same political propaganda, stereotypes, education, science and culture that interiorize this ideology, is that "Greater Serbia" as a goal has only been postponed. Facing the recent wars and the political and moral responsibility for those wars is one of the most important elements in the process of social transition, but not a serious topic in any of the media. On the contrary, an interpretation of the past that relativizes and ignores this responsibility prevails. Thus the media maintain continuity with the times of Slobodan Milošević. They do not represent a force of change but rather a basis for the rehabilitation of the old regime and a transformation of its legacy into political normality.

- The influence that the anti-Hague and mafia lobbies, as well as of people from Milošević's surrounding have on the media is still very strong, which is evident from the editorial concept of the media. The non-transparency of the ownership structure of the majority of printed media in Serbia should be perceived from this point. Some media are just a transmission or some sort of a bulletin of specific services which use these media to spread rumors and create affairs.

- After October 5, there was no attempt to debrief the public. The public opinion created through nationalistic propaganda back at the end of the eighties and the beginning of the nineties is petrified. Thus even very brief nationalistic campaigns are sufficient to revive old animosities against both the neighbors and the minorities in Serbia as well as political opponents.

- A very low professional level of journalists has been noted and an overall lack of information about specific issues they report on. This significantly blunts their critical position, and results in a lack of inventiveness in the choice of topics. The media fail to play a critical role and raise important issues pertaining to the reform of the society. Populism dominates both in the form and the essence of the message.

- The press often announces political events and practically prepares the public opinion even for the most retrograde decisions made by politicians, thus directly taking part in the radicalization of the society.

- A significantly strong and influential alternative medium that would confront the dominating media behavior does not exist, which deprives the society of an alternative viewpoint regarding the events and processes in the society. A consensus on the main political and social issues exists in almost all media. The main proponent of the nationalistic and conservative orientation is the *Večernje Novosti*, a daily newspaper with a circulation over 200 thousand. Other media can be placed within the range of the ones more radical than *Novosti* (in terms of rhetoric), on one end, and those that transmit the same message in a more subtle way, on the other. Media that could be excluded from this ideological matrix have failed to impose a radically different editorial policy and are often giving in to the conservative and

nationalistic public opinion and making excursions into sensationalism characteristic for the "yellow press".

- The lie that is being spread by the majority of media has deformed the society which lives in deep delusion. The primary goal of permanent propaganda is to prevent any feeling of responsibility and remorse. A sense of self-pity and a feeling of permanent endangerment due to an alleged worldwide conspiracy against the Serbian people are being promoted.

RECOMMENDATIONS

- A professionalization of the media is necessary, through repeated seminars and schools on professional, not only art standards, as well as through education on certain topics which are crucial for the reform processes in Serbia.

- A commercialization of certain media which could function in a value framework different from the dominating one, would have negative effects because it would lead to their adjustment to the conservative and nationalistic public opinion. Thus a support of this media is still necessary in order to create conditions in Serbia for a debriefing of the public opinion, and to offer a different option to the citizens. However, it is necessary to include in these processes the Radio-Television of Serbia, which should as soon as possible be transformed into a public service, with an editorial policy totally different from the present, and directed towards a serious facing of the past, not its "normalization".

- It is necessary to exercise the existing legal regulations that would efficiently protect the citizens, and even public figures, from manipulations and blackmails, as well as curtail the spreading of hate speech.

- In order to attain a faster internal integration of the region it is desirable to initiate the work on the creation of regional media that would express the common interest of the citizens in the countries of the region, in particular the post-Yugoslav countries. One of these interests is by all means to join the European Union.

- Starting from the basic ethical principles, the media have the moral obligation to recognize the hate speech and to strongly present the standpoints that oppose this speech.

MEDIA CONSTRUCTION OF SERBIA THE LAVISH SPECTACLE OF NATIONAL MISERY

"No matter how paranoid you are,
you can never be paranoid enough."

Peter Knight , *Conspiracy Culture*, 2001.

The readers are facing archived journalistic contents that marked the daily and weekly press in Serbia in the period from March until September 2004. Although the report of the Helsinki Committee for Human Rights pertains to a relatively brief period, it is much more than a simple presentation of the conditions in Serbian press. The collected newspaper material points to the semantic framework standing at the foundation of the *Media Construction of Serbia*. We have in front of us a presentation of how newspapers produce a reality where ethnic and symbolic fervors are "liberated" and pushed to their extreme. It is the reality of an unrestrained intermingling of nationalism and bestiality shaped in the course of years in the *media jungle of Serbia*. Media in Serbia entered the final stage of exalted promotion of an overall "liberation": political and market liberation, media and sexual liberation, liberation of women and children, liberation of productive and destructive forces, religious and national liberation. The problem is that the exalted promotion of "liberation" comes in a moment when all crucial social, political and national games have already been played out. Everything that is left to the media is to parasitically retouch and recycle the disputed image of the past. "Liberated" journalism continues its *media simulation* of eruptive national exaltation, pretending that the Serbian state and society are hastily rushing in the same, homogenous direction, although they are well aware that an acceleration into the void is taking place. Regarding the media, Serbia is indeed in a hypertrophical state of total simulation, and of course neutralization, the destructive scenario that already happened in reality. Living is supposed to be continued as if the nationalistic evil never happened: the "liberated" media took over the task of further recycling of the "heroic struggle" (nostalgia for the front) which is, owing to the international intervention, irrevocably *behind* us. Due to the inertia of the mere cycling of the already played out national story, domestic media have become the grand resort of national hope, the summoning point of all Serbian illusions. Journalism in Serbia today does not represent an exemplary corrective of the dismaying public scene, primitive and uneducated public, but quite contrary, its authentic media and political essence. It draws its popularity from a forced reproduction and circulation of the worn-out nationalistic discourse, renewing it by means of its own production and consumption. The present-day media in Serbia are living on an internal metastasis, a feverish nationalistic self-intoxication expressed in designed playing with the national catastrophe. It is necessary to reconstruct the conditions and consequences of the media construction of Serbia, which lives on a confronted logic of truth and lies, on an eradication of the evident, an assassination of reality.

The Media Construction of Serbia

During the dissolution of McLuhan's paradigm ("The medium is the message"), the naïve, logical idea, according to which words, texts and images express the so called external reality, has been dismantled. The universal belief in the mere congruence of the identifier and the identified, the word and the object has long ago been shattered: few would endorse today the standpoint according to which the symbolic order of words represents a mere transcription of reality, a straightforward "mirror of the nature". A specific consensus is operating today, according to which the language and writing (text) are not conveying the meaning of reality, but rather *replacing* the meaning of reality itself. We are faced with a new and very specific metaphysics of presence: according to this philosophical hypothesis, the media envelope produces its own, media reality (let's say, virtual, digital or "cyber" reality), which is more real than reality itself. We are in the middle of a breakdown of the referential image of the world and a triumph of hyper-reality where the laws of *simulation* and *inscenation* rule. Due to new media and technologies the regimes of disciplining and systems of repressions operate *from not above or outside* the society. To make a long story short, the global expansion of media and the related promiscuity in the circulation of words and images, points to the reproduction and random dispersion of symbolic messages deprived of any realistic meaning. When objects, events and signs become void of their essence and concept, of their origin and purpose, they enter into a ritual self-reproduction of hyper-reality.

In other words, the mobile army of nationalistic signs can operate by media despite the defeat of the nationalistic project in reality. Furthermore, relieved from its realistic foundation, the national discourse can function totally independently of the "principle of reality", in complete frenzy, or, conversely, indifference towards its historical heritage. The operation of the assassination of the shameful and overwhelming reality and the production of a secondary, designed reality stands in the foundation of the Media Construction of Serbia today. It is being nourished by nationalistic insanity, having managed to ravish a great part of political energy and ethnical fervor from the streets. By means of media Serbia has been transformed into a great identifier, an advertising agency which is nothing else but a *lavish spectacle of national misery*.

For methodological reasons it is instructive to stress that the Serbian media are not perceived here as some sort of ideological machinery (a branched instance of mediation) with the goal of putting a problematic and controversial reality into ethnic order, of harmonizing it with national interest, of subordinating it to state ambitions, already confronted with the last moments of the fragile state sovereignty. Quite the contrary, the media machinery is understood here as the momentum of that specific, ethnic ideology which creates, produces, and constructs the nationalistic reality of Serbia. In fact, the issue is the production of the type of political reality founded on the *rule of words* and images not on the *rule of law*. In the media image the issue is not that the ruling national discourse homogenizes our political community, that it has a prevailing influence on all areas of personal, social, and political life. The rule of words denotes the media and political order where reality is being treated as the necessary reflection of the ruling, and the only permitted idea. The issue is simply that the *national idea has become a constitutive element of reality*. Indeed, in former Yugoslavia, and in the present-day Serbia and Montenegro, hence, during communism and nationalism, words produced actuality, and media constructed the compelling reality. At the same time, it is crystal clear that the far-reaching ideological change of the foundation of legitimacy of Tito's and Milošević's regime did not jeopardize the reproductive matrix of the political regime itself. Maybe the only difference lies in the fact that during the media *ritualization of reality* the obligatory criterion for discernment of the permitted from the forbidden was the uniform future in communism and the homogenized past in nationalism! Although a

common normative nucleus does not exist, since in socialism the issue was the "auto-legitimization of party monopoly" and in nationalism the ethnic legitimization of usurped power, it can be stated that both systems were not founded on production of surplus value but rather on the production of surplus power. In every aspect, the media were a determining factor that preserved the *rule of words*, whereas "the productive capacity of the socialist ideal has been removed and its vacant systemic place... was taken by the idea of ethnic nationalism – as the exclusive ideological matrix". Finally, the fundamental difference between socialist and nationalistic construction of reality "is not to be found in the *façade democracy* the nationalism is hiding behind, but rather in its ability to produce a war tragedy".

Even a superfluous insight into the ideological image of Serbia today points to the conclusion that it is lastingly burdened predominantly by the ideas, dreams and images which were able to prepare destruction of the former Yugoslavia. Of course, the issue is the chauvinistic *ideology of hatred* which was not in the function of a subsequent justification of the war adventure, but rather stood at the foundation and created the reality of the war itself. Although the war ended under the pressure and intervention of the international community, the ideological self-reproduction of the order of hatred ("*the forced delegitimization of differences*") continues to represent an important condition for the functioning of the nationalistic system of Serbia. This statement can be proved, among other things, by the documents archived in this collection; the majority of quotations from daily and weekly press points to the conclusion that the media construction of Serbia persistently leans on the idea of nation as the natural community! This simply means that we are living in a media and political order which is still founded on "normative instances" of a substantial, ethnic collectivity which can function only by inevitably reducing the figure of Other an Different to Foreigner, and then to Enemy which is to be removed! Due to the monstrous *nationalistic rhetoric* in the first place – promoted synchronically by the radio stations in Serbia, the Serbian television and, of course, the Serbian journalism – it can be perceived how the machineries of the Media Construction of Serbia decisively participated in the grand process of the transformation of the society into a specific, militaristic scenario within which the citizens are deemed to be the manipulated public. Long time ago the citizens became victims of media cannibalism, which devours the last remainders of the future in the name of the chauvinistic image of the nation.

In order to comprehend the genesis of the *media construction of Serbia*, as a history of the *flourishing claustrophobic ethnical identity*, the relation between the breakdown of "real socialism" and the rise of "resentment nationalism" has to be understood. Namely, in the moment when a radical redefining of the political character of the Yugoslav community was decisively requested in the name of specifically understood "Serbian national interest", the chauvinistic image of the endangered Serbian nation was born. Serbia started to be depicted in a self-styled figure of an innocent victim: Serbian people were portrayed as the object of an alleged conspiracy inspired, carefully planned and realized by enemies hidden behind all possible disguises. A constructed and media manipulated image of the Serbian nation as the innocent victim surrounded by enemies was *presented as the reality* in order to *produce a new reality*. The media dispersion of the sense of endangerment resulted in effective preparations for defense; the sense of fear and uncertainty has been administered intentionally in order to justify the expansive hatred and unsuccessful military campaign against the rest of former Yugoslavia. In order to produce a homogenizing effect of unquestionable submission to the ethnos and to protect the allegedly endangered safety and dignity of the Serbian people, a wide wave of populist demagoguery and mass mobilization was launched, officially labeled as "the happening of people" or "anti-bureaucratic revolution". In such a context, the role of the creator of xenophobic nationalism, as the Serbian political program, was assigned to the intellectuals. The Serbian mandarins took over the

obligation to create with the whole-hearted help of the media an image of reality the regime will realize at any cost. Thus, it comes as no surprise that the bloody conflicts in former Yugoslavia began in the form of television and media war.

We shouldn't be surprised by the fact that the Serbian elite renewed the favorite theme of world-wide conspiracy immediately before the war. The paranoid story about the conspiracy against the Serbian people is still being *styled by media* in agreement with the most obscure nationalistic forces. The media styling of the world-wide conspiracy was aimed at activating ferocious revenge, at mobilizing populist revanchism, in order to overturn the unfair balance of power in Yugoslavia in favor of Serbia. The perfidious discourse of wrath and revenge functioned as the weapon of biased and ever more merciless strategy of exclusion/homogenization. The insane xenophobic list of enemies who allegedly pestered innocent Serbia became a permanent characteristic of the media representation of Serbia. The present-day media are still within the closed circle of fiery and stupefying nationalistic discourse which terrorized for years, and is still terrorizing the public opinion in Serbia.

Despite the military defeat and the moral collapse of the Serbian nation, Belgrade media continue to wage paper war aimed at eradicating the clear cut border line between death and life, truth and lie, peace and war. The intellectual elite of Serbia willfully created and, by means of the cultural sector and media machinery, aggressively promoted, and still promotes a "xenophobic image" of Serbia. The media reanimation of sectarian tribalism is an expression of emotional vulnerability of the political community which failed to settle its account with its own past. The Serbian mandarins (the symbolic cripples of the national identity) are still trying to revive through the media the specific cultural and political ambiance which should set ablaze the worn-out nationalistic fervor. The media card of offended national pride is still being played upon: public messages flow into a unique request according to which the dispersed and disintegrated Serbian people must change its aggregate political state, it must condense into a unique mass, summon into an ethnic body, a regenerated and unique Serbian nation should be born from. Thus it comes as no surprise that the public and political discourse is still impregnated with hatred which systemically, and paradoxically, undermines the official efforts of "repairing the image" of Serbia on the international scale.

Tricks of national memory

*"The struggle of man against power
is the struggle of Memory against Forgetting"*

Milan Kundera, *The Book of Laughter and Forgetting*

What is the informative capacity of analyzed media contents encompassed by the Helsinki Committee for Human Rights? Succinct analysis of the prevailing messages which Serb press tried to get across clearly indicated the following conclusion: the public and political discourse is continually weighted down by nationalism and xenophobic projection of "otherness". Hence the Helsinki Committee report indicated that the media production of *xenophobic narratives* is chronically impressed upon social imagination. In that light should be viewed the fact that the most important features, articles and commentaries are generally aimed at vilifying the neighbours, notably Kosovar Albanians, the international community, and the ICTY. In his famous text *Hitler's spirit* Hans Magnus Encesberger described a vindictive arrogance of the humiliated nation: "When a collective sees no longer a chance to overcome its real or imagined humiliation by its own efforts, it focuses its national energy on creating boundless stocks of hatred, envy, resentment and vindictive spirit. Such a collective feels like a victim of the existing relations and

denies any co-responsibility for the position in which it has found itself. The process of laying the blame on others thus may start." Instead of taking on the role of a sensible detractor in the defense of the reform future, the national press got embroiled in an arbitrary and schizophrenic re-tailoring of a frustrating past, as if a devastated and routed Serbia was not able to cope with self-emanated destructive media images.

Depressing image of the Serb media is best reflected by its practice of stubborn denial of the crime-riddled past. In fact a rhetorical continuity with the previous political option which had brought about disintegration of former Yugoslavia, wars, devastation, and crimes is a *mainstream* of the Serb media scene. Added to that the Serb media have mastered the technique of *covering up or glossing over*, the technique considered the most extreme form of denial of the past. National shame should be covered up and not transmitted: only by keeping mum we may implant the national secret into the dark recesses of collective amnesia, into the very core of our national identity. Magician's skills feed on self-deceiving rhetoric that no-one is ready to take on a risky responsibility for the unspoken of, unnamed evils of the past. Serb media are not even mature enough to tackle the lofty drama of life and death! In fact, a *nauseating ethnic/ethical re-positioning* is the basis of the media strategy towards the criminal past. *Relocation of the memory* which obsesses us like inevitable death should shape our local regime of truth. Torn between professional irresponsibility, national shame and political loyalty, the Serb media persist in their strategy of *arrogant self-justification*. This strategy is not temporarily successful because of one-sided necessity to be rid of the collective responsibility in order to save oneself from unpleasant recognitions. Strategy of arrogant self-justification is primarily reduced to journalistic relativization of the past and the media endless manoeuvring game of "truth" and "lies". Stripped of real references, the past has become the playground of journalistic hoaxes and arbitrary editorial interpretations, all of which form a network of allegedly true media stories. Since differences between truth and fiction, reality and illusion, have been suspended, any journalistic version, notably of terrifying event in Srebrenica, is treated as a liberating narrative! Denial of existence of Holocaust and Srebrenica is ascribed to performance by democratized media ever ready to market, in a pluralist fashion, "the other, for example, the Serb side of the story." Of course this relativistic chain of exalted media improvisations is endless: who is able to ban tyrants and criminals from public appearances in line with the rules of the post-modern reflection? On the basis of misuse of metanarrative models the media have managed to complement the very *stockpile of denial of the past* traditionally at disposal of power-holders, diplomats, the top brass, police, mafia and intellectuals.

In a general conspiracy against the denied obvious there are witnesses who naively believe that autobiographic testimonies are automatically attached to an unbiased picture of the past. These advocates of intimate, and mostly dramatic memories fail to understand that the *collective memory is constructed* – both in private and public life. Contents and intensity of collective memory to a large extent are determined by the present circumstances and expectations relating to future developments. Devoid of prospects and future, the media signs of Serbia were *forcibly mobilized* in order to make the nation accommodate to a *despotic present-day*. Journalistic discourses are strategically classified, marketed and multiplied in order to make large room in public space and ensure excellent promotion for the *tricks of national memory*. In that hallucinating media depot in principle there is room for all creators of the public word, notably for those racially emancipated ones, who still, believe that 'beneath the black skin, a jungle is hidden' and that Albanians are our domestic Blacks! In an ever-increasing journalistic maelstrom both great national rogues and petty nationalistic con-men are steering well. They represent journalistic avanguard of *the original accumulation of media signs of Serbia*.

Belgrade media experienced an inevitable shipwreck during a cheerful campaign for the war option and ethnic-cleansing: from the moment the journalistic pens were enlisted as allies in the bloody policy it was clear that the majority of the media would be shaped on the model of already 'processed' police files. In that process the exalted general public of Serbia, both a willing subject and object of the media militarization, became a hostage to the *the media-enacted malicious retaliation*. Hence we must discard a very popular and widespread media formulae about an innocuous relationship between a manipulator and the manipulated! Plebiscite-style support to the war option cannot be accounted for by the media manipulation of the innocent, and allegedly, poorly informed citizens. On the contrary, armed with vindictive, popular rhetoric, criminalized and corrupt press got involved in a massive and lucrative denial campaign, and in parallel, in the revival of criminal past. Organized strategy of denial had one, unique goal: to prove that a forcible oblivion of the past is a constituting element in the process of building up collective remembrances and national memory. Media took on the commitment to rid Serbia of the burden of responsibility for a humiliating, nationalistic past. In fact, they were vested in a nationally honourable role to obstruct, and if possible, halt the process of a far-reaching re-appraisal of close ties between the state policy, gangland, and war crimes. Instead of being a media harbinger of the bold liberation of fear, poverty and shame, that is, a spokesman of new, civil virtues, the Belgrade press became a refuge of the most despicable lies, hoaxes and scandals. In parallel the *tabloid-spearheaded media hysteria* became an ideal form of the Serb 'Unheimlich', in other words, of a melodramatic facing up to what should have remained hidden, but by error leaked into the public life! Naked (self-)banalization of the political and show-business elite of Serbia is indicative of a kind of public confession stripped of any power to affect us, disturb us, and even disappoint us. The entire public and media sphere of Serbia was brutally tabloitized by fetishes of the other, the foreign one, which mercilessly haunt and persecute us. Euphoric media clamour feeds on the resurrection of the other, the media re-cycling of imported icons, signs, fashions and rituals. Infantile marketing slogan 'Ours, but European!' invites a vulgar tabloization of the Other, and to make the things worse, encourages the birth of a hysterical political illusion that the future may be touched from inside, from this side. Those who still believe that they can live a life different from Modernity, outside Modernity, or even in the face of Modernity, are left with only one device: to produce and market otherness as a difference, since they are not able to live otherness as their own future.

Serbia's image

To the embittered masses tottering before the ruins of their national illusions the media machinery of Serbia generously offered a cheap picture of "polished reality". The goal of that media hoax is to transform the reality into a pure mirage. That marketing self-deceit aims to allegedly instill hope into disheartened citizens. Arrogant revival of patriotism-laced rhetoric riddled with guilt, lies and injustice, was temporarily sidelined: the public scene was usurped by an impressive army of *exultant designers of reality*. They are tasked with honing the media image of Serbia, and designing an image of a cheerful nation. Harsh reality is enclosed by the media curtains and packaged into a marketing wrapping containing all our illusions. It seems that in the *semiological picture of Serbia* reality is reduced to the political function of sign, to production and reproduction of a symbolized national order. As if the entire society were living off the media production and consumption of signs (of) reality, and not off reality proper: in a state of slowed-down inertia fascinated citizens besiege national screen, the only vehicle still projecting their self-satisfied image. Society of depressing spectacle resulted from a *creative sign*, and was not its cause or motive; this means that the media signs, pictures and discourses are in the

position to *construct reality as their own simulation*. Public and political scene of Serbia is increasingly becoming a privileged space in which a marketing-style packaged lie may reach the highest rating /glory/ of the media truth. All inter-subjective means facilitating distinction between a brutal political hoax and charming media simulation have been suspended. Market ties between marketing teams, headquarters and political leaders are very important in understanding a decisive effect of *immunization* of the Serb reality. Public mannequins of power function in accordance with a rigid order of their own media exposure: their obsessive engagement in the *strategy of white society* is based on brain-washing, obliteration of memory, and obviously in removal of all bad-smelling traces. Everything should be clean, white and obviously without any stains from the past.

How to counter the media machinery of Serbia, how to resist mass rituals of self-references when any simulation is in fact a multiplied manipulation? What is to be done in a distorted public space in which legacy of a shameful past is isolated by silence? Isn't an idyllic national autism indicative of an indifferent society subsisting on a shortage of reality? How to cope with mass bitterness of those who establish phobic relations with others, notably with foreigners? Is at play a *new victim order* exposed to indeliberate oblivion, if not to contempt of the new world order?

Increased provincialization of the Serb public, amid excessive banality and self-obsession, is an expression of panic fear of unpredictable moves of international community. It is clear to all and sundry that we are to be blamed for our new, inexorable slide into new (self)isolation, and to make the things worse, we face a general conviction that we are beyond control, though not beyond reach of the international community. It is very likely that we shall anew be placed on the list of *risky societies* which despite their ritual interest in joining the EU framework, try to live a different life than the one in Modernity, if not in the face of Modernity. In panic fear of uncertain future, figures of *national auto-compassion* have acquired monstrous forms. Is this a suitable place to mention the report on the hanging of Serb pigs in Kosovo, for which, according to *Večernje novosti* and *Inter-Nacional*, is responsible international community proper!? How can one understand at all that article which calls on defence of ethnic pigs, hens, and other domestic animals? That journalistic travesty, scandal of the Serb public scene, makes us draw a conclusion that we are living amid a regressive process of distortion of reality beyond comprehension of any sensible person.

All educational stories about ethics in the media, free access to information, moral stands of journalists, economic interests of owners, marketing and informative market pale in comparison with the fact that the media construction of Serbia functions thanks to a voluntary act of collective gullibility. At play is the implosion of the Serb public and political sphere ever ready to embrace, in the name of national loyalty, and also re-absorb, all hoaxes, scandals, deceits and lies. A contagious media meta stability feeds on energy of terrified, absent-minded, apathetic, irresponsible and incompetent citizens. Perhaps such an unconvincing public is responsible for the assertion that savages had masks, citizenry had mirrors, and we had our screens of indifference!? Aggressive marketing, advertising, and advertising tricks lay bare an unusual fact that the market of commodities, information and the society as a whole, subsists on 'media commemoration'. Their victims are anaemic citizens and resigned consumers unable to equitably take part in a theatrical, self-pleasing social life. However, naked inertia of media histrionics unfolds within an absolute decor of the whole nation! One of possible explanations of that excessive national sensitivity is reflected in the claim that in devastated Serbia at work is not production of work, but rather a reproduction of call to work, reproduction of *gigantic rituals of work* (brands) which inexorably contaminate the whole society. Citizens are not required to produce, but rather to socialize, to actively take part in ritual values of society, and to function, like symbols and signs, in a *general scenario of production and reproduction of national community*. Merciful story about delayed diligence does not stop even in

absurd circumstances, like in the case of an excentric owner of a privatized factory who gave notice first to a laid-off and later deceased worker! Contrary to Western models of simulation, our simulation models act in a dangerous vicinity of a real, and not only symbolic death. They prove that reality does not vanish in an illusion, but the inverse process, that every illusion disappears in reality.

On this occasion I would caution against political implications of the media manoeuvrings. I share my concern with those authors underscoring grave consequences of unrealistic and irresponsible *self-presentation of the media picture of Serbia*. However, my concerns go even further: I worry about the extent of destruction of any political and moral sensitivity for the issues of real life, at the hands of nationalistic simulation. In all likelihood a servile reflection of our picture in the national screen prevented us from more resolutely facing up to a harsh reality. Perhaps one day citizens of Serbia shall break the media spell: if that happens, they might even break the big screen, and like some Borjes characters from '*People take their revenge on mirror*' thus liberated be jolted into a disenchanted world.

THE PRESS: AN UNCHANGED MATRIX

The Helsinki Committee for Human Rights in Serbia daily scrutinized around 10 Serbian dailies and weeklies in the period 1 March - 31 August 2004 with a view to identifying the predominant attitude towards specific topics and ideological leanings. The Committee opted for such an analysis for yet another reason: bearing in mind the fierce media propaganda on the eve of the wars in the territory of ex-Yugoslavia and in the Milosevic era, and the media's overall impact on public opinion, the media can now crucially contribute to the reform of the Serb state and society. The Helsinki Committee takes that a new media concept and a changed media landscape are hardly attainable without a thorough insight into the media coverage.

We tried to pinpoint the dominant media discourse by researching and analyzing several key topics impacting the period of transition and morphing of a conservative-belligerent society into a modern, liberal-minded and market-oriented society and the state capable of ensuring a strong framework for the exercise and respect of human rights.¹ Thus from the standpoint of key reforms, we attached special importance to the following themes: stance on neighbors (notably Bosnia and Herzegovina), Kosovo, Vojvodina, minorities, The Hague Tribunal, trial of the indictees in the case of the Premier Djindjic assassination, hate speech, and stance on NGOs and civil society.

In our research we focused on the print media given that they lay bare the prevalent public discourse on the key topics covered by this study. As for the electronic media, we assumed that radio and television mostly followed up on the discourse dictated by the print media. Unlike the strong influence the print media (notably dailies and weeklies aspiring to be analytical, rather than just informative) exert on people who actually mold the public opinion, the broadcast media have are more populist and attractive to masses.

It is noteworthy that the observed period coincided with the first months of Kostunica-led government that had been formed thanks to the support of the Socialist Party of Serbia. In the said period most reforms were stymied, privatization stalled, and the process of the overhaul of educational system (the most successful one in the post-5 October period) was reversed. The aforementioned "successes" marked the beginning of the rule of the forces, which had opposed Milosevic's extradition to The Hague Tribunal and stopped all other handovers to the ICTY. Presidential elections were also held in that period. In the run-off contenders were the Democratic Party's candidate, Boris Tadic, and the candidate of the Serbian Radical Party, Tomislav Nikolic. Tadic won by a slim margin.

The local elections were also held. The far-right Serbian Radical Party won a large number of seats, along with the post of the mayor of Novi Sad, capital of Vojvodina. Because of their attitude towards many issues of key importance for the reform process and transition, the media are responsible for the triumph of the rightist option. However, the media stance on elections cannot be observed through their coverage of the election campaign alone. For, the campaign against reformers

¹ See the 2003 Annual Report of the Helsinki Committee.

first rallied around late premier Djindjic and then around the Democratic Party and some parts of the DOS coalition, has lasted for over two years. That period was also characterized by rapprochement between the Democratic Party and the Democratic Party of Serbia that started with Boris Tadic's inter-party victory and was resumed after his election for the President of Serbia. The difference between the ruling coalition and the opposition was thus practically erased – a fatal outcome when it comes to the Serbian society. On the other hand, the largest part of political scene came to be occupied by the right-wing, populist and anti-reform parties, ranging from the Democratic Party of Serbia to the extremist Serbian Radical Party. After a reshuffle in its leadership, the Democratic Party that had been admitted to the Socialist International at the time Zoran Zivkovic helmed the cabinet veered to populism.

Such a political scene was reflected on the media. Most of them overtly and consistently advocated the political concepts that had nothing to do with partisan affiliation. Under such circumstances, despite a plethora of newspapers, the media scene was visibly bereft of an alternate media outlet able to promote a different, i.e. a pro-reform discourse and editorial policy. The media considered capable of taking upon themselves a role as such are still searching for their identity. Hence their attempts to impose new values of a civil and West-oriented society were futile. On the other hand, the formed distinction between pro-regime and independent media, marking the Milosevic era, is not valid any longer, notably because the media that used to be perceived as symbols of anti-war and independent journalism have failed to adjust their policies to new, post-Milosevic circumstances. In the attempt to become competitive on the market and attract larger readership, those media simply lost the enlightening profile they had been known for during the wars in the territory of the former Yugoslavia and the Milosevic era. Since the Serb society is markedly conservative and anti-reform one, any emphasis on commercialization of "independent" media may turn out questionable – for, commercialization implies their adjustment to the conservative mindset, rather than a struggle to alter it.²

After the 5-October changeover Serbia was virtually swamped by numerous tabloids, which appeared and disappeared in succession. But what concerns us is their direct connection with politics and political contents. Property structure of tabloids is blurred. For instance, their imprints hardly ever carry owners' names. Further, some other facts indicate certain economic and political circles dictate their editorial policies. The circulation of some tabloids is so small that one cannot but conclude that the objective of their existence is certainly not profit-making. Tabloids in Serbia deal mostly with political topics (their front pages are, as a rule, brimming with politics), while the normal tabloid contents (private life of public figures, notably show business stars) are just a bait for new readership. Of particular concern is the fact that there are no public responses, even by those public figures and decision-makers directly affected by misinformation published by some tabloids and high circulation, populist newspapers.

The tabloid style is gradually emulated by serious dailies and weeklies, notably when it comes to interviewees, topics and attitudes towards certain developments and issues. What differs them from tabloids are writing techniques and choice of words. Responsibility of those serious dailies and weeklies is by far bigger than the one of tabloids, for the former play a more important role in the shaping of moral and social values.

Though journalists' ranks are swelling, notably in the broadcast media, an acute shortage of professionals not only with journalistic expertise, but with general education, is more than evident. Journalism has been reduced to a cliché: both sides must be given the opportunity to tell their stories. However, all interviewees are equally treated, the accuracy of information imparted is hardly ever double checked,

² See the 2003 Annual Report of the Helsinki Committee.

while journalists are just there to jot down or record statements that are published without any second thoughts whatsoever. If owners of the media aspiring to play an important role in the region fail to attach more attention to educational structure of their journalists and editors, their aspirations are dead-ended. Public relations agencies have become stronger than some media, while PR officers imposing their doctored "information," have turned more powerful than many editors-in-chief.

Our media research indicated that the freedom of speech is perceived by almost all papers and a large part of the public as the liberty to publish any kind of information a matter for which journalists and editors are not responsible. By becoming the highest social value, the freedom of speech is blatantly and widely abused. And this is reflected not only in tabloids, but also in the media with long tradition and influence on intellectual circles and political and economic elites.

Today it is necessary to take a critical stance on the media in Serbia, in view of an obvious braking of the transition process, and a very low level of development of the civil society when compared to the one existing in Western societies. Curbing the freedom of information has been a part of the state policy for long, while the public opinion – particularly when it comes to younger generations – has been shaped through misinformation, lack of information, and spreading of hate speech and stereotypes. Such a policy along with an educational system based the values contrary to today's civilization, distorted interpretation of social sciences, and literary stereotypes, laid the groundwork for an enormous media influence. Hence it is necessary to de-brief the general public, and in that process the media should be key channels. Further, it is necessary to assume a critical stance on the media, which must be encouraged by the very media circles. The former entails rejection of the principle according to which any criticism of the media is an attack on the freedom of speech.

The media blueprint devised by Serb intellectual and political circles, coalesced around the project of "Greater Serbia" on the eve of ex-Yugoslavia's disintegration, is still present in various shapes. Production of lies, hate speech and ethnic stereotypes continues unabated in many media. .

The Stance Toward Minorities and the Vojvodina Issue

In our research we paid special attention to interethnic relations and the issue of minorities. The latest minorities-targeting incidents in the Serb society have confirmed that the minority issue ³ has not been comprehensively resolved in the post- 5 October 2000 period, and that it is yet to top the political and social agenda. However the media failed to understand the negative minorities-related trend and consequently alarm the public, which has been funneled, over the past two decades, towards intolerance or false tolerance of minorities, embedded in the blueprint that "all non-Serb entities and non-Serbian Eastern Orthodox believers may enjoy in the Serbian state all human and minority rights to the extent decided by a representative body of the Serbian people...since they are denied an original right of theirs to any form of self-rule or autonomy."⁴ Judging by relevant news stories, all ethnically motivated incidents or criminal offences committed against members of minority communities in March-August 2004 (officials sources put their figure at 300) were unconnected, i.e. isolated cases. The official policy towards minorities was never criticized or called into question by the media.

³ "In Conflict With the State's Ethnic Identity: National Minorities in Serbia," the Helsinki Committee for Human Rights in Serbia, Belgrade, October 2004.

⁴ "Hate speech as freedom of speech", Helsinki Committee for Human Rights in Serbia, 1994.

An analysis of interethnic relations in Serbia in 2004, conducted by the Helsinki Committee indicated that "advocacy of multiculturalism in the sphere of public opinion is more a matter of ideological circumstances than of a principled stand." "The context within which minorities are treated by the media is highly politicized and oft reduced to incidents and conflict situations. (Public opinion is more sensitized to placing of a plaque in memory of Ustashi in the *neighboring* Croatia, then to violence against minorities in Vojvodina.) An undifferentiated stand as such fuels the prejudice that minorities, "unlike us," are not only homogenous, but also "all the same." Attempts to manifest diversity in a different, socially acceptable way, often end up in a pre-modern perception of minorities as exotic, folklore groups; such a perception boosts assimilation, rather than upholds cultural identities."⁵

Though attacks on Hungarians and other minorities in Vojvodina intensified in March 2004, the Belgrade press started covering them only in September when the issue was internationalized. Such belated coverage is tantamount to attempts to hush up cases of blatant violations of human and minority rights. However, much hyped was another incident in Vojvodina. Namely, a restaurant brawl in which several Hungarian hooligans injured a Serb, was qualified by some papers as an interethnic incident, despite denial of the victim himself. Some high circulation dailies harped on the hooligans' ethnic origin. Some papers headlined the incident "Resurrection of Hungary" or run stories claiming, for instance, that "the incident's monstrosity brings to mind the horrific incident in which Djordje Martinovic was maimed in Kosovo in 1980s." At the same time, in June, no newspaper covered by a news item, let alone a serious article, frequent attacks on Hungarians and other minorities.

The ever stronger campaign against those advocating greater autonomy of Vojvodina within Serbia is also a relic of the past. Some analysts and politicians thus called Vojvodina's pro-autonomy leaders separatists. Tabloid "Nacional," for example, carried a poll in which the principal question was: "Is Kasa (one of the leaders of Vojvodina Hungarians) trying to effect secession of Vojvodina?". The same as in late 1980's and early 1990's they spread theories about a global anti-Yugoslav conspiracy, today's media in Serbia hype the world complot to have Vojvodina seceded.

Kosovo

During the observed period we also focused on Kosovo. Prime Minister Vojislav Kostunica began his term of office by touching on the issue of Kosovo in a manner most perilous to regional stability. Namely, in his address of 2 March, Kostunica announced that his government would urge cantonization of Kosovo or its division into entities. In the follow-up to that idea, the Serbian Parliament in April adopted the Plan for Resolution of the Current Situation in Kosovo and Metohija. The plan envisaged a territorial re-organization of Kosovo and its division into regions. According to the said Plan, Serbs would be entitled to parts of the territories which naturally link larger Serb settlements, wherein they had not been in the majority, but to which "people, expelled during the ethnic-cleansing campaign, are now returning." Those regions should represent "rounded up territorial units." In the Kosovo March revolt, according to the UN sources, 19 people were killed (11 Albanians and 8 Serbs), while 900 persons were injured, including 65 international and 58 Kosovo policemen⁶. In parallel with attacks on Serbs in Kosovo, members of minority communities, notably Albanians and Ashkalia were assaulted on the streets

⁵ "In conflict with the ethnic identity of state; National minorities in Serbia", Helsinki Committee for Human Rights in Serbia, Belgrade, October 2004.

⁶ www.b92.net

of Belgrade and other Serb cities, mosques and other sacred Muslim institutions were torched and Muslim property was destroyed.

During the March developments in Kosovo the Belgrade media fueled the ethnic hatred and tension, instead of trying to appease the general mood, and report objectively on the situation in the province. Nearly identical, emotionally charged emergency programs aired by all television stations, also helped to escalate the mood of retribution and instigated the torching of mosques Serbia-wide and destruction of Albanian and Goranci property. The notorious war-mongering scenario, with derogatory overtones, was played out again. Here are several headlines illustrating the foregoing: "Shiptars Start a New War," "Army Marches towards Kosmet," "War in Kosovo," "Serbs On Their Toes – Bloodbath in Kosmet," "6,000 Terrorists Threaten Serbs." A caption under a photograph showing Serbian soldiers in fatigues run, "We shall stay here until we perish!". On the other hand, news stories about the torched mosques were scarce.

During the summer months newspapers handled the so-called intelligence reports suggesting new unrest, that is, "new wave of violence against Serbs". Such coverage was intended to shore up the Serb defense. The "intelligence reports" were usually accompanied by the thesis of the Serb cultural elite that the situation in Kosovo could not be stabilized and that Albanian population was not able to develop a modern society. Albanian-related coverage is still riddled with *negative ethnic stereotypes*, which before and during the Milosevic regime had served to justify the state-organized repression in the province. This is about deeply rooted stereotypes. With a few exceptions, journalists go to Kosovo already charged with negative emotions and anti-Albanian prejudice, which is more than evident in their reporting. Let us illustrate that assertion with a following example: some 18 months ago the Helsinki Committee for Human Rights in Serbia provided a RTS journalist with all kinds of contacts in Kosovo, so as to help him make a documentary about the Kosovo society and present the Kosovo reality from an angle different from the one the Serbian media recur to. According to the journalist, the RTS refused to air the documentary, regardless of its exclusivity.

Ljubodrag Stojadinovic, a columnist for the longstanding and serious Serb daily "Politika," maintained: "Albanians fanatically believe in the efficiency of violence alone. For them awards and punishment do not exist in civilized and political sense." Derogatory terms for Kosovo Albanians are still very much present not only in tabloids, but also in some influential and prestigious print media.

An illustrative instance of despising attitude towards Kosovo and Albanians was a statement made by the RTS' incoming editor-in-chief, Nenad Stefanovic, during the popular TV B92 talk show "Impression of the Week" (21 November). Referring to Haradinai's chances to be elected the Kosovo Premier, Stefanovic maliciously said he was "glad that someone opts for a senseless solution," adding, "Haradinai's hands are bloodied...and that fact affects the negotiating position of Kosovo Albanians." Earlier, for days on end, the print media kept harping on Haradinai's criminal past – a claim they supported by the fact that the Chief ICTY Prosecutor, Carla del Ponte, had requested him to make a statement – which he did – as well as by 108 charges pressed against him in Serbia. Without providing follow-up information about Haradinai's conversation with the ICTY Prosecutor, or questioning those 108 charges, the media offhandedly concluded that Haradinai was a criminal.

Louis Alvin Day in his book "Ethics in the Media" concludes that the media representatives because of their impact on culture have a moral obligation to understand the differences between stereotypes and reality and consequently prevent the emergence of the stereotype-based discrimination in the real world.

Neighboring Countries and Montenegro

Special attention was paid to the media attitude towards neighboring countries, Bosnia-Herzegovina in particular, and towards Montenegro given that the future of the State Union is still blurred. Here we also had in mind the unresolved status of Kosovo and Serbian politicians' ambiguous stand when it comes to Republika Srpska. In this context, the spirit of 1980s and 1990s – the warmongering idea about "the unity of the Serbian cultural and spiritual space" - still prevails. Against the backdrop of new reality, i.e. the presence of international troops in Serbia's neighborhood, going for another war is not a viable option as long as these troops are in the region. However, one should be concerned with the fact that the media one-sidedly interpret the wars in the former Yugoslavia – namely, the threatened Serbian people nothing but defended themselves. Such an interpretation hinders cooperation with neighbors, and flies in the face of the international community's efforts to normalize regional relations.

A recent incident (November 2004) a couple of Belgrade students provoked in downtown Zagreb by promenading a photo of the WWII Chetnik leader and advocate of Greater Serbia, Draza Mihajlovic, just illustrated that the majority population in Serbia is fully unaware of true consequences of recent wars. And the media are largely to blame for such unawareness. The media fail to show any compassion for the war victims – and not only when it comes to people belonging to other ethnicities, but also to Serbs. No wonder then that young generations so offhandedly use symbols that bring back war memories and taint dignity of those who had experienced suffering. Any punishment of those who show off such symbols is perceived as violation of fundamental human rights, notably the right of free expression.

The Hague Tribunal

The manner in which the media cover The Hague Tribunal's proceedings and the persons indicted for war crimes is crucial for citizens' acceptance of new values and reshaping of the public opinion, the more so since generations have already been raised in the atmosphere of interethnic hatred and at the time of belligerence. Today's media are still focused on Milosevic's statements and the testimonies of the witnesses for the defense, while turning a blind eye to war victims. Victims are rarely mentioned, while newspapers are swamped with human-angle, affectionate stories about the war crimes suspects, and warm-toned interviews with them or with their relatives and friends. The interviewed war crime indictees mostly justify or deny their crimes without any solid arguments. Neither journalists' questions nor answers provide the readership with any information about the crime itself. Thus most interviews are riddled with common denominators. The same pattern is applied to the interviews conducted with high SPS officials and individuals from the Milosevic regime. In the aftermath of 5 October they were available to journalistic scrutiny, but journalists seemed to be caught napping and not to be up to the task. Figures from Milosevic's era, mostly those coming from the Socialist Party of Serbia and the Serbian Radical Party, are, in a way, omnipresent in certain media. The foregoing is important from the standpoint of the much-mentioned process of lustration.

Not a single media outlet attempted to thoroughly analyze a year-long presentation of the Prosecution witnesses in the first part of the Milosevic trial. A new system of values cannot be promoted as long as the past is not subjected to scrutiny and the glorification of the so-called patriots put to an end.

Trial of the Accused of the Premier Djindjic Assassination

The media's attitude towards the trial of the accused of the Premier Djindjic assassination is identical to that towards the proceedings before The Hague Tribunal. The same as in the case of the tribunal, most media and the structures in power have reached a consensus to founder the indictment counts. The trial itself reflects the media coined image of the assassinated Premier: he and his closest associates had been strongly tied with his assassins and organized crime. Only few journalists, prompted by professional courage, rather than by policies of the newspapers they work for dare challenge such entrenched version.

The prime suspect, Milorad Ulemek Legija, was arrested on 2 May, that is, he surrendered to the Serb police. Two phenomena are noteworthy from the media angle: the media were "primed" much earlier for that arrest, and they abused the fact that the trial was deferred until a day before the presidential run-off in Serbia.

In those terms indicative is the interview the Nacional daily conducted with a certain Joe Beretka (Beret) in late March. **"They can say whatever they want about him, they can spit on him and tarnish his image, but he will shortly turn up and recount the whole story. He is a patriot and he shall soon prove it,"** said Beretka referring to Legija. According to the tabloid, Joe Beretka, who can hardly be identified from the accompanying photograph, is a member of the Red Berets, the dismantled special forces unit suspected of ethnic cleansing and other atrocities committed during the wars in the territory of ex-Yugoslavia. It is interesting to note that the same Joe Beretka was "used" on other occasions by other media, notably by "Kurir." It happens often that different media run the same "exclusive" information or identical "exclusive statements" by the same interlocutors. That indicates a foul play, or behind-the-scenes "suppliers" of texts and information, rather than exclusivity or professional engagement of journalists in digging up such stories. Above all controversial is an uncritical attitude of editors and journalists towards that kind of information.

On the other hand, the print media misused the fact that Legija's first appearance before the court was deterred until a day before the presidential run-off. Almost all newspapers kept speculating what was it the defendant would reveal about Djindjic's ties with organized crime. Our media research indicates stories as such were supposed to influence the outcome of the presidential run-off and totally discredit the Democratic Party the candidate of which was measuring swords with the candidate of the extremely rightist Serbian Radical Party, Tomislav Nikolic.

Hate Speech

Hate speech (verbal and written assaults on individuals or groups of people), destructive to the civil society, is still commonplace in the Serb print media. Hate speech is even used by some weeklies catering to high-brow readers. Moreover, it is disseminated by articles penned by prominent columnists who sometimes go so far as to call on the lynching of some public figures. One of such columnists is Aleksandar Tijanic, director of the Radio & Television Serbia, who used to be the minister of information during the Milosevic era. In some of his columns he even demanded arrest of some public figures who were not even under investigation. His poisonous pen often targets closest associates of the assassinated Premier Djindjic. Apart from political minority, the hate speech mostly aims certain NGOs, ethnic and religious minorities, and homosexuals.

Our research also indicated that most media perceive promotion of clerical nationalism as their major mission. Given that the Serbian Orthodox Church is still

one of the pillars of national homogenization, there is much media-bashing of other religious communities in Serbia. Their frequent depiction as sects, generates the general public's resentment of anything not bearing a Serbian Eastern Orthodox hallmark.

Professor Louis Alvin Day cautions that "indecent speech is per se damaging... but provocative and malicious rhetoric as well as glorification of violence may also generate anti-social attitudes and behavior, even violence among militant groups. Even among the largest part of society such insulting speech may breed a culture of indecency, which tends to manifest its open hostility before millions of enthusiastic viewers, while the 'insult your neighbor's policy' is turned into a mass sport."⁷

The campaign against some NGOs and their leaders – particularly those who advocate punishment of war criminals and work on the facing projects - continues unabated. Media-bashing of those persons, in certain political periods, is even stepped up. Anti-NGOs articles are not only characteristic of the so-called yellow press, but also of highly reputed and longstanding weeklies that engage well-known journalists.

Domestic legislation sanctions instigation of national and religious hatred (Article 134 of the Basic Penal Code of the State Union of Serbia and Montenegro, and Article 51 of the Charter on Human and Minority Rights and Civil Liberties). Though the provision expressly banning instigation of national hatred was in force during the Milosevic era and the wars in the territory of the former Yugoslavia, the hate speech was practically incorporated into the official policy and the policies of most media. Deep roots of inter-ethnic hatred in this country, recent wars in the region, and the ongoing minorities-related incidents, indicate the need for passing relevant legislation including pertinent sanctions. Prevention of ethnically motivated incidents and ethnic intolerance should not hinge on legal provisions and sanctions only. The media have a moral obligation to recognize the hate speech and to counter it by espousing contrary stands.

In stressing that the issue must be above all tackled from an ethnic standpoint, Professor Day, writes, "Even those who despise politeness, have the right to demand a hospitable rostrum from which they could spread their messages. But the media employees, barring the cases in which the law imposes a free access, don't have a moral obligation to adjust their attitudes to suppliers of hate speech." In Serbia, however, still prevails "an excessive tolerance" towards propagators of hate speech, as well as is a much too accommodating attitude when it comes to the wishes of the most conservative consumers in the media market.

⁷ "Ethics in the Media", p. 333, Louis Alvin Day, Belgrade, 2004.

INTRODUCTION

Serbia's entry into a new era of populism and national homogenization is best reflected by the contents of the print media, which, unlike in the recent past, tend to speak with one voice on the matters/problems of the so-called national importance. Dissenting voices are almost inaudible. Moreover, most print media posture as a genuine avant-garde in the process of a renewed nationalistic radicalization of Serbia. As a rule, they were in the forefront of the political elite-led program of setting the "hard-line" guidelines for the resolution of the national problems such as the co-operation with The Hague Tribunal, arrests and handovers of the principal fugitives from The Hague Tribunal justice, Karadzic and Mladic, the Vojvodina issue, a clean break with the DOS government legacy, and showdown with its "corrupt" prime movers. The said media also had an extremely critical and even subversive stance as regards the work of the Special Court. The foregoing raised serious suspicions about the financing sources of most print media and influence exerted by some political and other circles on editorial policy thereof. As early as in the course of last year's "Saber" action the impact of capital of the organized gangland was detected in the property structures of some newspapers. The mid-March Kosovo revolt obviously became the number one media topic, and during those events the concept of the "Serb media harmony" visibly peaked.

The Kosovo issue generated a new wave of harsh criticism of NGOs dealing with the realm of human rights. The old pattern of verbal assaults was set in motion: allegedly, human rights activists tend to focus on the minor breaches of interests of national minorities, while failing to engage in the protection of Kosovo Serbs. In parallel, clericalization of political life gathered momentum, with the media's large contribution to strengthening the Serbian Orthodox Church role as a principal catalyst in resolution of the burning political ("national") problems. There were no dissenting voices among the most influential print media, or at least invisible were the media ready to critically question whether such a large scale involvement of the Serbian Orthodox Church in politics and state affairs was acceptable and sensible.

Such a strong indoctrination of the print media was followed by a sharp decline in professional journalism. Principles of tabloid-style journalism reign supreme in the press sphere in Serbia, and paradoxically, they are most obvious in the so-called political journalism. Political life has been increasingly painted in yellow hue. Newspapers, as a principal arena of political communication, are riddled with sensational reporting and reflect amply a primitive, populist discourse, as the main feature of the political dialogue in Serbia. Actually, there is no dialogue at all. There are no confrontations between the opposite concepts or attempts to launch a serious and responsible debate on the key and burning issues of the society.

In the Serb media, notably in the print ones, hate speech is a regular occurrence. Those commonplace manifestations of religious, national and racial hatred/intolerance and similar socially deviant attitudes rarely provoke public reactions, though in many cases they are of such a serious nature that they should attract the attention of an institution as high as the one of the public attorney.

At play is a revival of old patterns of national mobilization with the goal of attaining a full realization of the national-populist project. The foregoing is confirmed by the fact that the most ardent radicalism is promoted in some newspapers through "letters to the editor" columns in the same manner as the infamous Politika's column "Echoes and Reactions" once did.

KOSOVO

Large number of newspapers responded to the March Kosovo revolt by engaging in a war-mongering verbosity and advocating the so-called radical/militant moves and solutions. That conclusion stems even from superficial analysis of headlines splashed on front-pages of the 18th March issues:

"Nacional" – The paper's front page associates the time when the state of war was declared. The term war dominates in two headlines: "Shiptars start a new war" and "Army moves towards Kosmet." News stories are illustrated by the photographs of military formations and the injured.

"Centar"- The front-page banner runs, "War in Kosovo!"

"Glas Javnosti"- An identical banner, "War in Kosovo!"

"Kurir"- The front-page is also dominated by the term war, while the subhead states, "In organized Albanian attacks on Serbs Kosovo-wide, more than ten dead and 300 wounded."

"Balkan"- Headline, "War;" subheads, "Albanians raid Serb villages", "UNMIK betrays Serbs".

"Blic" - Headline, "Terror against Serbs;" Subheads, "Nine dead," "Serb houses and churches in fire throughout Kosovo."

"Vecernje Novosti" – Headline, "Serbs on the alert – Bloodbath in Kosmet."

The torching of the two mosques in Belgrade and in Nis the night before was shyly mentioned under small print headlines ran by "Centar" and "Vecernje Novosti." The incidents were not even referred to on the front pages of Blic, "Nacional," "Kurir," "Balkan," "Glas Javnosti" and "Politika."

Large part of the print media failed to at least professionally distance themselves from their reports. Instead, they followed the rules of war propaganda by embracing the lowest-level, disqualifying vocabulary and epithets with respect to the "foe."

This is how "Nacional" in its issue of 19 March presented the state-run agency TANJUG's news about an interview Ibrahim Rugova gave to the BBC: "Albanian leaders again **weep and lament** in the lap of their mentors: Rugova demands an independent Kosovo."

The well-known pattern of fueling ethnic stereotypes was set in motion – **In sheer emulation of Racak, used as a pretext for NATO aggression against the FRY, Shiptars prepared a new scenario for independent Kosovo: When is necessary, they sacrifice their own children**" ("Nacional," 19th March). The article deals with an alleged conspiracy of Albanian leaders and most influential international media, notably the CNN, with a view of building up an anti-Serb public opinion worldwide and thus securing independence of Kosovo. Vocabulary used in the print media was akin to hate speech of RTS prime time news commentaries during the wars in Bosnia-Herzegovina and Croatia. **"One should note that afoot American televisions, the other day, did not broadcast live from the Kosmet bloodbath. Instead they aired the footage of a bomb explosion in a Baghdad hotel killing 20 Muslims. Serbs are surely not gloating over such a large number of casualties, but cannot but wonder whether Kosmet Shiptars were saddened by the bombing? The incident provides Tachi and his pal Rugova, who are giving synchronized interviews the Croat Section of the BBC in London, with a perfect setting."**

Kosovo revolt was a good enough pretext to re-launch the media rehabilitation of the most notorious levers of Milosevic apparatus **"Former members of the Red Berets decided to protect Serbs in Kosovo and Metohija: Wolves are coming to aid their brethren"** (Nacional, 19th March). Under the aforementioned headline, the article spoke about a certain Joe, former member of the "Red Berets" and member of the **"Boys from Brazil" gang**, who contacted journalist of "Nacional" and informed that he was about to organize an immediate departure of a group of special agents for Kosovo and Metohija. **"This is Brazilian who speaks. Tell the people down there that we are on our way so that they shouldn't be afraid."**

So, the readership was "informed" that the commander of those boys was a man called Sareni (Multicolor) and that his nickname associates Milorad Lukovic Legija because of the latter's tattooed body. **"They can demonize him as much as they want, they can vilify him as much as they want, but he shall turn up soon and give his account of events. He is a patriot, and that shall soon become evident,"** said Joe. The paper also ran his statement about "the Red Berets' resentment of Sivilanovic, Batic, Tadic and others who wielded all the power in the last three years," and "the anger we feel towards Natasa Kandic, Biljana Kovacevic Vuco and that fat Borka Pavicevic."

In a genuine warmongering and sensational style, a red-white banner **"6,000 TERRORISTS THREATEN SERBS"** was splashed over the 19 March issue of "Centar." A day later, the daily's front page was dominated by a large photo of soldiers in fatigues, with long, unkempt beards, wearing Chetnik-style fur-hats and holding Serb flags in their hands. The accompanying caption read, **"WE SHALL STAY HERE UNTIL WE DIE."** The photograph's style suggested that it might have been shot among the Serb paramilitaries in Croatia and Bosnia during recent wars.

Also evident was the fact that the Serb press embraced the Kosovo revolt with much propagandistic zeal, but with poor journalistic standards. Texts ran during the Kosovo developments consisted mainly of information compiled from domestic and foreign news agencies, and their main feature was a straightforward and factual style of news agencies. To add spice to such style and show their own creativity, editorial staffs of dailies resorted to bombastic headlines, subheads, captions, etc.

What was most striking was the focus on a negative or at least awkward role of KFOR and UNMIK, with an underlying message that Serbia's security forces should be deployed in Kosovo in order to render proper protection to local Serbs.

"Under the pretext of evacuation KFOR is engaged in ethnic cleansing" (Balkan, 20th March). The story quotes "analysts" Milovan Drecun and Zoran Dragisic, **"With the excuse of not being in the position to provide protection to the minority Serb population under current circumstances, KFOR and the Kosovo police are engaged in ethnic cleansing, which they call evacuation."** The example of village Ugljare was given: **"Shortly after KFOR and KPF evacuated locals, terrorists raided the village and immediately begun to torch houses."**

Coverage of daily "Balkan" issue of 22 March was similarly biased – **KFOR seizes Serb weapons, and then tells them it cannot defend them.** The story quotes an unidentified Serb from the village of Svinjara, **"We opened fire, they withdrew immediately, and then KFOR and UNMIK seized our weapons and told us to leave our village, for they could not defend us. Had they only permitted us, we could have defended ourselves by our own means."**

Statement by Branko Krga, chief of staff of the Army of Serbia and Montenegro, given to BK TV, was placed above the aforementioned text: **"It is necessary to supplement the UN Resolution 1244 with a document defining a framework for actions of the Army of Serbia and Montenegro in Kosovo and Metohija"**. The intention and message behind the headline **"Krga: the Army of Serbia and Montenegro should be enabled to return to Kosovo"** - was quite obvious.

"Vecernje Novosti" (20th March) gave much room to General Nebojsa Pavkovic to comment impotence of KFOR to resolve problems in Kosmet and send across a clear message. **"Our army would resolve everything swiftly!"** said Pavkovic, adding, **"The Army of Serbia and Montenegro has a long experience in combating terrorists, and they have strong memories of our strength."** The interview was an opportunity for Pavkovic's nostalgic recollection of the "victory" over NATO and the feats, which had preceded it. **"It was never so difficult for us as in 1998,"** he says and adds, **"NATO plans failed, for we had managed to outsmart both William Walker and terrorists."**

In the same issue "Vecernje Novosti" ran the text headlined **"ARMY SHALL NOT GIVE UP,"** in which the then minister of defense, Boris Tadic, floated his stance that Serbia and Montenegro "retain the right to reconsider its Kosovo and Metohija policy in the event KFOR does not comply with the obligations deriving from the UN Resolution 1244 and the Kumanovo Military-Technical Agreement."

While Nebojsa Pavkovic was interviewed by "Vecernje Novosti", another Hague indictee, General Vladimir Lazarevic, on 19th March told "Kurir," **"Weapon for a weapon! The international community has been engaged in Kosmet for five years, and has not achieved anything. Therefore, Serbia must voice loud and clear its ultimatum to peace-keeping forces. If they fail to end violence by a set deadline, our army should be deployed to protect Serb people. People are being killed by firearms in Kosovo, and only arms can stop that violence."**

The media orchestrated a bashing campaign against Richard Holbrooke. "Blic" of 25th March carried a text headlined **"Holbrooke and Tachi planned the current terror campaign"**. Its subhead was **"Secret dinner in Washington"**, and the text was "illustrated" by well-known photograph portraying the barefoot Holbrooke sitting with the Kosovo Liberation Army soldiers. The daily quotes an unidentified US source claiming that a week before the outbreak of violence in Kosovo, David Phillips hosted a dinner party for many former Clinton administration officials, including Holbrooke and the Democratic Party presidential candidate, John Kerry. According to the source, Hashim Tachi was a guest of honor. **"Blic's source maintained that it was agreed to wait for the first good opportunity to launch an offensive. And such an opportunity arose several days later when Albanians, spurred on by the drowning of three children in Ibar began their terror campaign against Serbs."**

Much more restrained "Politika" resorted to subtler means in order to join in the anti-KFOR and anti-UNMIK media chorus, notably, by running carefully selected foreign media reports. Thus on 20th of March the daily ran the transcript of the BBC's broadcast, including the interview with Misha Glenny, who said, "The international community may well stop its current activities, which amount to doing nothing...Judging by development, UNMIK is doing its job poorly."

"Blic" of 21st March wrote: "German KFOR without a shot or tear-gas fired left to the mercy of an enraged Albanian mob the Saint Archangel monastery in the vicinity of Prizren. **According to Serb sources, a large number of young Albanian vandals simply walked into the monastery, built by Tsar Dusan, while 15 German members of KFOR standing at a nearby bridge watched them silently.**" The story's headline was explicit: **"The monastery torn down before the eyes of KFOR troops."**

Uniformly hued editorial policies indicated a tacit national consensus on Kosovo's division, as once articulated by the "father of the nation", Dobrica Cosic. "Kurir" of 23rd March noted that "division of Kosmet is not an ideal solution, but it is the maximum achievable at this moment."

Cosic himself declined to comment the aforementioned idea of his to "Kurir," for, as the newspaper put it, "He is of opinion that such a sensitive topic may be only broached in the Academy of Arts and Sciences". However, he granted permission to the daily to carry excerpts from his May 1999 letter to the government of France. The letter, inter alia, read, **"If Tito's Yugoslavia did not manage to survive, if the**

experiment involving a multiethnic Dayton-style Bosnia and Herzegovina failed, it is quite certain that after a civil and ethnic war, a multiethnic Kosovo is also doomed to fail. After the Albanian secessionist insurgency and the US and EU war against Serbia, Albanians and Serbs cannot live side by side in Kosovo...In an absolute awe of a famous academic "Kurir" furthermore carried fantasies of the ex-president of FRY. **"In Kosovo and Metohija, around large Serb monasteries and ethnic enclaves, independent states like San Marino, Andorra, Vatican, Lichtenstein, and similar sovereign communities in Europe such as the Aaland Islands in Finland should be formed. The Serb-populated areas in North Kosovo, which have belonged to Serbia since liberation from Turks, until 1958, should be annexed to Serbia, while southern, Albanian majority parts of Kosovo and a part of Metohija should be annexed to Albania, or to an independent Albanian state, if so wish Kosovo Albanians."**

If one relied on the Serb press as a source, one found out that it was well night impossible to establish the exact death toll, or the number of victims, and their ethnic origins. This indicated that at play was not a sudden humanism of Serb journalists and piety towards victims, but an obvious manipulation with relevant facts and figures, plus an obvious intent to absolutely lay emphasis on the suffering of Serbs, and cloud the fact that among the casualties there were more Albanians, than Serbs. The intention was also underscore the passivity of international forces. Contrary to such coverage stood the 21st March report of Co-coordinating Centre, citing that "according to available data, of 31 casualties, 7 were of Serb ethnicity, while national identity of other, larger number of fatalities has not yet been established."

Probably disgruntled by the official version, exposing such a high figure of Albanian fatalities, "Glas Javnosti" (22nd March) resorted to a headline "7 Serbs killed, ethnic origin of other victims unknown".

A lengthy text in "Blic" (21st of March), though headlined "Tallying the casualties and struggle for aid", failed to mention the number of casualties. In the lead-in it was said that 3,600 Serbs and other non-Albanians were moved away. However Serb victims were most frequently individualized, that is given names and surnames. That same issue of "Blic" ran a front-page photograph portraying nine wounded Serbs, and announced other installments with their testimonies about torture to which they had been subjected.

"Politika" of 19th March ran a front-page text headline, "Serbs live in fear". In that article it was stated that "31 people were killed and 500 wounded". However nationalities of victims were not disclosed. The author of the text also anticipated: "It is feared that the death toll is likely to be higher, for international forces failed to reach all the villages ravaged by Albanian militants."

Media whole-heartedly tried to contribute to a new population-wide "national awakening" by the manner in which they covered rallies in Belgrade and other cities staged in support of Kosovo Serbs.

Mob wildling in the streets of Belgrade, during which the Bajrakli mosque was torched, was thus covered by "Nacional" (19th March) – headline: **In Belgrade two nights ago spontaneously rallied group of citizens violently protested against organized killings of Serbs in Kosmet; headline: Young don't want to relinquish Kosovo!** The text contained a statement given by one of the vandals, called-a demonstrator: **"This is only part of our retaliation for all the Serb victims and torching of all Serb monasteries."**

In the same issue of "Nacional" a report on protests in Novi Sad was headlined: **"Canak is an Ustashi"**.

"Centar" (19th March) carried a headline "Albanians are taught how to set fire to our monasteries, while we are not taught how to extinguish that fire." That headline was extracted from a statement of a demonstrator Dragan Pavlovic: **"I am from Gnjilane like Goran Svilanovic. His family has flats here, and I preserved**

their houses there. Our Hilandar would not have been burnt if had managed to preserve Kosovo. Albanians are taught how to set fire to our monasteries and we are not taught how to extinguish it."

The text went on to note that the rally enthused over the address by a French publicist, Yves Pattie: **"He correctly enounced-Brothers and sisters I stood by you when you were bombed by American criminals, and I wish no American felt safe in Serbia and Europe. – He called on Serbia and Europe to march into Kosovo.** The aforementioned example is illustrative of attempts to revive use of propaganda clichés and patterns of Milosevic era media machinery, which used to hand-pick great friends of Serb people, notably "a philosopher and humanist" Daniel Shiffer, from a group of obscure, foreign individuals.

Carried away by the propaganda frenzy, "Centar" begun to disseminate utter disinformation. **"After Pattie's address the crowd was surprised to hear the Croat Ambassador Davor Bozinovic say that "today we have fascism in Kosovo, while yesterday we had it in Croatia and Bosnia. We know who is behind it-NATO and international community."** But the truth is that Ambassador Bozinovic was not among demonstrators gathered in front of the government of Serbia building.

As protectors of Serbs in Kosovo, the print media again promoted the Milosevic era patriots. **"The rally was addressed by a renowned actress Ivana Zigon. She invited the protesters to stay the whole night there, to show that Belgrade has a heart. – This is probably the hardest night in the history of Kosovo and Serbia, and therefore, let us please, in large numbers, and peacefully support unprotected children and women in Kosovo."**

"Masses were heartened by arrival of singer Ceca Raznatovic and her sister Lidija. An excited woman ran to her, grabbed her hand and cried out, "Ceca, you are a true Serb." " Ceca told the rally to protest peacefully, and without scandals "to avoid being targeted as culprits by CNN, and other foreign media which always win their wars against us." (Centar, 19th March)

"Ceca stated that she interrupted work on her new LP, for she was not in the mood for songs and carousing-I have tears in my eyes and a lump in my throat. I hope this evil shall end soon, and I intend to stay in the street and in this cordon of support as long as it is necessary. " (Kurir, 19th March)

"Among the crowd were renowned actress Ivana Zigon and folk singer Svetlana-Ceca Raznatovic, who called on the electronic media to stop broadcasting music, and then read a passage from the Bible." (Blic, 19th March)

"Politika" of 18th March in the text devoted to "spontaneous protests of citizens" noted the presence of public figures and cultural and political dignitaries, notably, Dragan Kojadinovic, Milorad Vucelic, Ivana Zigon, Svetlana Ceca Raznatovic and Kristijan Golubovic ("recently released from jail") among the crowd.

There was no criticism of protests, though they were riddled with negative manifestations and generally represented means for further radicalization of political situation in Serbia. Events not related to protests, were covered and marketed discreetly, as if they were marginal side-effects of mass rallies (placing of the plaque marking the Zoran Djindjic Plateau shared their fate). Incident at the Plateau was covered by extracts from related Democratic Party press releases. In fact the press did not treat that incident as a news story.

Serb print media depicted the Serb Orthodox Church as the principal victim of the Kosovo revolt, due to massive destruction of its churches and monasteries. That in turn opened room for broadening the political influence of the SOC. The voice of the Church became a kind of a political imperative, and its political counsels something to be heeded by all political subjects, specially the very top state leadership. Government and Church simultaneously masterminded and orchestrated mass rallies, whereby the government officials were even pleased to take the back seat in the whole campaign. The foregoing is best illustrated by a sub-heading "Prayer for salvation of Serbs in Kosovo and Metohija" (Balkan, 19th March): **"In**

addition to the highest SOC dignitaries, members of the government of Serbia and high representatives of Serbia and Montenegro took part in the prayer before the Western door of the Vracar Temple. " The church dignitaries were in the forefront, while the state leadership marched beside or behind them. Newspapers were full of photographs of praying state officials with candles in their hands, in humble postures before the officiating spiritual leaders. Thus in those days Serbia even visually did not give the impression of a secular state.

The protests coverage was mostly imbued with high spiritual inspiration and emphasis on the positive impact of the SOC on demonstrators. In other words "Church dignitaries, notably Bishop Amfilohije during the night of the mosque torching, channeled well the protesters' venting of rage and guided well students of Theological Faculty. **"Goran Grubic from humanitarian organization "Defenders of homeland" 1998-99 called on the male protesters to set on a journey to Kosovo ...His plea was interrupted by shouts of mostly secondary-school pupils – Let's go to Kosovo – Kosovo is heart of Serbia – Kill and butcher all the Shiptars. That militant tone was changed to a more pacific one after the appearance of prayer-chanting and icon-holding students of Theological Faculty."** (Kurir, 20th March)

High SOC clerics have stopped hiding their hefty political ambitions, and the media servility towards the SOC has considerably contributed to realization of those ambitions. "Glas Javnosti" (20th March), for example, attached much importance to statements of Bishop Amfilohije ("Bartholomew Night and pogrom of an entire people happened in Kosovo") and of Bishop Artemije (**Let's remain in Kosovo, our strongest and mightiest ally God shall help us there**) by posting them on the front-page.

A central-pages text better expressed stances of Bishop Amfilohije: **"We expect the international community to call a spade a spade, and help dispensation of justice."** He added that **if the international community kept failing to protect Serb people and Serb sacred institutions in Kosovo and Metohija, like it did in the last 45 years, our people shall be compelled to defend themselves, their very being, and their dignity. "**

Spurred on by the religious-nationalistic fervor and pathos the press stoops to abuse of children. The aforementioned issue of "Glas Javnosti" ran a photograph of the three pre-school children, two of them holding high a cross, and one drawing a church design. Interestingly enough that photograph was used to illustrate a brief text relating to a protest rally of Muslim faithfuls in the torched mosque.

Unwritten law on an absolute infallibility of Church expanded on matters of minor importance for the nation, notably on minor abuse charges with which Bishop Pahomije was faced. It was a front-page scoop of "Nacional" (issue of 29 March). That daily furthermore maintained that the entire case was part of covert operation of Security Services of Macedonia in their SOC-bashing campaign. – **Pahomije's "vice" was bought for 30,000 Euro. Added to that a thesis was elaborated that "via the Pahomije case, independence of the Macedonian Orthodox Church would be attained."** **"One cannot help but wonder why the Macedonian Interior Ministry and intelligence officers started that media-bashing campaign...was it prompted by the wish of so-called MOC to finally gain independence...hence the assault of the Macedonian state bodies on the SOC, the only untarnished institution of the Serb people, unlike the Catholic Church, never tainted by sexual scandals...or the vilification campaign was orchestrated by a financially strong Albanian lobby, eager to weaken the SOC influence in South Serbia and by strengthening its influence realize its goal: annexation of that part of Kosmet."** Thus the uppermost question of Kosovo was linked to a profane and deviant occurrence like pedophilia...all of which indicated perverted standards setting and shaping the public mood in Serbia. All incidents, including the pedophilic scandal and the fire in the Serbian monastery at Mount Athos, were used to raise the intensity of nationalistic euphoria and hatred towards others.

"Nacional" of 27th March ran a lengthy front-page article: "**Monastery Hilandar torched by Albanians**". In the third page text, a former Hilandar monk disclosed that the fire was not due to the fraternity's negligence, but that it was planted by several Albanian criminals aiming at stealing a Serb relic.

THE HAGUE TRIBUNAL

Unilateral approach to the Kosovo revolt was long-exercised in the press treatment of the ICTY. Negative connotations and open cynicism are constant features in The Hague Tribunal coverage. Added to that the ICTY is one of the most negatively treated topics by the Serb public opinion. Animosity towards that Tribunal is mostly projected towards its Chief Prosecutor Carla Del Ponte. Creators of public opinion in Serbia and their media stooges treat her as evil embodied and the biggest threat to Serbia and Serb people.

At the same time the trend of encouraging "solidarity" with the most notorious ICTY arrestee Slobodan Milosevic and his current and potential neighbors in the Tribunal's Scheveningen detention unit, Seselj, Karadzic, Mladic, Pavkovic...is obvious. Practically the cast was divided into positive and negative heroes as early as in Milosevic's presidential days, and notably after the indictment had been filed against him.

It bears saying that independent media during the rule of Milosevic clique were bolder in distancing themselves from the Milosevic war policy. But now nationalistic homogenization is openly encouraged by all the print media. Moreover newspapers manifest a kind of repentance for the hand-over of Milosevic to the ICTY, and that trend is unabashedly set by gutter press. Power and impact of what is usually called an anti-Hague lobby, a mixed bag of organized gangland and the Milosevic era ruling structures are most visible in coverage of large-circulation tabloids.

In a radical revision of the pro-reform moves made during Djindjic-led government, a key argument in disqualification of the then power-holders is the factor of their, allegedly, too co-operative stance towards the Hague Tribunal. When "Balkan" (issue of 1st March) banners a headline: "**Beba took Carla twice to Chief of Staff,**" it plainly shows its **attempt** to monger another scandal involving the figures from the reform block. Contacts which Vladimir Popovic, Djindjic's aide and former Secretary of the Information Bureau of Government of Serbia made with Carla del Ponte (the fact that she is called only Carla by "Balkan" and other newspapers denotes a popular primitivism tone which dominates the public speech in the present-day Serbia) is seen as one of his major sins.

It is also indicative that the source of the aforementioned invective is Nebojsa Pavkovic, who is openly supported by "Balkan" in his plight against the Hague Tribunal. "**Pavkovic also accused Cedomir Jovanovic, the outgoing vice-premier, Nenad Milic, Deputy Interior Secretary, Bora Banjac, Head of Internal Security, Dejan Sotirov, former Telecommunications Secretary and brother of Pavkovic's ex-wife, and Andrija Jovicevic, former Montenegrin Interior Secretary, of conniving with the Hague Tribunal. "Balkan" uncovered that all the aforementioned individuals had a common motive for urging Pavkovic's hand-over or surrender to the Hague Tribunal even before indictments against him and other military and police generals Vladimir Lazarevic, Vlastimir-Rodja Djordjevic and Sreten Lukic, were officially forwarded to Belgrade.**"

Editorial staff of the newspaper allegedly found "unidentified moles" in the top Interior Ministry leadership who reiterated Pavkovic's claims, and made it known that "**Andrija Jovicevic, thanks to his connections in the Podgorica office of the Helsinki Committee, upon his return from an official visit to the US, raised the issue of Pavkovic's arrest and hand-over at the Montenegrin Parliament session.**"

According to "Balkan" "Jovicevic was forced to raise that issue due to friendly persuasion by some circles, and the fact that he had helped Glorija Markovic smuggle out of the country a large foreign currency amount last year." Involvement of Pavkovic's former wife, a very popular figure in some gossip columns, in this conspiracy tale showcases consistent print media efforts to lower political life to the level of a mere show-business.

The same day the whole front-page of "Centar" was dedicated to statement of Nebojsa Pavkovic and banner-headlined – **Beba Lies – and – the Victor shall not go to The Hague.** The fact that both "Balkan" and "Centar" devoted their space to words uttered by "the victor Pavkovic" seriously indicated that contents, or editorial policies of several media were masterminded by the same centers of influence. And the principal goal of those centers was obviously strong lobbying against co-operation with the Hague Tribunal.

Sub-heading of that text read: **"He brokered that appointment with Carla Del Ponte"**, and then in slim-letters: **"Pavkovic files criminal complaints against Vladimir Popovic, Nenad Milic and Ceda Jovanovic because of threats they issued during their bodyguard-escorted visit."**

Instead of "unidentified sources from top Interior Ministry echelons", mentioned by "Balkan", "Centar" quotes assertions by Pavkovic's lawyer, Nebojsa Pavlovic: "Nenad Milic and Beba Popovic helped Pavkovic's wife Glorija to totally destroy him in both financial and moral sense." Pavkovic proper stated to "Centar": "Popovic and I have known each other for a long time...he once organized my two meetings with Carla Del Ponte, at her request." Pavkovic presented himself as a kind of harbinger of a wave of retaliation towards former officials. "If Vladimir Beba Popovic has a clean conscience I hope he shall remain in Serbia after the installment of the new government ..."

Along with Pavkovic, the star interviewee of the 1st March issue of "Balkan" was Milorad Vucelic. The newspaper ran a lengthy interview with the SPS official, under an incisive headline: **"Tadic and Svilanovic must go; there will be no hand-over of four generals"**. Using a genuine principle of inversion, Vucelic thus defined co-operation with the ICTY as an obligation of the state to assist in defense of its citizens: **"Of course co-operation with the Hague is one of the main prerequisites... for the state must financially and legally help the Hague prisoners and none of the chain of command indictees should be handed over to the Hague."** Vucelic thus practically announced promulgation of the Act on Assistance to the Hague Prisoners.

The media pandering to the most notorious Hague escapees is also evident. The Serb press frequently glorifies them as heroes, their families are depicted as victims of the international injustice, and their lawyers' explanations receive much coverage. In the 1st March issue of "Centar" there were two markedly anti-Hague texts, an interview with Kosta Cavoski and a column penned by Uros Suvakovic.

Cavoski, presented as **"one of the most bitter opponents of the Hague Tribunal"**, had the following message: **"Holbrooke's word is not worth a dime."** Cavoski also mentioned an alleged agreement between Karadzic and Richard Holbrooke: **"He was promised to be left at peace if he agreed to step down as President of RS and SDP."** He thus replied to the question whether it was in the interest of Serbia to get financial assistance of the West if one of the strings attached to was co-operation with the ICTY: **"I am guided by a sense of justice, and the one who is not guilty should not assume responsibility. By the way, that assistance is tantamount to a minor sum of hundred million dollars, and not 1 billion dollars. National pride should not be sold for such a minor sum..."**

In his column "Slobodan" Uros Suvakovic analyzed "a total rout of Carla's indictment" and maintained : **"The first part of the process staged by Carla del Ponte against President Slobodan Milosevic ended with the following result 0:400. Practically all Carla's witnesses testified in his favor. "He went on to note that "witnesses, Radomir Markovic, Captain Dragan, Bora Jovic, Zoran Lilic, Lord**

David Owen, General Morillon" confirmed that "our country and Army of Yugoslavia were not involved into the conflict in former Bosnia and Herzegovina, in the Srebrenica developments, which according to General Morillon, resulted from a previous Muslim crime, that in Kosmet at play was combat against terrorists allied with NATO, that President Milosevic always urged peace..."

According to Suvakovic, lies of other witnesses were immediately transparent, "for example, that Albanian who maintained that he was shot down by the Serb forces machine-gun fire from a distance of only 7 meters ...or the German genocide expert who asserted that during the WW2 genocide of Ustashi took place in Croatia!!!"

"Nacional" of 2nd March was even more explicit than its competition. The following headlines were splashed over its entire front-page: "Milosevic is innocent", "Bush discloses truth about Serbia", "The Hague Tribunal is on the brink of collapse". That daily tried to convince the general public that Milosevic was the no. 1 US topic and how that fact might bring us some benefits from the Bush Administration. By transparently manipulating elements of the conspiracy theory, "Nacional" noted : "A source close to the White House, stated that though Milosevic was an American man he was sold out because of influence of moneyed Croat and Muslim lobbies in Washington and Wall Street...Everything was going smoothly for Milosevic until Holbrooke took charge...he supplied arms to Croats and Muslims and left Milosevic high and dry in order no to share profits with him...Bush is yet to grasp why his fellow-nationals sold Milosevic."

According to "Nacional", "due to the above, the Milosevic trial is doomed to fail...that is the main reason behind resignation of Judge May, and not his alleged ill health." That is one in a series of texts casting doubt on the health problems of Judge May and used for proving Milosevic's innocence, regardless of the course and contents of trial. Departure of Carla Del Ponte from the ICTY is mentioned as a confirmation of Milosevic's triumph over his indictment – "This sudden illness of Judge May and only four months given to Milosevic to prepare his defense come as no surprise. The whole thing is a set-up; Del Ponte is already eyeing a top post with the Rome-based International Criminal Tribunal."

The wording used by "Vecernje Novosti" was: "Slobodan Milosevic shook up indictment": "Poor performance of Carla del Ponte is mostly caused by the arrogance of that Swiss woman who strove first to make the gravity of indictment strongly impress the general public and lay heavy charges on the former president of FRY and Serbia, and only later tried to collect evidence against him." (Vecernje Novosti, 1st March)

"The end of the Hague is visible" trumpeted "Vecernje Novosti", in a text by Kosta Cavoski in which he also tried to freely interpret reasons behind resignation of Judge May: "In my mind Richard May has no physical ailment, but his conscience has made him withdrew from the case. He kept making compromises with his professional conscience by misconducting the proceedings. And then the moment came when his professional conscience could no longer put up with such legal misuses. That is the principal reason behind his resignation, which by extension called into question not only regularity of the Milosevic trial, but also of the entire work of the ICTY." (Vecernje Novosti, 2nd March)

Members of families of The Hague indictees are also treated well and frequently by the print media. Their arguments in defense of their next of kin are respected. Several dailies almost on a daily basis run reports on developments relating to Ljiljana Zelen-Karadzic, wife of Radovan Karadzic, his brother Luka and daughter Sonja. If those close to Karadzic and Mladic refuse to issue statements, journalists tend to understand and even justify such lack of communicability.

"Centar" of 23rd March on its front-page pompously announced an interview with Vera, wife of General Mladic by a headline: "Ratko gave everything he had for Serbs." Then we learn from the text on page 12 that in actual fact Vera Mladic

uttered only a similar sentence, while driving reporters away from her gate. "The white gate was locked, no-one from security was in sight, but then a flustered woman ran out of the house and told us to leave immediately. She angrily yelled: **Ratko and I gave everything we had for the Serb people. Others should think about Serbs now,**" and slammed the door. Thus, Mladic's wife is "angry", and not unkind or uncouth.

Contrary to Vera Mladic, the aforementioned members of Karadzic's family are fond of giving public statements, and that propensity of theirs is generously welcomed by press. In its 3rd March issue "Vecernje Novosti" ran a lengthy interview with Luka Karadzic, in which he spoke in detail about his brother's alleged deal with Americans, his talks with Pierre Richard Prosper, the US Ambassador for Human Rights, and the way in which Americans obstructed his business "for I am the only family member engaged in business". **"Prosper was a guest in our house...and before my mother he brazenly stated that they will liquidate Radovan, if he does not give himself up."** When asked how he and his mother reacted to those "threats", Luka Karadzic replied, **"How can a mother react when she is bluntly told in her house that someone intends to liquidate her son!!"**

Two days later, on 5th March, "Vecernje Novosti" ran a lengthy interview with Ljiljana Zelen-Karadzic. She reiterated Luka Karadzic's words regarding Karadzic's deal with Holbrooke, "which ultimately was trampled upon by Americans," and spoke about threats issued by envoys and their demands for Karadzic's surrender. At the end of the interview the next installment was announced by the following headline: **"They seized evidence of Radovan's innocence"**.

Karadzic's wife was interviewed frequently by other dailies. In her interview to Centar" of 5th March it was inter alia noted: **"Karadzic's wife lives at Pale. In the course of several NATO-staged Radovan-hunts, her house was repeatedly searched – They took my wedding certificate, but I know that I am still married to him – she added bitterly. "** Several days later she made sensational claims in "Centar", vilified the Hague Tribunal, and accused it of widespread corruption. Daily's front-page bannered a headline: **"The Hague Tribunal investigators wanted \$ 5 million in order to withdraw the indictment."**

"On several occasions I met with self-styled Hague investigators. Those "secret meetings" were organized everywhere in Bosnia and Montenegro... Sometimes Luka accompanied me, but mostly I went there alone. After sitting down they used to produce their IDs and we would start talking...The end of our conversation was always the same – they asked us money in order to withdraw the indictment. Various amounts were mentioned, first \$ 100,000, and later \$ 5 million. They would allegedly see that the money reached the right place..."

Karadzic's wife discredited the ICTY both on ethical and political grounds. **"Radovan shall not surrender while in the Hague only Serbs are accused, and not a single muslim (Muslim written with small m) or Croat is brought to trial to answer for crimes against Serbs...the Tribunal is behaving as if we did not have a three-side war, as if Serbs did not suffer..."**

In general it is an established practice to allow the Hague indictees (Seselj, Pavkovic, Lazarevic...) and those backing them on parental or other grounds to engage in political agitation and to lay a great emphasis on their political comments and ideas. Little is written about the contents of indictments. Press reports tend to be satisfied with the indictees' families views on the Tribunal, their phrases on their necessity to defend their own country, etc.

Some prominence was also given to the family of indictee Veselin Slijivancanin. His daughter Aleksandra maintained in "Vecernje Novosti" -**"My innocent dad is imprisoned in the Hague (10th March), and added that she expected staging of imminent trials of Goran Svilanovic, Cedomir Jovanovic and Dusan Mihajlovic "for handing over my father to the Hague Tribunal."**

Hostile stance on the ICTY featured also heavily in professional and decent "Politika", which insisted on the story about the violated US deal with Karadzic. **"Richard Holbrooke's interview to "Dnevni Avaz" was undoubtedly a major favor to Belgrade and Serbia, for it was tantamount to a public confession of what had already been suspected, namely that the then Clinton Administration guaranteed to Karadzic liberty and immunity from the Hague Tribunal prosecution in exchange for his resignation. In mid-90's Madeleine Albright, Secretary of State promised to President of RS Biljana Plavsic that Karadzic would be exempted from international, legal prosecution, if he withdrew to the River Piva canyon and started practicing psychiatry in an American-built hospital."** (Politika, 1st March)

Leaving aside the veracity or falsity of theories about the US-Karadzic deal, one cannot but notice a continuing and large scale relativization of moral norms in Serb press: immorality of violators of a secret and highly problematic deal is underscored, while the reasons of Karadzic's indictment are totally disregarded.

By and large Serb press seems to have reached a tacit agreement on how to totally ignore the ICTY and its trials. Developments which could help boost the necessary facing process among the population at large are glossed over. Coverage of the ICTY-related information and news is patchy and brief. For example sentencing of Admiral Miodrag Jokic (18th March), was not even mentioned by some dailies, while previously his admission of guilt failed to attract the minimum media attention. Serb press, barring "Politika" and "Vecernje Novosti," was not even interested the sentence meted out to Serb Ranko Cesic (11th March), following his admission of heinous crimes committed against Muslims and Croats.

Newspaper which covered the work of the Hague Tribunal more amply, "Politika", nonetheless tended to assume a highly negative and critical stand towards it. This is best illustrated by writing of the "Politika's" journalist Zorana Suvakovic, whose regular columns about the ICTY were riddled with snide comments and bias with respect to the proceedings conducted in that international institution and its Chief Prosecutor Carla Del Ponte.

"One can only try to guess the motive behind the Brussels statement of Carla Del Ponte that according to her sources both Karadzic and Mladic are hiding in Belgrade. But something has changed regarding the international faith in the Chief Prosecutor...her statements are no longer taken for granted. Only few people believed in her words this time around, notably, Natasa Kandic, President of the Fund for Humanitarian Law." (Politika, 2nd March).

The above quotation indicated that "Politika" also joined in the media-bashing campaign targeting not only the Hague Tribunal, but also "domestic traitors", that is, NGO activists. Such coverage aimed at strengthening the logic that the national interest would be betrayed if co-operation with the ICTY and compliance with obligations taken on by Serbia was urged and advocated.

The aforementioned journalist of "Politika" has a special penchant for malicious speculations about deals between the ICTY and indictees admitting their guilt. In other words she diverts the attention from contents of those confessions to the allegedly "bought" benefits and amenities. In her text with highly suggestive sub-heading and headline, "Special status of Milan Babic" and "Award for co-operation", Zorana Suvakovic, inter alia, comments: **"The news spread in the detention unit in Scheveningen that one of the inmates was re-located...the person in question is Milan Babic, former President of Republika Srpska Krajina, who, thanks to his co-operative stance during the Milosevic trial, automatically earned his pass for many, special amenities."** (Politika, 27th March)

Media are not particularly interested in domestic war crimes trials. When they cover them, they tend to treat the indictees benevolently. **"I have never shot a single civilian or children"** was the headline of "Centar's" lengthy text on the final defense statement at the end of the trial of Sasa Cvjetan, former "Scorpio" unit member, charged with killing of 14 Albanians and wounding five children in 1999 in

Podujevo (17th March.) The side-box included the following sentence :"**Kandic brought a false witness**". The text gave much prominence to Cvjetan's claims that his trial was politically motivated, that during investigation he was exposed to threats and intimidation, and that he was compelled to admit his guilt in order to save his life.

Cvjetan 's final statement regarding a 20-year prison conviction was included in the lead-in of the 18th March "Centar's issue: "**The biggest crime is to convict an innocent man. I shall cross myself now, and to you judge I wish all the best. God shall judge you. "** After the remark that Cvjetan calmly heard the sentence, the author compassionately noted that his mother and sister kept weeping and saying that there was no justice. The side-bar's headline was in fact the statement made by Cvjetan's father: "**My son has not killed anyone! He is innocent and I don't know why he is sent to jail. This is all a major, political set-up. Shame on them !"** Other papers reporting on that trial also stuck to the pattern of denial of guilt by the indicttee.

VOJVODINA

Serb press covered extensively Vojvodina until the eruption of revolt in Kosovo. The print media unanimously condemned "Vojvodina's separatism" and provincial authorities, mostly composed of members of former DOS. Intensity of bashing of "autonomy-minded" and "separatist" officials grew after adoption of "Subotica Initiative", the signatories of which were widely vilified by all newspapers.

For example, "Balkan", 1st march issue, devoted its whole front-page to so-called Vojvodina issue, though it was regularly treated on internal pages. Without naming anyone in particular Nebojsa Covic condemned "Vojvodina pro-autonomy reformers" and called them "relics of the communist-bureaucratic legacy". Kosta Cavoski accused Nenad Canak of working for the Croat government, and Dusan Janjic spoke about alleged lobbies in Germany, Austria and Hungary, "interested in promoting separatism in Vojvodina." In such a context the news headline "Canak underwent his 12th operation" should not be treated as a show of disregard for the politician's privacy, but rather as a minor and malicious contribution to an open anti-autonomy campaign.

On the same day "Centar" let Mile Isakov rant against parties rallied around "Subotica Initiative.", but failed to provide the attacked ones with an opportunity to air their views on the gist of that initiative. That intentional fuelling of an anti-autonomy mood is best illustrated by the following formulation of the street poll question: "Is Kasa trying to effect secession of Vojvodina?" "Nacional" in its text of a highly suggestive headline "Canak and Kasa invoke protectorate in province" explained that allies of Canak and Kasa are "communist Methuselahs Zivan Berisavljevic and Bosko Kronic", while it went on to portray a far-right right-wing movement "Svetozar Miletic" "as the most massive NGO in Vojvodina". Canak was also vilified for "being close to organized gangland."

Pro-autonomy politicians are criticized for trying to "internationalize the Vojvodina issue". "Centar" (2nd March) ran a lengthy commentary by Milan Bozic. The author was very critical of Nenad Canak's methods: "Internationalization. That is an old method, but in this country it is very popular. During disintegration of Yugoslavia it was the principal means for effecting secession of nations and republics. When a state is weak, sponsors for such a venture are easily found."

"Glas Javnosti" (2nd March) also dealt with Vojvodina in the text titled "Separatists do not enjoy large popular backing". It is conspicuous that the term "separatists" was not considered too strong in a situation in which a showdown with forces rallied around "Subotica Initiative " was being contemplated. Unbalanced tone of that allegedly analytical text is best demonstrated by the fact that it contained only

statements by masterminds and advocates of "Declaration on Vojvodina", a counter-thesis to "Subotica Initiative" - from Democratic Party of Serbia, Serbian Renewal Movement, New Serbia.

"Glas Javnosti" tends to manifest its militant, nationalistic bias and propensity in the column "Voice of readers", reserved for opinions of daily's readers. Thus the 2nd March issue of "Glas" in that column included a letter from an Obrenovac reader, headlined "Amazement" and with a sub-heading "Are there Serbs in Vojvodina?"

Author of the letter wondered about the number of Serb MPs in parliament during the voting on symbols of Vojvodina. He also likened Vojvodina separatists to "Shiptars in Kosmet", questioned Canak's and A. Crkvenjakov's nationality, in view of the fact that "RTS dealt only with marginal problems of Serbia."

Renewed fuelling of international conspiracy theories is also a hallmark of the press treatment of Vojvodina issue. "Nacional" (2nd March) on two pages ran a text proving that "ethnic federalists from EU back secession in Vojvodina and separatists in Serbia.". The author in fact talked about "the Assembly of European Regions, established in 1985 by a group of Portuguese, Spanish and French politicians ...Germans, namely politicians from the Baden-Wurtemberg region, who later joined that group, are now spearheading operation aiming at effecting the secession of Vojvodina. The author, Zoran Petrović Piroćanac, an old expert in conspiracy theories, then quoted the book "Minorities and regionalism, investigation into a German plan likely to alarm Europe." According to Piroćanac and Pierre Illar, a historian and the book's author, "the Institute is striving to grant political autonomy to regions like Vojvodina, but regions which shall be ultimately governed by supranational Brussels institutions." According to Piroćanac and his source and inspiration "the whole project is discreetly backed by the German government". In his conclusion Piroćanac made it known that "all ethnic federalists, from Čanak, Kasa to those in Sandžak and among Vlachs, are being funded and backed by a single institute, the Assembly of European Regions."

Under Piroćanac's text, there was a text headlined "Minor left-wingers join Kasa and Canak." The text was obviously tantamount to a comment " how the pro-autonomy politicians at the First Vojvodina Convention adopted the Subotica Initiative, envisaging the secession of the northern province from Serbia". The stance of editorial staff on that topic was best indicated by the side-box's headline "The mood of boredom, typical of pro-autonomy movement, permeated the Convention.". "The most interesting speech at the first Vojvodina convention was held by the veteran pro-autonomy advocate, Živan Berisavljević. His boring speech was riddled with phrases like "Serb nationalists", "clerical fascism" and "nationalistic-centralistic"...

"Vecernje Novosti" of 1st March devoted its whole page to "stormy reactions to Subotica Initiative", and the following headlines featured heavily in that issue, "**Hoax of defeated pro-autonomy advocates**", "**Outsiders look for salvation**", "**There is no Vojvodina issue**", "**Interests of Serbs under threat**", "**Provocation of citizens**", "**and Ball of vampires**".

Under the headline "Incapable of engaging in politics or football", "Vecernje Novosti" (4th of March) ran an interview with Dejan Mikavica from the Novi Sad branch of Democratic Party of Serbia: "**Pro-autonomy advocates' attempt to return to political life, foreign interference in internal affairs of Serbia and Subotica Initiative are tantamount to disregard of will of the majority citizens of Vojvodina...Provincial flag is like the club one, and they are not capable of engaging in politics or in football.**" Total misunderstanding which imbued a "dialogue" between a journalist and interviewee was best demonstrated by the following question, which came after a series of Mikavica's critical remarks: "**How this Subotica Initiative complicates relations in Vojvodina?**" Journalist prodded his interlocutor to voice "more" condemnations of his political opponent, and failed to

confront him with the opposed stands, and consequently initiate a genuine and substantive dialogue.

Vojvodina flag was effortlessly re-named "Canak's banner" by "Vecernje Novosti." The text headlined "Canak's banner flying in the face of polemics", read: **"Department for General Affairs of the Assembly and Executive Council of Vojvodina reacted promptly to the pertinent parliamentary decision by hoisting that banner in the middle of the night."** Representative of the Serb Fatherland Movement "Obraz", Mladen Obradovic, was provided with an opportunity to comment the newly-adopted Vojvodina symbols in "Vecernje Novosti": **"Bizarre hybrid of that banner is a result of the wish of the incumbent power-holders in Vojvodina to retain as long as possible their positions and to attempt to effect the secession of Vojvodina."**

All the foregoing means that political dogmas, established in early stages of Milosevic rule, notably an absolute aversion to any form of Vojvodina autonomy, are still very much alive and valid in the Serb media sphere.

RESTITUTION

Editorial policies of many print media joined a wide front of struggle for invalidating all the reform effects of previous government. Trend of demonization of the late Prime Minister Zoran Djindjic was so conspicuous, that many could draw an ironic conclusion that Djindjic was behind his own assassination.

"Nacional" (10th March) launched a front-page scoop, that several days after 5 October **"Djindjic set up assassination of Velja Ilic"**. Source of this sensational piece of news was **"close to the leader of the New Serbia." Assassination plot was carefully hatched in the very heart of the then DOS, in the then headquarters of late Prime Minister Zoran Djindjic. Though the name of prospective assassin was never disclosed, it was known that the defeated police forces of Slobodan Milosevic were to be accused of that crime!"**

There were orchestrated attacks on the closest Djindjic's aides, while from the pages of various newspapers obscure political figures like "Duke" Sinisa Vucinic or Borislav Mikelic implied that Djindjic's assassins were hiding among the circle of his closest aides, and accused former Vice Prime Minister Cedomir Jovanovic, former head of the government's Communication Bureau Vladimir Beba Popovic and former Deputy Interior Minister, Nenad Milic of the heinous crime.

In parallel press treated with increasing respect notorious high officials of Milosevic regime and criminals arrested during the action "Sword". Those in the dock through their lawyers and other representatives of their interests were increasingly engaged in a special war against the Special Court and the media were their principal weapons in that war. Several daily and weekly tabloids were the most drastic examples of instrumentalization for the sake of revival of Milosevic men and organized gangland: "Nacional", "Kurir", "Centar", "Balkan", "Svedok"... However, other print media, which still enjoyed some professional reputation, failed to contribute to creation of a different public mood.

Of great concern was the fact that editorial policies of reputable and long-standing weeklies, like "NIN", frequently replicated the ones pursued by a slew of tabloid trash. To put it more concretely, the foregoing was most visible in "NIN's" efforts to give prominence to various "secret" documents and their tendentious interpretations with a view of invalidating indictments against those involved in Djindjic's assassination.

Principal target of public criticism, which sporadically acquired dimensions of a veritable persecution, were members of the former DOS government. The incumbent government was rarely criticized, not even when it made controversial moves like the naming of Rade Bulatovic, arrested during the "Sword", head of

Security-Informative Agency. Media avoid criticizing the government even when its moves were of a genuinely anti-reform character, notably, revision of the previous educational system reform, or interventions in the field of privatization which were slowing down that process, or intention of the Industry Minister, Dragan Marsicanin to freeze impending privatization of nationalized companies. Absence of minimal social consensus on issues having a bearing on Serbia's future, notably firm orientation towards European integration and transition into a free-market society, enjoying rule of law and respectful of human rights, was reflected by the Serb press.

Possibility of suspension of the Special Court, discreetly announced by the Justice Minister, Zoran Stojkovic, had been already trumpeted with much passion by part of press, which in parallel manifested an openly apologetic attitude towards those indicted for Djindjic's assassination. Pattern of romantic glorification of criminals was a legacy of the wartime Milosevic era, during which "tough guys from Belgrade streets" overnight were transformed into national heroes, courageous individuals, brave volunteers defending defenseless Serbs.

Depicting him as the "**Last Serb Don**", "Centar" of 9th March devoted four pages, including the front one, to "an exclusive testimony of Kristijan Golubovic". In the manner of a Hollywood star, Golubovic posed before photographer, with two Magnum guns in his hands, an enormous golden cross around his neck, and tattoos all over his chest and arms. Headline contained his principal message: "**If criminals were like me, Beograd would be full of flower scent**". Kristijan's opinions also received much coverage in other tabloids: "Kurir", "Balkan", "Nacional".

As "Centar" assessed that Golubovic was the right person to answer the question "**why Shiptar and Godfather were killed**", we learnt: "**They failed to obfuscate the reasons behind Draza Mihailovic's murder...therefore we shall learn how, as they say, two ordinary, provincial criminals were killed.**"

Journalist then asked him : "**In the final stages of trial, you said that you refused the offer to kill Djindjic?** And Kristijan replied: "**The best are always chosen. ". But when his mother warned him that he would better clam up, Kristijan refused to make any more comments.**

Readers were told that Golubovic "**once again attracted the media attention when, following his release from the Central Prison, he showed up at the funeral of Legija's father.**" By the way, death and funeral of Legija's father, Milorad Ulemek, were attentively followed by all the print media. They managed to produce a series of teary reports in which flowers brought to the graveyard were also counted! Added to that the owner of a private medical centre in which Ulemek spent his last days, was also interviewed. According to him, "the patient in his last days, firmly maintained that his son was innocent."

Contrary to hatred to which the previous, Djindjic-led authorities, were exposed, many exponents of Milosevic regime were rehabilitated, and some even in the meantime became regular columnists (Zeljko Simic and Uros Suvakovic in "Centar")!

Sporadically Milosevic stooges or close aides re-surfaced in the role of experts or "free thinkers". "Vecernje Novosti" (14th March) thus dedicated half a page to "analytical" musings of Vladislav Jovanovic, Milosevic's Foreign Secretary. By the way that tabloid failed to explain the reasons for considering Jovanovic's opinions on key state problems, notably Kosovo-relevant! He, inter alia, said: "**Once again we don't have a normal state, for it was sacrificed to pander to foreign protectors and – internal separatism. We must staunchly defend our deed on Kosovo and Metohija and do our utmost to return that province to our state-legal fold. We must bear in mind the fact that the last stage of disintegration of the SFRY is destined to happen in Serbia. Hence NATO must change its stand on our borders and sovereignty to allow us to have grounds for acceding Partnership for Peace. "**

Serb press eagerly effected a public resuscitation of Milorad Vucelic. According to the print media his strengthened role in the political scene was quite

legitimate, and hence his presence on press pages was enormous. The gist of Vucelic's mind-set, was best reflected in the headline above his interview to the 1st March issue of "Nacional" : **"Democrats are the root-cause of all evils in Serbia"**. One may as well conclude that his view coincided with the orientation or leanings of the large part of the print media in Serbia. Under the guise of combat against Democratic Party, branded as a lair of corruption and crime, a violent media showdown with modest reform endeavors made during Djindjic brief era and revival of values, policies and persons from Milosevic era was enacted.

Ceda Jovanovic, Vladimir Popovic and Nenad Milic have been branded "the main culprits" and several media have been focused on permanent tarnishing of their reputation. There were even open media-launched calls for their lynching. Best illustration of the above, was an interview of Sinisa Vucinic to "Nacional" of the 8th March. **"Beba and Ceda killed Djindjic"** was Vucelic's message on the front-page of "Nacional". Portraying Vucinic as the "leader of the Serb left-wingers", "Nacional" disclosed: **"Vucinic called on Dusan Mihajlovic to admit that the police lobby from DP spearheaded by Beba Popovic and Ceda Jovanovic killed Djindjic. He underscored that Janjusevic, Kolesar, Vesic and their pals were creators of the famous third bulled which killed Prime Minister."**

Editorial staff of "Balkan" sporadically decided to act as a lone avenger. For example the 10th March headline **"Beba must be tried by the state"**, announced an alleged poll of the newspapers on home pages. But instead of that poll one could read a letter addressed by the team of lawyers of Vladimir Popovic, to the state prosecutor and other state bodies "to protect Popovic from the lynch calls voiced and propagated by Nebojsa Pavkovic, Aleksandar Tijanic, Borislav Mikelic, Sinisa Vucinic and Milorad Vucelic." In the lead-in there was a statement by Biljana Kovacevic-Vuco, head of team of Popovic's lawyers, but the bulk of the text was devoted to reactions by Nebojsa Pavkovic and Borislav Mikelic. Reaction by Aleksandar Tijanic deemed most important was accordingly singled out in a side-box. Assertions from the front-page **"Beba must be tried by the state"** was absent from any quotation, so one must assume it was a fruit of synthesis of editorial staff proper.

Contrary to ridicule with which the Serb press treated threat claims by Vladimir Popovic, those who used to make up the top leadership of Milosevic structures, like Milorad Bracanovic took those threats very seriously. "Nacional" (17th March) in its renowned sensationalistic manner, placed Bracanovic's statement on the front-page: **"I am waiting for them to kill me". "I am not a coward, I shall not hide, but I have a feeling that many would like to see me dead, therefore I fear that I may be liquidated-Bracanovic told his friends repeatedly..."** "Nacional", went on to note that those in the know maintained that : **"Bracanovic does not have weapons, for his private arms license was seized. He lives in seclusion, like in the past, when only few knew anything about him and his business."** The paper showed a clear affinity for Bracanovic and understanding for the plight of the man "who lives without pomp and in seclusion".

Serb press obviously made concerted efforts to maximally devalue the "Sword" action, to extract the admission that the March 2003 state of emergency was an attempt to introduce dictatorship and totally usurp power, with total disregard for the then dangers faced by the state. In public life many are with great efforts trying to emphasize their plight during period of restriction of civil liberties, and as many do it with a retributive zeal. Therefore one gains the impression that several weeks spent at press briefings in the government of Serbia are far more traumatic for journalists than a decade spent under Milosevic repressive regime, when they were exposed to terrible provisions of the draconian Information Act, better known as Vucic's Act or his censor's scissors during NATO intervention. .

There are no limits to actions aimed at blunting the edge of the "Sword action," and that vilification is done in an obvious interest of those whom that action

had targeted. "Balkan" of 29th March launched an ordinary topic as its –scoop. Front-page banner headline **"ILLEGAL"**, and sub-heading "Ceda destroys the Siler street house", aimed to prove by dint of "investigative journalism" that "a famous house was destroyed because of arrogance of Ceda Jovanovic: **"and regardless of the fact that the building license was to be granted soon...all houses in that street were to be legalized, for there were no related property disputes...There were some town-planning problems but, under the law in force, that house stood great chances of being legalized soon."**

To that pedantic legalistic stance in the sphere of town-planning, "Balkan" the following day (30th March) linked a pompously launched speculation that "destruction of the house was very swift in order to **"invalidate all the evidence."** Marko Nicovic, presented as a lawyer and police expert, maintained: **"In my mind that action was motivated by the wish to destroy all the traces, all evidence, starting from hair, other DNA samples, to other tapping devices which had been probably built into the building. All the foregoing necessitated a total destruction of the house. That was the safest way to remove all electronic tapping devices."**

As we have already mentioned so-called Special Court is also exposed to media subversion. Some dailies predict its swift dismantling, "Balkan" of 25th March, for example, "investigates": **"Shall suspension of the Special Court bring about changes in trials of criminals?"** Serb press indulges in banal reporting, for example "employees of that court have higher pays from other judicial staff. Hence **the only novelty could be the evening out of their pays with those of their colleagues from regular courts of justice.**" Indicative is also the insistence on the possibility of changing the status of co-operative witnesses; "Balkan's" very headline **"Cume and Djura the Mute in the dock"** has the tone of announcement of such a change. This casts doubt on some media. That is, makes obvious their connections with some organized gangland circles, and indicates their role as a lever in intra-mafia showdowns.

Two days earlier (23rd March) "Balkan" asserted that **"the Serb lawyer elite"** responded positively to the initiative for suspension of the Special Court. According to lawyer Borivoje Borovic, interviewed by "Balkan": **" In parallel with suspension of the Special Court I expect arrest of many high officials of the Interior Ministry and Special Prosecution, for they kick-started many proceedings contrary to law."**

Borovic's colleague, Bosiljka Djukic, enthused over such a possibility. She told "Balkan": **"Formation of that department was a result of the state of emergency. As that state of emergency was lifted, there is no longer need for that Special department. The very term Special court creates a mirage of an important and serious institution, of people being treated differently, of higher prison terms being passed, while essentially everything is identical to the work of regular courts."** Interviewer failed to notice that judge's Djukic remark about "higher prison terms" was superfluous, for no sentence had yet been passed by that court.

In principle values advocated by editorial policy of a paper, are best recognized in columns which, under the laws of journalism, tend to give precedence to the stand and not information, and to which rules of journalistic neutrality cannot be applied. The current column offer in daily press demonstrates the current political climate, or its media shaping. Here is a list of current columnists: Zoran Petrovic Pirocanac and Marko Jankovic in "Nacional", Uros Suvakovic, Dragos Kalajic, Aleksandar Vulin, Dusan Prelevic and Zeljko Cvijanovic in "Centar", Bogdan Tirnanic and Dejan Vucicevic in "Kurir", Zeljko Vukovic and Mikan Milovanovic in "Vecernje Novosti"...Their stylistic qualities and reputations are different, but what they have in common is their ample use of hate speech, chauvinistic disqualifications, aggressive stance towards their opponents...

Frequently columns are polygons in which the most extreme primitivism, long driven out from public speech of ordered societies, is manifested. **"Where are now those dried up female herrings that care so much for justice, Beba, Shiptar**

and jailing of Serbs? Where is that moron named Shitty? To whom does Sonja now belong? And where is that chatter-box of Borka? Where are you, Pera, you cunt? ..." wrote Dusan Prelevic ("Centar", 20-21st March), inspired by the Serb suffering in Kosovo.

Prelevic, alike his aforementioned colleagues, writes in a similar tone and mood about the Hague Tribunal, Vojvodina, Europe, DOS...about topics analyzed in this report as the key ones in March 2004, as the topics which best mirrored the general political mood and degree of (non)-readiness of this society to latch on European integration process. Primitivism, nationalism, xenophobia, populist conservativeness and other hallmarks of those columns are, unfortunately, a clear sign that the whole society is still suffering from the aforementioned ailments.

NON-GOVERNMENTAL ORGANIZATIONS

In parallel with the March violence in Kosovo and in Serbia, Belgrade media launched a new campaign against NGOs dealing with protection of human and minority rights, clarification of war crimes and their background. The said campaign primarily targeted the Fund for Humanitarian Law, Jurists' Committee for Protection of Human Rights, and the Helsinki Committee for Human Rights in Serbia. Arguments and vocabulary of that campaign was a throwback to the pre-war and wartime hate speech in former Yugoslavia, which targeted mostly non-Serbs and the regime's opponents. The aforementioned NGOs were portrayed by the print media as unpatriotic and bereft of compassion for the Serb victims in Kosovo. Result of those media messages were threats to female activists of NGOs¹, and condemnation by the "vox populi" or in citizens' comments² in live TV panel discussions. The latter amply indicated the impact of the media policy on the general public. That media-bashing campaign was very radical-the best example being a text penned by Bogdan Tirnanic for the elite and influential weekly "NIN"- and reminiscent of similar campaigns conducted just before the murder of Slavko Ćuruvija and assassination of Zoran Djindjic.

As population at large anew coalesced around the Kosovo issue, the space for an analysis leading to the crisis resolution was once again closed. In the last three years anti-nationalistic NGOs and other like-minded groups engaged in a decade-long struggle against Serbian nationalism as a dominant cultural and political model, were sidelined or rather -hushed up. The new regime created new organizations and groups, and imposed them to the international community as principal interpreters of developments and processes in Serbia.

University professor, Svetozar Stojanovic, close to the incumbent ruling structures in Belgrade and collaborator of Dobrica Cosic, the main ideologue of the "Greater Serbia project", from the pages of daily "Politika" tried to get the following message across: "there is a need for a research/investigating institution to take on a systematic monitoring, assessment and evaluation of competence and objectivity of

¹ During the Kosovo revolt protesters led by Sima Spasic, head of Association of Displaced Persons from Kosovo, tried to raid premises of the Humanitarian Law Center. Patriotic posters -"Serbia to Serbs", "Serb for Serb", "Kosovo is Serb, it is and will be", "Raise Serbia! KFOR shall not helps us"-were affixed at the entrance to the Helsinki Committee premises.

² In the program "Impression of the Week" broadcast by TV B92 (21st March) a viewer asked guests what they thought about NGOs which primarily blame the Serb government and the Interior Ministry for recent development, and not KFOR and UNMIK. Vladimir Bozovic, head of Legal Department of Co-coordinating Centre for Kosovo and Metohija confirmed that stand without any reservations, and moreover accused NGOs of acting detrimentally to the state interests.

public speakers and commentators, and accordingly to regularly inform the general public"³. He went on to note "some domestic descriptions and assessments of our developments are riddled both with narcissistic aggression and provincial servility towards decisive foreign powers and their dictates. In their excessive laments over alleged domination of extremism in our society, authors of those laments manifest such an obvious lack of balance that they simply invite the epithet meta-extremists." Stojanovic then asked the influential circles in the West "How long do you intend to primarily rely on self-projected assessments and predictions of a tiny minority of anationals (sic!) and simultaneously well-off Serbs?" Stojanovic's words were practically confirmed by the Serb Prime Minister Vojislav Kostunica in the program "It is not typical for Serbs to keep mum" broadcast on 28 March 2004 on BK TV: "Some NGOs are to be blamed for a bad international image of Serbia."

The last wave of media-bashing of the aforementioned three NGOs, was initiated by large-circulation daily "Vecernje Novosti" during the March violence in Kosovo. On 21st of March 2004 the newspaper ran a text headlined "Let's stop Serb extremists". That vilification campaign was continued by tabloid "Inter-nacional", and wound up by Bogdan Tirnanić's column in weekly "NIN."

"Vecernje Novosti" dealt with reactions of NGOs - notably of the Humanitarian Law Center, the Lawyers' Committee for Protection of Human Rights, the Helsinki Committee for Human Rights in Serbia, Women in Black, and the Centre for Cultural Decontamination - to Kosovo developments. It started with a commentary: "In the last 10 years NGOs concerned about human rights have vocally protested in the media and in the streets even against the most minor incidents or controversial statement relating to national minorities. Hence it is surprising that their voice is not heard in this situation, in the situation when Serbs are killed in Kosmet." Not a single journalist of "Vecernje Novosti" or of any other medium called the Helsinki Committee to ask for its opinion directly. But the newspaper continued in the same bashing vein: "On the Committee's site even the fifth day into the Kosmet pogrom there are no statements." By the way on 19th March on the site was posted information about publication 'Strengthening of democratically efficient governance in multi-ethnic milieus', and info about the namesake seminar and project. President of the Jurists' Committee Biljana Kovacevic Vuco told a journalist that "her organization responded to the Kosmet developments, but that no print medium carried that reaction." She added: "someone is trying to portray us as backers of that violence, while we in fact condemn it." In its statement the Fund for Humanitarian Law underscored that "situation in Kosovo was caused by actions of the Interior Ministry and government of Serbia, and by UNMIK and KFOR in Kosovo." Borka Pavicevic, director of the Centre for Cultural Decontamination was quoted as saying: "We must stop destruction of sacred cultural monuments in Kosmet and Serbia-wide."

Director of the Belgrade Centre for Human Rights Vojin Dimitrijevic was "revolted by a widespread pogrom of Serbs in Kosovo and Metohija". He stressed that "all Serb NGOs have a moral commitment to condemn that pogrom, and demand punishment of perpetrators." All this is reminiscent of the uniform character of public word during NATO campaign.

Tabloid "Inter-Nacional" on 22nd of March ran a front-page text headlined "Advocates of human rights are concerned about torching of mosques, but not about genocide against Serbs in Kosmet" along with photos of Director of the Fund for Humanitarian Law, Natasa Kandic, President of the Lawyers' Committee for Human Rights Biljana Kovacevic Vuco and Chairperson of the Helsinki Committee Sonja Biserko. Lay-out of the text (headlines and sub-headings) was fabricated. Though Sonja Biserko told the paper's journalist that she was in the middle of a working lunch, and that if they called here tomorrow "she would gladly answer his

³ "Politika", 20th January 2004.

questions", the caption under her front-page photograph read: "I am having lunch, please call tomorrow." Later that day the same journalists called all three presidents and by presenting himself as a journalist from another newspaper, asked them whether "minorities felt safer after the mosque-torching."

Persecution continued in the next issue, of 23rd March, when the paper ran a statement of the Belgrade lawyer Svetozar Vujacic under the headline "Activists of NGOs face a three –year prison term" and sub-heading "Vuco, Kandic and Biserko spread misinformation and hatred". Vujacic went on to note: "What the three self-styled activists of human rights said about the mosque-torching is punishable as a criminal offence of spreading misinformation with a view to alarming the general public. That offence entails a punishment of a three-year prison term. I expect the public prosecutor to react to the offence." In that context Vujacic quoted Biserko's words that "this mosque-torching is unrelated to Albanians, it is in fact a manifestation of a long-standing animosity." He also reminded the readership that "the three presidents avoided to comment developments in Kosovo."

On the 24th of March "Inter-Nacional" ran a text headlined "Sonja Biserko (under)estimates Kostunica". The author Zoran Petrovic Pirocanac commented that "President of the Helsinki Committee wrote an introduction for the book "Vojislav Kostunica and future of Serbia" by Norman Cigar. He went on to note "the perfectly timed publication of the book ...for it coincides with the completion of "business" relating to independence of Kosovo and an accelerated discussion on secession of Vojvodina." Pirocanac also underscored: "Symbolic presence of Ms. Biserko in the introduction of that book is a plain alarm signal for our authorities."

Orchestrated media campaign against Biljana Kovacevic Vuco, Natasa Kandic and Sonja Biserko was wound up by Tirnanic's column in the influential weekly "NIN" headlined "If you visit women, take your whip" (issue of 25th March). Biljana Kovacevic Vuco was demonized for sending a letter to the Hague Tribunal "in which she maintained that the new authorities would not do anything ...and only continue pursuit of the nationalistic policy traced by certain S. Milosevic". That made columnist Tirnanic draw the following conclusion : "The lady is thus a –snitch. Other epithets which befit her should be uttered in the court." Tirnanic also noted that " Biserko's 'like-minded' colleague Natasa Kandic 'renowned for fabrications (to the benefit of innocent 'Albanian victims') has her fingers in every pie, ...and as such "was given an opportunity on the occasion of the end of Sasa Cvjetan trial-convicted for war crimes and 'ethnic cleansing'⁴ by some TVs to declare herself "a representative of damaged families". "Presenting" Sonja Biserko, the author calls her "a representative of Helsinki and its vicinity, and the once adviser – at least I think so- to Budimir Loncar⁵, presently on the run, one of the breakers of 'big' Yugoslavia...But there still remains something she has to cope with – the so-called Greater Serbia." "To finish that job, Ms. Biserko is ready to do anything", concluded Tirnanic

According to the author the motive for that text against "incriminated ladies" was Kosovo, that is, what they had and had not said in the aforementioned issue of "Inter-Nacional." Tirnanic remarked that "with such women there is no truce", "combat for human rights is their- craft", "and work on destruction of Serbia-a business speculation". He concluded : "But people are not sleeping, people are alert and watchful. And finally am I for the gender equality, for the respect of female beings. I am, but not as regards those hags! With respect to those ladies I am not facing Hamlet's dilemma...: 'Is it better to suffer the slings and arrows...or end it all?' Well, we have put up with them for too long!"

Helsinki Committee would like to indicate that such a media-bashing of and hate speech against non-governmental organizations dealing with human and

⁴ Inverted comas were put by columnist Bogdan Tirnanic.

⁵ Poslednji ministar spoljnih poslova SFRJ.!!!

minority rights is of long-standing character. That campaign escalated during the March revolt in Kosovo and found its outlet on the pages of so-called serious and influential press. In view of the fact that sporadic escalation of such media campaigns in the last three years, notably in early 2003, hinged on political events in the country, there is a danger of perpetuation of this trend with its harmful impact-notably promotion of only one model of thinking- not only on NGOs and its activists, but also on the society in general.

INTRODUCTION

General media mobilization, particularly conspicuous in the print media, justified by "attempts to protect the highest national interests", escalated in March and continued in April coverage. The impression was that clerical-nationalism was a key orientation, embedded in editorial policies of most influential dailies and weeklies, popular tabloids and elite newspapers catering to intellectual readership. (From manifestly obscure "Inter-Nacional", large-circulation "Večernje Novosti" to elitist "Nin").

Manifestations of chauvinism, xenophobia, and radical political stands on press pages were too frequent to be called mere incidents. A careful observer/researcher easily detected a group of "crown" topics treated in an orchestrated way. Such treatment indicated that political climate in Serbia was similar to a hybrid between national awakening from mid-80's and "wartime" homogenization during the 1999 "NATO aggression".

Hallmarks of such a political mood were a national-romantic tack to Kosovo issue, fueling of political radicalization in Republika Srpska, demonization of the Hague Tribunal and vilification of Montenegrin "separatism". Broad front of obstruction of trials of those indicted for assassination of Zoran Đinđić and of so-called Special Court was visible, in parallel with open efforts to "rehabilitate" criminals, vilify the "Sword" action, and open favouring of those in the dock.

Also conspicuous was the media contribution to clericalization of society. Church was treated as the most relevant subject of political life. Hence it stopped hiding its hefty political ambitions and its wish to dominate social life. With the pretext of concern for the survival of nation, theories of blood and homeland gained the upper hand anew. Myth of people as victims and of Serb martyrhood as ill fate, and consequently the need for a popular harmony and unity within the motherly SOC fold, was given much prominence. As the SOC was vested in the image of the supreme Kosovo martyr, its authority was not questionable.

When the society is engulfed in national homogenization, it is of crucial importance to neutralize all "factors of disunity", to sideline all "groups" and individuals who strike dissenting tones. Hence the media calls for the lynch of incompatible personalities and organizations, those resisting to join the general chorus and struggle for a common cause. At play was anew an age-old totalitarian-ideological model or pattern.

CLERICALIZATION

Easter celebrated on 11th April world-wide, was a good opportunity for the SOC's increased political prosalitzizing and for an extensive coverage of the Church's activities by all the media. All that contributed to creation of an "unsecular" mood by dint of vocabulary used, set of values promoted and problematic analogies hyped. Instead of befitting theological explanations of Easter's universal significance and importance, Serb press indulged in bizarre interpretations of the current affairs

of "special interest for the state and nation." Only few newspapers devoted themselves to spreading ecumenic and other humanistic messages. Increasingly preacher-like and impassioned tone of journalists was also noticeable.

In its Easter issue "Nin" (8 April 2004), ran a text headlined **"Good Friday"** penned by Slobodan Mileusnić, director of the Museum of the Serb Orthodox Church: **"There is justified fear that "a terrible week" and many "terrible Good Fridays" shall be commonplace in Kosovo and Metohija even after this Easter. Will Kosovo and Metohija bleed again, will Serb and non-Albanian houses, churches and schools be torched again...We have not been true to our word, to our oath. We have betrayed our ancestors, and our offspring. It is terrible. We shall leave behind a total devastation, blackened churches and monasteries, ruins. In the places in which our ancestors and forefathers lived weeds are growing."** Forefathers, ancestors, oaths....A fleeting glance at lexical terms of this text indicates a very obsolete interpretation of importance of Easter in the present-day Serbia and imposition of an epic matrix instead of a rational perception and contemplation of reality.

Mileusnić in his text offers a key for understanding a principle, which even from a standpoint of an amateur could be hardly called a Christian and just one, for it promotes contemplation only of sacrifices of his "own nation." **"I spoke about suffering of Serba, about destruction of their cultural-artistic and material goods. Advocates and minders of others shall speak about them, air their grievances."**

In the same issue of "Nin", editor-in-chief, Slobodan Reljić, in his editorial titled **"Easter in Serbia"**, inspired by Mel Gibson's film "The Passion", and by the Serb plight in Kosovo and underprivileged position of Serbs in the world, noted: **"To discuss the theory of conflict between God and Devil, to preach that "Jesus by his own life and deeds inspires people to live in harmony with God's way", is a lesser temptation than to watch tragedy of family Stalevic from village Babici near Peć, whose several members committed suicide or died of sorrow after their escape to Kragujevac. "**

Tragic example of a refugee family obviously failed to motivate editor-in-chief of "Nin" to underscore that the state is bereft of any strategy relating to care of socially vulnerable categories of citizens. Instead he drew a conclusion that the international community policy instead of bringing justice to Serbs, made them undergo a genuine Calvary. **"Though the former US Ambassador Montgomery admitted that the US policy of stick- and- carrot and blackmail was becoming increasingly inefficient, that does not mean that the effect of a blind force on dulled Serbs would soon be stopped. On the contrary, European Parliament passed a resolution ruling that "Serbs in Kosovo should ask for assistance of those who killed them and not of the state to which under the UN Resolution 1244 Kosovo belonged" (Nebojša Čović). That Easter time misunderstanding with the world was accompanied by a man-hunt in the neighbouring Republika Srpska which ended with a brutal SFOR assault on a sleeping priest....Thus our life is increasingly similar to the one of a small beetle which tries the escape from a ring of fire around it, and God did not give it wings. Crucification becomes a total one when the little freedom, beyond the "empire of necessity" is banned. We consider it a hipocrisy, and they consider it-help. Artist Gibson shall never shoot a film about such crucification. But it is useless to expect anything from Them. We, "small brothers" of the world community of nations, are left to our own devices. Those who believe that only He has power to understand everything, shall invoke God's Son, who, according to the New Testament, before the eyes of the world, suffered throes at Golgota. "**

As shown the easter mood of editor -in-chief of the prestigious weekly, was the one of laments over international mistreatment of Serbs in Kosovo, Republika Srpska and Serbia proper. His allusion to "deprivation of little freedom" is obvious: voters in Serbia, under a permanent foreign pressure cannot vote for their candidate,

in the case in point, for the "internationally proscribed" Radical Party contender, Tomislav Nikolic.

In the Easter a poet and academician, Matija Bećković, penned issue of "Nin" column "Personal Stance". Therein he floated his very peculiar ideas about the resolution of Kosovo issue. In fact he advocated the SOC-proposed solution (in line with an across-the-board support rendered to the official Church): **"Kosovo is a made over, Serbized evangelical text...Kosovo is our true motherland...Hence only the solution proposed by the Serb Orthodox Church, the one entailing division similar to the one applied in the Holy Land, is applicable."**

Chief masterminds and promoters of clericalization of society and the threat it poses to the non-establishment principle, flew in the face of their opponents' justified concerns by demanding an even more pronounced affirmation of the role of Church and faith. Thus Matija Bećković ended his text on the following note: **"We hope that the day in which we shall be able to say Happy Easter, not only to the whole Serb people and not only to the SOC, is nearing. Happy Easter to all readers of "NIN!"**

Jovan Janjić began his article-headline **"Pre-Easter screening-Jesus in Belgrade"**- about the opening night of Gibson's film in Belgrade – with these words: **"The news that the actor Jim Caviezel during the shooting of "The Passion" was struck by a lightning was more than the news about an elementary disaster. For the same thing happened twice in a row to the film's Assistant Director Ian Michelini."**

One is compelled to note that the quoted lead-in would have been more suitable for a tabloid dealing with paranormal phenomena, notably "Zona Sumraka (The Twilight Zone)", than for a serious and reputable political weekly. By the way "NIN" concluded that **"in Gibson's film, there is no Resurrection, everything, God forbid, ends with Good Friday"**. "NIN" quoted the opinion of Bishop of Sabac and Valjevo, Lavrentije: **"Suffering is so pronounced that it is not watchable by a sensitive, noble man. I often had to close my eyes. It is so pronounced as if someone, God forgive him, enjoyed in Christ's Passion. And that is the picture of the West: they like to bomb people, they enjoy in the sight of burning houses. Our Slavs cannot do that, they cannot watch with indifference this film."** Author of the article then quoted another keynote by Lavrentije: **"Roman-Catholics lay emphasis on Good Friday, on Jesus suffering, while Orthodox Church lay emphasis on Easter, on the triumph of life over death."**

The fact that a major religious festivity was turned by the media into a political event par excellence, into a massive cry for national homogenization is best testified by the insistence on the Serb, Jesus-like, sacrifice, as reflected in the headline **"New Crucifixion in Kosmet"** ("Večernje Novosti", 13 April 2004.) Hence Easter is celebrated in the whole world, while "for us" the key question is :will there be "resurrection of Kosmet?"

Magnitude of the sacredness of Serb sacrifice in Kosovo was shown by an alleged paranormal occurrence, extensively covered by most Belgrade media: namely the icon of Our Lady in a newly-built church of Saint Martyrs of Flora and Lavra started "shedding tears". "Serious" daily "Politika" (13 April 2004) treated it as a front-page scoop with a photograph in which a priest shows something on the icon, but because of a blurry image, readers were left with no option, but to trust journalists maintaining that "the trace of tears is visible on her face."

In the same issue "serious" "Politika", carried on its front-page the statement of Prime Minister Kostunica about the future Constitution of Serbia. Interestingly enough the headline read "Constitution by Vidovdan." Editors of "Politika" obviously thought that citizens of Serbia in the 21st century were very familiar with the Church calendar. The truth is that Vidovdan is an important date in Serb history, but despite that fact headline "Constitution by 28 June" would have been a more precise information, befitting contemporary/modern newspapers and readers.

On the same occasion "Balkan" (13 April 2004) carried the following statement of priest Denić **"those tears are a blessing and sign to her people endowed by the Virgin Mary after the March pogrom."** "Balkan" then explained: **"In the tradition of the Orthodox Church tears on icons frequently appeared at times of great suffering of Church, as a solace to faithful people, and an invitation to repentance and fervent prayer."** Priest Randjel told "Kurir" (13 April 2004): **"I cannot tell you when she exactly started weeping. Maybe after the Hilandar incident, or after 17th March."**

Desecration of "the relics in Kosmet", and the fire incident in Hilandar motivated Serb press to indulge in a true nationalistic fervour and pathos. In its text **"Built into their relics"** "Večernje novosti" (14 April 2004) reported on a "big, charity concert 'Gift for Hilandar'". **"Urbane Save Centre thanks to skills of set decorators was turned into a medieval ambience. The magic was at its most complete: big reproduction of Hilandar in the backdrop, a chapel, crosses, grass covering, smell of incense and red eggs distributed to visitors."**

"Večernje novosti" informed its readers that the sets were designed by Milovan Vitezović, but failed to mention that he was the author of a famous slogan "People have awoken." In the list of participants we detected names of other front-men and masterminds of the Milosevic era propaganda machinery, who used that religious engagement to boost their public image. **"At the stage there were many famous artists: the Folk Group Lola, Ballet of National Theatre, group Legend, Bora Dugić, Jelena Žigon, Nebojša Dugalić, Petar Božović, Danilo Lazović...Their message was : "We are built into our churches, and able to resist the hardest blows of time ..."**

One could say that the obsession with the Orthodox religion sporadically acquires grotesque traits, notably when press tries to elevate mundane events to the level of symbolic message about holiness of the Orthodox faith. At the top of page five "Balkan" (13 April 2004) carried the text headlined "Chinaman embraces Orthodox religion" and the news from Pozarevac area: **"holly songs and litanies of fasting faithfuls continue...Mass christening of citizens was organized, and the very Bishop Ignjatije christened 50 new faithfuls, including a Chinaman, converted into the Orthodox religion."**

In a follow-up to that interesting news, "Balkan" on 15 April reported in the shape of a lengthy article with photograph **"How Jiang Schaoju became Milan"**. We learnt from an inspired journalist how Jiang, that is Milan Schaoju, discovered the Orthodox faith thanks to a beautiful Pozarevic girl who became his wife: **"We were wed on the day of Saint John the Merciful, 25th of November 2001, and when our daughter Angelina was born 11 months ago, I, an atheist, decided to embrace the Orthodox faith. Now I feel like the happiest man in the world, the Orthodox faith has made me a different man."**

Overt concern of "Večernje Novosti", for the Serb sacred institutions in Kosovo were manifested by regular and pathetic features on courageous return of monks and nuns to desecrated monasteries. **"Torched relic revived"** (20 April 2004) spoke about the return of 8 nuns to monastery Devič, **"Wounds on all sides"** (23 April 2004) was devoted to the return of monks to Monastery of St. Archangels near Prizren, which had been already covered by text **"Return to ruins"** on 18 April 2004.

Any quotation is indicative of the general tone of SOC-themed texts. **"In the ruins of Chapel of Saint Nicholas, monk German crosses himself. He rises his eyes towards the sky. He starts singing. He is singing a merry Easter song. Other monks join in. Different voices are united. They echo over the valley, towards Prizren. One of construction workers whispers – I wish this song could be heard by all our people."** ("Večernje Novosti", 18 April 2004) Various authors, identical style: **"Voices clear like a peal of bells, voices saying their prayers. Soot from walls is falling off,**

and through broken windows rays of light are penetrating. Voices of nuns are clear, they bounce back off the walls, and reverberating around the whole chapel."

Religious pathos of the same intensity is characteristic of "Politika"'s coverage. For example, a bombastic headline **"Encounter with the Virgin Mary"**, in issue of 27th April, resulted from the experience of a journalist who **"followed Apostle Paul's itinerary in Herzegovina"**. In a Petrarca-style exstasy the author thus shared his impressions with readers: **"Thanks to the blessing of head of nunnery of Apostles Peter and Paul in Trebinje, our interlocutor is a nun Magdalena, a being of incredible beauty and dignity...When you talk to this young woman you are transfixed by her soft voice and mild words. Her simple face is reminiscent of 7 beauties from the famous icon of Vavedenje from the treasure-trove of Hilandar, the Byzantine-style icon drawn in 1320...Because of the purity and decency of her soul, visible from her open and slightly puzzled gaze, and soft words, for a moment you are tricked into believing that before you is the very Virgin Mary..."**

Large part of press openly advocates spreading of Church's influence to all spheres of social life, including –sports. In a lengthy text **"Sports glorify God"** ("Večernje Novosti", 18 April 2004) monk Ilarion Đurica explicated how **"ties between prayers, fasting and sports are very- close."** Đurica noted: **"Because of the foregoing religious education should be introduced in the syllabus of all the Sports Faculties. Moreover the audience, competitors and organizers of sports manifestations should be provided with the basic religious education by instituting the introduction to theology as an extra-curricular subject-matter. I personally think that our top athletes, notably Olympic medal contenders need spiritual care. Hence the team of experts accompanying sports teams to various competitions should also include a priest as a spiritual minder. Such priests exist in the army and in hospitals. Therefore his prayers should encourage competitors before their important *combats*.."**

One gets the impression that criticism of political engagement of the Serb Orthodox Church is considered a heresy by the Serb print media, though it would be normal to subject the SOC, in view of its hefty political appetites, to the critical judgement of public opinion, as it is done with all other political protagonists. It seems that at work is a tacit and generally binding agreement on infallibility of the Church, which must be therefore backed in all its aspirations. In that sense indicative and paradigmatic is a list of questions (and at the same time firm statements) which journalist of "Blic" (10 April 2004) posed to Milan Radulović, Minister for Religions: **"In this country religious education is older than the state one, but Theological Faculty, despite its high international repute and importance, does not occupy an adequate place within the framework of the Belgrade University?"; "Can we expect more religious programs on TV and radio stations?"; "Shall the people without religious and national roots in Serbia without Kosovo have the strength to resist open proselytism in Kosovo?"; "When the birth, wedding and death certificates issued by priests shall have the effect of public document?"...**

As the aforementioned examples amply illustrate, the issues of SOC deeply permeate topics like Kosovo or Serbs in Bosnia, that is the way they are treated by Serb press. By extension that very treatment indicates serious media efforts to once again radicalize situation in Serbia and in the whole region.

BOSNIAN AND MONTENEGRIN ISSUES

Greater Serbia hegemonistic aspirations towards Bosnia are still alive, notably on press pages. There is much emphasis on the "concerns" over "threats" to autonomy of Republika Srpska as an entity, radical option in the Bosnian Serb body politic is openly supported, efforts are made via biased commentaries to strengthen animosity towards representatives of international community in Bosnia ("Inter-

Nacional" for example calls Paddy Ashdown, the "**Ray of Bosnia**"), and to re-awaken distrust in, and even hatred of other ethnic communities in that country. In other words the tack to "Serb issue" in Bosnia bears the hallmarks of early 90's policy.

Stance on "Montenegrin issue" is similiary biased, with "Vecernje Novosti", traditionally enjoying larger readership in Bosnia and Montenegro than other Belgrade newspapers, spearheading the campaign of "spreading the truth" about the Serb Montenegro, and provocation of anti-Montenegrin mood and animosity towards Montenegrin national identity.

Commentary about Republika Srpska being at the crossroads, in "Večernje Novosti" (17 April 2004) carried a dramatic, and indicative headline "**Survive/Remain or Disappear**". Its author Slobodan Pešević pessimistically predicted that Dragan Čavić shall be "**the last President of Republika Srpska**", or that "Republika Srpska shall cease to exist." Pešević laments over Ashdown-dictated suspension of budgetary dotations of Serb Democratic Party and over "a difficult and complex challenge, which RS faces", notably the commission tasked with establishing the truth about Srebrenica. "Vecernje Novosti"'s commentator was overly concerned: "**The report shall be drawn up by domestic experts, but foreign judges shall have the last word.**"

Media were dedicated to raising of nationalistic fever after the incident at Pale, when, during a SFOR hunt for Karadzic and his associates, an Orthodox priest Jeremija Starovlah and his son Aleksandar were wounded. The case was swiftly morphed into a metaphora about martyrhood of the entire Serb people left at the mercy of foreign soldiers.

"Kurir" (5 April 2004) carried the following commentary of an unidentified "high church dignitary": "**attack on the Orthodox priest at Pale, is an intentional attack on the SOC, aimed at humiliating the Church and the whole Serb people**", and announced that the SOC would demand resignation of Paddy Ashdown.

Male members of Starovlah family were injured on 1st April and the whole month it remained the hot topic in Serb press. Aside from regular reports on their health, newspapers ran a whole gamut of Starovlah-inspired extremely nationalistic political commentaries. No attention was paid to the SFOR information that both father and son had only injuries caused by explosion; Belgrade press insisted on versions portraying them as victims of the most brutal beating up by SFOR soldiers.

Best illustration of the above is a headline in "Večernje novosti" of 28 March (four weeks after the incident, wounding of Starovlah was still a hot topic) "**Lynch and not a bomb explosion**". This text is interpretation of the incident by the Bishop of Montenegro and Coastal Area, Amfilohije and it is absolutely shocking because of its open instigation of ethnic hatred.

Amfilohije thus spoke: "**It is not true that they were injured in a bomb explosion. They were beaten up for an hour, their heads were smashed against the wall. Priest's wife, who was tied, heard their moans and screams. When her son grew silent she thought he was killed. Interestingly enough there are indications, but I cannot check their accuracy, that the most brutal SFOR soldiers were Muslims, Croats and Slovenians. I can guarantee that an European would never have so much hatred for an innocent man. They heard them speak Serbian, Bosniak and Croat.**" Amfilohije concluded that "**SFOR knew that Starovlah did not hide anyone, so the action was a matter of someone's retribution towards the priest.**"

Similarly extremistic stance was voiced by Dušan Prelević in his column in "Centar" (3 April 2004): "**Since that incident all individuals with certain dignity, barring those bastards renounced by their own parents,...are to consider themselves sons of Jeremija. Jeremija's son is our brother. Wake up you poor people! Are we people or lepers?...Instead to a casting session take your child to a church, if there is any left. Give them names like Radovan and Jeremija, instead of Jean-Pierre, Roksanda, George or Cassandra. And as regards Radovan and Ratko**

we shall not hand them over! And that's it. And you keep trying to catch them. But I warn you that you are bound to fail in that venture of yours!"

This Prelević commentary is typical of the latest nationalism-minded press coverage. The SOC- Republika Srpska – Kosovo – resistance to the Hague Tribunal...are key topics in the Serb print media, and treatment thereof in a stridently nationalistic tone is a product of a national consensus.

In the article **"Radovan does not wear the priest's mantle"** ("Večernje Novosti", 6 April 2004), Bishop of Herzegovina, Grigorije, first criticized "a brutal attack at Pale", and then engaged indulged in a broad political analysis, that is, in a sharp condemnation of presence of the international community in Bosnia and Herzegovina and of the Hague Tribunal. **"International community and Carla del Ponte, and not SOC hide Karadžić. As much evidence I have for this statement, so much evidence they have for their assertion. I am not an irresponsible man, and I don't want to say anything that I cannot maintain with all the certainty. I don't know who is hiding him, I don't know whether anyone is hiding him, but I am sure that the SOC is not doing it, and that he did not ask the Church to do that, for he is aware that such a plea would cause much trouble to the Church and consequently to the entire people. "**

In an interview, given three days later to "Politika", (9 April 2004.), Bishop Grigorije stated: **"As regards moves of the international community, if they want they can arrest Radovan Karadžić, but they cannot arrest the entire nation because of him. If they want us to arrest him, then it is an entirely different matter. We don't have problems with Radovan Karadžić. "**

Commentator of "Vecernje Novosti" (18 April 2002), Zeljko Vukovic ridiculed the fact that Paddy Ashdown called on the SOC to use its authority to convince Bosnian Serbs to bring to justice Radovan Karadžić and other fugitives from justice: **"When Ashdown's letter is translated into the language of reality, key message to the Serb Patriarch reads: the Hague laws and justice are above God's! Or to put it in a Serb way, services to Carla del Ponte and her employers should be above God... By the way, why it has not occurred to anyone to ask the Pope or at least a Zagreb cardinal, in the name of the same international law, plus in the interest of the Croat people, to call on General Gotovina to throw himself into Carla's embrace? It is inconceivable. As much as it is inconceivable that justice-seekers in the SFOR fatigues, in an alleged search for Gotovina, in the middle of the night break with explosives a door of a Catholic church in downtown of Mostar or Grude..."**

Cheap manipulation with an inherent antipathy or even hatred of the "world" towards Serbs, due to which they were not treated as equals of their neighbours, was for a number of years a principal hallmark of Milosevic's xenophobic propaganda. The above quotation proves that such a journalistic practice is still at work.

It is noteworthy that some Belgrade journalists manifest a higher degree of political militancy and radicalism than the very leaders of Republika Srpska, who are proven nationalists. That impression was confirmed by an interview with President of Republika Srpska Dragan Cavic. In her lead-in Dubravka Vujanović, the interviewer, ("Večernje Novosti", 28 April 2004) noted: **"RS authorities took too lightly the work on elaboration of report on Srebrenica. The High Representative, however used that non-serious approach of theirs as a pretext to punish the Serb entity for the umpteenth time..."**

Čavić gave the impression of a politician trying to lower political fever caused by recent RS-related moves of Paddy Ashdown, but journalist of "Večernje Novosti" is not satisfied with such answers. Thus she posed a set of insinuating questions to Cavic: **"It seems that the aforementioned report incidentally or not, shall be used by Ashdown to strike another blow to Republika Srpska. Do you have an inkling that similar moves will continue until RS loses all its entity hallmarks?" "Despite claims to the contrary, RS has been turned into a big hunting-ground in which innocent people are killed indiscriminately, and no-one is held accountable?"**

A previous day the same journalist interviewed Dragan Kalinić, President of RS Parliament, a soon-to-be dispossessed politician (Ashdown shall put him on the list of persons banned from taking an active part in political life and discharging public functions.) The interview's headline was indicative: **"It has never been so bad"**. However it was difficult to pin down who was more politically radical, Kalinić or a journalist. The lead-in read: **"In RS at play is massive purge of state officials, institutions and entity hallmarks. High Representative Paddy Ashdown obviously decided to defy the electoral will and Constitution of BH and even the Dayton Agreement. Srebrenica Report served this time around as an ideal argument for another purge of Serb cadres."**

Kalinić said: **"Currently most pressure to bear is brought to bear on the two institutions in RS-Serb Democratic Party and the affiliated parties, and the SOC."**

Serb press "undermines" Bosnia and Hercegovina not only by showing its sympathy for Karadžić and support for the radical option in Republika Srpska, but also by instigating hatred of other two peoples living in that country, and concerted efforts to remove the burden of blame for the recent Bosnian tragedy from the shoulders of Serb leadership. "Večernje Novosti" ran a feature on the newly discovered shorthand notes "proving plans of Franjo Tuđman to create Greater Croatia at the expense of Muslims and Serbs". The intention of this feature was not to present a more objective picture of recent historic events. This was best indicated by the headline of the second installment: **"Alija, wash your feet!"**. It seems that the headline was chosen by one of the firebrands of war-mongering set of journalists.

Author of column "Diary" in "Balkan" Duško M. Petrović, who with the aforementioned column of Dušan Prelević in "Centar"—closed down in mid-April—spearheaded the campaign for "revival of history" noted: ("Balkan", 18 April 2004): **"At the newsstand I buy Dnevni avaz and learn how authorities in Sarajevo plan to ask Russians (St. Peterburg) to sell or give them a famous Charter of Kulin Ban (trade agreement with Dubrovnik dating back to 1189.), promoted as the oldest written document in "Old Bosnian language". Of course we know that Bosniak, old Bosniak, young Bosniak, languages do not exist...and that they are just a figment of imagination of an idle man, bent on hiding the fact that Serbs converted to Islam are ashamed of the change of faith effected by their ancestors, ..thus they are trying hard to invent a new nation and a new language....and to provide such an invention with solid historic-scientific foundations...!"**

Serb press gave even more prominence to the Montenegrin linguistic issue. Re-naming of the official language in schools in Montenegro (instead of Serb the subject-matter should be soon called mother tongue.) That decision caused a veritable outcry in the shape of articles targeting Montenegrin separatism, and those dealing with counting Serbs and Montenegrins in the ethnic population of Montenegro.

"Blic" (7 April 2004.) under the headline "Linguistic scandal in Montenegro" (that headline amply indicated the judgement value of editorial staff) commented: **"It seems that advocates of that idea are overlooking the fact that in Montenegro according to the census results, 60% of population, or 359,485 citizens, speak Serb, while "Montenegrin language" is spoken by 21% of population or 128,182 citizens. That means that a large number of citizens who declared themselves Montenegrins (according to the census 40% of them), along with declared Serbs (30%), also made it clear that they spoke Serb language."**

In column "Views" "Politika" (6 April 2004) Zoran Ivanović, from the French city of Bordeaux, a doctor of medical sciences, engaged in a veritable linguistic analysis: **"Despite the fact that many languages are spoken in their countries, Belgians, citizens of Luxemburg, and Swiss do not call their languages in schools-mother tongue, let alone the Belgian, Luxemburg, Swiss languages.."**

"Spitting in the face of Montenegro", is the front-page headline in "Večernje Novosti" (5 April 2004) announcing an interview with Bishop Amfilohije about the

linguistic issue in Montenegro (SOC clerics are becoming increasingly popular interlocutors/interviewees!). Amfilohije noted :"**People don't have bread, and to deprive them of language, is tantamount to depriving them of soul....introduction of mother instead of Serb language in Montenegrin schools is a sheer nonsense.**"

Amfilohije thus advised Montenegrin people to protect their Serb language: "Now the people are targeted. That is the maximum humiliation. People will either have to confront that arrogance and speak up-or disappear."

Hence the church dignitary openly called on people to rebel against Montenegrin authorities. One cannot help but notice that he failed to do that during Milosevic dictatorship! That is a clear example of a the SOC's selective stance when it comes to its political engagement.

"Večernje Novosti" had with a great passion, on a daily basis, cheered on students of Department of Serb Language of the Philosophical Faculty in Niksic to continue their hunger strike, for as the headline indicated "**Hunger defends Serb language...it is their only weapon in the defence of their language**". (14 April 2004)

The following day (15 April 2004) "Večernje Novosti" ran an inspired feature on students-heroes: "**On the walls of classroom hang the photo of Vuk Karadžić, and on faces of students there are visible traces of fatigue, for their struggle for preservation of their language, entered the twentieth day.** As usual quoted was President of Students' Protest Bojan Strunjaš: "**To destroy Serb language they would need at least 5 centuries. If they are so optimistic that they could do it overnight, let them continue their shameful campaign. Let them continue with their political swindles, but they should heed our words that we shall always obstruct that intention of theirs. Our hearts and truth shall win over their lies.**"

His fellow-student Nataše Bošković added: "**Our colleague Nermina Hasanović stresses that she does not mind speaking Serb language...We don't deny to anyone the right to speak as he or she wishes, but the official language is Serb...The name "mother tongue" is just a Trojan horse for testing the popular pulse, that is, only a short-cut for introduction of non-extant Montenegrin language.**"

"Novosti" obviously opened their pages to a letter of support to striking students. Under the headline "**Centuries-long tradition has precedence over a parliamentary decision** " (a hair-splitting analyst is prone to recognize in this headline a serious sign of serious trampling upon the authority of official legislative authorities, which are prevailed by so-called, traditional law) there is a lengthy letter by Professor of Niksic secondary-school, Veselin Matović: "**No institution may name or re-name languages which have been in use for hundred years. French and English, and Serb too, may be used by anyone in any manner, but cannot be re-named!**"

KOSOVO

Our media research indicated that in the tack to a controversial topic of Kosovo, language of myth prevailed over language of real politics, and that a pathetic emphasis on the role of Serbs as principal victims prevailed over any rational consideration of a complex Kosovo issue. The impression was that the principal guideline of editorial policies of the most influential media was to persistently deny a multi-ethnic concept in Kosovo, and to employ the 17th March experience as key argument in the thesis of impossible cohabitation between Serbs and Albanians. The trend of an a priori hostile attitude towards military and civilian representatives of the international community in Kosovo persisted.

In those terms paradigmatic was an interview with Slađan Ilićem, president of municipality of Štrpce, announced by a headline "**We are sick and tired of promises**" ("Večernje Novosti", 27 April 2004). Sub-heading read: "**After the last**

Albanian terror against Serbs we in Strpce cannot accept any kind of multi-ethnic community, much-insisted upon by UNMIK, for we don't want to take part in our own destruction. We want Serbia to come out with a clear Kosovo platform, with clear objectives. If we lose our cradle we lose everything."

Negative stereotypes of Albanians are frequent, as is criticism of the international public "for failing to understand what kind of dangers it is promoting in Kosmet." The term Kosmet was more used than Kosovo and Metohija. "Glas javnosti" (7 April 2004), for example ran a text headlined "**Al Qaeda in Kosovo**" with a view of floating a thesis that "**terrorism in southern province is part of international terror campaign**". In the installment of 8th April headlined "**Al Qaeda and 17th March**" the possibility of Albanian terrorist actions in Belgrade and in other bigger cities in Serbia was pondered.

Its author Vesna Popović disclosed that "**in 1995 Osama Bin Laden visited Albania, as a guest of the then President Salli Berisha. Then logistic and financial support bases of Al Qaeda were set up in Kosovo and Metohija. Bashkim Gazideda, former head of Albanian secret police, Hashim Tachi and Ramush Haradinaj also took part in the meeting. On that occasion Bashkim Gazideda was elected one of Al Qaeda leaders for the Balkans.**" (Glas javnosti, 7 April 2004.)

Confused creation of the spectre of Albanian terrorism is fuelled by a "thesis" that "**Shiptari terrorists**", allegedly connected with Al Qaeda, the US and international No.1 enemy, are trained in Kosovo by the British SAS agents and US rangers. That information was disclosed to "Inter-Nacional" (7 April 2004) by Tomislav Kresovic, a political analyst: "**While the Supreme Defence Council is pressured into firing Head of Military Security, Colonel Momir Stojanovic, the SAS agents and American rangers are training in the area of mountain Bajgora 200 Shiptari terrorists divided into two groups and preparing them for new assaults in Kosovo and Metohija, Raška and-Iraq.**"

Islam is an important component of the negative image of Kosovar Albanians in Serb press. That component is sporadically used to boost paranoia beyond the Kosovo borders. "**Basic program of Al Qaida is Wahabism, and there are Wahabites in all bigger localities in Sandžak –Novi Pazar University bears the Wahabi hallmark. In Novi Pazar, Sjenica, etc. There are branches of a militant organization Active Muslim Youth, which is also operational in Bosnia...**"

Wahabi danger is not exclusively treated by "Glas javnost". However "Kurir", which is owned by "Glas javnosti" owner, speaks about Wehabism, and Wehabis, the latter, according to a headline "constituting a major threat to Serbia" ("**Wehabis threaten Serbia**", Kurir, 8 April 2004.). "Kurir" in that text quotes the following warning words uttered by the Interior Secretary, Dragan Jočić: "**Wehabis preach Jihad and we have information that they are preparing terrorist attacks on Serbia.**"

"Nin" (15 April 2004.) interviewed a terrorism expert and professor of the Political Sciences Faculty in Belgrade, Dragan Simeunović: "**Albanian terrorism is into its second century, but in the last hundred years its main foe was Yugoslavia, and then Serbia. It is a ethnically, that is, nationally motivated terrorism, charged with excessive hatred of Serbs. Hence it is not a standard ethnic terrorism, for Albanian terrorists don't hate all Slavic people or other non-Serbs. It is well-known that they have closely co-operated with Croats, and even made part of Croat military units, those very units which committed a series of crimes against Serb population in Croatia.**"

From academic heights, historian Predrag Markovic, by manipulating historic analogies, also spreads negative ethnic stereotypes about Albanians on pages of "Vecernje Novosti: "**Attempts of Ottoman, Serb, and several Yugoslav states to build a stable and integrated society in Kosovo invariably failed. The incumbent colonial authorities are most similar to the Turkish ones in their unabashed pandering to Albanians, and indifference towards the Serb heritage. It is useless to remind them that the Albanian insurgence against the Turkish state and**

administration kick-started the collapse of Ottoman rule in the Balkans, and also triggered off the First Balkans War. So it is not the first time that the Albanian national movement bites the hand which feeds it."

The Milosevic era thesis, advocated by both his propaganda machinery and political opposition, a thesis according to which "the heart of the Serb national problem" was an ill-designed presentation of Serbs before the international public and impossibility of marketing the "Truth about Serbs", is being revived anew. Thus it is said that the marketing of truth about the "evil Albanians" would boost the general comprehension that Serbs were in the right, or had the rightful claims.

"Politika" (13 April 2004) ran a text by Olivera Drinić-Gvozdenović, under the byline "O. Drinic-Gvozdenovic, sociologist in JAT-Airways", **"How can the world believe Serb tears?!"**. She noted, inter alia: **"In TV laments over the topic of the Kosovo media war-was it lost or won?-among interlocutors, mostly politicians, who tended to scratch their noses and ears, there wasn't a single PR expert, especially a crisis one. Only such an expert could have explained why the world was still indifferent to Serb tears and would be able to create the media victory for some akin cases, which, similarly to previous anti-Serb campaigns, are impending ...We cannot tolerate any longer victory of the media amateurs and non-humans, caused by lack of skills of our state PRs. We can no longer tolerate those who, according to long-standing private testimonies of foreign reporters, pinch children to make them cry, while foreign cameras zoom on such images to immortalize lies..."**

But it seems that the problem does not only lie in bad PRs, for, we, as the print media imply, are still exposed to negative effects of an international conspiracy. In a bid to disclose hidden reasons for the big powers interest in Kosovo, the topic much discussed during NATO intervention, "Balkan" (18 April 2004.) ran a report on the odd-name round-table, "Secrets of Kosmet resources".

"According to estimates of foreign and domestic experts, in Kosovo there is enough high-quality coal to meet the electric power needs of all the Balkans countries in the next two centuries." Headline is also bombastic: **"Over \$ 500 billion worth of coal is buried under Kosovo soil."**

Dragan Jovanović in "Nin" tried to prove that interests of foreign conspirators went beyond the Kosovo borders. He notes: **"I knew that CIA regularly reads all my articles. You probably remember that in July 2003 I wrote about the Danube Troy beneath Viminacijum. And now "Večernje novosti" report that the US satellite "Iconis" recorded last July archological findings at Viminacijum. They have satellites, but they don't have brains. One has to draw them everything with a chalk, on the blackboard. And you'll see they shall take from us both Kosovo and the Danube Troy. US archeologists are already at work in Požarevac."** In the same text there is also Jovanović's outcry: **"But if we don't now march into Kosovo, then good-bye Kosovo, good-bye our roots, good-bye our cradle! Good-bye the Virgin Mary Ljeviška! And destroy us, make us disappear, God, please, do us that favour! It would be easier to suffer such a fate at your hands."** (Nin, 1 April 2004)

Insistence on martyrhood of people, who are left at mercy of most cruel criminals, sporadically acquires truly comical dimensions. It seems that editors have given a free rein to their macabre fantasy. For example, "Inter-Nacional" of 13th April, carried the front-page red-white letter banner headline **"THEY HUNG, THEY KILLED, THEY BUTCHERED"**. However the sub-heading, next to the photograph of Albanian Prime Minister Fathos Nano and a hung pig was: **"pigs, dogs and hens."**

What is the connection between Fathos Nano and a hung pig? Well, in a page 3 article Nano is accuse of personally smuggling weapons to Kosovo terrorists, while page 6 text deals with the following "scoop": **"added to a systematic destruction of Serb relics and houses, many domestic animals were maimed or killed. Pigs were killed with a special hatred...."**

One cynical association springs unwittingly to mind: that pig must have been already used as a symbol of Serb sacrifices in Kosovo by "Večernje novosti" (9 April 2004), when it ran the news story with a photograph "Gallows for a pig": "While the other day Hokerry in Brussels tried to convince Solana and Admiral Johnson that the recovery of Serb houses in Kosovo and Metohija has practically started, a set of TANJUG-aired photographs from Obilić unfortunately denied him...namely a photograph showed a hung pig in the courtyard of Pavle Mirić in Cerska street."

THE HAGUE TRIBUNAL

Overly affectionate tones in articles related to the Hague indictees, both those already in detention unit and those still at large, were toned down after the adoption of the Act on the Rights of the Hague Tribunal Indictees and Their Families. That was also due to an inflamed public debate focusing on the fact that due to the enormous wealth of those families, often amassed via illegal means, and much superior to average earnings of Serb citizens, there were no grounds at all for further generous funding of those in question. By the way, even during his rule, Milosevic and his clique were more criticized in Serbia for their financial frauds and improprieties, than for their undemocratic and belligerent policy.

Any way "rows about money" on home turf or internal disagreements about legislation have not contributed to betterment of the Hague Tribunal image, nor brought about more co-operative stances among the Serb power-holders. On the contrary, obstruction of co-operation with the ICTY and of the whole international community's efforts continued unabated. The media still insist on the necessity for that co-operation, but in parallel explain that at issue is not justice, but simple giving in, in the face of unrelenting pressure of big powers. The overall image of the Hague Tribunal is one of a stone around the neck of helpless Serbia. Alas the media still do not give serious hints that a different tack to the ICTY may be adopted in the Serb public discourse.

But that state of dissonance provoked by the aforementioned Act was short-lived owing to statements made by the most reputed connoisseurs of the ICTY and international politics. In other words taken to task were those who dared to raise a hye and cry because of something considered to be the state's obligation towards its citizens.

Thus Ljiljana Smajlović wrote in "Nin" (8 April 2004) that Adam Erely, spokesman of State Department, said in a **flat-toned** voice that "he does not want to comment controversies arising from the adoption of the Act on the Rights of the Hague Tribunal Indictees, nor **the Serb domestic legislation**". The author then went on to note: "At the same time on home turf hysterical tones permeated the relevant debate. The Act was adopted by a convincing majority (141 "for" votes, and only 35 "against", along with 20 restrained votes), but only a day later the public outcry which erupted gave the impression that the mastermind of the Act was Toma Nikolić himself. Contrary to State Department spokesman, the Foreign Secretary of Serbia and Montenegro opted to view the domestic act from the US angle, thus asserting that Washington would not have frozen the financial aid to Belgrade, if the controversial act had not been voted hands down. In Belgrade someone is always donning a US army uniform and interpreting the official US policy, as if State Department did not bankroll its own expert spokesmen...Goran Svilanović is not the only Serb politician who cynically used the aforementioned Act for the pursuit of his party policy, though his case merits to be singled out because he conducts the opposition policy from an important ministerial chair, and by threatening us with the US instruments of compulsion."

Ljiljana Smajlović then wondered "why the authorities did no try to offer to the public plentiful arguments by which the said promulgation was legitimately

defensible. " Then she reiterated the official explanation, namely, that **"the state is duty-bound to take care of its citizens and to render to them legal assistance, independently of the grounds on which they were arrested..."** "In the same way the Hague Tribunal has been already funding *"the killers"*, that is ensuring the expensive legal assistance to the indictees. Serbia shall bear those expenses which the Hague Tribunal is not willing to bear. That may seem a luxury, but as the Hague Tribunal has less funds at its disposal than earlier, and the list of indictees is fast-expanding, so the Tribunal decided to start saving. In view of that saving campaign, Veselin Šljivančanin must now incur the costs of part of his defence. His lawyer Novak Lukić stated that the Tribunal made that decision after learning that Šljivančanin owned a flat in Belgrade. Šljivančanin indeed has real estate- an 80 m2 flat in which his wife and three children live. Defence cannot be financed on the basis of that flat, unless those in the Tribunal expect Šljivančanin's wife to sell that flat and move into a smaller one!?"

Šljivančanin's wife, mentioned by a renowned analyst of "NIN", at a later date was provided with an opportunity to voice her stands on a controversial law. Namely "Balkan" (10 April 2004) ran a lengthy interview with her. Thus at play was the logic that the law had to be defended by examples of "honest" indictees, untainted by accusations of the state money plunder. If assistance to Slobodan Milošević was contested, because of his appetite for hard cash, then journalists had to pacify us with stories about "honourable soldiers" who only did their job, without building villas, discos and Bambilands for their children.

From the aforementioned interview with Persida Šljivančanin, for whom the author had an open affection, we learn details about a difficult situation of family Šljivančanin and some piquant political aspects: **"When Veselin was arrested, Sreten Lukić and Čeda Jovanović sat in a BMW parked in front off our house...I learnt that they wanted to liquidate him by a sniper a month before his arrest. The gunman was told to shoot him on sight. I don't know what made them give up that plan. Cash is probably involved, for lot of money is given to people who hand-over alive indictees. "**

Sasa, daughter of Veselin Šljivančanin, whose opinion was expressed in the side-box, was also very explicit: **"In a TV program Goran Svilanović and Dragan Šutanovac protested 1,000 dinars allocated for phone bills. I would like to tell them the following: come to see me, I shall give you the money if you negotiate the return of my father. I should ask them who is paying 13 Čeda's bodyguards? Why someone does not give to me a 150 square metres flat in downtown area? There are these NGO hags who always hang around TV studios slandering our people, and living on the misfortune of others."**

It comes as no surprise that the war hero image of Šljivančanin is still dominant in Serb press, when one notes that newspapers still use the formulation "liberation of Vukovar". For example, "Večernje novosti" (29 April 2004) in its report on the trial of killers of war prisoners in Ovčara, characterized by efforts to underline details favouring the indictees (headline **"They only heard about crime"**, sub-heading: **"Yesterday all witnesses maintained that they had heard much later about killings in a large farmstead Ovčara"**), noted :**"Prodded by the remark of judge Vesko Krstajić, that witness described the meeting held on 19th November, a day after liberation of Vukovar, by the then government of Autonomous Province of Krajina in premises of "Velepromet" company ..."**

Disputes about the said law, also boosted coverage of the fate of the most popular Hague arrestee, Slobodan Milošević. Various statements of his legal representatives and "international initiatives" to his benefit, still received extensive coverage. For example, "Večernje novosti" (29 April 2004.) in a text headlined **"Support of artists"** , communicated to the public that **"artists from Montreal, New York, Moscow and Paris"** sent to the world the message of support for Slobodan Milošević, before resumption of his trial before the Hague Tribunal. **"Courts should**

never be used for justifying killings of civilians, tearing apart of a sovereign nation, and imprisonment and demonization of a national leader...If justice is not justice, if charges are turning into a persecution, if the international law is played around in order to impose "*new international law*", than we indeed live in the world of Orwell's 1984." Artists also warned that a neighbouring rogue decided that the whole world was his own-backyard. "

Romantic role of the hero-fugitive of Radovan Karadžić was boosted and hyped by many media, notably "Inter-Nacional". In its issue of 5 April that tabloid ran a text "**Serb Ghurkas against AWACS**" on the operating modes of Karadžić's security. A mysterious source of "Inter-Nacional" thus explained: "**The most important thing is to neutralize AWACS, that is, sophisticated agents and superior technique which they use on ground and in the air. It is a dangerous and very complicated system. The most important thing is to misguide them, and that is done by a small group of experts-volunteers. So far they have been successful, for confused SFOR soldiers get misinformation and consequently kill -innocent priests.**"

"Inter-Nacional" dispels yet another "**prejudice about Radovana Karadžić's bodyguards**", by maintaining that the majority of them "**are not big superheroes who devour tons of ram meat, but semi-vegetarians, who like the WW1 Serb soldiers subsist on diet of cheese and corn flower, and move lightly like Ghurkas**".

Several days later "Inter-Nacional" carried a testimony of an author who recently met with Karadžić. Unidentified "friend": thus described his impressions of Karadžić: "**His hair has grown grayer since our last meeting, but he is very fit. We prayed and thanked Gor for our meeting. We had a long conversation, but Radovan asked me not to dwell on common friends. He mentioned only one poet who was Alija's chief propaganda mastermind in Sarajevo during the war. We concluded that traitors are most despised by their masters. Before I said good-bye Karadžić told me he was sorry that our paths had to separate, but that we should be nonetheless happy about this encounter before God's throne.**"

The generals foursome wanted by the Hague, and notably Nebojša Pavković and Vladimir Lazarević are still accorded a Hollywood star treatment by Serb press. They are omnipresent and vocally and more or less openly backed by a large number of the print media. Let us demonstrate this by a bevy of April press headlines announcing statements or interviews by Pavković and Lazarević: "**I shall not surrender to the Hague Tribunal**" (N. Pavković, "Kurir", 6 April 2004), "**There shall be no surrender**" (V. Lazarević, "Kurir", 5 April 2004), "**We should be tried by our courts**" (V. Lazarević, "Večernje novosti", 5 April 2004), "**Pavković shall not surrender and tells the ICTY-let Vuk be tried in the Hague**" ("Kurir", 19 April 2004), "**The Hague hand-overs staged by Čeda, Beba and Milić**" (N. Pavković, "Balkan", 17 April 2004), "**I don't think about surrender**" (N. Pavković, "Nin", 15. April 2004).

Hand-over of the four generals to the Hague Tribunal was construed as a very serious political dilemma. The pertinent media campaign aimed at spreading the conviction that in case of generals' hand-over Serbia would lose all elements of its state sovereignty and that the security of the country would be destabilized. And in search for the resolution of that dilemma, journalists tend to make inquiries mostly with those understandably most interested in avoiding the trial before the international court, but who persistently and demagogically present their "personal problem" as "to be or not to be" question for the whole nation."

In his interview to "Nin" (15 April 2004) Pavković maintained that indictment against him was masterminded by some former DOS officials: "**I suspect that Čedomir Jovanović, Vladimir Popović, and Nenad Milić had their fingers in that pie. Who was in the Hague during the Sword action? Someone here is playing with much higher interests, trying to build a good political image abroad by dint of the Hague Tribunal.**" Interview ended with Pavković's prophecy that on the issue of co-operation with the Hague Tribunal would hinge the political life or duration of

any government, the current and the future one. The implication was that any government which co-operation with the Hague included his –Pavkovic's- hand-over would be a short-lived one. Such an arrogance characterized all public statements of Pavkovic, but the majority of journalists didn't seem to be interested in taking a critical stance on him. They could simply do it by asking him what makes him so unwaveringly think that he is stronger than the current or any future government elected by the popular will.

TRIALS OF INDICTEES IN THE PREMIER ĐINĐIĆ ASSASSINATION CASE

The April media analysis clearly indicated an intensified media campaign aiming at undermining the trial of indictees in the Djindjic assassination case. In line with their profile, some did it in a most blunt and obvious manner (for example, "Inter-Nacional", which heralded on its 28th April front-page the scoop, namely that Zvezdan Jovanović was indicted on the basis of planted evidence, that is, a cigarette butt given to the police by a Special Unit agent – ("we don't know on whose orders"), and some, like "Nin" in a more discreet way, by professing more credibility towards or insistence on the theory of the "third bullet".

Sub-heading of the text **"The third bullet under oath" "Nin" (22 April 2004) "Members of security team of Zoran Đinđić confirmed under oath, in special court that on 12th March three bullets were fired at Prime Minister. Has the indictment for assassination of Prime Minister started foundering at the very start of evidence presentation?"**

Author Nikola Vrzić, in his text, was angered more by a large public attention attached to appearance of 6 members of dismantled Unit of Special Forces in a courtroom, than to a possible foundering of the indictment resulting from testimonies by Djindjic's bodyguard Milan Veruović and driver Aleksandar Bijelić.

"Trouble which the indictment faced after testimonies of Veruović and Bjelić, and all the resulting unpleasant questions, were however overshadowed by appearance in the courtroom of 6 members of dismantled Spacial Forces unit on Tuesday. Sporting a crew-cut, frowning, looking like professional body-builders with black T-shirts with insignia of SFU and images of bad wolves stretching over their rippling muscles, they sat in a lower gallery, and in silence heard the first part of Veruović's testimony. Which business brought them there was not clear, but their visit became the hot news. It served to shift the focus of the story from the third bullet to assessments of " a direct threat to democratic public of Serbia" (Žarko Korać) and of "a logical consequence of a counter-productive meddling of authorities into the ongoing trial" (Čeda Jovanovic's Centre for Modern Politics)"

Vrzić bravely "passed his judgement" on the indictment: **"Bijelić's and Veruović's testimonies differ from what the investigating judge recorded during conversation with them last spring. They thus accounted for those differences: "We were asked to explain how the Prime Minister *had to stand since* (and not: if) he was shot from Admirala Geprata street no. 14. To put it briefly, the impression is the same like the one expressed in "NIN": first a theory was laid down, and then into it were built facts, at least those which could fit. Other facts were simply disregarded ... It will be interesting to hear reactions of those who now claim to be the staunchest defenders of the truth about Đinđić. For them the appearance of 6 tatoored man with shaved heads was more important than testimonies which have seriously foundered the accuracy of assertions in the indictment. "**

It was implied through regular "scoops" on ties between Djindjic's aides, notably Cedomir Jovanovic with the Zemun gang, and his visits to Silerova street that those most involved in assassination are individuals from Djindjic's entourage.

("Čeda and Legija guests in the house in Šilerova street e", "Večernje novosti", 7 April 2004; "Đinđić's murderers in the top leadership", "Balkan", 13 April 2004; "Plot was hatched by those whom he trusted most", "Balkan", 27 April 2004).

"Experts" like Marko Nicović ("**Đinđić's entourage surely connived, for all informations were blocked**") and Božidar Spasić ("**Aides still hold what they had taken**") were quoted. Taken into serious consideration were claims made by inveterate criminals Vladimir Jakšić and Dragan Ilić Limar, tried for assassination of the police general Boško Buha.

Weekly "Evropa" (22 April 2004) reported: "**Open letters from jail of Vladimir Jakšić and Dragan Ilića Limar-arrested five months after the misdeed-could cast a new light on Djindjić's assassination. Those letters indicate that the then Serb authorities and police, in co-operation with Milorad Lukovic Ulemek Legija and Dusan Spasojevic, have already been engaged in political investigation of the said assassination. Jaksic and Ilic furthermore maintained that after their arrest they were tortured and forced to sign statements tantamount to accusations of General Aca Tomić, the then Head of Military intelligence and Rade Bulatović, the then adviser to Vojislav Koštunice, and current head of the Security-Informative Agency, for preparing Đinđić's assassination.**"

Oddly enough only "Kurir" and "Glas javnosti" were interested in sensationalistic information leaking from the closed sessions of trial, and relating to Aca Tomić and Radeta Bulatović connections with the Zemun gang. Witness-collaborator Zoran Vukojević Vuk maintained that he personally, under order of Dušan Spasojević, took money to Aca Tomić, as well as that Tomić and Rade Bulatović made over 20 visits to the house in Šilerova street to meet with Dušan Spasojević. Most media however hyped the second leak from the closed sessions, namely that Marko Milosevic, son of Slobodan Milošević, offered 5 million DM for Đinđić's assassination.

"Blic" (15 April 2004), for example, in the text headlined "**Marko offered 5 million DM for Đinđić's assassination**", noted "**Vukojević repeated his testimony in which the roles of all members of the Zemun clan and their connections with some politicians, police officials and members of the military intelligence services were described in detail.**" Their names were omitted in this text, but not in the related article ran by "Kurir" on the same day.

The next day "Kurir", however, ran the text headlined, "**Stage-managing**", in which it asserted that Vukovjević's testimony was given under pressure of the prosecution and stage-managed by Čedomir Jovanović and the Centre for Modern Politics.

Since the defence of Milorad Ulemek Legija (arrested on 2nd May) was based on confused tales about his joint shady deals with Čedomiro Jovanović, Vladimir Popović, Goranom Vesić, one suspects that the media were tasked with laying the groundwork for a spectacle of Legija's surrender, and thus a total turning point in the case.

Serb press also launched a theory that Spasojević and Luković (Kum, the Godfather) were not killed during the Meljak action, as maintained in the official version, and presented evidence that the showdown in Meljak was stage-managed, and that the police just placed there the bodies of previously killed leaders of the Zemun gang. For example, "Kurir" (13 April 2004) ran an interview with Nenad Vukasović, defence counsel of Zvezdan Jovanović: "**I shall ask Jocić, the incumbent Interior Secretary, to disclose the full names of those who had ordered murders of Shiptar and the Godfather, and of those who took part in that liquidation. It is probably clear to all and sundry that such a police order was issued with the view of removing the key witnesses. Liquidation of Shiptar and the Godfather was necessary in order to obfuscate the connections between some top officials with the most hardened criminals, and not the truth about Đinđić's assassination.**"

It is interesting to note that the lawyer of Zvezdan Jovanović, the prime suspect in the Djindjić case, a former member of the Special Forces, calls Spasojević and Luković, accomplices of his defendant, - Shiptar and the Godfather. The timing of Legija's "appearance" indicates that the hallmarks of the defence strategy are endeavours to separate Special Forces and its officers, as state employers and honourable patriots, from the "ordinary mafiamen" from the Zemun gang.

A communal topic-illegal destruction of a notorious building in Silerova-was hyped by the Serb press. Much media attention was also attached to charges filed against the state for the aforementioned demolition by widows of Dušan Spasojević and Mileta Luković. Statements of defence counsels of indictees also received extensive coverage because they contained the most fantastic details aimed at foundering the key arguments of indictment. "Balkan" (1 April 2004), bannered a front-page headline termed as "a scandalous scoop", **"Papers greenlighting the demolition were doctored"**. As "Balkan" suggested the law was violated because of political pressures by Čedomir Jovanović.

The same topic is thus treated by "Kurir" (20 April 2004) **"Our interlocutors (widows Tanja Spasojević and Maja Luković) maintain that they have immediately informed the policemen that the house in Silerova street was about to be legalized, but they paid no heed to those claims.... Tanja Spasojevic added: " I don't have a single family photograph, no recent photograph...they have taken cameras, cassettes, photographs, everything. They took away everything. All of them were taking things from three, large houses, and I could not see who took what. It was a sheer plunder."**

"Touching" confessions of widows are yet another manifestation of concerted media efforts to confuse the roles of victims and executions in the story of Djindjić's assassination and to reinstate "legitimacy" to organized gangland, which owes its long-standing glorification to a large extent to Serb press reporting.

INTRODUCTION

Early May saw the event which was to attract the media attention in Serbia for many months to come—namely on 2nd May Milorad Lukovic Ulemek Legija, the prime suspect in the Djindjic assassination case was arrested, or rather, he surrendered to Serb police. As the April media analysis indicated, the public was in a way primed for that event.

Thus a sensational public appearance of the most wanted Serb criminal – and an ex-public servant with notorious war record in Serbian paramilitary forces fighting in Bosnia and Herzegovina, Croatia and Kosovo - was mostly interpreted as arrival of an omniscient witness not expected to defend himself, but to disclose "the others," i.e. masterminds of the plot to kill the Premier.

Front pages and inner pages of dailies and weeklies were choked with previously unknown, professionally made Ulemek's photographs, speculations about details of his surrender, and expectations relating to his possibly incriminating statements. Many were convinced that he would now accuse the figures close to Djindjic or members of his cabinet.

It seemed that Ulemek himself participated in the presidential race, coinciding with his arrest. He "fought" to grab the media attention, as best indicated by the capturing and sensationalistic stories under headlines such as "Legija in detention" and "Legija before the court." In any case, for a while he was portrayed as a man on whose testimony the outcome of presidential elections hinged.

In such a general mood, those who most gloated were the Serb Radicals, who long centered their populist demagoguery on a persistent marketing of their alleged honesty and accusations that "our political opponents, notably Democratic Party were steeped in connections with Mafiosi, drug traffickers, criminals..."

Thus it was easy for journalists to transform a former legionnaire into a leading man of an enormous and confusing saga amid a collective social confusion. That makeover venture was greatly helped by the fact that state officials responded to Ulemek's surrender in the way, which left room for various controversies. Interior Secretary Dragan Jovic went so far as to state that "Ulemek decided to give himself up because now he had trust in the incumbent authorities."

Jovic's party colleague, Dejan Mihajlov tried to capitalize in a more radical way on the said confusion to the benefit of presidential candidate of the Democratic Party of Serbia and the entire ruling coalition, Dragan Marsicanin. As the head of Marsicanin's election campaign, Mihajlov called a press conference to read an open letter requesting the most exposed officials of the Democratic Party, presidential candidate Tadic and former Prime Minister Zivkovic to disclose names of Djindjic's assassins (17 May). He threatened, " If they don't do it, than we shall."

But Mihajlov's ambitions came to nothing. Moreover, local political analysts blamed his awkward "boldness" for surprisingly bad Marsicanin's rating and an even more catastrophic electoral result.

However the star of the presidential race became Bogoljub Karic, powerful tycoon who used to be close to Milosevic. He falsely, though successfully managed to portray himself as a self-styled "novice in the field of politics." The print media failed

to remind the electorate that Karic had been a minister in the government of Mirko Marjanovic, though that was surely not the most interesting detail of his political past.

But it is noteworthy that Karic's rapid political ascent was also due to his non-transparent power in the media market. He is the owner of BK TV and also exerts great influence on a large number of the print media, which are not –at least officially - owned by him (daily "Balkan" being the most conspicuous example).

The foregoing brings to mind the fact that in a dysfunctional state, in disarray in which the bulk of money is in the hands of those who had amassed it through deals with criminalized political elite from the pre-5 October period, the cash-strapped media are not able to attain a high professional level and to avoid political and financial pressures on their editorial policies and subsequently on their coverage of important events.

Practically all the 15 presidential candidates, including those branded "serious representatives of the pro-democracy block" by and large stuck to the populist patterns, common denominators and phrase-full messages, in moderate or radical nationalistic tone. On the other hand, during the presidential race the Serb press did not have the stamina or will power to touch on more serious issues or to launch a debate on key problems of the society.

THE "ARREST" OF MILORAD LUKOVIC LEGIJA

An apologetic trend in the coverage of Legija was discernible even in early information or rather speculation related to the mode of his surrender. Thus the Serb press invested him with an aura of hero. "Kurir" had a banner headline splashed on the front-page **"Please arrest me!"**

In the related article "Kurir" "uncovered " that **"four policemen in plainclothes ran away when Legija walked out of the house and asked them to arrest him...What's got into you, I am not arrested, come on, arrest me-shouted Legija while the policemen were running away."**

Legija was portrayed almost as a movie star, whose terrifying power had a lot of roguish appeal and charm. When the first team of gendarmes ran away, Legija, according to "Kurir's" anonymous sources, had to phone to Head of Gendarmerie... after which **"five Defender jeeps came to pick him up. "**

The same unidentified sources informed "Kurir" that before entering one of the jeeps, Ulemek managed to say that **"the truth about Đinđić's assassination is very simple and I believe that I shall be able to prove it quickly."**

The same issue of "Kurir" in a bombastic manner marketed assertions of Ulemek's lawyer, Slobodan Milivojević, that his client was hiding all the time in his own house, on "orders" of two high police officers.

In maintaining that the incumbent police authorities were in the dark about Ulemek's whereabouts, lawyer Milivojević also manifested his unfailing respect for the whole. **"Colonel Luković decided to surrender out of faith in the incumbent authorities, that is, in their respect of the law. He thinks that they shall be able to prove in a lawful way the truth about Đinđić's assassination and murder of Ivan Stambolić."** Milivojević did not fail to underline that **"there are some concrete documents pointing at collusion between former authorities and gangland."**

On 5th May "Balkan" carried some interesting particulars relating to **"five historic minutes in front of the family house of Milorad Lukovic in Ilije Stojadinovica Street no. 87."** "Balkan"'s anonymous source was from the Belgrade Gendarmerie corps. The headline gave a human angle to the feature, reminiscent of

the stories about celebrities. **"Aleksandra made coffee for gendarmes, Legija asked to swap T-shirt with Guri."**

"Balkan" wrote: **"Legija's wife Aleksandra offered coffee to four policemen. According to our source, the atmosphere was so normal, that four policemen sat in a jeep to drink their coffee at peace...After his surrender, Legija, allegedly met with Guri, his Kosovo wartime pal, in the premises of Criminal Police in Kneza Miloša 101 Street. During that meeting Legija asked Guri to swap their T-shirts. Radosavljević in fact then wore the Special Forces T-shirt, as Gendarmerie took on not only functions but also the equipment and uniform of the dismantled forces."**

List of lawyers in the Djindjic trials who were always in the media spotlight was expanded by the aforementioned Legija's defense counsel, Milivojevic, and his second counsel Momcilo Bulatovic who in their public appearances and statements also acted as deft promoters of Legija's political interests.

"Vecernje Novosti" (4th May) carried two texts: the interview with Momcilo Bulatovic included extensive quotations by Slobodan Milivojević, and a lengthy interview with Vukasovic, lawyer of defendant Zvezdan Jovanovic, charged with carrying out the assassination, the crime which he had admitted during the police investigation.

Headline read: **"Why Korac claims that Legija would lie?"** while the sub-heading contained Vukasovic's statement: **" Legija's surrender frightened politicians who had forgotten the strength of ties between officialdom and organized gangland... Korac's claim that Legija would lie is an attempt to hide the truth. Developments before 12th March must be clarified too, for that day was only their consequence."**

"Politika" (4th May) ran an inspired Legija's biography, without any hints as to his possible involvement in some grave crimes committed during wars in former Yugoslavia, but with a manifest respect for his military and patriotic qualities!

"He gained vast experience in battlefields of central Africa, and in former French colonies...that experience helped him gain fame... He returned to Yugoslavia, in which the war raged, in 1992. He then joined the Serb Volunteer Guard, whose commander was Željko Ražnatović Arkan. Colonel Legija, thanks to his Foreign Legion experience, turned the Tigers into a disciplined unit."

His qualities as a fighter and leader caught the State Security Service's eye...Under the leadership of the newly-appointed commander, Legija, the Special Forces were accorded a new, enhanced status.... Their last task was to combat so called Liberation Army of Kosovo in Kosovo, in 1998. and 1999. Their presence, easily recognizable because of their uniforms and vehicles, sowed panic everywhere...During the retreat of the army and police from Kosovo they were the last unit to leave that province."

There is an anecdote that Albanians, having taken them for Americans because of their uniforms and vehicles, welcomed them by applauses and flags in all localities through which they were passing."

Highly mystified French Foreign Legion, as the backdrop of Legija's murky past before his paramilitary career in fatherland, additionally fuels imagination of gutter press in Serbia and prods tabloids to create a fascinating image of Legija. This is helped by the fact that Serbia is a milieu with a long tradition in hyping "military" virtues.

Thus the myth was created of excellent military qualities of Legija during his service in a controversial unit under the French flag. "Vecernje Novosti" (11th May) thus tried to get that very message across by its headline: **" He excelled in handling weapons."** The text went under the by-line of Aljoša Milenković, a journalist who in an uncontrolled manner promoted military contents on BK TV.

By re-visiting Legija's legionnaire experience Milenkovic found himself in the headquarters of the Foreign Legion in Aubagne near Marseilles, in which, according

to his words, rallied former soldiers and their families **"to pay tribute with the highest military honors to heroes of Cameroon"**.

Milenkovic wrote an inspiring feature about the unit to which Legija belonged: **"On the monument to the perished soldiers of the unit, in the central plateau of the garrison Quartier Vennau in Aubagne, there are words honor and loyalty which constitute a moral code to which all legionnaires adhere. That is precisely the reason why they avoid talking to journalists. They are a very closed bunch; they rarely talk about their experiences even with their relatives. They told me something about Milorad Luković only few days after my arrival."**

So readers of "Vecernje Novosti" learnt something about Legija from "a Serb, J.B., from Bosnia", who allegedly spent 18 years in the Foreign Legion.

"J.B. said that Legija was a cut above the other soldiers. He was cold-blooded, reserved, an excellent soldier with a true military bearing. He loved running, swimming, mountain-climbing, and exercising in the gym. He loved weapons too. He was the best marksman...During his stay in the unit he never made scandals or rocked the boat in any way, thus he was soon promoted to the rank of colonel. His track record includes special units training in the war techniques in Chad, Rwanda, and Djibouti."

The author also reminded us that "the most famous Serb who ever served in the Foreign Legion was King Petar I Karađorđević, who took part in the French-Prussian war in 1870. Thus Legija was in "the business" of royal standing!

Serb press also gave "a warm human angle" to the Legija case, by interviewing his next of kin. "Vecernje Novosti" (6th May) ran a whole-page interview with his mother Natalija, who, as the subheading indicated, talked about **"a surrender of a fugitive who never escaped anywhere."**

Author of interview Silvana Stankovic was full of understanding for concerns of the mother to well portray her son. Mrs. Ulemek thus shared with readers information relating to her son's gastronomic-religious tastes: **"He really loves fish. We fast often. He fasts too. He is religious, and that is why he would never do anything bad. And because of his children too..."**

The prime suspect, according to his mother, is well respected and loved by citizens. **"When I went to see a dentist at the University Hospital he told me not worry, that the intervention would not hurt, for my son helped him a lot. Then in the church I met a man from Pec who told me that he and his family were praying and lighting candles every night for my son, for he saved them from a house on fire. Many men from South Serbia could say the truth about my son and his unit. Soldiers in his unit were very close, they were all brothers. ..."**

Legija was extremely well trained. He would sit for days on a tree and wait for someone. He would never miss his target. But I don't believe he killed anyone. Why would he kill Stambolić? Because of Milošević? Well, he was not close to Presidents. Well, yes, he was close with Đinđić, but not all the stories currently circulated about that friendship are true."

The same day (6th May) Legija's mother was interviewed by "Blic." In that text she was portrayed as "a kind woman" though, as she declined to let reporters into her flat, the interview was conducted via interphone! The most "precious" or interesting part of her statement was presented by the banner-headline: **"Čeda visited Legija's house."**

"Why would my Milorad be interested in killing Đinđić, when Milorad was the one who brought Djindjic to power...That Veruović (she is referring to Đinđić's bodyguard, wounded during assassination attempt)...How can he utter such insinuations, when both he and his brother landed their employment thanks to engagement of my son. 'Refugees from Pec and Prishtina could best tell you what kind of man my son is!' Natalija Ulemek told us with a trembling voice over the interphone."

Dedicated defense of Legija by his brother-in-arms, notorious Kristijan Golubović also received extensive coverage. We learnt from him that Legija's nickname was Cema. Headline of "Vecernje Novosti" (7th May) read: **"Cema would never kill a Serb."**

Testimonies of Golubović and Legija's mother about Legija's role in Đinđić's ascent to power seem to be well synchronized. **"If there had not been for Cema, 5th October would have never happened. That is a fact. Had he not switched sides, there would not have been any revolution. It is a public secret that he and Đinđić agreed on the Red Berets support to people and their non-intervention. And he was true to his word, as always."**

Golubović's story fits into the pattern of "rehabilitation" of the Red Beret Special Unit, which was discernible in the Serb print media on the eve of Legija's surrender. Ill-famed and dismantled Red Berets were now portrayed as a highly professional grouping serving well the state and national interests, contrary to the Zemun gang, composed of ordinary criminals.

"I can't believe that Legija could kill a Serb, contrary to Dušan Spasojević who was a hardened, trigger-happy criminal," maintained Golubović in "Vecernje Novosti".

According to Golubović (interestingly enough a person with a thick criminal file is now considered by the Serb press as a –political analyst!) Legija's misunderstanding with politicians whom "he brought to power" was caused by the Hague Tribunal.

"On several occasions I heard Cema criticize the DOS leading officials. He backed them until he was given the list of persons to be handed over to the Hague Tribunal. On that list was also his name. He grew angry with Đinđić, Jovanović, Mihajlović and Svilanović, for not delivering on their promise."

Such a strong media promotion of Legija did not only aim at foundering the indictments in the Djindjic case. On the political plane insistence on ties between the DOS authorities and organized gangland in the middle of Tomislav Nikolić's campaign, benefited mostly the Radical Party option, for they were those who long upheld that version of developments and the one of their clean record in that regard.

The absurd situation in which the most famous indictee in Serbia continued to be the subject of a very positive publicity was continued throughout May. The most ridiculous part of that campaign was an astrological analysis of his personality, ran by "Kurir," few days after Legija's surrender (5 May). Astrological experts consulted by the tabloid claimed that the police would have never found Legija, had he not decided to surrender, because **"his natal horoscope indicates an excellent propensity for hiding."**

"Kurir" wrote: **"Jasminka Holclajtner assesses that Luković was not astrologically predisposed for assassination of the Serb Prime Minister. –On the basis of his astrological aspects one could never conclude that Lukovic was involved in that assassination. On the other hand horoscope of Zvezdan Jovanović has many negative aspects. Some harmonious aspects in Lukovic's natal chart indicate that he was predisposed for good relations with the Prime Minister. Those aspects could be linked to his role in the 5 October revolution."**

Since Legija's first appearance in the court was scheduled for 10th May, the created public mood was the one of great expectations. Namely it was widely believed that he would say something, which could cause a major upheaval in the political scene of Serbia. But he instead asked the court to give him additional time to prepare his defense. And was granted that time. Thus the print media had to cover only a kiss sent by Legija to his wife, and his and Zvezdan Jovanović's winking at each other.

Tension over a possible shocking truth to be uttered by Legija at some stage remained high during May, since the first hearing was re-scheduled for 10th June, the last day of pre-election campaign (presidential elections were scheduled for 13th

June). It was also widely believed that the outcome of those elections directly hinged on Legija's words.

THE HAGUE TRIBUNAL

Overshadowed by Legija's surrender was the letter of the ICTY President Theodore Meron to the UN Security Council (4th May). In that regard the public was deprived of a full insight into information of great importance for the whole society. Added to that no attempts were made to present a serious, rational and unbiased analysis of Meron's arguments relating to non-cooperative stance of the official Belgrade towards the Hague Tribunal. .

What ensued were automatic condemnations of Meron's action. In its text "**Summary accusations**" on 6th May "Politika" concluded that Meron's letter "**imposes many dilemmas**" and criticized the Tribunal's President for drawing a too hasty conclusion about non-cooperative stance of Koštunica's government, in view of its recent installation.

"Politika" obviously thought that citizens should not be alarmed by Meron's differences with the Belgrade authorities, so the newspaper invited Dušan Janjić, director of the Forum for Ethnic Relations, to explicate the latest development: "**This report shall not provoke a more radical stance by Security Council, barring another call for co-operation**". Janjić also explained that the letter would have been submitted regardless of the manner of conduct of Kostunica and his cabinet, for "**the Hague Tribunal has its plan of action and they want to have a clean record before the UN and US, because of funds earmarked for that institution.**"

The start of presidential race did not contribute to development of a more comprehensive and serious debate on co-operation with the Hague Tribunal. The print media failed to insist on contenders' clearer positions on the issue on which hinged Serbia's success on the road to European integration.

Karadžić, Mladić, Pavković and other "media stars" from the anti-Hague lobby during May were less present on press pages, because of an exceptional focus on Legija's trial. However the image of the ICTY as the main culprit for all Serbia's troubles was preserved.

Any pronounced deviation from the unwritten rules of the established Hague Tribunal media-bashing was treated as a genuine heresy. The foregoing is best attested to by a question posed by "Vecernje Novosti" (11 May) in its regular column "The Pulse": "**If you by chance stumbled upon Mladić or Karadžić, would you think that it was your duty to help their hand-over to the Hague Tribunal?**"

According to "Vecernje Novosti" the newspaper was motivated to ask that question after the following admission of Svetlana Lukic, a B92 journalist in the show "Impression of the Week" on TV B92: "If I met Ratko Mladic I would immediately report him to the police." Interestingly enough the same question was posed to General Nebojša Pavković, the Hague indictee refusing to surrender, actor Velimir Bata Živojinović, a prominent member of the Socialist Party of Serbia, and a stand-up comic "Inspector Blaža". All of them replied: "NO!"

Headlines presenting their replies were the following: "**Traitors and snitches,**" "**I won't have anything to do with the police,**" "**I would not report them**"...Reply of Nebojsa Pavković, was predictable: "**Shame on Serbia**". Pavković added: "**The liberties some people take are indeed shocking, for example to publicly admit that they would immediately report General Mladic to the police. Shame on Serbia!**"

Such public declaration of civil responsibility by journalist Svetlana Lukić prompted journalist Ljiljana Smajlović to write an editorial tinged with irony in "NIN" (13 May). Her message was by and large that her colleague as a conscientious citizen has a strong professional instinct: "**A well-know Belgrade journalist recently**

stated that she would not have interviewed Colonel Legija even if he had butted in her studio to surrender. Were she to meet by accident Ratko Mladić, she would not ask him anything either, but would immediately call the police to arrest the Hague fugitive ... With due respect for Ms. Lukic, we in "NIN" have a different opinion. There is a division of labor in the society, but profession-reporter does not exist only for the sake of alarming the forces of civil order."

It seems that journalists in Serbia exercise their investigative tack only by finding new personalities ready to vilify or slander the Hague Tribunal. Frequently such "bearers of truth" are families of the Hague indictees. Thus "Vecernje Novosti" (28th May) introduced to the public Mirko Krajišnik, brother of the Hague indictee, Momcilo Krajišnik, who **"unveiled the truth about the Krajisnik trial in the Hague."**

Mirko Krajišnik inter alia "disclosed" to readers of "Vecernje Novosti": **"Momčilo Krajišnik is facing an uphill struggle in the tribunal in his bid to prove both his own innocence and the collective innocence of Serb people in Bosnia."**

Krajišnik lamented that his brother **"would remain in detention for the rest of his life"** and explained: **"After expiry of 22 months which Momcilo spent in the Scheveningen detention unit, which is the maximum detention term, the Hague Tribunal kept extending it before finally ruling that detention may last as long as the tribunal and prosecution deem it necessary."**

Story of brothers Krajišnik, like Legija's story, were written with-affection, and from the human angle. This is how Mirko, according to the tabloid, spoke about his telephone conversations with Momcilo: **"Over time they turned into banal conversations, reduced to 'Hello', 'How are you?' 'I am OK and you', for we both knew that our conversations were tapped. Sometimes I try to tell him something in a long-winded way, something that I think could help him, but I am not sure that he always understands me."**

"Vecernje Novosti" in a touching manner explained that: **"all those conversations are possible if the elder brother calls his younger brother from a public phone-booth in Scheveningen and can last as long as Momcilo has the coins for them."**

KOSOVO

Resignation of Harri Holkeri from the position of head of UNMIK (on 22nd May) was gloated over, because in the weeks before that resignation Serb press had demanded with much passion and insistence "de-powering" of the Finnish diplomat on grounds of "his failure to understand Serb problems."

In commenting the news that Holkeri withdrew two months before the end of his mandate, **"formally on grounds of poor health"**, "Politika" (26 May) noted: **"His reputation was hurt by the March revolt, pogrom of over 4,000 Serbs, 27 destroyed Orthodox monasteries and churches, the 14th century jewels, and murder of 8 Serb citizens from Kosmet. He did nothing to prevent the impending disaster, that is the aggression of the Albanian mob against the defenseless Serb people."**

Serb press and Serb politicians in Kosovo were disgruntled with Holkeri's justification of his resignation, and insisted that he should have resigned because of his inability to prevent the March developments.

Some newspapers launched very construed theories on "real" reasons behind Holkeri's resignation. Those "scoops" were thus announced by 27 May issue of "Balkan": headline **"Tachi and Haradinai go to the Hague, Holkeri ran away"** and subheading **"UNMIK Head driven away by the Hague Tribunal indictments against the KLA leaders."**

"Departure of Harry Holkeri from the post of Head of UNMIK in Kosovo was accelerated by the four new Hague Tribunal indictments forwarded four days ago to the Kosovo authorities...two indictments are against the KLA leaders"

Hashim Tachi and Ramush Haradinai, while the other two concern other two Albanians... According to 'Balkan' indictments forwarded while Holkeri was recovering in a Helsinki hospital, have strengthened the Finnish diplomat's resolve, already under pressure of Albanian threats, not to return to Kosovo, in view of possible reactions of Kosovo Albanians to the indictments against the two Kosovo leaders..."

Editorial by "NIN"'s editor-in-chief is tinged with malice and cynicism (27 May): **"The man called Harri Holkeri shall soon leave Prishtina and probably start writing his memoirs in his native Finland. Then he will try to explain in TV programs and documentary films the gist of the "Kosovo problem" and possible resolutions thereof. He will be able to talk about everything he failed to do. He shall be probably satisfied with his bank statement after the Kosovo business...However it was an appealing business for an end-career diplomat..."**

In "NIN" (20 May) re-appeared Nebojša Jevrić, "half-warrior, half-reporter" from the time of wars in Croatia and Bosnia, whose terrifying "insider" reports were then ran by weekly "Duga." This time around he wrote, in his typical manner, about his journey to Kosovo, and visits to Gračanica, Prishtina and Prizren.

"Monks told us that Germans did not even try to defend them, to defend the monastery built by Tsar Dusan. They were boarded on an armored vehicle and ferried to a Serb village. Now when Arnauts (Albanians) have felt their weakness, when they charge again KFOR will take to its heels and stop running only when those forces reach Thessalonica. " This weekly with a long tradition and serious pretensions let Jevric use the derogative term for Albanians-Arnauts.

Jevrić devoted large part of his text to hyping of an "age-old" truth that Prizren was the "the capital" of the empire of tsar Dušan. Thus the text was a paradigm of a dominant political-media approach of Serbia to the issue of Kosovo, which, as it was reiterated in earlier media research reports (March, April), belonged more to the sphere of myth and collective fantasies than to the sphere of real politics in a contemporary context.

"Kosovska Mitrovica, in the middle-ages called Dmitrovica, after its protector Saint Dimitrije, is a city full of contrasts..." is a lead-in the feature on medieval monasteries and on **"Kosmet contrasts"**, ran by "Politika" (25 May), under the headline **"An Albanian in a Serb bus"**.

What is also characteristic of this text is the insistence on the impossible-the hallmark of all the Kosovo-related coverage- peaceful coexistence between Serbs and Albanians in Kosovo. **"No-one believes any longer in that cohabitation...Beyond the Serb part of territory life is very-cheap. Only cars with KS license plates can pass safely through Albanian-populated localities. If one dares drive a car with different license plate through such places, only the effect of surprise may save its passenger."**

In May the print media made some attempts to tackle a "modern" topic, that is, a terrorist threat to Serbia. Thus tabloid "Balkan" (9 May) maintained, on the basis of its "reliable sources" and "serious" indicators that: **"Albanian terrorists in the spring shall engage in a massive showdown with security forces with a view of spreading war conflicts to central Serbia. Source of 'Balkan' from the Security-Informative Agency confirmed announcements of police officers that situation in South of Serbia was not safe."**

"Balkan" asked Milovan Drecun, the inevitable military analyst to analyze that situation: **"There is no dilemma that Albanian militants are setting the stage for armed actions in South of Serbia in order to provoke a crisis in that area. South of Serbia is under threat of a possible expansion of Albanian terrorism. Head of that terrorism is in Albania, but its fist is in Serbia."**

Drecun also voiced his bleak predictions for the whole region: **"10,000 Albanian and Muslim soldiers were trained in Al-Qaeda –organized boot-camp spread over a large territory, including areas of Kosmet, Albania and Western**

Macedonia. In those camps are recruited terrorists popularly called 'white devils'. He added: "In view of fast approaching Olympic Games in Greece there are major possibilities for Albanian terrorist actions. By staging them they would divert the attention of public opinion and provoke a major crisis in the Balkans."

INTRODUCTION

Press in Serbia throughout June remained true to its May trend of hyping its "star" Milorad Ulemek Legija, the prime suspect in the case of assassination of Prime Minister Zoran Đinđić. As the day of Ulemek's testimony before the court neared (10th June), tension rose.

The print media continually construed a situation in which the public was weaned from its interest in the court proceedings aiming at proving the guilt of a "famous" operative of the Milosevic-instructed paramilitary units. Instead of that the public were led to expect that Legija's testimony would taint and even destroy the overall reputation of former DOS officials and people from Đinđić's inner circle.

Thus Legija in the finale of presidential race attracted more media attention than any presidential candidate; as it has been already established in the previous, May report, Legija was seen as the man on whose words hinged the final outcome of elections, since his testimony coincided with a day before the "election silence." ("**Legija's testimony shall hurt someone very much**" and "**Legija ready to speak up if court is willing to listen,**" "Balkan," 10th June)

The only public figure who in the early June days succeeded in undermining Legija's standing in the Serb print media was a show business star from Croatia - Severina. Namely the Severina case literally proved that pornography strongly influences Serbia's social climate.

Obscene photographs with a popular singer were splashed on front pages of all dailies and that case was the most commented one by all the print media in Serbia. Politicians and other public figures were asked about their impressions of the porno film with Severina in the lead role.

It bears saying that unlike the Serb press, not a single paper in Croatia dared dig up so much muck about the singer's private life. Press there probably feared legal consequences of such "investigative journalism." But their counterpart, the Serb press, in absence of a strong professional/ethical code and the media-related legal provisions, can treat any way it likes any topic, not only the trivial one like the Severina sex scandal, but also key political issues.

Some media had other favorites. Most conspicuous were efforts by "Vecernje Novosti" to attach much importance to the fate of General Aca Tomic. The tabloid's carried as many as 7 sequels (from 31 May to 6 June), of the interview with Kostunica's former adviser and key military intelligence officer, arrested after Đinđić's assassination. Thus readers were able to learn, in the midst of the election race, what Aca Tomic told servile and well-predisposed journalists of "Vecernje Novosti" about his "**arrest, the Perisic case, phone-tapping, his impending criminal charges.**"

Election of the President, one of the most relevant events in the country, was followed by the print media in a very mechanical way. In other words, the media tended to automatically record the planned activities of presidential candidates and sporadically throw in a trivial, allegedly "human angle," or rather a show business story. Thus "**Secret love of Kennedy and Jelisaveta**" (Kurir, 2 June) was for days one of the "strongest election themes" since Jelisaveta from the headline was the presidential candidate, Princess Jelisaveta Karađorđević.

Contents of the election-related articles were dictated by very candidates unconcerned about credibility of their messages, since the passive media, devoid of analytical aspirations, did not even try to compel them to manifest any responsibility for their statements, radical stances or extreme, unrealistic promises.

But the foregoing did not preclude most flagrant abuses, frequently in the shape of misinformation in the interest of one candidate and to the detriment of others. Thus several political tabloids stooped to anti-constitutional conduct by engaging in hate speech and provocation of national hatred and intolerance.

The most drastic example thereof was a front-page article ran several days before the elections by "Inter-nacional" (24 June) with a photograph of Boris Tadic with three fingers raised, and the Croat flag in the background, **"Good luck Tadić!"** The "Ijekavica" alphabet was intentionally used to bring to mind the decision of the Council of Democratic Alliance of Croats to back Boris Tadić.

That openly nationalistic tabloid was obviously irritated by the said decision of a small and relatively weak Vojvodina political grouping. However, it seems that "Inter-nacional" had forgotten that all relevant minority parties and organizations had already publicly confirmed their backing of Boris Tadić!

Behind such portrayal of Boris Tadic as someone making pacts with proven enemies of Serbia was an obvious intent to lessen his political chances. That coverage also aimed at generating prejudices and antipathies towards Croats. Added to that citizens of Croat descent were branded anew as people whose electoral will and intentions towards this state were to be regarded as highly suspicious.

Since early June "Kurir" kept launching bizarre and malicious slander against Tadic. The tabloid's front-page of 1 June carried a doctored Tadic's photograph with visible traces of smallpox scabs on his face, along with the caption that electoral headquarters of the Democratic Party were engulfed in panic, since **"Dragan Šutanovac, head of electoral team, was infected with smallpox, and Boris was given a thorough check-up."**

But the policy of putting a spokes into the so-called democratic candidate's wheels during the race, radically changed after his victory. Namely the post-election coverage was full of praises for Boris Tadić, "a man potentially slated to become a reconciliatory and unifier of the nation."

"Politika" made a tremendous effort to establish his "Serb pedigree": **"The family history of Boris Tadic was greatly affected by tragic ideological conflicts during and after WW2. The incumbent President once said that his grandfather, Pavle, an officer awarded with Obilic's medal for his heroic performance in the Skadar battle, had three sons. Ljubomir, the youngest one, is Boris' father"** ("Politika, 30 June).

In the same issue "Politika" ran a lengthy feature about parents of the new president, to whom attention was also attached by other newspapers during and after elections. **"Parents of the President of Serbia were not caught up in the triumphant victor's euphoria"** and subheading **"Tadic's mother hoped for a rainy day."** The second subheading contained an interesting assertion by the President's father, academician Ljubomir Tadic: **"It bothers me to hear the media call my son, a pro-Western politician, and that label bothers him too."**

The aforementioned "Internacional" article on ties between Croats and Boris Tadic was not a sole chauvinistic smear action. It is a well-known fact that the Serb press often disregards their legal obligation "not to engage in spreading and inciting of national, religious, and other hatred."

It is easy to detect a tendency towards fanning of inter-ethnic tension and provoking distrust among minority peoples. "Kurir" of 30th June carries thus formulated news story on its front-page: **"Crime in Temerin: Hungarians stuck a baseball bat into Zoran Petrovic's anus"**. It is not advisable to persistently hush up ethnically motivated incidents, but if the headline wanted to emphasize ethnicity of

perpetrators of the criminal act, it would be more adequate to call them, for example, hooligans of Hungarian nationality.

In the story about misfortunate Zoran Petrovic "Kurir" omitted his statement that he was not "a victim of nationalism", but instead hyped the national overtone with the following detail: **"Since early 2004 the police have reported 12 incidents in Vojvodina, mostly in Subotica. Victims of all incidents were Serbs."** The whole story was, of course, placed within a broader context of revived Greater Hungary nationalism. One of subheadings read **"Resurrection of Hungary,"** since "Kurir" discovered that **"on the wall facing the spot in which Petrovic was found, the following Hungarian graffiti is written: "I believe in God, I believe in one homeland. I believe in one God's justice, I believe in resurrection of Hungary. Amen."**

"Kurir" went on to explain that those were the verses of **"once banned"** "National song" by Sandor Petofi. One of side-boxes headlined, **"Martinovic-style incident"** carried the assessment of Novi Sad branch of Democratic Party of Serbia that: **"the monstrous nature of that crime was reminiscent of the 1980's incident in Kosovo in which Đorđe Martinović was gravely injured."**

It is however difficult to find in Serb press information related to Hungarians, victims of nationalistic hatred. Hence the large part of public opinion was thrown into a state of shock upon learning of serious internationalization of the Hungarian minority problem in Vojvodina, and the subsequent sharp-worded international community's messages to Belgrade.

THE TRIAL OF THE ACCUSED OF THE PREMIER DJINDJIC ASSASSINATION

Intensity of the media hysteria caused by trial of the most notorious indictee in recent history of Serbia, was best demonstrated by a plethora of Legija-related article and his photos splashed every day on front-page of most large-circulation dailies/tabloids, notably "Kurir." In the first 20 days of June, Legija only in the four issues did not usurp the front-page of "Kurir."

"Legija finally talks" is a sub-heading in "Kurir" of 15th June, under that "message of relief" is a close-up shot of Legija and a single-word, block-letter caption: **"I accuse"**. Editor's intention to bring to mind the famous words from Zola's Dreyfus Affair seems indeed bizarre.

It was easy to predict whom Legija's accusations would concern: **"Beba, Čeda, Vesić, Janjušević, Čume and Krmivoje"** ("Kurir", 15 June). The prime suspect in the Djindjic assassination case accused the aforementioned all of whom, barring Ljubiša Buhe Čume, the protected witness, were close aides or friends of the killed Prime Minister. In fact he charged them with **"involving him in the state business of heroin sale."**

Legija's assertions were treated as the first-class scoop by Serb tabloids. The layout and marketing of some Legija's statements suggested to public opinion that the man indeed disclosed some shocking, long-awaited truths.

"On DOS order Siptar abducted Stambolic" ("Kurir"), **"DOS and Spasojevic killed Stambolic"** ("Balkan"), **"Milosevic was framed for Stambolic's murder"** ("Internacional") **"Stambolic was killed by some people from DOS and Siptar"** ("Blic")...All the above headlines were splashed on front-pages of leading dailies on the same day, without any reservations as to the testimony of the prime suspect, which was judged as full of transparent constructions by serious experts.

One could say that Legija in the courtroom and via gutter press did not only defend himself but also "all of us": Milosevic and all those handed over to the Hague Tribunal, "Red Berets", and general national interests. That particularly holds true of

his statement that he liked the idea of drug smuggling for the benefit of state, as retribution to the West, which has bombarded us.

Legija's media image was built in a very perfidious mode. The aforementioned is made transparent by the fact that behind such Legija's posturing there were strong interests of a broad, political-criminal-war-profiteering grouping, so-called "anti-Hague lobby," with a strong impact on the media. In those terms most indicative is the following example from "Vecernje Novosti" of 29 June:

"I testify for the Serb people" - was the headline announcing a lengthy interview with Bishop Filaret of Milesevo, in which that high-ranking SOC cleric, renowned for his connections and friendships with most militant nationalists, spoke about his intention to become a defense witness in the Milosevic trial.

The bishop spoke affectionately about Milošević, Radovan Karadžić, Ratko Mladić, Momčilo Krajišnik, Vojislav Šešelj, Nebojša Pavković, Milorad Ulemek Legija... **"When they wanted to destroy my fish-spawning facility and other farming land in Mileševa, and such order was issued, General Pavković sent me a fax: Bishop, we have the order to tear down some facilities of yours. We are sending the army, please provide for their bed and board. I would like to thank that Pavković, for he was ready to spend 400 per diems to clear the outlying meadows. So what was my reply? Well I told him that we did not have enough food for us, let alone for his soldiers. Then I managed to get in touch with Legija; I was compelled to do that. He told me not to worry. And then the following night Patriarch Pavle called me to tell me not to worry, for the said plans were discarded. Later I heard about a meeting in Belgrade at which Legija managed to dissuade Čeda, Đinđić, and others from that venture. I am thankful to Legija for helping me."**

In view of promotion of such a spirit of national love and unity it is difficult to accept the possibility that "a Serb killed another Serb." Hence as the most logical solution the media launched "scoops" about foreign executioners and foreign conspiracy. "Kurir," for example, ran a front-page article **"Đinđić killed by a Dominican"** (25 June), and announced "an imminent truth about the arrest of Ceca" (the show-biz star, widow of mafia boss and leader of paramilitary units, Željko Ražnatović Arkan. She was arrested during the action "Sword").

"Prime Minister Zoran Đinđić was killed by a Dominican, a professional hit-man, who after the killing crossed the Croat border and vanished! Behind the assassination are foreign intelligence services and dark centers of power which were against Đinđić's policy!"

"Kurir" noted that the said version was put forward by a certain Stevan Zec, author of a novel "An ice bullet." Since a novel is by definition a work of fiction, "Kurir" strengthened that artistic (?) construction, which aspired to be understood as authentic, by engaging in a further construction, namely, the hyping of incredible similarities between the novel's contents and certain, recent statements of Goran Svilanović, former head of Serb-Montenegrin diplomacy.

"Was Svilanović the first reader of Zec's book, or the said book is something more than a pure fiction? Whatever the truth "Kurir" decided to carry the most interesting excerpts from this latest version of Prime Minister's assassination.

"The latest version of the Prime Minister's assassination," as a marketing slogan, indicated a sorry fate of the recent, tragic event with transparently grave consequences for the future of the Serb society. Due to systematic obstruction and impotence or unwillingness of authorities to accelerate discovery and then disclosure of all the assassination-related details, that tragic event in an unhealthy public mood, deafened by misinformation and manipulation, morphed into something akin to a very cheap serial.

When Legija "finally" began his defense before the court and his statements were bombastically made public, it became clear that public at large had been

already familiar with Legija's theories, thanks to their previous coverage in the shape of "stories from reliable sources" on the front-pages of political tabloids. For example, "Internacional" on 7th of June wrote: **"Spasojević asked Batić to release Bagzi"**, while the Justice Minister in the government of Zoran Đinđić was "denounced" as one of the key establishment figures with strong ties with organized gangland, more concretely with "the Zemun gang". Nine days later, "Internacional" like other papers, carried part of Legija's testimony relating to those alleged connections: **"Spasojević greased Batić to pull him out of jail"** (16 June).

"Internacional" excelled by running a long feature on Legija. Headline of that journalistic venture was indicative enough: **"Milorad Ulemek Legija, from a naughty boy to the most famous Serb arrestee."** The first installment included an interview with a notorious criminal Kristijan Golubović: **"Our friendship began when we were kids. We used to take long strolls to Lido, to fish, to steal chocolates from drugstores, and did all the other kid's stuff... Cema was a true diplomat, a boy who always tried to pacify the warring sides in kids' fights, to make peace."**

The side-box contained a quotation by an unnamed Legija's schoolmate: **"We were like all the other children from normal families...Perhaps we were a bit naughtier, but not overtly so. The school psychologist Misa liked us because of those pranks, and between shifts she even staged for us some classes of nice behavior."** ("Internacional", 4 June)

Legija or Cema was portrayed so poetically in the feature that he was imposed as a true idol to young readers, though he personally did not have any idols except for nice boys from the neighborhood, "the Harlem boys," **"but he began loathing them when he heard that they were on drugs."** Kristijan Golubović also told us a story about Cema's first love, to whom he kept giving bananas, **"for she loved them very much."** Golubović added that: **"Cema was a faithful type, one-girl man."** ("Internacional", 5 June)

The manner in which Legija, Kristijan and others from their lot are depicted, is in line with a long-standing tradition of Serb popular press: glorification of bad boys from Belgrade streets. However, even newspapers at least nominally distanced from the populist discourse, manifest their fascination with Legija, probably because of his political "potential."

"NIN" 24 June wrote: **"Legija's talent for psychology is manifest in his delicate choice of word used to describe Čedomir Jovanović and his status and role in developments, in which, he, Legija, was only a "silent observer"... Legija avoids arrogance by telling everything he knows only in his replies to judge's questions...By dryly reiterating the said things, and trying to be spontaneous, Legija skillfully issues new statements tantamount to implications that Djindjić's inner circles was crime-riddled...Legija does not directly accuse Đinđić proper, but his description of criminal activities and direct mention of individuals from the Prime Minister's inner circle, -places the assassinated Prime Minister within the same criminal milieu. ...Judging by his carefully dispensed small doses of political statements on the eve of presidential elections, it is highly likely that cassettes and other evidence would emerge only in fall, on the eve of parliamentary elections..."**

It is noteworthy that the indictment covers only the executioners and that Legija is trying from his angle to point to those who gave orders. Currently he is using the only weapons at his disposal, the stories. And his stories, though not authenticated, have already shaken up the public. Perhaps Legija had read Malaparte's *"Technique of coup d'etat"* which explains that no action starts without a previously set goal."

"NIN"'s expertise thus indicated that Legija was a maverick, with a capacity for story-telling, like Scheherezade, but also a man full of secrets to be deftly uncovered in small doses in order to make him impact development of political circumstances in Serbia. The quoted text ran under the by-line of Slobodan Ikonić. In the issue of 17th June his colleague Nikola Vrzić tried to get across the same message.

"Legija's testimony shall continue when his health improves. His story to date was publicly derided, and nervously denied (*"that scum"*). But his story as such should not be discarded in advance, despite its visible untruths and omissions. We should wait for the evidence he will put forward to substantiate it. Or perhaps he thinks that only his word could save him from a long prison sentence? It is difficult to believe in a naivety of a man who survived Jovica Stanišić, Rade Marković, Slobodan Milošević and Zoran Đinđić, and arrived in jail only when he wanted to do that."

It is quite obvious that there are political interests to founder the indictment, as it is obvious that the media-bashing of the most massive action, aiming at flushing and rooting out organized crime in Serbia, the Sword action, was orchestrated by certain political groupings. ("Svedok," for example, on 8 June, launched "a scoop" that Zvezdan Jovanović, the second indictee in the Đinđić assassination case, **"during the act of assassination of Zoran Đinđić was in the first-aid ward of Red Berets in Kula"**).

To understand better that intent one should read a marathon interview given by General Aco Tomić, former adviser of Vojislav Koštunica and former first military operative, to "Vecernje Novosti".

"Their true *"target"* was Koštunica, to implicate him was the principal intent of those who drew up the indictment. But since they failed in their intent, the political backdrop of the case has become-a black hole. Thus a key question: who united all conspirators and why, is still open. All in all, all political dimensions of conspiracy resulting in assassination of Đinđić are yet to be uncovered."

When a journalist asked him about the origins of that "black hole", General Tomić replied: **"You should ask that those who conducted investigation and imposed the state of emergency. But independently from that issue, I find it hard to believe that Legija wanted to become head of state, to proclaim himself a dictator, or to bring to power some of "his politicians."** Those parts of indictment are ludicrous." ("Vecernje Novosti", 2 June)

Aco Tomić's words fitted perfectly into the trend promoted by the Serb press previous month, the one of "defense of the Schiller Street," that is, of calling for punishment of those who had torn down that famous mafia castle in the aforementioned Zemun street. The print media were against that "destruction" on grounds of communal regulations and procedures, in defense of the rights of widows of Dušan Spasojević and Mile Luković Kum, and on grounds of allegedly destroyed evidence hidden in house. The thesis was that those who destroyed that house, notably Čedomir Jovanović, did it in order to obfuscate their involvement in assassination and their ties with the gangland.

Here's personal stance of Aca Tomić on that issue: **"Traces of any criminal offence are sacrosanct and as such must be preserved. That fact is well-known by the security forces and police. If in that house in the Schiller Street terrorism was indeed engendered, if it was the seat of so-called Zemun gang headed by Legija and Siptar, then it should not have been destroyed. That is why I have already warned some people in the Special Court of the following: when the defense proceedings begin, you are likely to be faced with many surprises and problems, for many things are not clear in the indictment proper."**

THE HAGUE TRIBUNAL

It is conspicuous that the "list of indictees" recited by Legija (the case of drugs found in the Commercial Bank) was composed of the same people bearing the brunt of the media attacks orchestrated by the anti-Hague lobby. As it was noted in earlier media reports, "favorite figures" of political tabloids, (for example, General Nebojša

Pavković) have been accusing individuals from Đinđić's inner circle, notably Vladimir Beba Popović and Čedomir Jovanović, for "conniving" with the ICTY's Chief Prosecutor, Carla del Ponte.

A fresh example of the foregoing were Beba's and Sljivancanin's photos splashed over "Internacional"'s front-page on 9th June, along with the caption: **"Coffee-room bragging of Beba Popović: I sent Šljivančanin to the Hague and Milanovic to Zabela."** (Milanovic is the former director of Radio-Television Serbia, a notorious Milosevic's stooge.)

All those who employ their common sense while doing media research must therefore conclude that the "black hole" in the political backdrop of the assassination case, is likely to be found in the shape of those Serb power circles who stage-managed the bloody wars in former Yugoslavia, and whose current political priority is obstruction of co-operation with the Hague Tribunal.

Such opinion is sometimes brutally and directly confirmed by dint of statements made by now emboldened representatives of Milosevic regime. Thus an official of the Socialist Party of Serbia, Dušan Bajatović, in a political program of TV "Pink" openly said that "one has already been killed because of his too co-operative stance with the ICTY."

However there are no media responses to such scandalous and shocking statements made by criminal and political circles, as well as by indictees' lawyers.

The case of four generals, the Hague Tribunal indictees, and the Serb authorities unwillingness to hand them over, have been exploited very much in recent months, and mostly to the benefit of the indictees. But as of late that case was overshadowed by Legija's appearance in the dock.

The Hague and the "issue of generals" were obviously assessed as not-too-important themes by the media editors on the eve of elections. Thus presidential contenders were never asked questions relating to that theme. It seems that the Prime Minister Kostunica set the pattern of future treatment of the "Hague cases" by stating that in recent months more intensive co-operation with the Hague was not possible, but "it should be stepped up in the post-election period. "

It is obvious that within the framework of the current constellation of political forces in Serbia there is no political prime mover ready to pro-actively advocate co-operation with the Hague Tribunal. In a broader context that means that the political elite in its entirety is not ready to engage in the process of facing, that is of, publicly disclosing the traumatic truth about recent war- and crime-riddled past. On the contrary, nationalism, through orchestrated media campaigns, is being reactivated as a key ingredient of the general public mood.

Hence it is not difficult to predict the outcome of any referendum on the hand-over of the military foursome (Nebojša Pavković, Vladimir Lazarević, Sreten Lukić and Vlastimir Đorđević) to the Hague Tribunal. Referendum is a "solution" proposed via the print media by indictees proper and their allies. In the text headlined **"I shall go to the Hague if people want me to"** ("Kurir", 14 June) General Lazarević stated: **"Drecun (Milovan Drecun, a military-political commentator from the Milosevic era propaganda machinery and the current presidential contender) informed me of numerous referendum-calling initiatives of citizens...and that many citizens in that way would be ready to say for them the defense of the country was not a war crime...If they massively declare that the defense of the country from the aggressor is a crime, then I shall accept to go to the Hague and there I shall try to defend the truth about Serbia and Kosovo developments. "**

The interviewer then went on to say **"similar message is sent by Nebojša Pavković: if the authorities try to arrest me after elections, I shall not surrender. – I shall obviously defend myself. But I don't believe in such a possibility, for as far as I know, the incumbent authorities are likely to be allowed by the ICTY and the international community to hold our trial in the country, in Serbia. I have not been contacted by anyone, but my reply remains the same: I shall not surrender."**

Pavković also expressed his opinion that the **"idea of referendum is excellent."** and then engaged in an interesting analysis of electoral results and political circumstances: **"Parties with a pronounced national interest have emerged victorious. Defense of generals is in the national interest."**

Several days later (on 17th June) "Balkan" ran the general's statement to the effect that **"before the Hague Tribunal I would continue the battle for truth in the name of all those perished and wounded during the war in Kosovo and Metohija"**. However, the journalist failed to ask him a logical question – In view of your holy mission, why don't you peacefully go to The Hague? What is most shocking is the degree of cowardice and hypocrisy behind the generals' media-sponsored arrogance. In parallel shocking is also unwillingness of journalists to criticize such unprincipled and selfish conduct of generals and their total disregard for the true national interests.

On the contrary one may only notice an extreme journalistic servility towards all four generals, especially towards Pavković, who receives enormous media exposure. Here's an incredible example of the foregoing : two days in a row on 22nd and 23rd of June "Kurir" ran two lengthy texts about Pavkovic and his intents towards the Hague Tribunal. Contents of articles are nearly identical. The first headline was taken over from the Tanjug news agency article, **"Pavković: I shall not go to the Hague Hag!"** (22 June), while the second **"Pavković: The Hague Tribunal shall see only my dead body Hag!"**, went under the by-line of Đ.O.

And while the Serb press taps into The Hague Tribunal theme by covering fates of Karadžić, Mladić, Šljivančanin, Pavković, Lazarević etc., the coverage of important trials in The Hague proper is scant, irregular and sketchy. Some newspapers even failed to run the news on the sentencing of Milan Babić, former leader of Serbs in Croatia, while "Politika" (30 June), nominally the most influential daily in the country, was content to run the "Beta" agency news on that development and moreover to market it as a minor news item, on foreign pages, in the left corner.

KOSOVO

As regarded Kosovo, press in Serbia throughout the month of June "willingly" handled all sorts of "intelligence" information hinting at new unrest, that is waves of violence against Serbs. The key thesis was that situation in Kosmet (politicians and the media insist on that term for Kosovo) could not be stabilized.

"Albanian terrorists in Kosmet plan to launch new attacks on Serbs this month, but this time around they plan more cruel assaults targeting also UNMIK police", was the text ran by "Kurir" (2nd June), under an enormous, disturbing headline **"The repeat of 17 March ?"**. The tabloid's source was clearly anonymous and unofficial, but "well-informed" and "close to KFOR". That source stated: **"We all live in a perpetual state of fear, for this time around their threats are much more serious. This time around they shall not "only" torch our houses and beat up our people, but they shall engage in massive killings of Serbs."**

Belgrade press sharply criticized Albanian media colleagues in Kosovo for creating an atmosphere of general insecurity: **"According to many sources, Albanian media in Kosovo and Metohija in recent days are instigating violence and calling on the general uprising in the southern province."** ("Vecernje Novosti" of 15th June, article headlined **"New conflicts in the offing ?"**

"Vecernje Novosti" criticism of the Albanian media for attacking Harri Holkeri sounds very cynical in the Serb media months long campaign against Holkeri.

The side-box in "Vecernje Novosti" carried official information, or rather speculation about the manner of drowning of Albanian boys in the Ibar River, whose bodies were found two days later. Most striking is a plethora of ethnic prejudices

both in the aforementioned text and its side-box: **"Albanian circles close to the Serb side, after the discovery of a drowned boy's body and international autopsy carried out in Orahovac, leaked that the boys were left intentionally in the water to drown by their cousins, because of blood tribute concerning some secret liquidations during the war, at the time ascribed to Serbs. Allegedly all locals from village Cabar know the truth but dare not tell it to investigators. (Thus amateurishly worded sentence does not help us deduce how many boys had drowned, but nonetheless strongly implies that Albanians are infanticides, primitive people carrying out blood tribute, and the truth-fearing cowards.)"**

Character of Albanians was analyzed by a prominent commentator and analyst Ljubodrag Stojadinović, for "Politika" of 11th June in the text headlined **"Lesson learnt from the rout."** He, inter alia, stated: **"Albanians most fanatically believe only in violence. For them there is no punishment and award in political and civilized sense. As poor victims they acquired mighty friends, and consequently understood their role as a perfect screen for violence."**

Use of ethnic, religious and other prejudices, as previously mentioned, is commonplace in Serb press, notably as regards the topic of Kosovo and Albanians. Headline **"Catholic priest stole relics from monastery Devic"** was a headline splashed over half front-page of "Kurir" (9 June).

Raska-Prizren eparchy leaked the scandal involving the French military chaplain, Christian Vennard, and "Kurir" assessed that the cleric's religion and not his theft of relics was the most interesting detail for its readers. ("Blic" for example, used a more moderate headline: "Military priest robs Devic monastery"). "Kurir" wrote: **"Had KFOR members really wanted to save relics from burning monasteries 'from Muslims', as maintained by Vennard, military escorting of an Orthodox priest, and not of a Roman-Catholic chaplain, would have been more logical..."**

According to Serb press, aside from Vatican, represented in Kosovo by the chaplain-thief, "traditional" Serb enemy, Germany, is there also engaged in all kinds of improprieties. "Internacional" of 9th June wrote: **"German count urges ethnic cleansing."**

"According to Nacional's source close to the top Albanian leadership, Count Nikolaus Lambsdorf, Head of UNMIK's privatization project, a high EU official, is a person who in secret and public meetings with representatives of parapolitical Albanian forces urges ethnic-cleansing of Serbs in Kosovo and Metohija. That information was confirmed by some Serb leaders in Kosovo and Metohija."

According to our sources Count Lambsdorf, who sold the bulk of Serb property very cheaply to Albanians, openly manifest his sympathies for Albanians, and desire to see all Serbs driven out of the southern Serb province. Contrary to a multi-ethnic Kosovo advocacy by the international community, Lambsdorf does not hide very much his ill intentions and the wish to see an independent Kosovo.

Tabloid's source concluded: **"Absence of EU officials responses to such conduct is a tragic development. They all silently watch his conniving with the Shiptar terrorists. During the Steiner administration he was able to do whatever he wanted. Since Holkeri failed to rein him in, one must question veracity of international community's advocacy of multi-ethnic Kosovo. "**

To wrap up the scenario of conspiracy, "Internacional" made public the following detail: **"Lamsdorf originates from a historically anti-Serb German aristocratic family...and now finally he has the chance to put his hatred into practice! If Goran Svilanović, as the Foreign Secretary, was right about anything, then he was right about asserting that Germans would hurt Serbs the most. According to our source Lamsdorf wants to turn Kosovo into a new Croatia, and to hear a song "Danke, count."**

Like "on a wild goose chase" journalists in Serbia are frequently searching for a Kosovo solution in a very bizarre way and with very bizarre allies. Both "Nedeljni Telegraf" and "Vecernje Novosti" on 13th June carried interviews with a certain admiral James Kerry, **"Grand Commander of the Templar Order" on "possible assistance to Serbia and problem of Kosovo."** Admiral Kerry was also asked the following question: **"Which plans your Order has with a view to helping establish peace in Kosmet, obviously not the peace of perished Christians?"**

Since the interviewer insisted on Kerry's statement regarding "the concrete help of Knight Templars and modes thereof" in **"Serbia's quest to regain Kosmet,"** Admiral Kerry finally deigned him an answer, which moreover uncovered his real status of a lesser player and his "deep" understanding of our specific situation.

"Your Templars told me that Mujahideens and Bosniaks together with Albanians, cut Serb heads, burnt them in crematoriums-but all those crimes and Serb sacrifices were not a strong enough motive for your state to try to liberate Kosovo! If you wished to do that, we Templars could lobby for you in Washington, for the new Kosovo battle shall be waged in the Oval Office of the White House."

And "Politika" (22 June) explained, through the text penned by a certain "director of the International Relations Center in Illinois", that the US, that is the Republican Administration composed of "realists" would soon agree to division of Kosovo, for as the headline indicated: **"Potemkin village was uncovered ...UNMIK made a "multi-ethnic" Petemkin village amid lawlessness, violence, killings, ethnic cleansing, destruction of churches, blossoming crime, prostitution, drug-smuggling and totally dysfunctional protectorate."**

According to this analysis reasons for Serb optimism with regard to Kosovo are of historic nature: **"Republic of Ireland never recognized division of its territory and sovereignty of the British crown over the six counties of Ulster as a lasting and legitimate resolution of the Irish issue. France lost Alsace and Lorraine in 1870, then kept them nearly for 50 years "in its heart, but never verbally" - to re-gain them in 1919...**

...Outcome is always the matter of spirit of small nations, but also depends on the will of the mighty. And that will is susceptible to changes. One should not discard the possibility of Washington accepting the rights of Serbs to Kosmet - after the war on terror inevitably escalates into a global campaign against Jihad - as something right and legitimate, and in accordance with the US interests and in harmony with the principles of law and justice once honored by America."

INTRODUCTION

Impotence or lack of readiness to more resolutely tackle the issue of co-operation with the Hague Tribunal not only hurts Serbia's international standing, but also compounds things internally. All the foregoing is paradoxically reflected in escalation of media bashing of the Tribunal, and notably of the Prosecution and Carla del Ponte.

Less discernible is a critical stance on the authorities whose passivity or wrong actions with respect to the Hague Tribunal largely contributed to a worsening situation in the country. Print media very rarely give exposure to opinions that co-operation with the ICTY is not only necessary because of financial assistance and threat of new sanctions, but because the facing process and individualization of guilt would have a healing effect and would boost Serbia's accession to the family of democratic countries.

It is however illusory to expect such a level of consciousness from Serb journalists because they obviously cannot liberate themselves from cheap sensationalism and quasi-patriotic populist discourse riddled with the nationalistic ideology, which had led to lowering of the trade's professional standards since the Milosevic era.

One could say that the Serb journalism has not learnt its lesson. On the contrary it continues to stick to some patterns and models, which had already proven their lethal effect on the total social climate and fragile democratic processes. The foregoing is most visible in the way the Serb press treats an increasingly sensitive Vojvodina problem. At play are again quasi-historic theories about territories, efforts are made anew to reactivate intolerance of and prejudices towards other ethnic groups, and Serb-related incidents are hyped, while those concerning Hungarians or members of other minorities are disregarded.

Anti-Hungarian mood is fuelled, the spectre of the Great Hungarian revisionism is hyped, while in parallel threats to the Hungarian minority in Vojvodina by a growing Serb nationalism in the province encouraged by a major electoral success of the Serb Radical Party, are ignored or denied.

An important media event in July was inauguration of the new President of Serbia, Boris Tadic. The very inaugural ceremony was depicted with a lot of national and "state-forming" pathos. Reporters were manifestly in awe of the ceremonial pomp, which was an obvious indication of the prevailing social climate in Serbia. Front-page headlines on 12th July were thus intoned: **"I believe in Serbia", "Serbia, country of hope", "I shall do my utmost to help Serbia."**

Many pages were devoted to that event. There were some ideological overtones in the inauguration coverage of some media, but by and large, judging by press' commentaries, Serbia that day seemed a more orderly and stable country. On its front-page "Politika" ran an interesting article headlined **"Dobrica Ćosić again in the taxi"**, which informed the daily's readers that academician called "father of the nation" came to inauguration by taxi, which he had used also to come to his own presidential inauguration ceremony some ten years ago.

THE HAGUE TRIBUNAL

"Carla knew about Hadžić's escape?", was a headline in "Večernje novosti" (20 July). Instead of criticism of the authorities which had practically allowed the public ridicule of commitments towards the Hague Tribunal, press articles insinuated that the Tribunal, that is "Carla," as she is colloquially called, were engaged in spying. In fact the message was that The Hague spies do what they fancy in our country.

In the same vein "Internacional" on the following day carried a text headlined "**The Hague snoop doogs at work**", and illustrated it with a photograph of Carla del Ponte and dog's jaws. The motive behind such allusion was "**explanation by Florance Hartmann and del Ponte regarding photos of Hadžić's escape.**"

Collaborators of the Prosecution who had taken photos of that act, were branded by newspapers "Carla's search dogs", "snitches" and similar.

"Večernje novosti" on 21st of July continued the pertinent coverage with a view of discrediting or at least casting doubt on evidence in possession of Carla del Ponte. "**According to the Chief Prosecutor evidence of escape are photographs taken by "her people", "hidden near Hadžić's house in Novi Sad". Those photographs were not publicly shown, for she hoped that her assertion about Mladic's stay in Serbia would be taken seriously.**"

In the same issue of "Večernje novosti", according to a well-known blueprint, the defence of Slobodan Milošević, is treated as defence of Serb people. Front-page headline: "**I shall defend Serbia**", is a summary of statement made by the French general Pierre-Marie Galloa, a prospective defence witness. To confirm the headline's message, subheading read: "**The first witness of Milošević's defence in the Hague wants to defend Serb people.**"

In his interview with the French general, Paris correspondent of "Večernje novosti" portrayed Galloa as a great friend of Serb people (that clishe was very much exploited during the Milosevic era, such friends were then very obscure figures like Giovanni di Stefano and Daniel Schiffer): "**In 1991 I became aware that behind the operation of breaking-up of Yugoslavia there were higher interests, unrelated to real concerns of Yugoslav peoples. People bent on that break-up were in fact most interested in diminishing the power of Serbia.**"

In that interview was at work a much-used scheme according to which it is easier to deal with alleged international anti-Yugoslav conspiracies and treat them as the causes of the tragedy of former Yugoslavia, then to tackle most concrete evidence of responsibility of the Serb political and military leadership for the concrete war crimes. "*In the past decade General Galloa showed his friendship towards Serbs. He sharply condemned NATO campaign against Yugoslavia, and was against the US interference into European affairs and in the Balkans.*"

When asked how he would defend Milosevic, he predictably replied: "*I don't know him well. I want to defend interests of Yugoslavia, which was intentionally broken up.*"

In the similar tone, Serb press "defends" the military foursome indicted by the ICTY: Nebojša Pavković, Vladimir Lazarević, Vlastimir Đorđević i Sreten Lukić. "**they are guilty because they defended the country from the conspiracy which peaked with NATO's bombardment.**" "Blic" (1 July) ran an interview with General Lazarević, headlined, "**They should shoot me down at Terazije**".

Subheading contained the key message of that interview: "**Whenever they ask me if I shall surrender, I remember those 600 perished soldiers which were under my command**" Lazarević categorically refused the possibility of his surrender, even if he "were to be killed by a firing squad at Terazije": "**If the four generals are the only problem of this state, then perhaps the solution would be to publicly shoot us down at Terazije.**"

All in all every Serb "wanted" by the ICTY's prosecution may count upon support of the Serb print media. "Svedok" (20 July) thus learnt in Novi Sad from "Đorđe", Goran Hadžić's neighbour, that the most recent fugitive from international justice **"is an educated and fine-mannered man. Goran did what he did in the interest of Serb people. I used to see him at battlefields, when he came to Novi Sad I was surprised. We from Novi Sad corps were in Srpska Krajina and that he did not do anything bad there. He defended only what was ours. ..."**

In the same issue "Svedok" ran on central pages interview with **"a war veteran, Slobodan Kovačević, retired Lieutenant General, former co-fighter of Nebojša Pavković and Vladimir Lazarević during the NATO aggression"**. Headline read: **"I wish I were dead, for I find this issue of surrender of Serb generals very shameful!"**

Contents of interview are very predictable: Pavković and Lazarević are glorified as great patriots, as heroes, as great commanders, honourable men: **"I have not seen Pavkovic for a long time. I met Lazarević two months ago. Then I told him –If you have to go, go with your hands tied, like Milosevic. Let Serbs see that shame. Let them see how Serb policemen take you away. Don't surrender voluntary as a-traitor, because you and Nebojša are not traitors! I want to see how that policeman who ties your hand shall face his child, his brother, his neighbour. He'd better think about that."**

Kovačević thus protected his war mates, called on policemen to disobey their orders and in a certain sense incited the lynching of policemen who would take part in generals' arrest. Added to that he floated his criticism of overhaul of the army. And touched on the issue of old tanks, in an extremely conservative way.

"What kind of reform are they talking about? According to them our allegedly outdated tanks should be scrapped! They forget that with those tanks in 1999 we successfully confronted the whole world. Monsters must have approved destruction of our tanks. While I was head of armoured vehicles unit I insisted upon the upkeep of every single tank. It was and it is important to have a large number of tanks. One day if we become a strong state we can replace our old tanks with the new ones. Tanks are made of 10 cm thick iron, and they can be equipped. We can change their engines and equip them with contemporary surveillance equipment in co-operation with Ukrainians and Russians. That would be a good and inexpensive investment, and not the turning of 200 tanks into scrap metal."

Weekly "Svedok" is used as a pad for launching retrograde political options, and priorities of its editorial policy are vilification of The Hague Tribunal and denial of Serb crimes. Issue of 13th July ran the article **"Srebrenica, nine days later"** the bulk of which was a lengthy interview with Milivoje Ivanišević, "senator of Republika Srpska and head of the Centre for Investigation of Crimes against Serb People", subheaded: **"Mladić is honourable officer; the RS Army did not commit any genocide against Muslims."**

Ivanišević and his network of collaborators were portrayed as people who enabled Milošević to have **"protected" and other witnesses whom he so superbly questioned."**

He inter alia maintained that **:"Commemoration in Potočare was a demonstration of the doctored story about suffering of Muslims, of their civilians, ethnic-cleansing, genocide and allegedly massive crime, or as local NGOs like to say, "the crime of planetary dimensions" of "mega-crime"...Muslims invented 11th July to cover up their crimes of 12th July 1992, committed three years before Serbs drove them out of Srebrenica. Serbs were compelled to use firearms to return to Srebrenica, for they had been driven out from Srebrenica by firearms. "**

Questions posed to Ivanišević are tinged with a shocking cynicism. Notably: **"Why Muslims chose Potočare as a venue of a memorial centre?" Ivanišević's reply was: "the Muslim side and The Hague Tribunal cannot prove what they have been reiterating...they cannot prove that 7,000 or 8,000 people were killed, that they**

were civilians, that they were massacred...now they need the Serb admission for what they cannot find on the ground, for what does not exist, for what is not true. "

In a genuine media war against the Hague Tribunal, that UN institution and Chief Prosecutor Carla del Ponte are marked down as a main "threat" to survival of Republika Srpska, while representatives of the "fourth estate" in Serbia fail to notice that the bulk of establishment of Republika Srpska is composed of people, to put it mildly, with a problematic war past, who, as is rightly suspected, are embroiled in the protective network around Radovan Karadžić.

Decision by the High Representative of the international community in Bosnia and Herzegovina, Paddy Ashdown, to replace President of RS parliament, Dragan Kalinić and 60 officials because of non-cooperation, was treated by "Balkan" (1 July) by the front-page article headlined "**Carla's blitz crieg on Republika Srpska**".

"Večernje novosti" excelled in raising national temperature over Ashdown's decision, as attested to by the following headlines: "**Attack on Republika Srpska**", "**Collapse of democracy**", "**Karadžić is protected by God and angels**", "**Ashdown to choose instead Serbs**", "**Šefket instead of Dragan**"... Dismissed Dragan Kalinić via "Večernje novosti" sent the following message: "**It seems that many are impotent before the fact Radovan Karadžić is protected by God and angels.**"

"God and angels" are also mentioned in a front-page text in the 1st July issue of "Internacional". That daily collected "reactions to Carla's statement that Karadzic would be soon arrested" in the similarly headlined text, – "**God and angels protect Radovan**". It is obvious that Kalinić's "smart words" were considered as very effective by the print media. "Internacional" then selected "interesting": personalities to comment recent Del Ponte's statement: Kosta Čavoški, member of the Committee for the Truth about Radovan Karadžić, and Luka Karadžić, brother of Radovan Karadžić. Luka Karadžić said: "**I have heard so many stupid things from Carla del Ponte and her RS stooges that I don't want to comment the last one...**"

It is obvious that the Serb press is not doing anything to explain to the public that co-operation with the Hague Tribunal is a high-priority international commitment which must be complied with. Instead of alarming the public about possible grave consequences of that non-cooperation, the majority of newspapers encourage the anti-Hague mood, and favour the conduct of fugitives from international justice. Those rare politicians who dare appeal to citizens to understand the need for a co-operative stance towards the Hague Tribunal are automatically harshly taken to task.

For example "Balkan" (5 July), on its front-page ran a photograph of Nebojša Pavković and his message "**Only my dead body may board the plane for The Hague**", as an introduction to the following "research": "**Has the Foreign Secretary made a mistake by urging the hand-over of generals to the Hague?**" Readers are induced into believing that Vuk Drašković is failing in his professional duties of Foreign Secretary. Headline contained the assessment of Zoran Anđelković from the Socialist Party of Serbia – "**Vuk is waging a private war, and not pursuing foreign policy!**" and "**Drašković is not behaving as an elephant in a china shop, but as an elephant squeezed into a bottle.**"

"Balkan"'s second interlocutor was Djordje Mamula from Democratic Party of Serbia, who had a more benign attitude towards Drašković: "**We should bear in mind the fact that Draskovic heads a very important ministry riddled with problems. He just needs time to adjust!**"

On the same page of "Balkan" a political analyst Đorđe Vukadinović gives an interesting explanation of poor communication between Belgrade and The Hague. "**Key mistake in co-operation with the Hague was made as early as in 2001, with Milosevic's hand-over before promulgation of a pertinent legal act. Hence it is now difficult to persuade the West that the future hand-overs may be problematic. The problem is now compounded by new demands of The Hague Tribunal and**

international community and their disregard of steps taken by Serbia in the meantime (currently in the Scheveningen detention there are two former Presidents of Serbia, former Vice Prime Minister, and Head of Chief of Staff of the Yugoslav Army.) Hence we can rightly question their true intent as regards Serbia: do they want to stabilize and consolidate it, or to raise tension in the country and continue to threaten it with sanctions and international isolation. "

There is a plethora of tragicomic media ambitions to portray Slobodan Milošević as a "problem of big powers" and not of Serbia, in whose name he committed so many crimes. "Borba" (31 July) ran a front-page headline: **"The Hague Tribunal in the service of the US presidential elections: Milošević in Bush's team."** Under the headline, which implied an allegedly crucial role of Milosevic in the current international political scene, there is an incredible speculation: **"It is possible that Slobodan Milošević will be released before resumption of his trial."**

"Borba" continues in the same tone: **"It is not probable that the trial would be resumed, as announced, in September. The current US Administration assessed that the evidence presentation by Slobodan Milošević would lessen the chances of Democratic Party contender John Kerry. That moment will happen in the middle of campaign. It is certain that the defence would aim to discredit Clinton and his closest collaborators, currently members of Kerry's electoral headquarters, notably Richard Holbrooke and Madeleine Albright."**

VOJVODINA

At play is a strong fuelling of anti-Hungarian mood, and hyping of the spectre of the pro-autonomy momentum, identified with the Hungarian separatism. "Ekspres" (31 July) on its front-page announced an interview with historian Jovan Pejin, renowned for his chauvinistic stances. Headline was **"They are dreaming of the greater Hungary"** and subheading was as explicit: **"Vojvodina under attack by Hungarian revisionists."**

The basic Pejin's thesis, elaborated in "Ekspres", was that **"pro-autonomy advocates in Vojvodina were in the service of Soros's Hungarian revisionism, whose goal was to re-create Greater Hungary."** Pejin, inter alia, explained: **"Pro-autonomy movement in Vojvodina is not historically grounded. It was a German idea, imported via Croatia in the post-WW1 period. Its objective was establishment of confederal autonomies in the states, heirs to the Habsburg monarchy. That idea became popular because of intentions of Komintern to break up the Kingdom of Serbs, Croats and Serbs, that is Yugoslavia and to create "new Vojvodina" and "Vojvodinans"."**

Pejin, obviously criticized the Act on Changes of Toponyms, adopted by the Vojvodina Parliament a year earlier. **"Those autonomy-minded politicians play a special role in the Great Hungarian propaganda. The Act on Changes of Toponymism was also an instrument in that propaganda. The Act allegedly aimed to reinstate traditional names, which, by the way, are not traditional at all. In fact during the Hungarian colonization Slavic names were altered in line with possibilities of Hungarian language. There's much evidence of the foregoing. By adopting that Act pro-autonomy politicians wanted to confirm a Greater Hungarian thesis that there were no Serbs in Vojvodina. That is all due to their ignorance of the fact that Bačka, Banat and Srem were the first Serb countries peopled by Serbs in North during big migrations."**

"Ekspres" thus acts in the spirit "good, old times" when it was the most important voice in the chorus of the war-mongering and conspiracy-spreading media. Once again the main culprits are Comintern, Germany, Vatican, ... The thesis that Serbs are oldest people on this planet is once again launched. According to Pejin

the chief advocates of "the Greater Hungary revisionism" are Joseph Kasa and Andrash Agaston.

Kasa, the most influential politician of Vojvodina Hungarians and Vice Prime Minister in Đinđić's government was sharply criticized in the 22nd July issue of "Nina", in the weekly's bid to deny Hungarians' complaints of being the principal victims of the nationalism-inspired violence in Vojvodina.

In its article headlined "Observation of nationalism" "NIN" noted that **"If Subotica had a district attorney, and that post is vacant since October 2000, and if that attorney were a legal pedant, today Joseph Kasa would face a three-year sentence, as laid down by article 218, paragraph 2, of the Penal Code of the Republic of Serbia, for spreading of misinformation."**

According to "Nin" Kasa's sin is of the following nature: **"Former Vice Prime Minister of Serbia on 27th March called the Subotica office of the Interior Ministry to report an "incident on national grounds" in which four Serb youngsters beat up a Hungarian youngster...The police investigation established that in the fight were involved youngsters of different nationalities (Muslims, Romany, Serbs, Hungarians). The fight began over an ear-ring...but the fact that in the fight were involved- children, the oldest having only 15 years, casts an entirely different light on the whole case..."**

Intention to minimize the danger of Serb nationalism in Vojvodina was proportionate to the wish to underline ill intentions of Hungarian political leaders. In the same text Kasa is criticized for talking about hate speech demonstrated by the aforementioned Jovan Pejin, **"leader of the civil organization Serb National Movement, "Svetozar Miletić"** in a TV show. "Nin" seems to be of the opinion that such phenomena don't merit serious attention.

"The Alliance of Vojvodina Hungarians is registering all incidents thought to be targeting the Hungarian minority in Subotica. The list is titled "Description of cases of atrocities against Vojvodina Hungarians" and is easily accessible to all journalists...On the list is the event of 17 September that is a Serb language program of RTV Novi Sad. It was assessed as "hate-mongering". In that program Jovan Pejin, head of civilian organization, the Serb national movement "Svetozar Miletić", called Vojvodina Hungarians, Slovaks and Romanians, settlers occupying Serb lands, but nonetheless accepted by Serbs. According to historian Pejin most Hungarians are of Slavic origins, as best attested to by "their beautiful Slavic faces". (As we noted by the lengthy interview with "historian Pejin" ran by "Ekspres", a year after the scandal he had provoked on the state-run TV, he is still given much exposure by the print and electronic media.)

The stance of the journalist of the weekly "Nin" is best reflected in the last paragraph of his text: **"We should not overlook the fact that graffiti with indecent and nationalistic tones appear in Subotica a day or two before the arrival of international delegation."** Such a conclusion is a clear allusion to the fact that Hungarians proper draw those intolerant graffiti in order to internationalize "Vojvodina issue". The Serb print media has expounded that thesis in the previous months too, as noted in our earlier media reports.

However it is noteworthy that the print media were not ready to minimize the incident in Temerin, whose victim was a Serb, Zoran Petrović, while attackers were of Hungarian descent. The media even tended to disregard the victim's denial of nationalistic character of the incident. That case happened in June, but the related media coverage continued in July. "Kurir" (1 July) ran a text headlined **"SPIKE"**, while its subheading contained interpretation of the incident given by a seller at the Temerin market. .

"If a Hungarian had been brutally beaten up, all Hungarians would have rallied around him immediately." The same unidentified seller went on to note: **"I am sure that the unlucky boy was massacred on nationalistic grounds. Hungarians**

would not have brutally beaten up their fellow-national, even if they had been very drunk, drugged out of their heads or with thick criminal records."

"Kurir" described the post-incident mood in Temerin through opinions of the two Serb denizens of the locality: "A youngster called Ivan told us that Zoran was wrong to go to the Hungarian restaurant...it all began there. I don't hate other peoples, let alone Hungarians, but I never fraternized with them too much. We all know that we should stick to our own company and pals, that we should not mingle with others."

"Public nationalists" were openly vexed for being prevented to lament excessively over the misfortune of Zoran Petrović, and even call it the beginning of the Hungarian crusade against Serbs in Vojvodina. Academician Nikola Milošević, a long-standing advocate of Serb nationalism, in "Svedok" (6 July) published a text headlined "Crime in Temerin". Milošević accused the Vojvodina top leadership "composed of Democratic Party and party of Nenad Čanak", of trying to hush up the Temerin case, and all those who tried to gloss it over.

"The afore-mentioned hushing up has another, long-term goal, best indicated by the TV B 92 coverage of the incident. First they aired the news that crime against Petrović did not have a political, or nationalistic backdrop. And then Petrović himself said the same thing. And he is the one who knows best what was behind that attack. But in the same report a doctor attached to the case stated that his patient was suffering from amnesia, that is, "Petrović cannot recall what has happened to him at Temerin market." How come he then knows why the five Hungarians beat him up so brutally. What are in fact his memories, when he cannot remember anything? "

The side-box of the text in which Nikola Milošević tried to prove that Petrović was the victim of Hungarian nationalism, read:"Soros and other benefactors from the West would not untie their purses if our internationalization-minded advocates used the same yardstick for judging Serb and Hungarian criminals? "

Much-mentioned Jovan Pejin availed himself of the opportunity to maintain that violence against Petrović was a blatant example of the Greater Hungarian nationalism. In markedly obscure fortnightly "Ogledalo" (7 July), characterized by open nationalistic-Bolshevik leanings, he published the text "Who is beating up Vojvodina Serbs?" in which he accused NGOs of "calling the facts presentation-hate speech" while "failing to call the torturing of a Serb in Temerin –a blatant example of hate speech."

THE TRIAL OF THE ACCUSED OF THE PREMIER DJINDJIC ASSASSINATION

Coverage of the trial of the Djindjić case indictees is bereft of serious analysis. Most newspapers seem to expect spectacular turnarounds by the defence, and notably by Legija himself. Those print media who had bombastically marketed any speculation intended to founder the indictment, and even connived with defence counsils, with tacit consent of the ruling authorities have now begun inostensibly marketing the facts backing the indictment.

Thus "Kurir", which used to deny the official version of death of the two leaders of the Zemun gang, in its 27th July issue shyly ran in the corner of internal pages "the admission" bay the Interior Secretary, Dragan Jočić that "there are no elements for a conclusion that Spasojević and Luković were killed."

On the top of that internal page, "Kurir" however ran a text headlined "Legija's defence": "In the course of the trial of Milorad Ulemek Legija, the prime suspect in assassination of the Prime Minister Đinđić, no serious argument linking directly Legija to the assassination was heard! This nearly unilateral

assessment by observers of the *"trial of the century"* is mostly based on the fact that Legija was not asked unpleasant or direct, assassination-related questions. Subheading of that text read: **"We did not hear any serious piece of evidence linking Legija to Đinđić's assassination."**

In an earlier issue of "Nin" (15 July), Vrzić asserted: **"Even if Legija lied, that does not prove that he had killed the Prime Minister."** Vrzić then went on to explain that Nenad Šare, witness-collaborator, **"is important, for he is the only one, unlike the other three witnesses-collaborators, who links Legija to the assassination. So far we are not aware of material evidence linking him directly to organization of assassination."**

In the closing paragraph Vrzić reminded the readers that the trial would be resumed on 6th of September and concluded: **"Then the prosecution would present its evidence of Legija's guilt. The defendant shall also present evidence. Legija has in fact already announced that he would face the witnesses-collaborators and has already accused them of lying. He shall confront also Nenad Šare, who is yet to repeat under the oath what he has said in the pre-trial proceedings. Legija has already said before the court: *"What made Šare say so may lies? That confrontation shall uncover many other things, regardless of what has been said recently."***

"Svedok" (27 July), in its analysis of the course of the trial, noted: **"Legija uttered many serious accusations relating to former state officials, and barring a communiqué that Legija's accusations shall be checked, the public has not yet learnt the true extent and results of investigation. The only response we have had so far, were immediate strong denials of those mentioned by Legija."**

The cutting-edge is still geared towards representatives of the DOS authorities. **"While in early stages of the trial many public figures and notably representatives of former authorities, kept turning up almost regularly in the courtroom, as the main hearing unfolded, their number either in the courtroom or in front of the court, visibly dwindled. That "phenomenon" was followed by a malicious comment that "they feared that *"the organizer of criminal association"* could mention them during his defence."**

"Balkan" (2 July) on its front-page carried a headline **"new details on destinations of money laundered by Zoran Janjušević": "On that account were deposited 350,000 Euros on the assassination day"**. The related text on page 3 was headlined: **"Kolesar gest his Euros on the day of Đinđić's assassination."** The renewed coverage of the money-laundering scandal by Đinđić's aides, Zoran Janjušević and Nemanja Kolesar, aims at relativizing the assassination case, and to shift the focus from the indicted to other, minor case.

Part of press was also engaged in an explanatory campaign relating to the 17th June arrest of Dejan Milenković Bagzi in Greece. In fact the whole case was mystified even before his arrest, with a view of suggesting that Bagzi made a deal before his surrender. Earlier disinformation was lauded that Bagzi was negotiating, that he was making a deal, that he has surrendered. On the very day of his arrest, "Balkan" (17 July) launched an "exclusive scoop": **"Bagzi, in fear, hid incriminating evidence on several locations."**

Milenković's defence counsel Biljana Kajganić persisted in claiming that Bagzi was not arrested, but that he surrendered out of his free will. Many newspapers gave much exposure to her misinformation, though the Greek police had confirmed Bagzi's arrest.

Although the very Interior Secretary, from the ranks of Serb Democratic Party muttered that the official version of death of Dušan Spasojević Šiptar and Mile Luković Kum was uncontestable-thus flying in the face of his party's continuing suspicions about the indictment and official results of investigation- weekly "NIN" (22 July) in the Bagzi-related article penned by Nikola Vrzić, continued to speculate about alleged interests of certain circles to remove some of indicted before their appearance in the court.

"Dejan Milenković Bagzi all in all may consider himself a lucky man. He is alive despite all speculations, and as such he was transported to jail," is the first sentence of Vrzić's text. At the same time Vrzić implied that perhaps Zvezdan Jovanović, the assassin, was forced to sign his admission of guilt. Before the court Jovanović denied his confession given during the pre-trial proceedings. "Nin"'s journalist then reported on a long list of suspicious details in that confession, and formal oversights made in the pre-trial proceedings. **"However the most important fact is Zvezdan Jovanović's assertion that he was given "a text worded well in advance and claimed to be his statement, to read and sign. Without reading it he just signed it."**

"Nin", however, did not indicate that withdrawal of admission was in fact part of new strategy of defence and contrary to Jovanović's explanation that he initially simply signed a difficult admission, even without it reading.

Although lawyers of indictees receive much press exposure, and the manner of the trial coverage visibly suits interests of their clients, they nonetheless try to create impression that they are exposed to pressures and threats. "Balkan" (2 July) in its article **"After roughing up Legija's lawyer Bulatović "is sent to" Podgorica"** reported that Legija's defence counsel Momčilo Bulatović and editor-in-chief of "Svedok" were receiving threatening letters. The judge Dragoljub Albijanić, in charge of the Stambolić case and in the Drašković case (attempted assassination) however failed to provide adequate protection to the lawyer.

Author of "Balkan"'s text maintained: **"Bulatović, who was physically assaulted last summer in downtown Belgrade, is not the only lawyer receiving threats since the beginning of trials to criminals. In early 2004 intimidation campaign was also staged against Miroslav Todorović, defence counsel of Dušan Krsmanović. He received phone threats, and unidentified vandals broke windows of his office, located behind the Palace of Justice... Slobodan Milivojević, one of Legija's lawyers, has been also receiving threats. He sees them as a form of pressure, and admits that they have increased after Legija's surrender."**

"Balkan" clearly demonstrated solidarity with the "threatened" lawyer and protested against the judge's "negligence" in the subheading of the quoted text, **"Who sends threatening letters to Momčilo Bulatović, Legija's lawyer and why no-one responds to such threats?"**

INTRODUCTION

The extent to which the truth about the Serb crimes in recent Yugoslav wars is still a taboo topic and the extent to which the public sphere is riddled with nationalistic populism, is best attested to by the media bashing of a popular folk singer Lepa Brena (Fahreta Jahić) and her husband, former tennis ace, Slobodan Živojinović. For example, a large-circulation tabloid "Kurir" (21 August) sent the following front-page message to its vast readership: **"Živojinović couple put a shame on Serbs."**

That shame is reflected in the fact that the popular couple, during their visit to Tuzla, laid flowers on the monument to victims of war. The inscription on the monument reads: **"On this spot on 25 May 1995 the Serb fascist terrorists by shelling cut down in their prime 72 people."** Slogan "the Serb fascist terrorists" and the origins of Lepa Brena-she is a Muslim from Bosnia- prompted the media to forcefully attack that gesture. In the text **"Scandal in Tuzla"**, the singer's real name for the first time appeared in the newspapers. It bears saying that during the war, speculations about her conversion to the Orthodox faith were rife.

"Kurir" thus commented that incident: **"And while the move of Fahreta Jahić, alias Jelena Živojinović (?!), alias Lepe Brena, was somewhat expected, the true motives of Boba Živojinović, the incumbent President of the Tennis Association of Serbia and Montenegro, are not known."** So the chauvinistic cliché was again at play: no wonder that Fahreta, of Muslim descent, acted in an anti-Serb way, but how come that the Serb Slobodan accepted to get involved in that act of treason?!

The taboo topic is a likely withdrawal of the charges against NATO, though it is quite certain that the state, or the Union of Serbia and Montenegro, would have to drop those charges filed by the Milosevic apparatus, if it wants to make at least one step forward towards Euro-Atlantic integration. Print media are in fact tasked with obfuscating the truth about NATO intervention, and of hyping it as an "ungrounded aggression."

Media are also tasked with promoting the cult of a heroic defence of the country, whose heroes were, understandably enough, Slobodan Milošević and his generals, notably fugitives from international justice, Nebojša Pavković and Vladimir Lazarević. They are all defended either in a populist or in a highly analytical style.

Ljiljana Smajlović in her editorial ran by weekly "Nin" (26 August) assessed as "catastrophic" Draskovic-launched public campaign for Yugoslavia's withdrawal of its charges against NATO. She criticized the stance of Draskovic's party and of the Foreign Secretary himself that "we are 'anyway' doomed to lose that lawsuit."

"NATO has bombarded Yugoslavia without the UN approval, that is engaged in an unlawful and illegitimate campaign. Bombs were high-precision ones, but terribly unjust: they shattered the hearts of many citizens, in the same way the Ibar highway accident shattered the hearts of families of the accident's victims. All those hurt hearts shall always seek justice, no matter how inaccessible it may seem. It is no business of the political elite to dissuade citizens from a lawsuit via stories that *"justice should not be sought from the mighty ones."* A liberal attitude in facts binds the victims of Belgrade bombardment to seek justice,

in the similar way the victims of Sarajevo and Baghdad may seek it....thus, the story that in this world the stronger are always victorious, and that we can only bow to them and expect an ounce of mercy from them, does not hold water. "

Without trying to question the liberty of a reputed political commentator to assess how politically pragmatic is a move of any official, and whether it may hurt the country's chances before the International Court of Justice (and Lj. Smajlovic maintains that it may), we must note that the most striking feature of this commentary is its relativization of crimes and facile comparison between the tragedy of victims in Sarajevo, Baghdad and Belgrade.

Before "Nin's" journalist the charges-dropping campaign was criticized by a retired General Milan Simic in the column "General's words" (1 August). His statement was headlined **"Only victims of aggression have the right to forgive"**. (By the way, as a regular columnist in "Balkan" a retired general most frequently criticizes the army reform.) **"The key question is who and in whose name and on what grounds has the right to renounce, withdraw, justify and forgive? The reply to that question should be given by those lobbying for the dropping of those charges, for their own sake, for the sake of their descendants and for the sake of the entire Serb people."**

Due to a break in the trial of indictees in the Djindjić case, Legija was given less exposure by the Serb print media than in the previous months, when he had been turned into a veritable "media star". However, unofficial, "exclusive" information relating to the trial, found their place on pages of many newspapers, thanks to close ties with defence counsels of indictees, or with other segments of the mafia-secret police-political apparatus, which persists in sowing confusion in Serbia.

Though it is quite obvious that the ties between defence counsels of criminals involved in Djindjić's assassination and tabloids are not at all "exclusive", "Balkan" (6 August) uses the epithet "exclusive" to qualify its interview with Biljana Kajganić, defence counsel of Dejan Milenković Bagzija. The most important information unveiled on that occasion by Biljana Kajganić, in fact a very predictable information, was placed in the banner-headline: **"Bagzi says: I am hardly waiting for my arrival in Serbia and my first appearance before the court."**

Like in Legija's case, the mood now created around Bagzi, was one of the great expectations. By their coverage the media tried to imply that he would unveil many new facts. Kajganić said the following: **"I met Bagzi in a Thessaloniki jail. He told me that out of fear for his life he decided to surrender.** (Kajganićev, a defence counsel, spreads the version of his surrender!). **He is happy and content because he managed to save his own life and lives of his family members, by ending his 17 month-long tragedy. He spent 17 months in hiding! He told me that he was impatient to return to Serbia and face the whole domestic court procedure. He is glad that he would see his children after a year and a half. I suppose that he shall not defend himself by opting for silence, but we shall discuss those details when he comes to Belgrade."**

Kajganić also complained to "Balkan" about the maltreatment to which she and Bagzi's wife were exposed in the Consulate of Serbia and Montenegro in Thessaloniki. **"Bagzi's lawyer and his wife were searched by a porter-driver of the Consulate"** was the headline of a side-box. According to Kajganić the porter-driver **"without any right"** asked them to open their hand-bags, instead of **"being at our service, as would have be expected from any diplomatic representative of our country."**

On the following day, "Balkan" (7 August), without disclosing its source, asserted: **"Witnesses-collaborators in panic await Bagzi. Arrival of Bagzi and his testimony before the court could shake up any witness-collaborator...they could even lose their status if he manages to rebutt their assertions. Bagzi is treated as the most important man in resolution of many criminal conundrums."** After giving a broader explication of Bagzi's trump cards against witnesses-collaborators, and

indictment proper, "Balkan" concluded: **"We heard Legija only partially, Bagzi's moves are awaited, so the court-room of special court shall shortly become a "battlfield" of truth. "**

"Kurir" (26 August) on the whole front-page splashed its "scoop" - **"Bagzi is involved in the murder of Gavra!"** Dejan Milenković Bagzi was proclaimed a "crown witness" after **"providing killers, Dragan Nikolić Teča and a certain Deki, with a car –Renault 4 –and an alibi"**. Of course "Kurir", reminded its readers of a very old story: **"Murder of the State Security Services agent Momir Gavrilović Gavra was organized on direct orders of Head of Surcin mafia, Ljubiša Buha Čume. Čume, according to police, was aware of Gavrilović's contacts with the Koštunica cabinet and consequently feared that Gavra could hand over to Koštunica the evidence of connections between mafia and the former regime...For a well-done job, Čume "awarded" Deki and Teča with 60,000 DM, and Bagzi with 10,000 DM."**

Miloš Vasić in weekly "Vreme" disclosed how "Kurir" came into possession of such and similar "information". Namely "Vreme"'s journalist made public the transcript of a telephone conversation between the defence counsel Biljana Kajganić and her client Dejan Milenković Bagzi intercepted by police while Bagzi was still hiding in Greece. By the way, Boro Banjac was then dismissed from the post of Head of Anti-Organized Crime Department, after officially informing Prime Minister Koštunica and the Interior Secretary Dragan Jovic of the contents of that conversation, during which Biljana Kajganić told Bagzi that she had negotiated the status of witness-collaborator for him if he admitted in the court the same thing imparted to "Kurir", namely that Buha organized and Dragan Nikolić Teča committed the murder of Gavrilović.

Daily "Balkan" in a similar way got hold of that "unofficial" information: **"A film on the meeting between government officials and criminals from Silerova street to be released soon."** "Balkan" then went on to note: **"Along with witnesses' testimonies, according to our source, documents and video-cassettes should strengthen Legija's defence. Of 12 video-cassettes mentioned before the 2nd May Legija's surrender, now there is much talk about 5 cassettes on which the former Red Berets commander heavily relies. Those cassettes are allegedly visual evidence of meetings and fraternization between the top state leadership and leading criminals, as well as business deals made by officials from Nemanjina 11 and criminals from Silerova street 38."**

The Serb Orthodox Church again strongly demonstrated its political power. Thanks to a very strong media backing the SOC obstructed adoption of hymn of the State Union of Serbia and Montenegro. Patriarch Pavle addressed the competent state bodies, that is, the top state officials by an open letter in which he urged them to withdraw the proposed hymn from the parliamentary procedure, since, in his mind, **"it is not a hymn, but a centaur poking fun at both Montenegro and Serbia and dignity of both peoples. "**

The proposed hymn was a combination of songs "Bože pravde" and "Oj, svijetla majska zoro" and the political consensus on that proposal had been already reached. The SOC once again ignored a democratic, non-establishment principle, and got involved in the most direct political agitation, that is interfered into the state affairs, with a strong backing of the media, and non-exposed to any criticism for such conduct.

Headline ran by "Balkan" (11 August) is typical of the general media' coverage of the Patriarch's initiative **"Ustashi verses, and hymn is a – centaur"**. Adjective "Ustashi" stemmed from the patriarch's rhetorical question: **"Have Serbia and Montenegro deserved to have neo-Nazi, pagan verses of misfortunate Sekula Drljević in their early 21st century hymn?"**

In the same text Radoš Ljušić, historian and official of Democratic Party of Serbia backed the Patriarch's thesis: **"Part of the text of the hymn "Oj, svijetla majska zoro" written by Drljević was sung on 12 July 1941, when Montenegro was**

occupied by Fascists. "Nin" in its 12th August issue with an absolute respect backed the Patriarch's initiative. Hence a very serious, even, dramatic headline of its related article **"Patriarch's warning"**.

"NIN" concluded that: **"Patriarch's letter caused quite a stir among the general public and experts dealing with the issue of state symbols: historians, heraldic experts, musicologists...namely Episcopo of Budimlje, Joanikije** (it was not very sensible to ask a SOC cleric what he thought about the Patriarch's opinion!), Želidrag Nikčević, head of MPs club of the Serb Popular Party of Montenegro in the Serb and Montenegrin Parliament, and renowned Serb composer, Svetislav Božić, who frequently manifested his hard-line nationalistic stances. According to "NIN" Božić said: **"The Patriarch's letter was a long-awaited spiritual outcry of enlightened mind-set of the people."**

THE HAGUE TRIBUNAL

Under a poetic headline, **"As if we parted company yesterday"**, "Večernje Novosti" of 7 August ran a lengthy interview with the Vice President of the Serb Radical Party, Tomislav Nikolić, following his meeting with Vojislav Šešelj and Slobodan Milošević in the Hague. We thus learnt from Nikolić that : **"Šešelj's political assessments remain the same"**, that **"all Serbs who take part in the Kosovo elections would be considered traitors"**, that **"Milošević is healthy and sure of his victory."** Journalist of "Večernje novosti" obviously asked Nikolić what Nikolić himself hoped to be asked, and all those things which could touch "the sentiments" of fans of Šešelj and Milošević. For example: **"How Vojislav Šešelj looks, is he of good health?"**, **"How is Milošević?"**...Banal intimidation between "Večernje novosti" and Nikolićem and his **"best man Šešelj"**, was best reflected by a side-box, headlined, **"PORK CHOPS"**.

Under that "butcher-style" headline we learnt from Nikolić that : **"Voja and I talked a lot. We ate twice. For lunch Voja brought pork chops. But we also ate the prison lunch consisting of potatoes, fish and salad. It was a typical prison day."**

A day before the readers of "Večernje novosti" were assured of Milošević's and Šešelj's good health and strong characters, those of "Politika" (6 August) had been provided with an explanation about the **"agony of the Hague trial"** (a clear reference to the Milošević trial). Its author Zorana Šuvaković, who regularly covered the work of the Hague Tribunal by her headline **"Tension is rising, courtroom is emptying"** practically annihilated the UN-founded ICTY. She moreover resolutely assessed that "the tribunal would not be able to attain its too ambitious objective."

One of arguments of "Politika"'s journalist was: **"A sudden death of judge May, due to a chronic disease, and chronic ailment of Slobodan Milošević (very high blood pressure), most drastically indicated from the very outset of the trial what might come to pass, namely that the volume and imagined reaches of that trial exceed capabilities of any man on the planet earth."** "Politika" explained how the international justice came to face an insoluble case and reminded its readers how on the "failed trial of the century" **"enormous sums of money of the international community were spent"**: **"The error, due to megalomaniac ambitions, was made at the very outset, when three indictments, wars in four states and 10 year-long crisis were crammed into one case and the blame was put on the shoulder of only one man. Very quickly it became clear that the Gordian Balkans knots (historic, national, social and politic) could not fit in a single court-room, regardless of its high-tech and legal human resources advantages."**

According to "Politika" The Hague Tribunal should end its agony in the following manner: **"international public attention should be focused on a newcomer to the Scheveningen detention unit, obviously with a prominent name. It could be either Karadžić or Mladić. If they were to arrive by the end of August,**

reputation of The Hague Tribunal would be saved, for the interest in the old, never-ending story, the Milošević trial, would completely wane."

The implication is that the ICTY does not demand so persistently the hand-over of Karadžić and Mladić because they are charged with committing most heinous crimes in Bosnia and Herzegovina, but because the tribunal is trying to cover up its failure in the Milošević case.

Animosity towards The Hague Tribunal is much more manifest in the body of political tabloids. Thus "Balkan" (4 August) posed the following question to a contender for the position of mayor of Belgrade: **"Would you support the Croat-style welcome party for the Hague indictees?"** Polled were only some contenders and randomly selected by-passers, but "Balkan" nonetheless concluded: **"Citizens braver than politicians, majority of citizens think that the Hague Tribunal is one-sided."** Although only three of five polled citizens were openly in favour of a pompous welcome party (the fact that such a return is only highly hypothetical did not hamper "Balkan" to carry out its poll), the tabloid nonetheless carried the following headline: **"Šešelj and Milošević must be welcomed as heroes."**

"Balkan" then informed us on 7 August that the very Justice Minister, Zoran Stojković, was of opinion that the indictees in The Hague Tribunal were not defending only themselves, but the state. **"Stojković said that we should not allow our citizens in the Hague to feel rejected by the state, for in that case they would not feel the need to protect the state. And he went on to note: "Look at Croats. Not a single indictee said anything against Croatia, for they do not feel rejected by their state."**

And to prevent the state to hand them over to The Hague Tribunal, indictees who refuse any possibility of going there, continue their anti-Hague campaign in the media. Sometimes that campaign acquired pathetic tones. For example the statement given by General Pavković was thus presented on the front-page of "Kurir" (3 August) : **"General Nebojša Pavković communicates to the Serb government: I HAVE A BOMB, I SHALL KILL MYSELF!"**

Firmness of the generals' words are, or peculiarity of his and his camp's game with public opinion, "was proved" by "Glas Javnosti", two days later, by dint of a completely different message: **"General Pavković's party maintains that the General does not intend to blow himself up"; he will surrender if so decide our citizens."** "Glas javnosti" also informed us that: **"Pavković is against the capture of Ratko Mladić, and his subsequent swapping for Pavković....Pavković shall surrender only if citizens of Serbia in a referendum decide so. "**

Serb press continued to undermine the Tribunal's credibility by spreading rumours about behind-the-scene deals made in the Hague Tribunal. Thus "Internacional" (1 August) splashed across the whole front-page the following "scoop": **"New deal with the Hague Tribunal: Jovica and Frenki assist in arrest of Ratko Mladić."** According to the tabloid, Jovica Stanišić, former head of the State Security Services and Franko Simatović, former commander of the Special Operations Unit, top Milošević stooges, would be released from the detention unit in the face of the Prosecution's resistance. "Internacional", maintained that according to "diplomatic sources" the deal had been reached.

On one page "Internacional" carried an article explaining how Milošević's high intelligence officers cinched a deal to assist in arrest of Karadžić and Mladić, and covering surrender-related negotiations with Generals Pavković, Lazarević, Lukić, and Đorđević, and another article with an arrogant headline **"Šešelj does not beg"**, in which Vojislav Šešelj denied that he had ever requested the ICTY to release him.

"So far Šešelj has only asked The Hague to greenlight visits of his family and communication with them. But until recently he was banned from such contacts, for, according to the Tribunal, such contacts could impact the work of the Serb Radical Party." Next to that smallish text about Šešelj's plight and pride, there

was his portrait, and three photos with the following captions: "**Voluntary departure for the Hague**", "**First appearance in the court**" and "**When shall we re-unite?**". Above the last caption there was a photograph of Šešelj, Tomislav Nikolić and Aleksandar Vučić sitting in front of the logo of the Serb Radical Party.

Pro-Šešelj campaign in "Internacional" continued throughout August. Issue of 27 August splashed Šešelj's photo with a pamphlet-style message across its whole front-page: "**ŠEŠELJ/ Leader of Radicals is being tried by The Hague Tribunal because of his assessments that Karadžić is a true Serb; Mladić is an honourable officer; Milošević is a traitor; Clinton is guilty of the war; Arkan is a minor Al Capone; the Pope is a war-monger.**"

Typical Šešelj-style statement was also run: "**If we want to talk about criminals, then we should talk about Clinton, Gensher, de Michelis, advocates of the war in the Balkans. To that list I would add even the Pope, who called on bombardment of our villages.**"

VOJVODINA

High-intensity media-bashing of secessionism in Vojvodina, and denial of frequent nationalistic incidents whose principal victims were members of the Hungarian minority, continued throughout August. "Večernje Novosti" of 6 August in its headline first posed the question "**How founded are claims of escalation of inter-ethnic conflicts in Vojvodina?**", and then gave the statistics-based reply in its subheading: "**None of 47 incidents in the territory of Novi Sad bore the hallmark of inter-ethnic conflict. Subotica is one of the safest cities in Serbia.**"

Lead-in is very sharply-worded: "**One mustn't name every incident involving members of different nationalities, an extremely nationalistic incident. That statement was made by Internal Affairs Services/police stations in Vojvodina whose statistical data on the number and character of conflicts differed greatly from those shown by our politicians in their bid to prove that their minority rights were "threatened"?!"**

According to "Večernje Novosti", "**Vojvodina reality denies every day**", not only Joseph Kasa, the most influential politician of the Hungarian minority in Vojvodina, but also Predrag Marković, President of Serb Parliament, who, "had manifested his concern over the figure of 300 inter-ethnic incidents reported in Vojvodina in the first 5 months of this year."

Police statistical figures indicated that none of the reported cases had a nationalistic background, but were rather to be deemed "**criminal offences of general character**", "**damage to property**", "**brawls**"... "Večernje Novosti", however warned against another phenomenon which had emerged in Zrenjanin, one of the largest Vojvodina cities. "**Political parties in Zrenjanin, notably Čanak's party, tried to qualify several conflicts as inter-ethnic ones, and to publicly condemn them, but pertinent investigation, soon established that at play was a private conflict, or rather a wilding party organized by a satanist sect.**"

In its side-box headlined "**Provocation**" "Večernje Novosti" disclosed indications given by Novi Sad police that "**provocations, simulating a criminal offence, are an aggravating circumstance in a realistic observation of the problem.**". Though quoting a series of examples of Hungarian provocations, "Večernje Novosti" were fair enough to say that "**in the case of a criminal offence (attempted murder of Zoran Petrović in June 2004 in Temerin) facts tempered with for the sake of sensationalism and hyping of non-extant nationalistic motives**".

But "Kurir", a rival of "Večernje Novosti", in fact engaged in a provocation by running on its front-page (7-8 August) the following headline: "**Zoran Petrović: I shall file charges against Hungarians who have maimed me, and they shall be punished.**" "Kurir" literally compels the misfortunate Petrović to finally understand

that he had been the victim, despite his repeated statements to the contrary, of the nationalistic violence.

"Kurir" also wrote: **"While in hospital Zoran was visited by the Minister for Minorities Rights, Rasim Ljajić. The politics got involved, and the media informed that Petrović himself denied any national backdrop of the crime committed against him. – In fact I have said – Petrović went on: - that I don't hate anyone on the national grounds. But I am not so sure whether it also applies to those who have attacked me!"**

Petrović then went on to explain that in the last four years he frequently went to Temerin and never faced any trouble. But, obviously prodded by journalists, he went on to note: **"But I must say something. Had this happened to a Hungarian youngster, President of Serbia Boris Tadić would have to do a tour of many European countries in order to explain to their governments that Serbs are not genocide-inclined people. "**

"Kurir" carried the statement of mother of Zoran Petrović, a 73-old Vera, exasperated over the lack of help for the medical care of her son: **"It was important for politicians to have their photo taken with my Zoran, and to hush up the whole incident, though I am sure that the incident was motivated by an undiluted hate of Serbs. It did not occur to any of those politicians to offer us any financial help!"**

Academician Nikola Milosevic, in his regular column in "Svedok" continued to deal with "Vojvodina issue.". He thus sharply condemned Canak's separatism. In the article headlined **"Is Vojvodina seceding?"** (31 August) he, inter alia, wrote: **"When some Serbs are tearing down gravestones, Nenad Canak calls it vandalism, but when some Hungarians stick a stick into a Serb anus, and burn his testicles, then it is - "an incident".** In that text Nikola Milošević also maintained that Čanak was for Vojvodina, what Tachi was for Kosovo, and Đukanović for Montenegro.

"Internacional" (29 August) however communicated: **"Kasa is setting the stage for secession of Vojvodina".** The tabloid's journalist maintained that "according to police there were only three Serb-instigated incidents, while Kasa mentioned over 100." Kasa bore the brunt of criticism because of a draft Resolution on Intimidation of Hungarians in Vojvodina, submitted to Council of Europe by a group of MPs.

In "Internacional" Milorad Mirčić, President of the parliamentary Committee for Security, member of the Serb Radical Party, thus qualified that resolution: **" They want through those doctored facts and figures to compel Council of Europe to pass a resolution proclaiming Serbia the country of state terrorism, and the country in which the rights of Hungarians are allegedly threatened. That would pave the way for Kasa's aspirations towards secession of Vojvodina."**

In a side-box headlined **"Soroš behind the whole move"** "Internacional" made the following assertion: **"Signatories of the draft resolution are members of left-wing parties, with Soros-like leanings. Four of them are Hungarian, two are Turks, and the rest are from Azerbeidjan, France, Switzerland, Lithuania, Ukraine, Bulgaria, Lichenstein, and Russia. "**

KOSOVO

Coverage of situation in Kosovo was riddled with alarming announcements of new escalation of violence against Serbs, allegedly planned for September. That threat was mentioned as the key reason for the Serb non-participation in the October elections. The foregoing makes us not that the campaign for the boycott of elections was indeed-timely!

In its lead-in to interview with Dušan Janjić, Director of Forum for Inter-Ethnic Relations, "Nin"'s journalist (26 August) noted: **"Dilemma to participate or not to participate in the October elections was replaced by the fear that Albanian**

militants as early as in September could complete their ethnic-cleansing campaign initiated in March. Reports of the Security-Informative Agency, Intelligence Services of the Army of Serbia and Montenegro, and signals discreetly sent by diplomatic circles indicate that the fear of Kosovar Serbs is-justified."

Janjić, inter alia, maintained: "Interests of militants and the leading political parties, including Rugova's party, coincide. Since April all the Kosovo prime movers behaved improperly. 17th March demonstrated that the Kosovo Protective Corps and Kosovo police directly took part in the then campaign of violence. Diverse intelligence services in Kosovo are still helping Albanian leaders, while KFOR is building walls around Serb enclaves."

"Politika" followed-up on the statement of Dragomir Ašanin, Head of Security-Informative Agency that "in Kosmet illegal arming of Albanian militants is under way." In the text headlined "Only Serb army and police can save Kosovar Serbs", "Politika" (28 August) criticized representatives of international community "for failing anew to heed serious warnings of our experts for terrorism and organized crime".

Defence Secretary of Serbia and Montenegro Prvoslav Davinić was also criticized for "sowing confusion" by his statement that situation in Kosovo was stable. ("Politika"). That daily furthermore carried the stands of "political leaders of Kosovar Serbs", to the effect that "Belgrade must take the whole issue in its hands and finally decide whether it would defend Serb people or give it away to terrorists, Kfor and UNMIK who had shown their skills during the March events. "

"If Mr.Davinic thinks that situation in Kosovo is safe, then he should finally visit Serb people there. At the moment he seems to be transmitting UNMIK and Kfor statements ",- said Milan Ivanović, He added: "If there is a repeat of 17 March then Serb people shall counter such violence by all means at their disposal." Randel Nojkić, member of Coalition "Povratak", one of "Politika"'s itnerlocutors said: "In case of a repeat of March events, Serbs could be saved only an incursion of Serb army and police."

A day earlier (27 August), "Politika"'s commentator Ljubodrag Stojadinović also ridiculed Davinić's benevolence: "Defence Secretary Davinić infused some optimism into our depressive lives. Namely he noticed that situation in the lost province was improving, or -"hopeful!"

In conclusion of his gloomy analysis, firmly predicting new waves of anti-Serb violence, Stojadinovic said: "Prime Minister of Kosovo need not know if someone is preparing new massacre of Serbs. Serb government is perhaps aware of such a development, but does not know how to prevent it. Kfor has not discovered any Shiptari boot-camps. They have trouble finding their own! If there is a repeat of violence, it will be treated as a major surprise, though all the parties concerned knew about its preparations. We are talking about Kosovo and Metohija, southern Serb province, currently bereft of "maternal" care. Perhaps Serbs have lost if forever..both those who hope for something, and those who are hopeless after a succession of terrible events."

"Kurir" (25 August_) in a text headlined "Shiptari offensive" "unveiled" that "D day is 20 September" to be preceded by the stage-managed social unrest "to morph into a new slaughter of Kosovar Serbs". "According to the plan discovered by the Security-Information Agency, that offensive should start in mid-September, and the bloody conflict should culminate on 20 September. A secret agent told "Kurir" that – *If everything goes to plan, Albanians on Monday, 20 September, should conquer northern part of Kosovska Mitrovica and thus gain access to the administrative border with central Serbia..*

"Kurir" was however the first tabloid to criticize Davinić's rash statement through the words of Nebojsa Covic, head of Co-ordinating Centre for Kosovo and Metohija: "That statement is not true! Number of incidents in Kosovo has not decreased!". Milorad Mirčić from the Serb Radical Party was also critical: "Security-

Information Agency predicts new massacre of our people in Kosmet in September...but Minister Davinic gives us assurances that such predictions are wrong?! Why does not he come up with his data and information? He should tell us what the army is ready to do to protect our people! Otherwise the impression shall remain that Davinic and his party, G17 Plus, would like to solve once and for all the issue of Serbs in Kosmet by not having them there at all!"

The "plight of Kosovar Serbs" is also exploited as an instrument of the anti-Hague campaign, that is, of prevention of the hand-over of the military foursome. In the text **"Generals in the Hague, massacre of Serbs in Kosmet"** "Internacional" (29 August) carried the opinion of a certain Mikan Velinović, depicted as **"the leading Serb patriot among the remaining Serbs in Kosmet"**.

That patriot, inter alia, stated: **"While Shiptari terrorists, in their boot-camps Kosovo- and Albania-wide, are preparing to commit new crimes against Serb people, our politicking politicians, speculators, are hunting down Serb generals and trying hard to hand them over to the Hague Tribunal. Is there an end to trampling upon the rights and dignity of our citizens? The state is not only composed of R. Ljajić, M. Labus, V. Maraš, V. Drašković and the like-minded officials. The state is composed of all our citizens who should be allowed to have their say about the Hague Tribunal and generals in a referendum."**

As "Internacional" informed us, Velinovic organized a petition-signing campaign among Serbs in Kosovo as a measure of support for generals. **"In only two days that petition was signed by over 7,000 Kosmet Serbs thanks to mu authority and credibility, and we know that each signature is objectively worth 100 times more."**

Though Serb newspapers were quite optimistic about Kosovo, the most optimistic seemed to have been Minister Davinic in his "geopolitical analysis" communicated to "Svedok" (24 August): **"Independence of Kosovo is not on the agenda. Hence the panic and showdowns among Albanian leaders."**

According to "Svedok"'s **"reliable source from Priština, the source close to the government of Prime Minister Redhepi"**, **"advocates of independence of Kosovo face serious trouble after signing of the Turk-Serb military treaty."** Analysis of "Svedok" is indeed a far-reaching one: **"Strategic partnership between Serbia and Turkey in Kosovo is interpreted as the beginning of creation of the joint defence forces, that is of a new coalition in Europe, since, according to some hints, NATO shall be shortly relegated to history."**

Or: **"That agreement is also a proof that the US and Turkey have renounced their ambitions to create a green transversal across Kosovo, or have only frozen those plans. For thanks to its rapprochement with Serbia, Turkey, via Bulgaria, gest the shortest access to Europe. But there are nations opposing a swift accession of Turkey to Europe, notably Germany, France and Russia-which until recently was considered the key ally of Serbia. "**

Though it may sound bizarre it is good that Serb print media started running stories about international plots, not targeting Serbia, but rather involving a twosome, the United States and Turkey. However such stories are rare. Press continues to be preoccupied with domestic developments and-related speculations. Headline of a side-box in "Svedok" is **"Serbs shall take part in elections, part of Albanians shall boycott them?"** "Svedok's" souce thus discloses that October elections **"may be partly boycotted by radical Albanians, notably those who are aware that independence is a long way off."**

The Analyzed Media in a Nutshell

POLITIKA – A daily with the longest tradition in Serbia and the Balkans (published for 100 years now). Time-honored as the most serious political newspaper, the daily has always sided governmental policies. It was the major media weapon of Milosevic's enthronement and the maintenance of his regime, as well as of mobilizing Serbs for wars (in the period 1998-91). The daily has demonized the opposition and fueled nationalism. Having made some cosmetic changes after the October 5 ouster, the Politika remained a major mouthpiece of national strategy. It figures as the main publication of the namesake corporation that is nowadays in co-ownership of the German WAZ concern.

KURIR – A daily tabloid with highest circulation, started in 2003 by the owner of the "Glas Javnosti" daily and the ABC printshop, Radisav Rodic. Its popularity skyrocketed due to extreme sensationalism and competitive price. Though labeled as a tabloid, the daily is mostly focused on political scandals defaming the so-called reformist wing – political parties, non-governmental organizations, politicians, individuals and members of the first post-Milosevic cabinet.

BALKAN – A daily launched in 2003 by a group of journalists that used to work for the banned "Nacional" daily paper (the latter was banned during the state of emergency for its ties with organized crime). In its policy, the paper rubs shoulders with the "Kurir." There is no telling who actually owns the "Generalpublic" company, the paper's official publisher.

INTER-NACIONAL – As a "heir apparent" to the "Nacional" tabloid (see the paragraph above), the paper was started (resumed) in 2003. Its policy is extremely chauvinistic. The stories it carries are usually not by-lined and quote anonymous sources. It is more like a bulletin published by certain services than a newspaper. Its publisher, the "SM Media," is also unknown to general public.

BLIC – Among the first privately owned dailies in Serbia, the "Blic" was established in 1996 thanks to foreign investment. Its circulation was notably high in 1990s. However, faced with market competition later on, the paper's influence shrank.

GLAS JAVNOSTI – The daily emerged in 1990s when the "Blic" newsroom split off. Its owner is Radisav Rodic (see the paragraph dealing with the "Kurir"). The paper aspires to be perceived as a serious political daily.

VECERNJE NOVOSTI – Launched in 1950s, the daily used to attract the largest readership in ex-Yugoslavia. The paper's policy is so shaped to attract all strata of the society. In Milosevic's era, the daily made a significant segment of the regime's nationalistic propaganda machinery. Highly circulated to this very day, it is rather popular beyond Serbia – in Montenegro, among Serbian population in Bosnia-Herzegovina and throughout the Serbian diaspora.

EKSPRES – A daily published by the Politika Company as a more tabloid-like and populist version of the "Politika." It also considerably contributed to Milosevic's enthronement and maintenance of his regime. Rather influential in ex-Yugoslavia, the paper gradually turned less and less popular, and even had to close its newsroom for a time.

SVEDOK – A weekly started in mid-1990s when it mostly carried sensationalistic stories about Belgrade's crime milieu. The paper was banned after the Premier Zoran Djindjic assassination for having published an alleged interview with the first accused of the murder, Milorad Lukovic-Legija, who was on the run at the time. The weekly consistently campaigns against pro-European political forces in Serbia and the most active non-governmental organizations. The "Svedok" is under strong influence of the military lobby and, in particular, General Nebojsa Pavkovic indicted by The Hague Tribunal for war crimes.

NIN – The oldest political weekly magazine in Serbia, founded back in 1935 at the time of the Kingdom of Yugoslavia. Due to its long tradition, the weekly is seen as a serious newspaper aimed at elite readership. Its policy's nationalistic affiliation has been varying with the times – from extreme to moderate nationalistic stands.

ANNEX 1

THE ROLE OF THE MEDIA

The role of the media in the Yugoslav crisis cannot be understood without understanding its political context and the social role of the media in the socialist, single-party systems. The media and journalists were the propaganda service of the regime and their role certainly was, and has remained to be, the protection of the system. For this reason, journalists were formally some kind of socio-political workers with a special social and political mission as well. However, over the years, journalism reached a remarkable level of professionalism. During the Milošević regime, their role remained the same, except that their ideological premise was replaced by a nationalist one. The media space was regulated by the special Law on Public Information enacted in 1978, which remained in force until Milošević changed it in 1998. Each republic and each of the two provinces had their own radio and television news system (RTV Skopje, RTV Ljubljana, RTV Novi Sad, etc.), as well as one large newspaper publishing company (*Politika* in Belgrade, *Vijesnik* in Zagreb, *Delo* in Slovenia, etc.), all of which were the mouthpieces of the republican or provincial governments. The editorial policy and leading journalists, especially in the electronic media, were under the watchful eye of the League of Communists' Central Committee, either at the republican or provincial level. By tradition, directors of the main radio and television stations were members of the League of Communists' Central Committee. However, the printed media market exceeded the republican and provincial borders and it can be stated that the 1980s were the period of a wide circulation of printed media among the republics. At the end of the 1980s, the Zagreb weekly *Danas* had a circulation of over 180,000 copies thanks to its sale outside Croatia. The same situation was with Belgrade's *NIN*, which was sold up to 200,000 copies, while the provocative youth magazine *Mladina* from Ljubljana had the circulation of up to 100,000 copies and was also sold outside Slovenia despite the language barrier.

During the late 1980s, the printed media in Yugoslavia, especially in Croatia, Slovenia and Bosnia (*Borba* in Serbia), especially at the time of *velvet revolutions* in Eastern Europe (after which multi-party elections were held in these republics), enjoyed a high degree of freedom, until the beginning of the Serbian war propaganda against these republics. For almost two years, the republican governments were incapable of responding to Milošević's war machinery and national hysteria, thus creating an impression in public that they were helpless and confused. In Croatia, this unreadiness to respond to Belgrade's provocations was qualified as "Croatian silence". After the multiparty elections in Slovenia and Croatia, which were won by the national parties, the situation in the media changed due to a shift to the national parties. The national parties also won elections in Bosnia and Macedonia, while the elections in Serbia and Montenegro were won by the communist parties, transformed into the socialist ones by a decree. At the same time, their media were not only nationalist but also war-oriented, in accordance with the stated political agenda.

After Tito's death, the Yugoslav society embarked on the path to faster liberalization, which was also reflected in the media. Some of them became more courageous and took a more liberal and more democratic stand on social reality, such as, for example, the Zagreb weekly *Danas*, *NIN* from Belgrade, bimonthly magazine *Start* from Zagreb and or the alternative youth magazine *Mladina* from Ljubljana.

However, with Tito's death Yugoslavia remained without its political arbiter. Monolithic unity was not possible any more. The key issue became the method of resolving moot questions. The struggle for Tito's legacy began as early as the 1970s, when it became clear that Yugoslavia could not survive as a centralized federation. However, the Serbs viewed Yugoslavia only in such a form, thus regarding any effort at its transformation as an attack on the Serbian people. The Brioni Plenum (1966), student demonstrations (1968), the first Albanian demonstrations (1968), as well as the adoption of the Constitution (1974) had a decisive influence on the course of events during the 1980s.

In such a political climate, the media - which used the relaxation of control to break all taboos of the Yugoslav society - began to be instrumentalized as well. During the early 1980s, the Serbian media were following the same trend as that prevailing in the entire territory of Yugoslavia. However, when the consensus on the Serbian national question was reached in Serbia, the role of its media in the homogenization of the Serbian nation and war preparations assumed a major role.

After Tito's death, the top position in Serbia was assumed by General Nikola Ljubičić, who thus became a statesman out of a soldier. Before then, he spent 13 years at the head of the JNA. His view that "Yugoslavia will be defended by the Serbs and JNA" reflects the understanding that Yugoslavia is a Serbian state and that the JNA is its army. Tito's death and the disappearance of his authoritarian rule, coupled with the weakening of the ideology as a connective issue, were strengthening the reliance on the army, which began playing a major political role since the 1970s already (its participation in the crushing of reform movements). The Albanian demonstrations in Kosovo in 1981 were used to raise the Serbian national question and incite the Serbian nationalist euphoria. The JNA appeared openly on the political scene and, in essence, occupied the territory of Kosovo.

The unreadiness to resolve open questions and resistance to changes resulted in the homogenization of the Serbian people on national grounds, whereby Yugoslavia's reconstruction in the new situation was regarded as the loss of its unified state. Instrumentalization of one's ethnic identity (Serbian) under the slogan "the state first and democracy later" blocked democratization and prevented the necessary plurality of interests. Once again the Serbian elite embraced its national program, which was informally prepared in the early 1970s already, and was articulated as a program in 1986, when the *Memorandum* of the Serbian Academy was published.

The *Memorandum* exerted a great influence on the political climate in Serbia. The Serbian national question was formulated as the state question, which meant that it could be resolved only by creating a new state on the foundations of old Yugoslavia. Such an approach was based on a thesis that, after Yugoslavia's disintegration, the Serbs could not live in Croatia and Bosnia as a minority, whereby both the Croatian question and the Muslim question were regarded as anti-Serbian from the start. In other Yugoslav republics, the *Memorandum* caused alarm, whereas in Serbia itself it caused a political split in its leadership. The President of the Serbian League of Communists' Central Committee, Ivan Stambolić, described it in the following way: "That is the point of our definite split in Serbia and an introduction into a political showdown."

According to the *Memorandum*, apart from the common problems, Serbia and the Serbian people are faced with three additional ones: "Serbia's economic backwardness, its unsettled legal status vis-à-vis Yugoslavia and the provinces and genocide in Kosovo." It is further stated that Serbia is in an inferior position relative to Croatia and Slovenia, which have subordinated everything to their interests. In the section devoted to the Serbian people it is explicitly stated that the Serbian population in Kosovo is "the victim of a physical, political, legal and cultural

genocide”,¹ while the Serbs in Croatia are “exposed to assimilation”.² The basic thesis of the *Memorandum* is that Yugoslavia’s decentralization is at the root of the Yugoslav crisis and the problem of the Serbian people. The *Memorandum* defined clearly the main topics which acquired utmost significance in the media and announced the preparations for war.

Milošević’s appearance meant the victory of the dominant dogmatic faction in the party and the nationalist opposition, whose ideologist was Dobrica Ćosić. Milošević established himself as the leader through a populist movement, which assigned him the national mission and through the “alliance of the elites” which supported him, including the Academy, Serbian Orthodox Church, Writers’ Association, Army, etc. The Eighth Session of the Serbian League of Communists’ Central Committee was not only an intra-Communist conflict, but an important event in the process of mobilization of forces for the imminent settlement of accounts in Yugoslavia.

The appearance of Slobodan Milošević, who distinguished himself by energy and resoluteness, was viewed by many of them as the possibility of Yugoslavia’s re-centralization. He received the greatest support from the JNA, while Nikola Ljubičić, Ivan Stambolić’s predecessor at the helm of Serbia (before then, he spent 13 years at the head of the JNA), played an important role in installing Slobodan Milošević as leader. Later on, Ivan Stambolić described his mandate as the “military occupation of Serbia”. Slobodan Milošević appeared when the project was already worked out in detail in the academic, military, party and church circles.

Slobodan Milošević soon realized that there was a political vacuum and that the public was waiting for concrete and resolute measures so as to surmount the crisis. He also exploited the unreadiness of the federal government to resist him directly and set about to destroy everything standing in his way both by “institutional and uninstitutional” means at an accelerated pace. His strength was derived, above all, from the obsolescence of the socialist model and unreadiness to change it radically.

Mass support given to Milošević turned rapidly into a national movement in Serbia. By using its energy, Milošević succeeded in establishing his authoritarian rule, which also enabled him to raise the Serbian question in Croatia and Bosnia as the state question, which could be resolved only by creating the state of the Serbian people in those republics, that is, on the basis of the theses advanced just by Dobrica Ćosić and his circle in the *Memorandum*: the endangerment of the Serbian people in Croatia and Kosovo, obsolescence of the Yugoslav framework, as well as the need to change the 1974 Constitution under which Serbia acquired an unequal status relative to other republics.

Slobodan Milošević realized the power of media and party apparatus in winning power very soon. Thus, from the very start, his attention was focused on a change in the party structure and the seizure of the media space. He revived the party with his cadres, thus ensuring its unity, mobilization and high re-centralization. Whereas the socialist camp was disintegrating, the dogmatic-conservative faction of the party, which was characterized by voluntarism and grabbing (one of the first actions within its plundering campaign against Yugoslavia was an intrusion into its monetary system at the very beginning). Slobodan Milošević

¹ According to the *Memorandum*, “a physical, political, legal and cultural genocide against the Serbian population in Kosovo and Metohija is the heaviest defeat in Serbia’s wars of liberation from Orašac in 1804 to the uprising in 1941”.

² As for the Serbs in Croatia, it is stated, inter alia, in the *Memorandum* that “Lika, Kordun and Banija have remained the least developed regions in Croatia, which caused a great emigration of Serbs to Serbia, as well as their migration to other parts of Croatia, where they are newcomers and a minority and socially inferior group, are very susceptible to assimilation. Otherwise, the Serbian people in Croatia are already exposed to a refined and efficient assimilation policy.”

advocated “non-party pluralism” or, in other words, the “pluralism of socialist forces” whose author was the philosopher Mihailo Marković. He was also supported by Mira Marković who, at that time, formulated her belief in the socialist future in this way: “The mobilization of that majority on a scientific basis, and within a political framework, is the area in which socialism will win the battle without difficulty and will continue its historical and civilizational journey to the community of free people, to communism.”

The significance of the mass media in forging war was reflected in defining the crisis and identifying its main aspects and actors. They were easily instrumentalized and turned into the promoter of the ruling ideology. Its functioning was coordinated, which enabled the adjustment of the media language as well as the public language in general to the regime’s political project.³

Milošević’s offensive against the media began with *Politika* as the newspaper with “by far the greatest influence on public opinion in Serbia and, not to a lesser degree, on the Serbian political evolution in the 20th century” (*Srpska strana rata*, Saša Nenadović, p. 151). *Politika* also served as an unavoidable “public forum for everyone caring about social legitimacy”. Apart from being a large-circulating and professional newspaper, *Politika* enjoyed a high confidence of its readers, which contributed to its significant influence on the formation of the opinion of the most enlightened part of the nation, mainly its political and cultural elite.

The awakening of “national consciousnesses” began rapidly to be felt among *Politika*’s editorial staff; polarization within the newspaper was deepened by numerous scandals, the most significant being the printing of the humoresque “Vojko and Savle”, attacking the persons who did not side with Milošević in a most disgraceful way. The distorted names in it were hiding the names of two academicians: General Gojko Nikoliš, a physician, and Pavle Savić, a world-reputed physicist. The aim of the insulting text was to frighten the increasingly louder critics of the regime. This scandal was denounced by one part of the public, which demanded that the author’s name be disclosed (the name is still not known with certainty). Sixty seven *Politika* journalists signed the petition which was not published either in *Politika* or in *Ekspres politika*.

Instead of dissociating himself from such a text, *Politika*’s then editor-in-chief Živorad Minović ruled out the possibility of discussing the case, explaining that “as the editor-in-chief I have certain obligations and certain powers and my obligation number one is to pursue the policy of the League of Communists. In other words, my obligation is not to allow anything to be published in *Politika* which is contrary to the line of the League of Communists”.⁴

This excerpt from Minović’s speech at a party meeting points out clearly that the humoresque was published at the Central Committee’s suggestion and that the text was in favor of the “program policy” of the ruling party. At that time, Milošević was still insisting on Yugoslavia and attacking nationalism in public. His attitude toward the *Memorandum* was still unknown; he was still defending the League of Communists from its dissidents.

However, the above mentioned event was the turning point in the behavior of *Politika*, which soon changed its editorial concept. It placed itself in the service of Serbian populism and nationalism just at the time when the campaign concerning the petition of Kosovo Serbs and Albanians was launched. *Politika* was then reporting only on Albanian separatism. The role of prosecutor was assigned to the Professor of Albanian Language and Literature at the Faculty of Philosophy, Halit Trnavci, an Albanian by nationality. He was signed as an author of a feuilleton in *Politika*, which was actually written by Miroslav Čosić and Miodrag Bulatović. This was when the

³ *Srpska strana rata*, Snježana Milivojević, p. 231.

⁴ Miodrag Marović, “*Politika*” i *politika*, the text is in preparation for publishing by the Helsinki Committee.

campaign for the “stand-up of the Serbs” and “raising of the spirit of the Serbian people” was launched.

In the fall of 1988 already, *Politika* assumed a new role on the political scene. Milošević turned it into an instrument for the settlement of accounts with his political opponents. *Politika* did not hesitate to publish falsehoods so as to discredit some politicians, such as Dragiša Pavlović and Radmilo Kljajić. Parallel to the purging of the League of Communists, personnel changes in the electronic and printed media were carried. On that occasion, *Politika* played a double role: it was Milošević’s trustee for the “purification” and disciplining of its own company and was filling other editorial offices in Belgrade, which opposed Slobodan Milošević’s policy, with personnel.

Politika ekspres and *Večernje novosti* had already been turned into the mouthpieces of the regime, but Milošević realized very soon that *Politika* and *Television* had the widest range and that they had the greatest influence on public opinion.

Politika was loyal to the regime by tradition, but it also had some specifics and was one of the largest circulating and most influential printed media in Serbia. Milošević demonstrated a great skill in disciplining this newspaper and it can be said that this was one of his greatest victories in winning, consolidating and, later on, surviving in power.

Živorad Minović played an important role in the formation of obedient editorial teams, which enabled Slobodan Milošević to carry out a media purge. He replaced about 70 editors, thus securing his undisputed position in consolidating power. The newspapers *NON* (*Nezavisne omladinske novine*), *Mladost* and *Student* were destroyed. The *Serbian Journalists’ Association* was taken over and its then president, Jug Grizelj, one of the best known Yugoslav journalists, was replaced right away. This campaign was sponsored by the Socialist Alliance, headed by Bogdan Trifunović.

At that time, *Borba* published everything that *Politika* wanted to hush up. *Borba* was founded by the Federal Conference of the Socialist Alliance, so that it was closer to the Federal Government and the then Prime Minister Ante Marković. Therefore, Milošević was not in the position to discipline this daily newspaper. At that time, *Borba*’s editor-in-chief was Staša Marinković. *Borba* was especially successful in analyzing the technology employed by Slobodan Milošević in winning power. There was an attempt to destabilize *Borba* through the strike of its typographers, who were incited to do that by *Politika* and *Ekspres politika*. On that occasion, *Politika* wrote “how *Borba*’s typographers, on the pretext that the editorial office has not settled its debt to them, actually denounce the editorial policy of this newspaper which is hostile to Serbia.” *NIN* also joined the campaign against *Borba* by publishing an article in which some of its editors were accused of “pursuing their careers and solving their housing problems by using their charm in bed.” *Borba* was constantly exposed to various pressures, including financial ones. It stopped being published in October 1998, on the eve of NATO’s intervention.

Immediately after the Eighth Session of the Serbian League of Communists’ Central Committee (September 1987) there was a “differentiation”, that is, the settlement of political accounts in the media. After disciplining the youth press, various *Politika*’s papers became the target as well. To this end, the *Intra-editorial Board*, as a coordinating editorial body was set up. In essence, it functioned as a press politburo, judging and passing judgments on the basis of which the decisions on the removal of editors were made.

The first victim was the weekly newspaper *Svet* on the pretext that it made a “political error” and that “with such an editorial policy and publishing a series of allegations and unproven assertions”, *Svet* caused damage to the *Politika* Newspaper Publishing Organization. The actual reasons were the criticism of the humoresque, resistance to *Politika*’s interference in other editorial offices, etc.

Serbia's leading weekly *NIN* fell victim when it came to the re-election of its editor-in-chief, Mirko Đekić. The campaign was conducted by *Politika* once again. At the same time, on February 18, 1987, Slobodan Milošević said the following at the closed meeting of the City Committee: "*Duga's* editor-in-chief has been replaced, but the situation in *Duga* will not change until its editorial staff undergoes change in a broader sense. We are also discussing *NIN's* new editor-in-chief. Regardless of our solution, we will not solve the problems in *NIN* without a serious reconstruction of the whole editorial office..." After this meeting, the competition to fill the position of editor-in-chief was repeated, the previous candidates were excluded and Predrag Vuković was elected.

Thereafter, *NIN* experienced turbulences from which it never recovered. The resistance of its editorial staff, which denounced various insults, such as: an "anarcho-liberal newspaper, the organ of the opposition and the instigator of national hatred", forced Milošević to find a new solution, and so the author and party apparatchik Đoko Stojčić came at the head of *NIN*. He was boycotted by the editorial staff, so that the magazine was forced to carry the articles written by a group of trusting journalists, coming mostly from *Politika* and *Ekspres*. Later on, most of its editors were removed through the Comrades' Council, which was set up by the Stari Grad Municipal Committee of the Serbian League of Communists. On June 30, 1988, Milošević gave his first, more extensive interview to the "purged" magazine, which represented the political agenda of the new national program. Milošević gave up his communist rhetoric and turned into the advocate of the ideology about the "stand-up of the humiliated Serbian people".

Immediately after this interview, *Politika* received a delegation from the Serbian Academy of Sciences and Arts on which occasion it voiced full support to the program presented in the *Memorandum*. Thereafter, the criticism of the academicians and the *Memorandum* ceased stopped. After settling accounts with his political opponents, Milošević allied with the nationalists.

Commentaries

In the first phase, Milošević used the media to settle accounts with his political opponents and then instrumentalized them against the Yugoslav federation. The column entitled "Commentaries" raised all issues addressed in the *Memorandum* of the Serbian Academy of Sciences and Arts: Serbia's economic inequality within Yugoslavia; the change of the 1974 Constitution; genocide against the Serbs and Montenegrins in Kosovo; the assimilation and discrimination of the Serbs in Croatia and the relations with other republics.

The content and aims of the column coincided not only with the conception of the *Memorandum* of the Serbian Academy, but also, in part, with Milošević's program speech in Kosovo Polje on April 24, 1987, when the main topics of *Politika's* future "popular forum" were listed. Milošević then said that "all issues are on the agenda, justice, freedom, culture, language and script. All issues are on the agenda, from media to constitutional changes, from kindergartens to courts". In addition to his Kosovo visit, which was later reduced to his mythical sentence: "No one shall beat you!", the unsolved case of the crime committed in the Paraćin military barrack on September 3, 1987 (when one soldier of Albanian descent killed four soldiers, of whom only one was a Serb) and the launching of the initiative for constitutional changes were also dealt with in the contributions to the column "Commentaries". The column was given the function of guidelines for a systematic instruction and direction of its readers

"Commentaries" represented a specific institutionalization of the readers' cooperation in the sphere of high politics. Due to its popularity in the general public and its influence on the formation of public opinion, the column developed into a specific phenomenon. Editor-in-chief Živorad Minović was also aware of that: "Due

to all these events, *Politika* and its papers have changed and so has public opinion. I think that this is primarily due to the fact that public opinion has influenced our papers, but our papers have also influenced public opinion..." (Saša Nenadović, *Srpska strana rata*, pp. 597-598).

In July 1988, the addition of the word "Commentaries" to the title of the column "Among Ourselves" went almost unnoticed. For this new project, special premises were provided and trustworthy contributors, both internal and external, were recruited. Over time, they expanded this *Politika* column to an increasing number of pages. The contributions were written in the editorial office, while those written outside *Politika* were brought directly to the editor or his deputy, who was authorized for such a communication, evidently with the aim to hide the authors' names. In order to prevent any abuse, the column "Among Ourselves" had practiced to give the ID number and full address of each contributor underneath his name. However, this practice was discontinued and false names, with no other data, appeared as well.

The column "Commentaries" is crucial to understanding the method by which the public in Serbia and in the Serb-populated regions in Yugoslavia was systematically prepared for the country's controlled deconstruction and wars in Slovenia, Croatia, Bosnia and Herzegovina and Kosovo in the future. This column lasted three years and disappeared as suddenly as it appeared. "Commentaries" disappeared soon after the March 9, 1991 demonstrations, without any editorial commentary.

The column "Commentaries" symbolizes probably the unprecedented instrumentalization of the media in manipulating public opinion, while at the same time elucidating to role of intellectuals who agreed to participate in the creation of ethnic stereotypes, stirring up of national hatred and the revision of historiography. In addition to *Politika*, that is, its column "Commentaries", the same role among the electronic media was played by TV *Politika*, TV Belgrade's *Dnevnik 2* (the second evening news) and its supplement *Dnevnikov dodatak*. Their news programs took over the pattern of this column.

In order to understand the real significance of this column, one must take into account the synchronized activities of cultural and research institutions, the Serbian Orthodox Church and renowned "public figures", who also acted through their Forum at Francuska 7 (the Serbian Writers' Association), Serbian Academy of Sciences and Arts, not to mention the "tour" of Prince Lazar's relics of the Serb-populated regions, from Croatia, through Bosnia and Herzegovina, to Kosovo. Before the appearance of this column, the cultural scene in Belgrade was overwhelmed with theatre plays with the symbolic titles: "The Fall of the Serbian Kingdom", "The Salonika Front Veterans Speak", "The Prince is Assassinated!", "The Battle on the Kolubara", "Prota's Memoirs", "The Secret of the Black Hand", "Oh, Serbia, There's No Shade Anywhere", "The Migration of Serbs" and "St Andrew's Rhapsody". Similar trends were also present in publishing activity, especially in the sphere of historiography (*Vreme kada je narod govorio*, Aljoša Mimica and Radina Vučetić, Humanitarian Law Fund).

It is no accident that the column appeared on July 9, 1988, on the day of the rally of Kosovo Serbs and Montenegrins in Novi Sad, when the people itself was promoted into the factor whose "pressure" resulted in the opening of a channel for encouraging and directing the settlement of political problems by uninstitutional means. For the wave of the "people's happening" in 1988, Milošević said that "rallies are a democratic, honest and expected response. The people gather on the grounds on which they are attacked or threatened". However, after the opposition's rally on March 9, 1991, he said the following: "I personally have endorsed the idea that the problems should be solved at the place where they should and not at rallies" (Slava Đukić, pp. 104 and 169).

At the beginning, the column was devoted to the Kosovo issue, which was then taken over by other Serbian media as well. This issue was treated exclusively as "Albanian separatism", while Halit Trnavci, Professor of Albanian Language and Literature at the Faculty of Philosophy and an Albanian by nationality, was elected as chief prosecutor. Namely, he signed a series of articles denouncing Albanian separatism, which were actually written by Miroslav Ćosić and the writer Miodrag Bulatović.

During the three years of its existence (33 months), the column carried 4127 contributions. Its decline began in March 1989, when the focus of attention shifted to analytical articles and feuilletons occupying increasingly more space. On the average, 130 texts were published every month. The contributions were signed by individuals, groups, firms, institutions and associations. Many of them contributed several times. The contributors included academicians, professors, physicians, teachers, lawyers, judges, writers, army members, white- and blue-collar workers and pensioners. The well-known figures prominent in public life were mostly writing long essays on various topics. Their common denominator was lamentation over historical injustice done to the Serbian people. The dominant topics were broached in the *Memorandum*, so that Kosovo, Vojvodina, Montenegro, Croatia and Slovenia were treated most frequently. If the later developments are taken into account, one can see clearly the strategy of conquering Yugoslavia: the conquest of Kosovo and Vojvodina (i.e. the abolition of their autonomy), which resulted in the change of the Serbian Constitution; the takeover of Montenegro by deposing its leadership from power and the export of rallies to Slovenia. When Slovenia banned such a rally, what followed was an unprecedented campaign against Slovenia and economic sanctions, all of which shifted to Croatia after the first incidents in Knin and Pakrac. It is interesting to note that Bosnia and Herzegovina, Sandžak and Macedonia were not included in that process, because, as was later to be seen, it was held that these two republics and Sandžak would remain within a new Yugoslavia. This was also implied in the book by Veljko Kadijević, who announced "the formation of a new Yugoslavia as the state of all Serbs and others who wish to join them" as the war aim. (*Vreme kada je narod govorio*, Aljoša Mimica and Radina Vučetić, Humanitarian Law Fund).

The column also carried a number of articles written under a pseudonym, which is best evidenced by Borisav Jović's confession in his book *Poslednji dani SFRJ*. The book shows that the top leadership was involved in the production of such intimidating texts. At one place in his book Jović says that he wrote three articles entitled "The Truth About Ante Marković" in order to "dispel the illusion of the people", because "many of them regard him as the savior and he is just a scoundrel and the enemy of the Serbian people". He sent these articles to Slobodan Milošević and they were published in installments in *Politika*, on July 5, 6 and 7, 1990, under a pseudonym (*Poslednji dani SFRJ*, Borisav Jović, p. 173).

Centralization of the Media

The victory of the anti-bureaucratic revolution in Serbia was accompanied by media purges and centralization, especially in Priština, Novi Sad and Belgrade TV stations.

Kosovo was *de facto* occupied by the JNA or, in other words, it was in the state of emergency since March 3, 1989, which precipitated a series of strikes and protests. Azem Vlasi, Burhan Kavaja and Aziz Abrashi were arrested on a charge that they had organized the miners' strike (on March 21, 1990). The Albanians alerted the international community by the allegedly mass poisoning of the Albanian children in Kosovo, which was denied by the Federal Secretariat for Health. Early in April, members of the Joint Police Unit from Croatia, which operated within the Federal Secretariat for Internal Affairs, withdrew from Kosovo, and on April 16 the Serbian

Ministry of Internal Affairs took over all duties concerning public and state security in Kosovo.

On July 5, the Assembly of the SR of Serbia brought the decision on the dissolution of the Kosovo Parliament in response to the adoption of the Constitutional Declaration proclaiming Kosovo a republic by the Albanian MPs in front of the Parliament building. Immediately afterwards, the Kosovo Parliament, Government and other bodies were dissolved. Radio and Television Priština was taken over and placed under control by the intrusion of the police. About 3000 Albanians left their jobs, because they did not want to work in the new circumstances. The new management and new editors for the Albanian language service were appointed, while the composition of the Serbian, Turkish, Roma and other services remained unchanged. The new editor became Fatmir Sheholli, who is now the B92 correspondent in Priština, after Ramiz Kurteshi, an Albanian from Belgrade, left this position after only two hours. The editor-in-chief of the Albanian language service became Ilijaz Dukaj, an Albanian émigré with Yugoslav citizenship, otherwise a translator and presenter in Priština. RTV Priština took over the program from Belgrade for the Albanian language service as well. Thereafter, the Kosovo Albanians stopped watching local TV, which explains probably the world's greatest number of satellite dishes per capita.

Rilindja (revival or renaissance) was published since 1945. During the 1980s it had a circulation of 70,000 (sold) copies, thus having the greatest influence on the Albanian population. Pursuant to the Decision of the Serbian Parliament, *Rilindja* was shut down due to a critical commentary made on August 8, 1990, at the request of Momčilo Trajković, Živorad Igić and Sonja Šćepanović. This interim decision was never revoked. *Rilindja's* staff did not accept any management imposed from the outside and continued to work under the old one. It was decided that the weekly newspapers *Fjala*, *Shkëndija* and *Bujku* should change their publishing frequency and that each of them should be published every third day, thus replacing *Rilindja* to some extent. *Rilindja* journalists were writing the articles for them. There were pressures, but no other measures were undertaken. Towards the end of 1990, the editorial staff brought the decision to publish *Bujku* (agricultural monthly magazine) on a daily basis so as to replace *Rilindja* completely, because there were no conditions for its publishing any more. The newspaper was completely under the influence of the League for Democratic Kosovo and supported the Albanian resistance movement. The Serbian Government itself tried to start *Rilindja* again, but the proposal was not accepted due to its conditions. In 1992, *Rilindja* began to be published in Switzerland (Zurich), but it was completely prepared in Priština and turned to the diaspora.

In 1993, the Serbian Government brought the decision to integrate the newspaper publishing houses *Rilindja*, *Jedinstvo* and *TAN* (Turkish newspaper) and the enterprise PANORAMA was established. However, *Rilindja's* management did not agree to this integration and remained with its 230 employees as a subtenant in its own building, together with PANORAMA. Moreover, it had to pay for printing services in its own printing shop. Such a situation persisted until the outbreak of war. The formation of PANORAMA also brought about the dissolution of some other journals, such as *Fjala* (scientific and cultural journal) and *Shkëndija* (health magazine). Only *Zeri* (youth newspaper) was published throughout this period. In 1995, the first independent private newspaper, *Koha Ditore*, began to be published.

Milošević applied the same measures to the disobedient journalists in the northern province, Vojvodina. After winning power in Vojvodina in the so-called "yogurt revolution", all leading journalists in RTV Novi Sad and *Dnevnik* daily were replaced.

Since its founding on November 29, 1949, Radio Novi Sad has been broadcasting its programs in Serbian and in national minority languages (Hungarian,

Slovakian, Romanian and Ruthenian). The Roma language service was opened later, in September 1992.

Since its foundation, Radio Novi Sad has always been playing a very important propaganda role both in the country and abroad. In fact, it was founded to spread anti-Stalinist propaganda to the countries of the socialist camp after the Cominform Resolution and the Stalin-Tito conflict.

At that time, Radio Novi Sad did not have only classical programs for abroad. It also used the programs intended for national minorities in Yugoslavia to spread anti-Stalinist propaganda. Those programs in the Hungarian, Slovakian, Romanian and Ruthenian languages were broadcast by means of such a powerful transmitter (i.e. a 600 kW transmitter manufactured by the U.S. company Westinghouse) that they could perfectly be heard in Hungary, Czechoslovakia, Romania and the Soviet Union. These programs, which promoted the values of Yugoslav self-management socialism and its policy of non-alignment – were listened very much in the mentioned countries of the socialist camp. Compared to the situation in those countries, the pattern of life in Yugoslavia was very appealing to them and many wished to have it in their own countries.

After the fall of the Berlin Wall, there was no interest in spreading propaganda to the East any more. Almost simultaneously, while Yugoslavia was disintegrating, the regime of Serbian President Slobodan Milošević displayed a great interest in the policy of “gathering on national grounds” and thus in spreading the appropriate propaganda to the Serbian people in the territory of the disintegrating state, especially in Croatia and Bosnia and Herzegovina.

In accordance with the new policy, Radio Novi Sad assumed a new, information and propaganda role. Its distinctly multicultural program was changed into a distinctly Serbian national program

The new program orientation was also accompanied by the appropriate reallocation of program audibility. The 600 kW Westinghouse transmitter at Srbobran began broadcasting the program in Serbian, while the 150 kW one at Orlovat, whose audibility was limited to Vojvodina, was given to the minority language services.

During NATO’s bombing in Vojvodina, many transmitters were disabled, so that the transmitter at Orlovat was also taken away from the minority language services. Today, they have so weak transmitters that the audibility of their programs is practically limited to a somewhat broader area of Novi Sad.

The editorial staff in the minority language services was hit hard by the media purge during the Milošević regime. Many journalists were sent on so-called compulsory leave, and many of them resigned due to poor working conditions and low pay. So for example, the editorial team of the Radio Novi Sad Hungarian language service was virtually halved.

The editorial teams of the Radio Novi Sad minority language services were especially affected by the internal decision not to pay travel expenses to the journalists living at a distance of over 35 kilometers. However, the minority population centers are located mostly outside Novi Sad, so that most of the journalists travel to and from the place of work and without travel allowance this was almost impossible considering their low salaries.

Milošević’s media purges in Vojvodina were much more subtle than those in Kosovo. A silent ethnic cleansing of all minority language services (this refers primarily to the electronic media) was carried out pursuant to the Decision on Rationalization. After capturing the RTV Novi Sad transmitters, Milošević redirected them to Croatia and Bosnia. Novi Sad was the main center of propaganda aimed at Croatia and Bosnia throughout the war.

The minority media tried to offer resistance, but their independent status became almost impossible after the aggression against Croatia. *Dnevnik* (Novi Sad’s daily in Serbian) was often commended for its war reports, while the minority media,

for example, which were still trying to break the media blockade, were under constant pressure. At that time, Serbian Prime Minister Radoman Božović stated that “they (the minority media) are openly supporting separatism in the north-western republics, Croatia and Slovenia; they fabricated lies and tried to count the reservist casualties on national grounds” (Tanjug’s news published in *Vjesnik*, October 28, 1991).

A special form of media policy centralization, especially in the electronic media, was the capture of relays on Mt Kozara and in Bijeljina, Doboj and Prijedor, which was done in October and November 1991 already. This enabled full control over the Serbian population, that is, over public opinion in the so-called Republic of Serbian Krajina and the Republic of Srpska.

Popular News Magazines

After the takeover of daily and weekly newspapers, as well as electronic media, a number of the largest-circulation popular news magazines, such as: *Duga*, *Ilustrovana politika* and *TV novosti*, were also taken over. These three magazines belong to different newspaper houses (BIGZ, Politika and Borba) and differ in the journalistic style: *Duga* is characterized by so-called historical journalism, *Ilustrovana politika* by literary journalism and *TV novosti* by entertainment journalism.

Duga held a special place due to its reputation of a provocative, liberal and “opposition” newspaper. At the same time, *Duga* was directly related to the developments in Serbia in general. In the fall of 1985 already, when it was conceptually and visually modernized, *Duga* was criticized for its “content and messages contradicting the policy of the League of Communists of Yugoslavia”, because its texts do not contain “the criticism of society, but an opposition political view, which does not contribute to the settlement of social conflicts and the stabilization of the situation, but aggravates them still further” (S. Križavac, *Duga*, No. 335). This criticism started a debate between the editorial office and the relevant party organs, which ended with the replacement of the editor-in-chief in the spring of 1987 (a direct part in the replacement of the editor-in-chief was taken by *Politika*, as an intermediary and a mouthpiece of the regime in its attempt to “adjust” certain media). The new editorial policy soon proved to be identical to the new political line. *Duga* soon began systematically to promote the new political project and “exert a great influence on the formation of the popular taste” (*Srpska strana rata*, Snježana Milivojević).

Duga’s Radicalization began in 1987 and continued throughout 1988. The dominance of the Kosovo issue was also reflected in its special edition (*The Truth About Kosovo*), published in June 1988 as a response to Branko Horvat’s book *Kosovsko pitanje*, which attempted to open a public debate about Kosovo at the Yugoslav level. In Serbia, however, this book was received as the “falsification of history, abuse of science, fabrication of the history of one people (Serbian) and idealization of the past of another (Albanian) (M. Vučelić and S. Dautović, *Duga*, June 1988).

The special edition of June 1989, devoted to the *Memorandum of the Serbian Academy of Sciences and Arts*, was the climax of *Duga*’s radicalization. The editorial emphasized the demand for “de-ideologization of all open issues” and that the *Memorandum* should be regarded as a joint contribution of the academicians to the efforts of our society to surmount the crisis. On that occasion, Antonije Isaković described the movement of the Serbian people as its “quest for honor. ... I think that our people is now experiencing some form of moral purification, some catharsis, some way out of the state of neglect, out of a perennial state of neglect. It seems to me, and I think that I am right, that the Serbian people found itself once again.”

After the adoption of the new Serbian Constitution and placing of Kosovo under control, *Duga* turned to the “Croatian issues”, that is, the status of the Serbs in Croatia. This theme was rounded off by its special edition entitled *The Serbs in Croatia*

(July 1990). The Serbs in Croatia were most frequently dealt with by Brana Crnčević: "The Serbs will not allow to themselves or others to be served, alienated and cooked, on the suddenly democratic table. Let's hope that it will not happen again that the world misses the holy truth that even the Serb-eaters are only man-eaters. Have we come down the stakes and ropes and have we created the Serbian state only to allow our disunity to take as back to those stakes and ropes" (*Duga*, No. 446).

Serbian Radio Television

The media war, which was well underway in the printed media, spread slowly to the electronic media as well. Despite certain resistance from RTV Belgrade, it was impossible not to devote attention and media space to the current events (especially to the so-called *meetings of truth*) which, in themselves, exerted influence on the raising of collective consciousness of the endangerment of the Serbian people and "unprincipled coalition" formed against it. The visit of Slobodan Milošević to Kosovo Polje on April 24, 1987, the Eighth Session, so-called meetings of truth, which were organized throughout Serbia, the removal of the Vojvodina leadership (the "yogurt revolution") and of the Kosovo leadership later on, the 17th Session of the Yugoslav League of Communists' Central Committee devoted to Kosovo and many other events received media coverage, while the sessions of political fora were either broadcast alive or were presented through very extensive reports and special programs. The basic message of all events was that the Serbian people was endangered, that Serbia was "the victor in war and the loser in peacetime" (Ćosić), that in Yugoslavia "all peoples gained and only the Serbs lost"... The electronic media were reviving the myths about "celestial Serbia" and the deprived Serbian people through various TV programs, such as: "Dnevnik", "Vesti" and "Aktuelnosti", and radio programs, such as: "Novosti dana", "Dnevnik", news and the like.

At that time, radio and television broached the subjects which had not been on their programs before. This was interpreted as "media democratization in general". Thus, some taboos took precedence: Goli otok, the relationship between the Partisans and Chetniks and their roles in World War II. Political differences between the republican and provincial leaderships also found their place in the electronic media. The 600th anniversary of the Battle of Kosovo (1989) was one of the more significant events that contributed to "national awakening". The whole event was broadcast live; special programs were devoted to it, while the speech of Slobodan Milošević was broadcast a number of times. Otherwise, the speech was specifically targeted and its simple and direct messages were aimed at Serbia's mobilization for "new victories". They were very appealing to the Serbian people which already regarded Slobodan Milošević as the leader who would ensure a new status for it both in Yugoslavia and in Europe. Milošević was skillful at conveying his messages which, otherwise, were very simple: "Serbia has regained recovered its state and its dignity" (the enactment of the new Serbian Constitution); Serbia can ensure "the prosperity of the Serbian people only through its unity" (homogenization). The crucial sentence in that speech, which aroused the concern of all other Yugoslav people, was: "Six centuries later, we are engaged in battles once again. They are not armed battles, but this cannot be excluded yet." (*Od Gazimestana do Ševeningena*, Belgrade, 2001). This sentence aroused great concern among other Yugoslav peoples.

Since multi-party elections became imminent, the Serbian political leadership tried to tie the most influential media to itself. The then director of RTS, Dušan Mitević kept pointing out at various meetings of the Program and Management Boards that "we must do our best, so that the socialists win". At the same time, anti-Yugoslav propaganda: "Yugoslavia is finished" and "Serbia does not need Yugoslavia". At that time, such propaganda prevented the opposition from clearly drawing up its political program, because it itself had the same view on the Serbian

national program. National ideology was the only driving force of unity. The SPS was using RTS very skillfully for that purpose (just like the JNA).

After the March demonstrations in Serbia (March 9, 1991), Milošević turned to the full centralization of the media, especially the RTV network in Serbia, as the most important to him. After the adoption of the new Serbian Constitution and the abolition of the autonomy of Kosovo and Vojvodina, where there were provincial TV stations, Milošević integrated the entire radio and television network of the Republic. On July 31, 1991, the Serbian Parliament passed the Law on Serbian Radio Television by emergency procedure. The three centers – Belgrade, Novi Sad and Priština, including the local RTV network – were integrated into a unified information network under centralized control. In August, the Serbian Government appointed the new directors of this unified electronic medium. So, the former Executive Secretary of the Serbian League of Communists' Central Committee, Dobrosav Bjeletić, was appointed director-general; Čedomir Mirković was appointed director of Serbian Television, while the news editor-in-chief became Krste Bijelić, who is remembered of his warmongering propaganda spread from the so-called Republic of Serbian Krajina. The viewers of TV Belgrade protested because of his reports.

The director of Radio Belgrade became the former editor of the party organ *Komunist*, Vojislav Mićović, whose doctoral thesis was a special war against Yugoslavia. The editors-in-chief of Radio Channels I and II became Momir Brkić and Đorđe Malovrazić. The government's new appointments sparked the protests of the journalists, engineers, technicians and other employees of RTV Belgrade; all Radio Belgrade editors resigned and at a protest meeting it was demanded that the government revoke its decision on these appointments.

In protest, Serbian TV journalists organized their TV news in the open air, at Terazije. Thus, they read the news which RTS editors did not want to broadcast on RTS every evening. However, the escalation of war and repression against these journalists quelled these protests, while a great number of the best-known journalists left RTS. At the same time, there was a conflict in RTS between the two opposite conceptions concerning the role of the media, which were personified in its director, Čedomir Mirković, and editor-in-chief Krste Bijelić. The conception of Krste Bijelić scored the victory. However, the first conflict between Milošević and the leadership of the so-called Republic of Serbian Krajina (i.e. Milan Babić) over the Vance-Owen Peace Plan resulted in the replacement of Krste Bijelić due to his close ties with Milan Babić. He was replaced by Dragoljub Milanović from *Ekspres politika*, while the director-general became Milorad Vučelić, who brought the team of TV Politika journalists. Slobodan Ignjatović, a *Politika ekspres* journalist, was appointed RTS director instead of Čedomir Mirković.

The Law on Radio Television, adopted on 31 July 1991, meant a definite defeat of democratic forces in Radio Television Belgrade. Complete radio and television management was replaced and one big center was created out of the Belgrade, Novi Sad and Priština centers, with about 8,000 employees at that time. All property became government-owned and all competences over RTS were transferred to the Government which, at that time as well as later on, was a single-party one, with minor exceptions. All those opposing the warmongering editorial policy (about 1,500 journalists) were dismissed. The Chairman of the Management Board, Vukašin Jokanović, said for *Epoha* magazine: "As national and state-run television, RTS is of special significance. At this time of pressures, genocide against the Serbian people and the denial of its basic national and human rights, it cannot be anational, it must safeguard the vital national interests... In our media companies there are people who appeared in various periods and none of them has left so far. For example, Radio Television Belgrade has been a Yugoslav media company rather than the media company of Belgrade and Serbia. This is also the case with a certain number of newspapers and magazines. In those news media there are people who actually work – against Serbia. Those are various Ante's Serbs who undermine them, create bad

relations and settle accounts with each other. All this is diminishing the ability of those companies to organize themselves adequately (I, 407, March 1992:4).

The work of RTB/RTS from the 1980s to 1992 can be divided into three phases: the first phase began with the Kosovo demonstrations in 1981 and lasted until 1987, i.e. until the Eighth Session. The second phase began with the Eighth Session and lasted until mid-1991, i.e. until the adoption of the new Law on Radio and Television. The third phase began with the new law under which the three TV centers (Belgrade, Priština, Novi Sad) were integrated. The disciplining of TV followed after *Politika* and all of its papers had been placed under control. *Politika* already prepared the opening of all "taboo themes" and contributed significantly to the rise of Serbian nationalism. It should be noted, however, that the disciplining of radio and television was not so easy and that not all editorial offices and all programs participated in propaganda to the same extent. In certain periods there was a considerable difference between Radio Belgrade and Belgrade Television.

Dismissals from work and sending on "compulsory leave" were carried out by using the proven formula of "business rationalization". Vojislav Šešelj, leader of the Serbian Radical Party, was announcing the true intentions of the authorities according to the well-known pattern. So, at the press conference of January 6, 1993, he said that it was the question of "purging undisciplined and party-tainted journalists" so as to "settle the situation in RTS". In this way, the purging of a number of journalists was also promoted in public. He also said that "purges will be carried out everywhere we are in power and where we participate in power" (*Politika*, January 7, 1993). The SPS official Goran Perčević also said something very similar: "those who are not like-minded" cannot work in government institutions" (TV Dnevnik, January 9, 1993). Šešelj's blacklist was read on the prime time TV news (TV Dnevnik), in April 1992, during the strike of Radio Channel II staff. That was one of the most illustrative examples of the differentiation of RTB journalists on national and political grounds in public.

As stated in the Resume of the Independent RTB Trade Union (*Purges in RTV Belgrade - January 1993*, Independent RTB Trade Union), "the purging of journalists was part of the process of taking full control over the main RTV news and political programs and critical magazine-programs, in particular. At the same time, a populist concept was imposed on cultural and music programs. The initial opening of certain RTV programs was replaced by the most vulgar propaganda of the ruling party. The new editorial concept was based on the creation of the image of world conspiracy and the settlement of accounts with those on the domestic scene who did not side with them. The initial pluralization of the programs was overshadowed by an ideologically and professionally anachronous language."

The RTS/RTB and TV Novi Sad programs could be watched in all parts of Croatia and Bosnia and Herzegovina which were controlled by Serbian forces, i.e. the JNA. This was achieved by capturing TV relays throughout the Serb-controlled regions, including the most important one on Mt Kozara. It was captured by the "Wolves", a paramilitary formation which operated in full cooperation with the army and political leaders. Thus, the inhabitants of Bosnia and Herzegovina and Croatia could not watch TV programs from Sarajevo or Zagreb, but only those from Serbia, Pale and Banjaluka.

TANJUG

Tanjug was one of the world's most renowned news agencies, especially among the non-aligned countries, for decades. It was often quoted in the world media as well. *Tanjug* was a federal institution and functioned like all other federal institutions, according to the representation system. In 1991, when the federal officials from Slovenia and Croatia went away, a greater number of their journalists followed in their footsteps, especially in 1993. *Tanjug* journalists tried to prevent, or

at least to restrict the placing of *Tanjug* in the service of propaganda machinery. The director of *Tanjug* who turned this news agency into Milošević's service was Slobodan Jovanović, former editor-in-chief of *Politika ekspres*, while the then editor-in-chief, Dušan Zupan, who was from *Tanjug*, was skilled at manipulating the agency.

Narodna armija

Narodna armija was the JNA's weekly newspaper. When Milošević definitely won the military establishment over to his side, this newspaper assumed a significant role in mobilizing medium-level military personnel, as well as members of the SUBNOR. Like the JNA, the SUBNOR had a great influence (since 1970) on political developments in the country, since they were constantly referring to their credibility and legitimacy deriving from the National Liberation War. At the time of the strongest propaganda, this newspaper was printed three times a week. That period was characteristic of numerous interviews with the academician and author – exponent of the Serbian nationalist program. The most important figure was certainly the historian Milorad Ekmečić, who is otherwise regarded as the engineer of the war in Bosnia.

The Media in the so-called Republic of Serbian Krajina

The media in Krajina were directly controlled by Belgrade, that is, Novi Sad. This could best be seen by the arrival of teams from Belgrade whenever it was necessary to "discipline" the disobedient and settle the intra-Krajina conflicts (especially between the more radical nationalist Milan Babić and Milan Martić, who supported Milošević's line – the first such conflict broke out with respect to the Vance-Owen Plan). As the center of the so-called Republic of Serbian Krajina, Knin was under the permanent control of the army which had a large garrison in it. At that time, General Ratko Mladić also served there. Otherwise, the JNA reported on the ongoing events on a daily basis, giving its interpretation of the events. Frequent visits of General Vuk Obradović, the then spokesman for the JNA, to the so-called Republic of Serbian Krajina were usually accompanied by the intensification of war propaganda. He himself wrote the reports about the events in Zadar, alleged rebellions in the Croatian army because of the Herzegovinians, etc. After being degraded, he used to come to Krajina as a "volunteer", so that his influence on the media continued.

All Krajina radio stations were turned into Serbian ones. Knin Television, opened in Knin, was distinctly warmongering, with its series of stories from the spot. Due to the lack of professionals, TV Knin was run by Belgrade's journalist Dubravka... There were also the news agency *Iskra*, which was seated in the JNA Hall (or the Hall of the Krajina Serb Army) and the *Knin Press Center*. These facts speak enough for themselves. The radio station *Glas srpski* at Topusko was excelling in its reports on the intra-Krajina conflicts, siding with Babić's "hard-line" nationalism.

At the very beginning of the war, the sale of *Borba*, as an "anti-Serbian" newspaper, was suspended, thus cutting of the inflow of any more objective information. The direct reason was the reporting by Ivan Radovanović. Any attempt to have the Croatian and Serbian journalists – who were meeting each other at the line of demarcation during the negotiations - arrange short reciprocal visits (Šibenik/Knin) were prevented.

YUTEL

YUTEL was founded before the multi-party elections. That was an attempt of the Yugoslav Prime Minister, Ante Marković, to obtain his own electronic medium so as to win the support of the Yugoslav public for his reform policy. Apart from the

fact that Ante Marković appeared late on the political scene, there are another two important factors due to which YUTEL failed to perform its function: a boycott by the republican governments (which were affected by such a concept) and the JNA's infiltration (the JNA provided a relay and infiltrated into the editorial team's work).

The program distinguished itself by its orientation, because it kept an equidistance from all sides, but did not take a stand on Serbian aggression. With the beginning of aggression against Bosnia, YUTEL found itself in an impossible situation, because it was impossible to keep an equidistance between victim and aggressor. Torn by internal conflicts and unable to keep an equidistance, YUTEL was shut down in May 1992. Although YUTEL took a unitarist stand, it was still boycotted by all republics and its news were very often broadcast late at night.

The ambition of YUTEL, founded in 1990 in Sarajevo as the symbol of multiethnicity, was to be a supranational television station. Its editor-in-chief was Goran Milić and editorial staff was greatly ethnically mixed.

Propaganda War

The Serbian national strategy began to take shape as early as 1981 and lasted until 1990. The demonstrations of Kosovo Albanians triggered a propaganda war which was based on a specific "rhetoric strategy". The latter, in turn, was based on the theory of "ethnic cleansing" of Kosovo Serbs, which was used as a pretext for repression in Kosovo. Later on, a similar rhetoric was used in Croatia and Bosnia as a pretext for war and war crimes. The second phase was marked by shifting from words to deeds. In other words, it was necessary to familiarize the readers in a striking manner with the crimes committed against the Serbian people, whether real or imagine, all this being in the service of war and military activity in Slovenia, Croatia and Bosnia.

The Serbian nationalists presented skillfully their propaganda strategy both to the domestic and world public, using some established facts (all peoples in Yugoslavia had justified reasons for some of their demands), but those facts were abundantly supplemented with fabrications, half-truths and lies, which often resulted in the attribution of one's own crime to the other side.

At the "round table" of Ljubljana's *Teleks* and Belgrade's *Duga*, Brana Crnčević put forward the following view: "Since we still do not represent a free press, neither you or we, because we are limited by the current laws on the disturbance of citizens, we write in our newspapers tediously and try to correspond with each other between the lines. Correspondence between the lines is advisable in one language, but it is difficult in two. And that which we write between the lines to the Slovenes and vice versa is understood only by a minority. The comrades from Croatia are not here, so that we can play preference. Thus, let us simply tell each other what we think and see what is valid in those thoughts. I do not believe that, in the present circumstances, Yugoslavia is competent to cut off its citizens and tell them to keep quiet. They kept quiet for a long time, they talked nonsense for a long time. So, if we want the truth, let us carry on this conversation in a different way" (*Duga*, No. 365, February 20 – March 4, 1988).

Soon afterwards, a real media war broke out through politicized "cases" in addition to presenting shocking "truths". The preconditions for the destruction of the so-called enemies, yesterday's neighbors, were created through their well-conceived dehumanization. The launching of the initiative for constitutional changes and Serbia's equal status within the federation was an introduction into a media war. In editorial offices, special journalists were assigned to monitor the status of Serbs outside Serbia; an organized campaign concerning the endangerment of Serbs also began, first in Kosovo and then in Croatia. Genocide was included in the public discourse after the publishing of the book *Vatikan i Jasenovac* in 1987 (Ljubomir Kljakić, TVN, No. 1322, April 27, 1990). Early in 1989, it was revealed that the Serbs

in Croatia were endangered. There was an increasing number of articles on this topic, but the speech of Dobrica Ćosić at a protest evening at Francuska 7, which was organized in protest of the arrest of Jovan Opačić, was also indicative. "For decades now, the Serbs in socialist Croatia have not had their national rights which they had enjoyed in the Austro-Hungarian monarchy. And they have put up with that as celestial misfortune, while we, their compatriots, keep quiet about that out of fear, indifference, greed... Is the Serbian fate in Croatia a genocide in war and discrimination and assimilation in a socialist peace (*Duga*, No. 406, September 16-29, 1989).

Telling lies was regarded as a legitimate way to attain the "just aims", because "in Serbian history a lie has served the Serb nation as many times as courage" (Dobrica Ćosić's speech in Montenegro). The presentation of the truth about Serbia was elaborated in the best way at one of the meetings of national strategists, at which it was heard that one should "think over as to what truth about ourselves we wish to present to the West, which implies a consensus on the minimum national aim and the establishment of a modest 'partial truth', which will be defended by everyone and everywhere in the same way. As they said, this would be the only way to make the Serbs "understandable to the foreign world". That task should surpass politics and information: it is the question of a realistic account of Serbian reality in which everyone must participate."⁵

The first phase of war propaganda was dominated by the language of hatred, which was directed against the Albanians, Slovenes and Croats, in particular, and reflected their view on the outcome of the Yugoslav crisis. Accordingly, this implied preparations for the expulsion of Slovenia from Yugoslavia, an armed conflict with Croatia so as to conquer "ethnic Serbian territories" and the placing of Kosovo under the permanent control of armed forces. The Muslims and Bosnia and Herzegovina were placed on the agenda only when the war broke out, because it was expected that Bosnia and Herzegovina would remain in the rump Yugoslavia, together with Macedonia.

The mobilization of the Serbs throughout Yugoslavia, especially in Croatia, was carried out by using all possible means: from revoking the memories of the crimes committed against the Serbs during World War II to the revival of myths from the period of Turkish rule and the fabrication of outright lies. The superiority of the Serbian people and its ability to organize the state was emphasized all the time. Jovan Rašković, a psychiatrist from Šibenik, is certainly one of those being the most responsible for the homogenization of Serbs in Croatia (which he confessed in public later on), as well as in Bosnia.

In his column "Serbian Affairs", *Duga's* commentator Brana Crnčević most often exploited the thesis on the "genocide nature of the Croatian people". Other typical stories about Croatia and Slovenia in *Duga* or *Ekspres politika* during that period were about Serbia's economic exploitation by these two republics over a period of fifty years, as well as the promotion of a false statement that the Serbian factories were moved to Slovenia for strategic reasons immediately after World War II. The anti-Croatian and anti-Slovenian campaign was supported by prominent intellectuals and academicians. So, the academician and poet Matija Bećković was speaking about the "rest of the massacred people" (thinking of the Serbs in Croatia and Bosnia).

Anti-Croatian hysteria reached its climax on the eve of the first multi-party elections early in 1990. *Politika* and *Duga* were writing about the newly formed Croatian parties, including the HDZ, as "extreme rightist parties" or "pro-Ustasha parties". At the same time, they were writing about the Serbs in Croatia as a group which was discriminated against, whose basic human rights were endangered, etc. It

⁵ Slobodan Despot, *Geopolitička stvarnost Srba*, Belgrade, 1997.

was also written about the Serbs as "unarmed people", which was armed by the JNA during 1990 already.

The Serbian Orthodox Church took an active part in the mobilization of the Serbian people. Carrying Prince Lazar's relics, it set out on a journey from place to place so as to mingle with people, with an elaborate religious and national program befitting the Serbs as spiritual beings and the only emissaries chosen by God. Church processions and the carrying of the relics of Prince Lazar Hrebeljanović formed part of the preparations for commemorating the 600th anniversary of the Battle of Kosovo. At the same time, the commemoration was also organized at Lazarica in Dalmatinsko Kosovo (1989), which also served for the rehabilitation and promotion of Chetnikdom. The Serbs in Croatia were assigned a special role in the "anti-bureaucratic revolution", on which their view was expressed by all more prominent academicians. In the special edition of *Duga* magazine "The Serbs in Croatia" (July 1990), all arguments, which were later used in the propaganda war against Croatia, were presented. So, a thesis was advanced that "inter-ethnic relations in the mixed communities in Croatia are worse than on the eve of World War II, when the Ustasha *magnum crimen* began", that the "confederalization of Yugoslavia is impossible before the settlement of mutual (economic) accounts". It was also emphasized that "confederalization also means the change of borders" (*Duga*, July 1990, Dragan Barjaktarević). In the same edition of *Duga*, various academicians evoked the memories of the suffering of Serbs during World War II, whose tragedy was compared to that of Jews and Poles. It was especially pointed out that the "tragedy of Serbs in Croatia has not yet been finished – it has been going on up to the present and could be even greater in the near future" (Mihailo Marković).

At the same time, a thesis was advanced that the Serb-populated regions were deliberately economically neglected by a "thought-out policy pursued by the Croatian leadership". It was also pointed out that the "Serbs in Croatia are faced with the inevitability of gradual assimilation", that they are "second-rate citizens", that "the genocide committed against them is disparaged, thus opening up the possibility for its perpetuation". It was especially emphasized that confederalization would lead to the dissolution of the JNA and the formation of the republican armies, so that the Serbian people in Croatia would be "exposed to a great danger, which cannot leave anyone indifferent..." In that case, the Serbs in Croatia "have the right to immediately request the territorial autonomy of the united municipalities in which most of the Serbian population lives – consequently, in Banija, Lika, Kordun, northern Dalmatia and Slavonia". This means that if Croatia proclaims its secession from Yugoslavia, the Serbian people has "the right to secede from Croatia" (Mihajlo Marković).

Academician Vasilije Krestić writes about the Serbs in Croatia: "The lasting values observed by the Serbian people in Croatia, Slavonia and Dalmatia during its cohabitation with the Croats, could be reduced to the fact that, above all else, it cares about the protection of Serbian national identity and the preservation of its Orthodox religion. There was a full correlation between religion and nation, because – while cherishing their religion – the Serbs were defending their nation and religion. In so doing, they were also defending themselves from numerous fierce attacks aimed at their conversion to another religion and assimilation. Regardless of whether it was the question of nation, language or church, the Serbian name - which was systematically and deliberately omitted, erased or changed - found itself at the core of all Serbian demands, petitions and national and political programs... The attitude of the current or future Serbian leadership towards the Serbian people as a whole will be litmus test of the degree of its wisdom and patriotism, ability or disability, consistency or inconsistency in carrying out the priority national tasks."

Academician Jovan Rašković also contributed to this special edition of *Duga*. In his article he sent the following message to the Serbian people: "Excluding Jews, Armenians and Gypsies, there are few nations in the world that have the history which dispersed them throughout the world as is the case with Serbs. And the

dispersed or migrant people is always exposed to suffering. The suffering of Serbs has been the rule of their history... Great suffering has been the only thing happening to them since the Battle of Kosovo. It was only Divine Justice that saved Serbs from extermination and the erasion of the Serbian name. In every century, hundreds of thousands, or millions of the best Serbs paid for their devotion to their religion and nation with their lives. For six centuries, the Serbian people has been exterminated... Today, there are not many living Serbs, yet there are too many dead ones. These dead Serbs, whose energy has not been destroyed, because energy is eternal, are now helping the living Serbs to recover their spiritual, cultural and national ethos... We will excavate the bones from those damned pits, from those depths of hell. Around those pits we will build the ossaries of Serbian souls in order to give those martyrs' bones the place they deserve. Their place is not in hell, but in heaven, because the Serbian people has always been the people of heaven and death..."

Serbian propaganda also proceeded from the new global situation, especially the collapse of communism. Thus, special emphasis was placed on the fact that Serbia was always anti-communist. However, "the fall of the communist regime and the collapse of communism", provided a basis for the advancement of a new thesis that "the AVNOJ (Anti-Fascist Council) borders lost their historical justification and that they are not regular from the aspect of international law". It was held that the social order established by the Communist Party could not be destroyed without "destroying its historical-political determinant – the AVNOJ borders". Ćosić also holds that the "Serbian people cannot agree to the confederation of the existing republics, because their borders are not legitimate from a historical or state-law aspect; those borders were set so as to serve the political ends and criteria of the Communist Party of Yugoslavia and the Brioni Constitution (Dobrica Ćosić's interview for *Politika*, January 21, 1991). This thesis was first advanced by Kosta Čavoški in *Književne novine*, and was supported by a great part of the legal elite (Budimir Košutić, Ratko Marković, Vojislav Koštunica, Radoslav Stojanović and many others).

At the beginning of 1991, when the international community was trying to save Yugoslavia, Dobrica Ćosić gave interviews for *Politika* (in January and July 1991, both of which appeared in the prominent place in this newspaper) in which he suggested that the "survival of Yugoslavia is a utopia" and that the "salvation of Yugoslavia by foreign factors using political backmailing and economic pressures in the name of a fictitious anticommunist ideology and European constellation will not be of lasting benefit to the Yugoslav peoples or to Europe". Ćosić also suggests that "the Serbs have no national and democratic reasons and no right to prevent the Croats and Slovenes from seceding from Yugoslavia and forming their independent states". He also suggests that "they can create their independent states only on their ethnic territories". However, if "they form their states by annexing the Serbian ethnic territories, they will be the conquerors and instigators of war".

The real war propaganda against Bosnia and Herzegovina, that is, the Muslims began at the end of 1991, after the fall of Vukovar and the adoption of the resolution on the deployment of international forces (UNPROFOR) in Croatia, and when it became clear that Bosnia and Herzegovina would also embark on the road to independence. An organized campaign was carried out so as to frighten the Muslims into remaining in the rump Yugoslavia, while at the same time anticipating a bloody civil war in the opposite case. This was done through numerous interviews of the Bosnian Serb leaders (Biljana Plavšić and Radovan Karadžić), public figures in Serbia (Dobrica Ćosić and many other academicians), as well as numerous politicians, such as Vojislav Šešelj, who had already established themselves as skillful warmonger in Croatia.

In 1990, amidst the public debate about Yugoslavia's transformation into a loose federation or confederation, Biljana Plavšić stated that "the condition is that the Serb is not separated from the whole of Serbdom by a confederal state border. When

someone separates him, in a reflex response to his becoming a minority, he alienates himself from the Muslim instead of becoming closer to him. In my opinion, this threatening with confederal borders separated the peoples in Bosnia and Herzegovina instead of making them closer to each other" (*Intervju*, December 21, 1990).

Vojislav Šešelj was also a mouthpiece of the Milošević regime. He announced the war aims and the borders of the new state. He said: "Our Serbia is not delimited by the Drina. The Drina is a Serbian river which runs through the center of Serbia (*Svet*, May 30, 1990). Šešelj elaborated on the borders of the new emerging states in a series of public appearances and interviews. So, he said: "One part of the Muslims allows themselves to be a tool in the Croatian hands once again. Just like in World War II. We warned them not to challenge us. This time there will be no forgiveness. We are warning them to keep away from the Serb-Croat conflict. Unfortunately, it is evident that Izetbegović and Čengić are rejecting to do that. They have made their decision and will face the consequences. Three states: Greater Serbia, Small Croatia and an even smaller Slovenia. We will talk about the western Serbian borders directly with Italy. And Macedonia? It has always been the Serbian territory. As a whole." (*Revija 92*, January 31, 1990).

Šešelj never lacked the imagination to frighten other peoples. Underneath all these threats lied the ambivalent message: the Serbs as victims or as successful soldiers. Šešelj sent word to the Muslims: "Bosnia is undoubtedly Serbian and those Muslim fundamentalists who do not like that, will have to pack their things and move... I hold that the Serbian people is genetically ready to fight at any moment. Every Serb is a born soldier and Europe also knows that. Many of them had a bitter experience here, in the Balkans, just because they had underestimated the Serbian people". (*On*, May 4, 1991).

In the fall of 1991, the media began slowly to shift their attention to Bosnia and Herzegovina. In that phase, the attention of the Muslims was called to the fact that it would be better for them not to wage war against the Serbs. So, Biljana Plavšić points out that the Serbs will know how to defend Yugoslavia and all Serbs and that the "Serbs will retain and develop their regions in Bosnia and Herzegovina. The Serbs will always respond to the JNA's draft call. There are as many Serbs in Yugoslavia as all other peoples taken as a whole. One should not wage war with the Serbs. Living with them is wonderful, while waging war with them is disastrous. We will not be at piece until Foča and Goražde are annexed to Herzegovina, to which they belong both historically and geographically". (*Politika*, September 22, 1991).

In the Parliament of Bosnia and Herzegovina, during the adoption of the Memorandum, the document defining Bosnia and Herzegovina as a sovereign state and legalizing the view that it should not recognize the decisions of the rump Yugoslavia any more, Radovan Karadžić was threatening the Muslims: "The Memorandum is taking Bosnia and Herzegovina to the edge of catastrophe and civil war... I have no right to deceive you saying that the Serbian people will agree to that. Because, we have already made our decision – we will remain in Yugoslavia. The one who has technical facilities may leave Yugoslavia, we will not stop him. You cannot force the Serbs to do that, unless you kill all of us. But, who can kill 35 per cent of the population? Do not provoke disquiet among the people. Renounce an independent Bosnia and Herzegovina just like we renounced Greater Serbia, because those are the two extreme demands. (*Večernje novosti*, October 12, 1991).

During the debate in the Parliament of Bosnia and Herzegovina, Radovan Karadžić received extensive media coverage. This refers especially to the following part of his discussion: "his is the third or fourth republic which does not want to remain in Yugoslavia... The road they have taken is the same which led Croatia to hell. However, the hell of war in Bosnia and Herzegovina will be more disastrous and the Muslim people might perish. Therefore, don't try to work out something in Europe to which you have no right". (*Večernje novosti*, October 16, 1991).

In the texts the Muslims were pejoratively called "balije" and it was also pointed out that the "Muslims are a genetically corrupt people which converted to Islam and, naturally, that gene simply keeps condensing from generation to generation. It is becoming worse and worse; it expresses itself simply and dictates such a pattern of thought and behavior. That has already been implanted in the genes".⁶ In all public appearances of the prominent leaders and intellectuals, war and ethnic cleansing were mentioned as a legitimate means for the achievement of justified aims. Biljana Plavšić is also remembered for the following statement: "I would prefer to cleanse eastern Bosnia of the Muslims completely. When I say 'cleanse', do not hold me to my word and think that I am speaking about ethnic cleansing. But, under the term 'ethnic cleansing' they have planted on us a natural phenomenon and have qualified it as a war crime".⁷ Naturally, Biljana Plavšić proceeded from the numerical dominance of the Serbs and reckoned that the Bosnian war could be won only by them, because "there are twelve million of us, so that even if six million perish, the other six million will live honestly".

The letter of Dobrica Ćosić to the Congress of Serbian Intellectuals (March 26, 1992) formulates the strategy concisely. It is stated that "parallel to the collapse of Brioni socialism, the disintegration of Yugoslavia, which was regarded by the Serbs as their homeland for seven decades, forced the Serbian people - for the third time in this century and under the most unfavorable external and internal conditions - to realize its mistakes in the formation and defense of Yugoslavia, to create its new state - a free, democratic and civilized community... The foreign powers are disintegrating us in the name of their peace and their benefit. In that name, in the name of the "new European order", they are defining our identity and our borders, but those borders are not the borders of law, justice and peace, but the trenches of tomorrow's and future wars. Foreign factors are now treating the Yugoslav peoples and the peoples of Bosnia and Herzegovina in the way they have always treated the Eastern Question: to our detriment, unfairly and discordantly. If the Yugoslav peoples and the peoples of Bosnia and Herzegovina fail to realize that the vassalage to the great powers does not serve the future but the past, they will confirm their historical immaturity and impose the Eastern Question on themselves and Europe once again.

Considering our historical experience and the present situation, we, the Serbs, Muslims and Croats, must divide and delimit ourselves as fairly as possible in order to eliminate the reasons for hating and killing each other and that tomorrow we may unite in everything that is mutually sensible and useful, with as little hindrance as possible.

In creating a new state, historical experience tells us to adjust the principle of Serbian unity to the principle of democratic policentrism in the organization of the state and society.

... At the present time, we do not divide ourselves into the Serbs, Slavonians, Herzegovinians, Vojvođani, Montenegrins, Krajišnici, Kosovci, Banijci, Kordunaši and Šumadinci any more. While preserving and cherishing our regional peculiarities and differences, we are becoming one political people with different views, but with the identical will in defending our freedom and rights."

The large-circulation daily *Večernje novosti* printed the excerpts from Ćosić's book *Promene* (published by Novi Sad's daily *Dnevnik*, 1992), in which the Serbian national question was treated exclusively as a territorial question: "Yugoslavia's disintegration forced the Serbs to find the state-political form of resolving their national question. I see it now in the federation of Serbian lands. That federation should include not 'all Serbs', but the ethnic Serb regions".

⁶ *Svet*, September 6, 1993; Biljana Plavšić, one of the three leading Bosnian leaders indicted for war crimes.

⁷ *Ibid.*

As early as 1990, Radovan Karadžić said: "We are now openly saying something that could not be even whispered about in the past: the Serbs in Bosnia and Herzegovina are placing all hopes in their homeland Serbia and will never allow to be separated from it by any state border. Let all peoples in Yugoslavia distribute themselves in their states as they wish. And the Serbian people will also do that and will find the way to remain in the same state, whether simple or complex, of which Serbia is also a part. (*NIN*, November 9, 1990).

On the resoluteness of the Serbs to create their new state, Radovan Karadžić says: "It is necessary to begin preparations for the formation of the union of Serbian states in response to the EC's intention to parcel out the Serbian people. We, the Serbs, are at the turning point. We spent two centuries on the struggle for our homeland and freedom. Today, there are no many reasons for desertion or false peacemaking. We are for peace, but not for the peace whose price will be Serbia, the Serbian people, the Serbian state and the Serbian question in the Balkans in general". (*Politika*, 23 January 1992).

Željko Ražnatović Arkan carried out ethnic cleansing on the ground. During that period, he used to give interviews very often, in which he would explain the policy of the the Milošević regime. So, he said: "We defended our people in the territory of Slavonia, Baranja and western Srem. We liberated our Serbian villages as much as we could. We waged a defense war. As you know, there was a great fuss about Bjeljina. However, it would not have been Muslim and the border would have been on the Drina once again. We also reacted on time with respect to Zvornik". (*Interovu*, November 13, 1992).

ANNEX 2

PUBLIC INFORMATION LAW¹

Passed 22 April 2003 by the Serbian Parliament

I INTRODUCTORY PROVISIONS

Article 1

This Law shall regulate the right to public information as a right to the freedom of expression of thought and the rights and obligations of the persons involved in the public information process.

The right to public information shall entail in particular the freedom of expression of thought, the freedom to gather, investigate, publish and disseminate ideas, information and opinions, the freedom to print and distribute (disseminate) newspapers and other media outlets, the freedom to produce and broadcast radio and television programs, the freedom to receive ideas, information and opinions, the freedom to establish legal persons dealing with public information.

II PUBLIC INFORMATION PRINCIPLES

Freedom of Public Information

Article 2

Public information shall be free and in the interest of the public.

Public information shall not be subjected to censorship.

No-one may, even indirectly, limit the freedom of public information, especially by abuse of state or private authority, the abuse of the rights, influence or control of media printing and distribution means or of broadcasting devices and radio frequencies, or in any other manner apt to limit the free flow of ideas, information and opinions.

No one may exert any form of physical or other pressure on a media outlet or its staff, or any form of influence apt to hinder their work.

Breaches of the freedom of public information shall be ruled on by courts, by urgent procedure.

Due Diligence

Article 3

Prior to the publication of information containing data on an event, phenomenon or personality, the journalist and the responsible editor shall be obliged to verify its origin, accuracy and completeness with due diligence.

The journalist and the responsible editor of a media outlet shall be obliged to convey and publicize other people's information, ideas and opinions accurately and thoroughly, and, in the event that information was taken from another media outlet, that media outlet shall be quoted as the originator of information.

Information on Issues of Public Interest

¹ See: www.mediacenter.org.yu

Article 4

Media outlets shall freely publish ideas, information and opinions on phenomena, events and personalities that the public has a justified interest to know about, unless specified differently by the law.

The provision in para 1 of this Article shall apply regardless of the manner in which the information has been obtained.

Rights of Special Categories of Citizens

Article 5

The Republic, autonomous province or local government shall secure part of the funds or other working conditions for the work of media outlets in the languages of national minorities and ethnic communities to enable the national minorities and ethnic communities to exercise their right to information in their own languages and to nurture their own cultures and identities.

In order to protect the interests of invalids, handicapped persons and other individuals with special needs, the Republic, autonomous province or local government shall secure part of the funds or other conditions for such persons to freely exercise the right to public information, especially the freedom of reception of ideas, information and opinions.

Rights of Foreigners in the Field of Public Information

Article 6

Foreign natural and legal persons shall enjoy the same rights and obligations in the field public information as national persons, unless specified differently by the law or by a ratified international agreement.

Ban on Monopoly in the Field of Public Information

Article 7

Every form of monopoly in the field of public information shall be prohibited with a view to protect the principles of free competition and pluralism of ideas and opinions.

No one may enjoy the monopoly to establish or distribute a media outlet.

No one may enjoy the monopoly to publish ideas, information and opinions in a media outlet.

Application and Interpretation of the Provisions of this Law

Article 8

No provision of this Law may be interpreted or applied in a manner that may result in the abrogation of a right guaranteed by this Law or to a greater restriction of such a right than prescribed.

Status of Holders of State and Political Posts

Article 9

The right to protection of privacy, applicable to persons whom information refers to, shall be limited for a holder of a state or political post if the information is of public relevance in view of the fact that such a person holds a public office.

The rights of the persons referred to in para 1 of this Article shall be limited in proportion to the justified interest of the public in each specific case.

Article 10

State bodies and organizations, territorial autonomy and local government bodies, public services and public firms, as well as councilmen and Members of Parliament, shall be obliged to provide equal access to information about their work to the public, to all journalists and all media outlets.

III MEDIA OUTLETS

Definition of a Media Outlet

Article 11

Media outlets shall comprise newspapers, radio programs, television programs, news agency services, Internet and other electronic editions of the above-mentioned media outlets and other public information media that use words, images and sound to publish ideas, information and opinions intended for public dissemination and an unspecified number of users.

A media outlet shall not enjoy the status of a legal person.

Article 12

In terms of this Law, the following shall not be regarded as media outlets: periodicals focusing on a certain professional field and intended solely to inform or educate a certain professional group, publications, catalogues and programs that contain solely personal ads, advertisements and market-oriented information, newspapers, newsletters and similar publications for internal information purposes which are not publicly disseminated, official heralds of the state, territorial autonomy and local self administration units, or flyers, posters and similar forms of public information means.

Article 13

Every newspaper with a distinct name shall be deemed a distinct media outlet.

All editions of a certain newspaper published under a single name shall be deemed a single media outlet.

Every individual radio or television program shall be deemed a single media outlet even in the event that it is broadcast via two or more frequencies.

If different radio frequencies are used to broadcast different radio or television programs established by one media outlet founder, each program shall be deemed a separate media outlet.

Every news agency service, which is distributed separately, shall be deemed a separate media outlet.

Founder of a Media Outlet

Article 14

Every natural or legal person, national or foreign, may be the founder of a legal person that is the founder of a media outlet in keeping with the law.

Media outlets may not be founded, either directly or indirectly, by the state, a territorial autonomy, or by an institution or company, which is prevalently state-owned or which is fully or predominantly funded from public revenues, unless such a possibility is envisaged by a separate Broadcasting Law.

Exceptionally from para 2, the state may establish a news agency by a separate law.

IV DISTRIBUTION OF MEDIA OUTLETS

Freedom of Distribution of Media Outlets

Article 15

The distribution of national and foreign media outlets shall be free.

Prohibition of Discrimination on the Media Outlet Market

Article 16

A person involved in the distribution of media outlets may not refuse to distribute a particular media outlet without a justified commercial reason or set conditions for distribution which are contrary to market principles.

Ban on Dissemination of a Piece of Information

Article 17

The competent district court may upon a motion by the public prosecutor ban the dissemination of a piece of information if it establishes that such a prohibition is necessary in a democratic society to prevent: calls for a violent overthrow of the constitutional order, the undermining of the territorial integrity of the Republic, prevent propagation of war, incitement to immediate violence or racial, ethnic or religious hatred representing incitement to discrimination, hostility or violence, and that the publication of such information would directly result in a serious, irreparable consequence that could not be prevented in another manner.

Ban Motion

Article 18

The motion to ban the dissemination of a piece of information of media outlets (hereinafter: ban motion) shall be submitted by the competent public prosecutor.

The public prosecutor may request in the ban motion a ban on disseminating the piece of information in Article 17 of this Law, the confiscation of copies of the newspaper containing the piece of information, if the purpose of the ban can be achieved only in that manner, or a ban on disseminating such information via other media outlets.

Temporary Ban

Article 19

Upon the motion of the public prosecutor, the court may pronounce a temporary ban until an irrevocable ruling on the ban comes into force.

The court shall rule on the motion in para 1 of this Article within 12 hours upon reception of the motion.

The competent court is obliged to submit the ruling on the temporary ban forthwith to the founder, responsible editor, distributor or printing office.

The court shall order the competent Interior Ministry body to temporarily confiscate all copies of the newspaper and deliver them to the court depository or place them under seal.

Urgency of Procedure and Hearing

Article 20

The court procedure on the ban motion shall be urgent.

The court hearing must be held within three days upon motion reception.

The hearing on the ban motion can be held in the absence of duly summoned parties, which shall be explicitly warned thereof.

Ruling on the Ban Motion

Article 21

The court shall rule on the ban motion immediately after the hearing and the chairing judge shall pronounce the ruling forthwith.

The ruling must be laid down in writing and a certified copy of the ruling must be served upon the parties within 3 days of its pronouncement.

Dismissal of the Ban Motion

Article 22

In the event the court rejects the ban motion or annuls the decision on the temporary ban, it shall rule that all copies of the newspapers that had been confiscated or placed under seal are returned, i.e. unsealed forthwith, within 12 hours at the latest.

An appeal lodged by the public prosecutor against the court ruling in para 1 of this Article shall not stay the execution of the ruling.

Compensation of Damages

Article 23

In the event the court rejects the ban motion, it is obliged to decide at its own discretion on the amount of financial compensation of the damages caused by the unfounded temporary ban.

The compulsory enforcement of the ruling on compensation of damages in para 1 of this Article may be requested within 30 days from the day the ruling has become enforceable.

The damaged party may demand to be compensated a greater amount of money than the court determined provided it proves in a lawsuit the greater degree of inflicted damages.

The damages shall be compensated from the Republican budget.

Appeal against the First-Degree Court Ruling

Article 24

An appeal against a ruling by the first-degree court on the ban motion shall be lodged within three days upon reception of a copy of the ruling.

A copy of the appeal shall not be served to the opposing party for a response.

The first-degree court shall submit a timely and proper appeal, together with all the case files, to the second-degree court within two days from the day of appeal reception.

The second-degree court may summon and hear the parties.

The second-degree court shall rule on the appeal within three days upon reception of the appeal and case files.

Appropriate Application of the Criminal Proceedings Code

Article 25

Unless otherwise specified by this Law, provisions of the Criminal Proceedings Code shall be applied accordingly in the procedure for banning the dissemination of information.

V IMPRINT

Obligation to Publish the Imprint

Article 26

Every media outlet shall obligatorily publish an imprint and a summary imprint.

In terms of this Law, the imprint signifies a set of main data on a media outlet.

Imprint and Summary Imprint of a Media Outlet

Article 27

A media outlet imprint shall obligatorily contain the following data: name of the media outlet, name and seat of the founder, and the names of the responsible editor and of editors responsible for specific editions, columns, i.e. program segments.

In addition to data in para 1 of this Article, the imprint of a television i.e. radio program shall obligatorily contain also the date of program broadcast and the radio frequency on which the program is broadcast, while a news agency imprint shall contain the date when the information was imparted.

The summary imprint of a newspaper shall obligatorily contain the name and the date of publication of the newspaper.

The summary imprint of a television program shall obligatorily contain the characteristic logo of the television program.

The summary imprint of a radio program shall obligatorily contain the name of the radio program and the radio frequency the program is broadcast on, and if the radio program is broadcast on maximum two radio frequencies, also the radio frequency, i.e. radio frequencies on which the program is broadcast.

The summary imprint of a news agency shall obligatorily contain the name of the service and the date the information was imparted on.

Manner of Publishing the Imprint

Article 28

The imprint must be published integrally and clearly separated from the other media outlet content.

The imprint and the summary imprint of a newspaper shall be published in every issue and on every copy.

The summary imprint of a newspaper shall be published on the margin of every page.

The imprint of a television or radio program shall be broadcast at the beginning and at the end of the program, every day the program is broadcast, and, in the event the program is broadcast continuously, every day between midnight and two a.m.

The summary imprint of a television program shall be visible throughout the duration of the program.

The summary imprint of a radio program shall be broadcast at least once every two hours throughout program duration.

The imprint of a news agency shall be published at least once a day.

The summary imprint of a news agency shall be published along with each published information.

The imprint of other media outlets shall be published in a suitable manner, pursuant to the provisions of this Article.

Distribution of a Media Outlet without Imprint

Article 29

A distributor has the right to refuse to distribute a media outlet lacking an imprint.

A distributor, who had agreed to distribute a media outlet without an imprint, shall be held liable in the event of a dispute related to information, ideas or opinions published in that media outlet.

VI EDITORS AND JOURNALISTS AND PROFESSIONAL ASSOCIATIONS OF JOURNALISTS

Editors

Article 30

Every media outlet must have a responsible editor.

The editor-in-chief of a media outlet shall have the status of the responsible editor of that media outlet.

A media outlet may also have responsible editors for specific editions, columns, i.e. program segments.

The responsible editor of a specific edition, column, i.e. program segments shall be held responsible for the contents he/she edits.

A person enjoying immunity from responsibility may not be appointed responsible editor.

A person with permanent residence in the Republic of Serbia may be appointed responsible editor.

Journalist's Right to Impart Information and Opinions and to Refuse to Fulfil a Directive

Article 31

A journalist may not be dismissed, suffer a salary reduction or lose his/her status in the editorial office for publishing a true assertion in the media outlet s/he is employed in, for refusing to fulfil a directive which would violate legal and ethical press codes of conduct, for refusing to fulfill a directive contravening the media outlet's editorial police, or for an opinion s/he expressed as a personal opinion elsewhere.

Journalist's Confidentiality

Article 32

A journalist is not obliged to reveal data related to his/her source of information, unless such data refer to an act of crime or a perpetrator of a crime punishable by a minimum five-year term of imprisonment.

Freedom of Professional Association

Article 33

Journalists shall be free to organize their professional associations, in keeping with a separate law regulating associations of citizens.

Right of Association in Court Proceedings

Article 34

A professional association of journalists shall have a legal interest in involvement in a labor dispute initiated by a member of such an association unless the member opposes such involvement.

VII SPECIAL RIGHTS AND OBLIGATIONS IN PUBLIC INFORMATION

Temporary Keeping of Media Outlet Records

Article 35

A founder of a media outlet shall be obliged to keep one copy of the media outlet (every issue of every newspaper edition or another print media outlet, the recording of the entire daily television or radio program broadcast and records of other media outlets), notably:

- a copy of a newspaper and other print media shall be kept for 60 days after the date of publication;
- a copy of recordings of the broadcast radio or television program shall be kept for 30 days after the date of broadcast;
- a copy of other media outlets shall be kept for 30 days after their publication.

Right to Insight in Media Outlet Records

Article 36

The founder shall be obliged to allow insight in the kept media outlet records or to supply a copy thereof at the request of a court or an internal affairs body without delay, within three days upon reception of such a request in writing at the latest.

The obligation in para 1 of this Article shall also apply to every person that has a legal interest, upon submission of a written request for insight or copying of the material and advance payment of the actual costs of insight i.e. of copying.

Presumption of Innocence

Article 37

A media outlet may not qualify anyone as the perpetrator of a punishable offense, i.e. proclaim a person guilty of or responsible for an offense prior to a final ruling passed by a court or another competent body.

Prohibition of Hate Speech

Article 38

It shall be forbidden to publish ideas, information and opinions that incite discrimination, hatred or violence against an individual or a group of individuals on grounds of their race, religion, nationality, ethnicity or sex, or their sexual inclination, notwithstanding whether a criminal offense has been committed by such publication.

Lawsuit over the Breach of the Prohibition of Hate Speech

Article 39

The person, to whom the information referred to in Article 38 of this Law applies personally, as a member of a group, shall have the right to bring legal charges against the author of the information and against the responsible editor of the media outlet that published the information, to seek an injunction on repeated publication of the information and the publication of the court ruling at the expense of the defendants.

Charges may also be brought against the author and the responsible editor by any legal person whose objective is to protect human and civil rights and freedoms, as well as by organizations whose objective is to protect the interests of groups referred to in Article 38 of this Law.

If the information referred to in Article 38 personally pertains to a specific person, a legal person or organization in para 2 of this Article may raise charges only with the consent of the person the information refers to.

Provisions of a law on litigation shall accordingly apply to lawsuits concerning charges in paras 1 to 3 of this Article.

Exemption from Responsibility

Article 40

No breach of the prohibition of hate speech shall be invoked if the information referred to in Article 38 of this Law is part of a scientific or a journalistic text that has been published:

1) without the intent to incite discrimination, hatred or violence against persons or a group of persons referred to in Article 38 of this Law, especially if such information is part of an objective journalistic report;

2) with the intent to provide a critical view of the discrimination, hatred or violence against persons or a group of persons referred to in Article 38 of this Law, or of phenomena that constitute or might constitute incitement of such behavior.

Protection of Minors

Article 41

With a view to protect the rights of minors, media outlets must take into particular consideration that their content and manner of distribution do not impair the moral, intellectual, emotional and social development of minors.

The content of a media outlet, that might jeopardize the development of minors in terms of para 1 of this Article must be clearly and visibly indicated as such in advance and distributed in a manner making it highly unlikely that a minor will use it.

A minor shall not be made recognizable in the information that is liable to violate his/her rights or interests.

Ban on Public Display of Pornography

Article 42

Printed matter with pornographic content shall not be publicly displayed in a manner making it accessible to minors.

Pornographic printed matter shall not contain pornography on the front or back cover pages and it must include a visible warning that it contains pornography, as well as a warning that it is not intended for minors.

Provisions of a separate Broadcasting Law shall apply to pornographic content in television and radio programs.

VIII RIGHTS OF THE PERSONS THE INFORMATION REFERS TO

1. PUBLICATION OF INFORMATION FROM ONE'S PRIVATE LIFE AND PERSONAL RECORDS

Information from One's Private Life and Personal Records

Article 43

Information regarding private facts, i.e. personal written records (a letter, diary, note, digital record, etc.), recordings of images (photographs, drawings, film, video, digital etc.) and audio recordings (tape-recordings, gramophone records, digital etc.), may not be published without the consent of the person whose private life the information pertains to, i.e. of the person whose words, image or voice it contains, if such publication can lead to the recognition of that person's identity.

Consent shall also be needed for the live transmission of image or voice (via television, radio, etc.)

Information and records referred to in para 1 of this Article may not be published also without the consent of the person they are intended for, i.e. of the person they pertain to, if such publication would infringe on that person's right to privacy or any other right.

Consent granted to one publication, to a specific manner of publication i.e. to publication for a specific purpose, shall not be deemed consent to repeated publication, to publication in a different manner, i.e. to publication for a different purpose.

If compensation has been received for the consent to obtain information, i.e. to obtain or have insight in a record, it shall be deemed that consent has also been granted to its publication.

Consent of Other Persons

Article 44

If the person referred to in paras 1 and 2 of Article 43 of this Law died, the consent shall be given by the spouse of the deceased, independently by his/her children having reached sixteen years of age, by his/her parents or brothers or sisters, by the legal person that the deceased participated in (official, member, employee) in the event the information, i.e. record refers to his/her activities in the legal person, or by the person authorized therefor by the deceased.

Termination of a legal entity shall not terminate the rights of the person that had participated in the legal entity and that has been personally affected by the information i.e. record.

It shall be deemed that consent has been granted in the event it has been granted by any of the persons listed in para 1 of this Article, notwithstanding the refusal of other persons to grant it.

Exceptional Publication without Consent

Article 45

Exceptionally from Article 43 of this Law, private information i.e. personal records of a person may be published without the consent of the person they refer to if:

- 1) the person had intended the information i.e. the record for the public;
- 2) the information, i.e. record refers to a personality, phenomenon or event of public interest, especially if it applies to a holder of a state or political post and publishing the information is important in view of the fact that the person is discharging those duties;

- 3) the person has given rise to the publication of such information i.e. record by his/her behavior;
- 4) the information has been disclosed or the record made in a public parliamentary debate or a public debate in a parliamentary body;
- 5) publication is in the interest of judiciary, national security or public security;
- 6) the person did not object to the collection of information i.e. the making of the record, although he/she was aware that this was done for publication purposes;
- 7) publication is in the interest of science or education;
- 8) publication is necessary to alert of a danger (prevention of a contagious disease, search for a missing person, fraud, etc.);
- 9) the record includes a multitude of persons or voices (fans, concert audience, protesters, passers-by etc.);
- 10) a record of a public gathering is at issue;
- 11) the person is presented as part of the landscape, natural setting, human settlement, square, street or a similar scene.

Protection of the Right to Privacy, i.e. of the Right to Personal Records

Article 46

In the event of a breach of the right to privacy, i.e. of the right to personal records, the person whose right has been breached may initiate a lawsuit against the responsible editor of the media outlet and demand:

- 1) non-publication of the information i.e. record;
- 2) the relinquishment of the record, removal or destruction of the published record (erasure of the video or audio recording, destruction of the film negative, removal from a publication, etc.);
- 3) compensation of material and non-material damages;
- 4) publication of the court ruling.

If the published information used a personal record or private life data without authorization, the aggrieved party may demand in his/her charges against the responsible editor part of the profit accrued by publication, commensurate to the degree his/her personal record or private data contributed to the profit.

The lawsuit in paras 1 and 2 of this Article shall be filed with the district court that is competent for the territory where the seat of the media outlet founder is located.

The right to press charges in paras 1 and 2 of this Article shall not apply to a person if information about his/her private life or personal record had been published without his/her consent and he/she a posteriori consented to its publication.

Unless differently specified by this Law, provisions of a separate law on litigation shall apply to lawsuits concerning breaches of privacy, i.e. the right to private records.

2. REPLY AND CORRECTION OF INFORMATION

Right of Reply and Right to a Correction

Article 47

A person, whom the information personally refers to and may breach his/her right or interest, may request of the responsible editor to publish free of charge a reply in which that person claims the information is inaccurate, incomplete or incorrectly imparted.

If the responsible editor fails to publish the reply for none of the reasons for not publishing the reply set out in this Law, or if the responsible editor publishes the reply in an unprescribed manner, the holder of the right of reply may bring charges against the responsible editor over the publication of the reply.

A lawsuit pertaining to the publication of a reply shall be limited only to establishing the facts determined by this Law and regarding the obligation of the responsible editor to publish a reply.

A person, whose right or interest has been breached by publication of inaccurate, incomplete or incorrectly imparted information, may demand in his/her lawsuit that the responsible editor publish free of charge his/her correction of the information as inaccurate, incomplete or incorrectly imparted.

A lawsuit on the publication of a correction shall be limited to the inaccuracy, incompleteness or incorrect imparting of the information and to whether the information violated the plaintiff's right or interest.

Other Persons' Right of Reply i.e. Correction

Article 48

In the event a natural or legal person is incapable of looking after his/her own interests, the reply i.e. charges for publishing the correction shall be submitted by the natural person's legal representative, i.e. by a body of the legal person.

A person participating in a legal person (member, official, employee) shall have the right of independent reply, i.e. correction if the published information refers to both the legal person and personally to the participant.

If the person the information refers to has died, the right of reply i.e. correction may be exercised by the spouse of the deceased, his/her children, parents, the legal person the deceased participated in if the information refers to his/her activities in the legal person, and other persons whose memory of the deceased may be or is hurt by the publication of the information.

If the legal person that the information refers to is defunct, the right of reply i.e. correction shall be transferred to the participants in the legal person.

By the publication of the reply i.e. correction made by any person referred to in paras 3 and 4 of this Article, the right of reply i.e. correction of other persons shall cease when the reply i.e. correction of the other persons concerns parts of the information the accuracy, completeness or correct imparting of which has already been disputed by a published reply i.e. corrected in the published correction.

Deadline for Submitting a Request to Publish a Reply

Article 49

A request for the publication of a reply shall be submitted to the responsible editor within 30 days from the date of the publication of information in a daily newspaper or a daily broadcast, i.e. 60 days from the publication of the information in a printed periodical or a periodical broadcast.

If the reply is submitted by a person, who is permanently or temporarily residing abroad, the deadline for submission shall expire after 60 (sixty) days.

Deadlines for Publishing a Reply and for Raising Charges over Non-Publication of a Reply

Article 50

The responsible editor shall publish the reply without delay, in the very next or following issue of the daily newspaper, i.e. in the very next or following daily broadcast upon arrival of the reply.

If the information the reply is related to concerns a candidate in an election campaign, the reply shall be published in the very next issue, i.e. in the very next broadcast upon arrival of the reply.

If the responsible editor does not publish the reply, legal charges over the publication of a reply shall be submitted within 30 days from the day of expiry of the deadlines for publication of a reply in paras 1 and 2 of this Article.

Deadlines for Raising Charges over Non-Publication of Correction and for Publishing a Correction

Article 51

The charges over the publication of a correction shall be filed within three months from the day the information was published.

The responsible editor shall publish the correction without delay, at the latest in the very next or following issue of a daily newspaper, i.e. in the very next or following daily broadcast upon reception of the ruling containing the correction; in the event of other media outlets, the correction shall be published in the very next issue i.e. broadcast upon reception of the sentence containing the correction.

If the information the correction is related to concerns an election candidate, the correction shall be published in the very next issue, i.e. in the very next broadcast upon arrival of the ruling containing the correction.

Deadlines in the Event of Death of a Natural Person i.e. Termination of a Legal Person

Article 52

If the person the information regards has died, i.e. been terminated within the deadline envisaged for submitting a request to a reply or within the deadline for pressing charges for publication of a reply or correction, the deadline within which the request may be submitted shall be reckoned anew, from the time of death of the natural person i.e. termination of a legal person.

Charges over the Publication of a Reply i.e. Correction

Article 53

Charges shall be filed with the district court covering the territory where the seat of the founder is located.

The plaintiff may ask the court to order the publication of a reply i.e. correction subject to payment of an appropriate amount of money to the plaintiff in the event of non-publication.

An issue or copy of the printed matter in which the information was published i.e. whenever possible, an audio and video recording of the program in which the information was published, shall obligatorily be submitted along with the charges.

If a new responsible editor has been appointed since the charges were filed and the plaintiff does not amend the charges until the completion of the main hearing, the court shall dismiss the charges.

The consent of neither the initial defendant nor the new responsible editor shall be necessary for amending the charges in para 4 of this Article.

The plaintiff may amend the text of the correction without the consent of the defendant until the conclusion of the main hearing.

The court shall not allow amending if it finds that the amendments abuse procedural authority, especially if a large number of amendments has been made, and the court shall reach a separate decision on this issue that may be appealed separately.

Order to Submit an Audio or Video Recording

Article 54

Upon reception of the charges regarding the publication of a reply i.e. correction and at the request of the court, the responsible editor of an electronic media outlet that published the information, shall without delay submit to the court the audio or video recording of the program, under threat of a ruling against him/her if he/she fails to do so for no justifiable reason.

Submission of Multiple Replies

Article 55

If an authorized person presents several replies differing in content, either simultaneously or in succession, the responsible editor shall publish the one marked as authoritative.

If no reply has been marked as authoritative, the responsible editor shall publish the reply last received, and if the replies had arrived simultaneously, he/she shall publish the one that is the most thorough.

Principle of Equality of Information and Reply i.e. Correction

Article 56

The reply i.e. correction shall be published in the same section of the media outlet, in the same edition, the same column, on the same page, with the same layout, i.e. in the same segment of the TV or radio program, as the original information which the reply i.e. correction concerns and under the same title with the qualification "reply" i.e. "correction".

If the layout of the information, which the reply i.e. correction concerns, contains illustrations, (tables, photos, drawings, video recording, etc.), the reply i.e. correction may also contain illustrations.

The reply i.e. correction shall be published integrally and at once, except in the event that the information the reply i.e. correction refers to had been published in installments and the length of the reply i.e. correction necessitates its publication in installments.

If the TV or radio show that published the information the reply i.e. correction refers to was the only one or the last one in a series, the reply i.e. correction shall be published in the program most similar to the original one, or in the most similar time slot.

If the media outlet that published the information the reply i.e. correction refers to has ceased to exist, the reply i.e. the correction shall be published in the most similar media outlet or by some other means of public information at the expense of the persons that the rights and obligations of the media have been transferred to, and, if there is no legal successor, it shall be published in the most similar media outlet or by another media outlet at the expense of the person that had been the founder or the responsible editor at the time of publication of the information that the reply i.e. correction refers to.

If a media outlet again publishes the information that had prompted a reply i.e. correction, or if a media outlet publishes information to which a reply i.e. correction has already been published in another media outlet, the former media outlet shall simultaneously with the information publish whose reply i.e. correction had been published, when and where, and shall publish a reply i.e. correction upon request.

The reply i.e. correction shall be published in the same language as the information replied to i.e. corrected.

If the reply i.e. correction is composed in a different language from the language in which the information being replied to i.e. corrected concerns had been published, the responsible editor is obliged to publish the reply i.e. correction provided the holder of the right of reply i.e. correction translates at his/her own expense the reply i.e. correction into the language in which the information replied to i.e. corrected had been published.

Ban on Amending or Commenting a Reply i.e. Correction

Article 57

A reply i.e. correction shall be published without any modifications, omissions or additions.

Only the most essential proofreading amendments that do not alter the sense shall be allowed.

If a media outlet published a reply i.e. correction it had previously wholly or partly modified, the responsible editor shall upon request publish the original text of the reply i.e. correction, i.e. the original parts of the reply i.e. correction.

A comment of the reply i.e. correction in the same issue of the printed media outlet in which the reply i.e. correction was printed, i.e. in the same program in which it was broadcast, and in the programs broadcast on the same day the reply i.e. correction was published, shall be prohibited.

A person shall have the right of reply to a comment i.e. the right of correction of a comment.

Reasons for Not Publishing a Reply

Article 58

The responsible editor shall not be obliged to publish a reply i.e. the court shall not order the responsible editor to publish a reply if:

1) the reply has been submitted by a person whom the information does not personally refer to or another unauthorized person;

2) a reply same in content by an authorized person has already been published;

3) a reaction same in content by an authorized person has already been published in the same media outlet in another, equally valid form (an interview, statement, etc.);

4) a lawsuit over the publication of a reply to the same piece of information submitted beforehand has not yet been completed.

5) the authorized person failed to provide his/her name and address, i.e. name and seat in the request for a reply, and the missing data are unknown to the editor, or the submitted reply has not been signed;

6) the reply does not refer to the information that the submitter claims it refers to;

7) the reply makes no reference to the information being replied to (title of the information, issue and page number of the media outlet in which it was published, name of the show and time of broadcast, etc) and the responsible editor cannot easily determine which information it refers to;

8) the reply refers to an opinion, not to an assertion of facts, or the reply does not contain an assertion of facts, but an opinion;

9) the reply does not dispute the accuracy, completeness or correct imparting of the information it refers to, or the reply refers to information which, even if inaccurate, incomplete or incorrectly imparted, is not apt to violate a person's right or interest;

10) the reply has not been composed in the language in which the information it refers to had been published or has not been subsequently translated into that language;

11) the reply is disproportionately longer than the information it refers to and the holder of the right of reply has failed to conform it within the reply submission deadline;

12) the reply has been submitted after the expiry of the deadline for submitting a reply;

13) the reply is illegible, incomprehensible or senseless, and has not been rectified within the deadline for submitting a reply;

14) the publication of the content of the reply may provoke a ban on the publication of that information, criminal or misdemeanor charges, or civil law liability to a third party;

15) a reply has been submitted to the information the correction of which has already been published or the information has already been revoked, or the effect that was to have been achieved by the publication of the reply or part of the reply has already been achieved, unless a repeated publication of the information is at issue;

16) the accuracy, completeness or correct imparting of the information the reply refers to is obvious, generally known or established by an irrevocable decision by a competent body;

17) the content of the information the reply refers to is the same in content as the information authorized by the person requesting the publication of the reply;

18) the inaccuracy, incompleteness or incorrect imparting of the information the reply refers to is insignificant;

19) the reply refers to information stated in a public parliamentary debate or a public debate in a parliamentary body or in a court proceeding.

Reasons for the non-publication of a reply shall also apply to the non-publication of a part of the reply.

Informing the Submitter of a Reply of the Reason for the Non-Publication of a Reply

Article 59

If a media outlet, i.e. the program in which the information the reply refers to is published i.e. broadcast at intervals exceeding 30 (thirty) days, the responsible editor shall within seven days upon reception of the request for the publication of a reply inform the submitter of the request of the reason for refusing to publish the reply.

Reasons for the Court Not to Order the Publication of a Correction

Article 60

The court shall not order the responsible editor to publish a correction i.e. part of the correction if the plaintiff fails to prove that the published information is inaccurate, incomplete or incorrectly imparted; if the information is inaccurate or incorrectly imparted, but the court finds it does not infringe on the right of the person it refers to; or, for any reason for the non-publication of a reply listed in para 1, items 1, 2, 4, 6-18 of Article 58 of this Law which accordingly apply to corrections.

Urgency of Legal Procedure

Article 61

The legal procedure related to the publication of a reply i.e. correction shall be urgent.

In the event of a lawsuit over publication of a reply, the case shall be allocated to a judge the same day the charges are received in court or the following day.

Main Hearing in the Lawsuit over the Publication of a Reply

Article 62

In lawsuits over the publication of a reply, no preliminary hearing shall be scheduled, nor shall the defendant be asked to present a response to the charges and the hearing sessions shall be scheduled at intervals not exceeding 8 days.

The first main hearing session shall be held within 8 days from the day the charges were filed with the court.

The court shall summon to the first main hearing session the plaintiff, the defendant and possibly the witnesses.

The summons to the plaintiff shall include notice that it shall be deemed that the charges have been dismissed in the event of his/her absence from the first or any subsequent hearing sessions; the summons to the defendant shall include notice that judgment may be passed at the first hearing session in the event of his/her absence, and that, in the event of his/her absence from the following hearing sessions, the judgment shall be based on the facts established theretofore.

In lawsuits over the publication of a reply, no dormancy shall apply to the case.

The restitution of the former state of affairs may be requested within one day from the end of exceptional circumstances.

The restitution of the former state of affairs may not be requested after the expiration of the five-day deadline from the day the procedural action has been missed.

Main Hearing in the Lawsuit over the Publication of a Correction

Article 63

No preliminary hearing shall be scheduled in lawsuits over the publication of a correction.

The court shall order the defendant to present a response to the charges within eight days upon delivery of the charges.

The first main hearing session shall be held within fifteen days upon reception of the response to the charges i.e. upon expiration of the deadline for responding to the charges.

The court shall summon to the first session of the main hearing the plaintiff, the defendant and possibly the witnesses.

The summons to the plaintiff shall include notice that it shall be deemed that the charges have been dismissed in the event of the plaintiff's absence from the first or any other subsequent main hearing session; the summons to the defendant shall include notice that, in the event of his/her absence, judgment can be passed at the first main hearing session, and that in the event of his/her absence from the following hearing sessions, the judgment shall be based on the facts established theretofore.

In lawsuits over the publication of a correction, no dormancy shall apply to the case.

Passing a Sentence and the Sentence

Article 64

The court shall pass and publicly pronounce the sentence immediately upon the conclusion of the main hearing.

A certified copy of the sentence shall be served to each party within three days upon the pronouncement of the sentence.

If the court concurs to the plaintiff's request for the publication of a reply i.e. correction, it shall order in the sentence the defendant to publish the reply i.e. correction within the deadline specified in Articles 50 and 51 and in the manner set out in Article 56 of this Law.

Appeal and Motion for a Retrial over the Publication of a Reply

Article 65

The litigants may file an appeal within five days from the day they have been served a certified copy of the sentence.

The appeal shall not be served to the opposing party for a response.

The provision on presenting a submission by telegraph envisaged by a separate law on litigations shall not apply to lawsuits over the publication of a reply.

A properly and timely filed appeal, together with all the case files, shall be presented by the first-degree court to the second-degree court within two days upon reception of the appeal.

The second-degree court shall rule on the appeal within five days upon reception of the appeal and the case files.

A motion for a retrial may be presented for reasons set forth in items 1), 2), 4), 5), and 6) of Article 421 of the Law on Litigation and shall be presented within eight days from learning the reason wherefore a retrial is requested and not later than 30 days from the day the sentence became legally binding.

No revision of the ruling of the second-degree court may be requested.

Appeal and Motion for a Retrial over the Publication of a Correction

Article 66

The litigants may file an appeal within eight days from the day they were served a certified copy of the sentence.

The appeal shall be served to the opposing party for a response without delay, within 3 days upon receipt of the appeal at the latest.

The response to the appeal shall be made within three days from the receipt of the appeal.

A properly and timely filed appeal, together with all the case files, shall be presented by the first degree court to the second-degree court within five days upon reception of the response to the appeal i.e. upon expiration of the deadline for responding to an appeal.

The second-degree court shall rule on the appeal within eight days upon reception of the appeal and the case files.

A motion for a retrial may be presented for reasons set forth in items 1), 2), 4), 5), and 6) of Article 421 of the Law on Litigation and shall be presented within eight days from learning the reason wherefore a retrial is requested and not later than 30 days from the day the sentence became legally binding.

Revision of the appellate ruling is admissible in the event the appeal has been dismissed and revision has been requested within 15 days from the day the appellate ruling has been served.

Serving the Irrevocable Sentence to the Founder

Article 67

A certified transcript of the irrevocable sentence ordering the publication of the reply i.e. correction shall be served immediately also to the founder of the media outlet.

Appointment of a New Responsible Editor after the Passing of the Sentence

Article 68

If a new responsible editor has been appointed upon the passing of an irrevocable sentence ordering the publication of a reply i.e. correction, the obligation to publish the reply i.e. correction specified in the sentence shall be transferred to the new responsible editor.

Consequences of Exceeding Deadlines

Article 69

If the court exceeds the deadlines set forth in para 2 of Article 62, para 2 of Article 64, para 4 of Article 65, and Article 67 i.e. Articles 63 and 66 of this Law, the chairman of the court, acting on a motion of the plaintiff, shall reassign the case without delay to another panel of judges.

The actions undertaken by the panel of judges that had handled the case originally and the actions undertaken by the litigants before the original panel of judges shall remain valid and need not be repeated.

Appropriate Application of the Law on Litigation

Article 70

Unless specified differently by this Law, provisions of a separate Law on Litigation shall accordingly apply to lawsuits over the publication of a reply i.e. correction.

3. OMISSION TO PUBLISH INFORMATION

Charges over Omission to Publish Information

Article 71

If there is specific danger of repeated publication, a person may raise charges, demanding of the court to issue an injunction to the responsible editor banning the repeated publication of inaccurate, incomplete or otherwise inadmissible information infringing on that person's right and to threaten the responsible editor with payment of an appropriate amount of money to the applicant in the event of breach of the injunction.

At the request of the person in para 1 of this Article, the court may order the responsible editor to publish within the deadlines set forth in paras 2 and 3 of Article 51 and free of charge the sentence banning the repeated publication of the information, unless a correction or revocation (recall of an assertion) has already been published or the court has already ordered in its ruling the publication of a correction or revocation.

The defendant shall bear the costs of the litigation if the danger of publication ceased after the charges were filed.

Application of Other Provisions of this Law

Article 72

The provisions of Article 48, paras 3, 4 and 5 of Article 53, Articles 54, 60 and para 1 of Article 61, Articles 63, 64, 66, 68, 69 and 70 shall apply accordingly.

The provisions of para 2 of Article 53, and Articles 56 and 57 of this Law shall apply accordingly to the publication of the sentence referred to in para 2 of Article 71 of this Law.

Temporary Injunction on the Repeated Publication of Information

Article 73

A person, whose right may be breached by the publication of inaccurate, incomplete or otherwise inadmissible information, may ask the court to pronounce a temporary injunction until the enforceable completion of the proceedings, prohibiting the responsible editor from publishing the information again and threatening him/her with commensurate financial compensation to the plaintiff in the event he/she violates the injunction.

The plaintiff must prove probable that there is a specific danger that the information shall be published again, that the information is inaccurate, incomplete or that its publishing would otherwise be inadmissible, and that considerable material or non-material damages may ensue from its publication.

The court shall consider the motion for a temporary injunction without delay, within 48 hours from the presentation of the motion.

An objection to the decision on the temporary injunction shall be presented not later than 48 hours after the injunction was served and the court shall rule on the objection within 48 hours.

4. INFORMATION ON THE OUTCOME OF CRIMINAL PROCEEDINGS

Right to Publish Information

Article 74

If a media outlet published the information that criminal charges have been brought against a certain person, that person shall upon completion of the proceedings have the right to request of the responsible editor to publish free of charge the information on the legal suspension of the proceedings, dismissal of the charges, i.e. acquittal.

Deadline for Submitting Requests and Content of the Information

Article 75

The request shall be submitted to the responsible editor within 30 days from the irrevocable completion of the criminal proceedings.

The information, the publication of which has been requested, shall contain only facts related to the irrevocable completion of the proceedings and not opinions and comments related to the original information.

Deadline for Publishing the Information

Article 76

The information shall be published in the very next issue, i.e. program upon receipt of the request for its publication.

Reasons for Non-Publication

Article 77

The responsible editor shall not be obliged to publish the information or part of the information referred to in Article 74 of this Law if:

- 1) its publication has been requested by an unauthorized person;
- 2) the media outlet has already published accurate, thorough and identical in content information on the completion of the criminal proceedings;
- 3) the authorized person failed to include in the request for publication his full name and address, and the missing data are unknown to the media outlet staff, or the authorized person failed to sign the request;
- 4) the request makes no reference to the original information and it cannot be easily established which information it regards;
- 5) the information contains solely opinions on or comments of the original information;
- 6) the information or part of the information on the irrevocable suspension of the proceedings, dismissal of the charges, i.e. acquittal is untrue;
- 7) the information or part of the information is inappropriately long, and the applicant has failed to abridge it at the request of the media outlet within 15 days upon request;
- 8) the request has been submitted after the deadline;
- 9) the publication of the content of the information, i.e. part of the information, would provoke criminal or misdemeanor charges, or civil liability to third parties.

Application of Other Provisions of this Law

Article 78

The provisions in Articles 56 and 57 of this Law shall apply accordingly to the publication of the information on the outcome of criminal proceedings.

5. PECUNIARY COMPENSATION OF DAMAGES

Right to Compensation of Damages

Article 79

Any person referred to in an inaccurate, incomplete information or any other information, the publication of which is prohibited in accordance with this Law, and any person, whose reply to, correction or another information the publication of which the person is entitled to in keeping with this Law has not been published and who has therefore suffered damages because of the publication or non-publication of such information, shall be entitled to compensation of material and non material damages, in keeping with the general provisions and articles of this Law, regardless of other legal remedies available to that person.

Solidary Liability

Article 80

The journalist, the responsible editor and the legal person, which is the founder of the media outlet, who had been able to establish the inaccuracy or incompleteness of the information prior to its publication by due diligence, shall bear solidary liability for the material and non-material damages caused by the publishing of the information.

The same obligation shall apply when damages have been caused by the inadmissible publication of accurate information (breach of privacy, blame for a

committed criminal offense etc.), and in other instances of inadmissible publication of information.

Liability of the Journalist

Article 81

The author of the information, who is a journalist, shall be held liable for the damages inflicted by the publishing of inaccurate, incomplete information or information the publication of which is otherwise inadmissible if proven that he/she is to blame for the inflicted damages.

Exclusion of Liability

Article 82

The journalist, the responsible editor and the legal person, which is the founder of the media outlet, shall not be held liable for damages if the inaccurate or incomplete information was an accurate quote from a public parliament debate, a public debate in a parliamentary body, a court proceeding or a document provided by a competent state body.

Expansion of Liability Referred to in Paras 1 and 2 of Article 198 of the Code of Obligations

Article 83

The author, the responsible editor and the legal person, which is the founder of the media outlet, who had been able to establish the inaccuracy or incompleteness of the information prior to its publication by due diligence, shall be held liable for the damages.

Objective Liability of the State

Article 84

The state shall always be held liable for damages caused by the publication of inaccurate or incomplete information provided by a state body, regardless of the guilt.

Deadline for Filing a Lawsuit over Compensation of Damages

Article 85

A lawsuit over the compensation of damages shall be filed within 6 months from the day the information was published.

Urgency of Legal Procedure

Article 86

The procedure in lawsuits over the compensation of damages shall be urgent.

Main Hearing in Damage Compensation Lawsuits

Article 87

No preliminary hearing shall be scheduled in lawsuits over the compensation of damages.

The court shall order the defendant to respond to the charges within 8 days from the day the charges were served.

The first session of the main hearing shall be held within fifteen days from the day the response to the charges was received, i.e. upon expiry of the deadline for the reception of the response to the charges.

The court shall summon to the first main hearing session the plaintiff, the defendant and possibly the witnesses.

The summons to the plaintiff shall include notice that it shall be deemed that the charges have been dismissed in the event of the plaintiff's absence from the first or any other subsequent session; the summons to the defendant shall contain notice that the ruling may be passed in the event of his/her absence at the first hearing session, and that in the event of his/her absence from the following sessions, the ruling shall be based on the facts established theretofore.

No dormancy shall apply to the case in lawsuits over the compensation of damages.

Passing of the Sentence

Article 88

The court shall pass and publicly pronounce the sentence immediately upon concluding the main hearing.

A certified copy of the sentence shall be delivered to each party within three days from the day the sentence was passed.

Appeal, Request for Retrial and Revision of Lawsuit over the Compensation of Damages

Article 89

The litigants may file an appeal within eight days upon reception of a certified copy of the sentence.

The appeal shall be served to the opposing party for a response without delay, within three days upon reception of the appeal at the latest.

The response to the appeal shall be presented within 3 days upon reception of the appeal.

A properly and timely filed appeal, together with all the case files, shall be presented by the first degree court to the second-degree court within five days upon reception of the response to the appeal, i.e. upon the expiry of the deadline for responding to the appeal.

The second-degree court shall rule on the appeal within eight days upon reception of the appeal and the case files.

A motion for revision shall be presented within 15 days from the day of reception of the second-degree ruling.

Publication of the Sentence by the Media Outlet

Article 90

When the sentence becomes irrevocable, the responsible editor shall publish the sentence pronouncing the obligation to compensate the damages without commenting it and without delay, in the very next or following issue of a daily newspaper i.e. in the very next or following daily broadcast.

In the event the responsible editor does not act in accordance with the provision in para 1 of this Article, the court competent for passing a decision on sentence enforcement shall, at the request of the plaintiff, fine the responsible editor in accordance with provisions of the law regulating the enforcement procedure and rule on the enforcement of the decision on the fine.

IX SUPERVISION

Article 91

The implementation of this Law shall be supervised by the Republican state administration body in charge of public information affairs, while, in the autonomous province, the implementation of this Law shall be supervised by the provincial administration body charged with public information affairs.

X PUNITIVE PROVISIONS

Economic Offense

Article 92

A fine between 100,000 and 1,000,000 dinars for an economic offense shall be imposed upon a person involved in the distribution of media outlets that refuses to distribute a media outlet without a justified reason, i.e. if the person sets conditions for distribution contrary to market principles (Article 16).

A fine of 10,000 to 200,000 dinars for the economic offense in para 1 of this Article, shall also be imposed upon the responsible person in the legal person acting as a distributor of media outlets.

Violations

Article 93

A fine of 100,000 to 1,000,000 dinars for a violation shall be imposed upon the legal person which is the founder of a media outlet if:

1) the media outlet fails to publish the imprint with the prescribed content or in the prescribed manner (Articles 26-28);

2) the responsible editor has not been appointed, the editor-in-chief does not simultaneously have the status of responsible editor, or a person enjoying immunity from responsibility or a person without residence in the territory of the Republic of Serbia has been appointed responsible editor, (Article 30);

3) it fails to honor the obligation of keeping copies (Article 35);

4) it fails to provide insight in the kept copies pursuant to the provisions of this Law (Article 36).

A fine of 10,000 to 200,000 dinars shall also be imposed upon the responsible person in the media outlet founder, which is a legal person, for the violation referred to in item 1 of this Article.

Article 94

A fine of 5,000 to 60,000 dinars for a violation shall be imposed upon the responsible editor if the media outlet publishes a comment simultaneously with the reply, correction, subsequent information about the outcome of criminal proceedings, i.e. about the sentence (Articles 57 and 90).

Article 95

A fine of 30,000 to 200,000 dinars for a violation shall be imposed upon the responsible editor of a media outlet if:

1) the published information qualifies a person as the perpetrator of a criminal offense, i.e. proclaims a person guilty of or responsible for a crime prior to an irrevocable decision by the court or another competent body (Article 37);

2) the content of a media outlet that may harm the development of minors has not been visibly and clearly indicated, i.e. if a minor has been made recognizable in the published information that is apt to breach his/her rights or interests (Article 41, paras 2 and 3);

3) the responsible editor fails to publish a reply, correction or subsequent information on the outcome of a criminal proceeding, i.e. does not publish the sentence when it becomes irrevocable or fails to publish it within the deadlines or in the manner envisaged by this Law (para 1 of Article 39, paras 2 and 3 of Article 50, paras 2 and 3 of Article 51, Articles 56, 64, para 2 of Article 71, Article 76, and para 1 of Article 90);

4) the responsible editor demands payment to publish a reply, correction or subsequent information on the outcome of a criminal proceeding i.e. sentence (para 1 of Article 39, para 1 of Article 47, para 2 of Article 71, para 1 of Article 74, para 1 of Article 90);

Article 96

A fine of 30,000 to 200,000 dinars for a violation shall be imposed upon the legal person – the distributor of a media outlet that exposes printed matter with pornographic content publicly, making it accessible to minors over 14 years of age, i.e. exposes printed matter containing pornography on the front or back cover page or lacking a clearly visible warning that it contains pornography or a warning that it is not intended for minors (Article 42).

An entrepreneur who is the distributor of the media outlet, shall be imposed a fine of 3,000 to 20,000 dinars for the violation in para 1 of this Article.

The responsible person in the legal person, which is the distributor of the media outlet, shall also be imposed a fine of 3,000 to 20,000 dinars for the violation in para 1 of this Article.

Article 97

A fine between 20,000 and 400,000 dinars shall be imposed for a violation upon a distributor -entrepreneur that refuses to distribute a media outlet without a justified reason or sets conditions for the distribution which are contrary to market principles (Article 16).

Article 98

A fine of 100,000 to 1,000,000 dinars for a violation shall be imposed upon a natural person who sets up a media outlet without previously setting up a legal person as the founder of the media outlet (Article 14)

Article 99

A fine between 30,000 and 200,000 dinars shall be imposed for a violation upon a legal person who attributes the authorship of information published in the media outlet to a person who is not the author of the information.

A fine between 3,000 and 20,000 dinars shall be imposed on the natural person for the violation in para 1 of this Article.

A fine between 3,000 and 20,000 dinars shall be imposed on the responsible person in the legal person for the violation in para 1 of this Article.

Article 100

Funds collected from fines envisaged in Articles 92-99 of this Law shall be paid to a separate account controlled by the Republic of Serbia Finance and Economy Ministry and allocated to media outlets or journalists who had suffered financial or material damages during the implementation of the (previous) Public Information Law (Official Gazette of the Republic of Serbia, No 36/98 and 1/01).

XI TRANSITIONAL AND FINAL PROVISIONS

Article 101

Media outlet founders shall bring their organization and general acts into accord with the provisions of this Law within 90 days from the day this Law becomes effective.

Media outlets, which are founded by the state or a territorial autonomy entity, or a predominantly state-owned institution, i.e. company, or media outlets, which are wholly or predominantly funded from public revenues and to which provisions of the Broadcasting Law do not apply, shall cease to operate within two years from the day this Law comes into effect.

Article 102

With the entry into force of this Law, the provisions of the Law on Public Information (Official Gazette of the Republic of Serbia Nos 36/98 and 11/2001) regarding the registration of media outlets and the publication of replies and corrections, the Law on Public Information System Bases (Official Herald of the Socialist Federal Republic of Yugoslavia No 84/90 and Official Herald of the Federal Republic of Yugoslavia, Nos. 11/93, 16/93, 31/93, 41/93, 50/93, 24/94 and 28/96) and the Law on Import and Dissemination of Foreign Mass Communication Media and Foreign Information Activities in Yugoslavia (Official Herald of the Socialist Federal Republic of Yugoslavia, Nos. 39/74 and 74/87 and Official Herald of the Federal Republic of Yugoslavia Nos. 24/94 and 28/96) shall no longer be applicable.

Article 103

This Law shall enter into force on the eighth day upon publication in the "Official Gazette of the Republic of Serbia".

BROADCASTING ACT¹

Passed 18 July 2002 by the Serbian Parliament

I. BASIC PROVISIONS

Subject of the Law

Article 1

This Law stipulates the conditions for and manner of conducting broadcasting activities in keeping with international conventions and standards; establishes the Republican Broadcasting Agency, as well as public broadcasting service institutions; determines terms and procedures for issuing licences to broadcast radio and TV programmes and regulates other issues in respect of the broadcasting sector.

Article 2

The provisions of this Law shall not pertain to the conditions and procedure for issuing radio station licences, or to the terms and procedure under which broadcasters gain the right to set up, use and maintain fixed and mobile broadcasting equipment.

Broadcasting Principles

Article 3

The regulation of relations in the broadcasting sector shall be based on the following principles:

- 1) Freedom, professionalism, and independence of public service broadcasters as a guarantee of the overall development of democracy and social harmony;
- 2) Rational and efficient use of the radio frequency spectrum as a limited natural resource;
- 3) Prohibition of any censorship of and/or influence on the work of public broadcasters, whereby their independence, the independence of their newsrooms and journalists is guaranteed;
- 4) Full affirmation of civil rights and freedoms and especially the freedom of expression and diversity of opinion;
- 5) Application of internationally recognised norms and principles with respect to the broadcasting sector, especially the respect of human rights in this sector;
- 6) Impartiality, prohibition of discrimination, and transparency of the procedure for issuing broadcasting licences;
- 7) Encouragement of the broadcasting development and creativity in the area of radio and TV in the Republic of Serbia.

¹ See: www.mediacenter.org.yu

Definitions

Article 4

Unless otherwise specified, the terms used in this Law shall have the following meanings:

1) **Broadcasting:** general term for radio and television as electronic mass media, achieved by the analogue or digital transmission of text, speech, sound, still and moving images in the form of programme contents via radio waves or cable distribution systems to adequate reception devices and intended for the general public.

2) **Radio frequency:** main physical parameter of electromagnetic or radio waves freely moving through space, whose conventional values fall within the 3 KHz – 3000 GHz band;

3) **Coverage area:** area in the vicinity of a transmitter providing the required field strength of the electromagnetic signal for a satisfactory service taking into account co-channel interference;

4) **Service area:** area in the vicinity of a transmitter fulfilling the condition of quality signal reception in real conditions. The service area in real conditions is always smaller than the coverage area;

5) **Proposed service area:** geographic area or administrative region which the broadcasting service is intended for. Depending on the needs, the proposed service area signifies either any individual service area or the sum of service areas covered by each transmitter. In case of a network of transmitters, the proposed service area is the sum of individual service areas covered by each transmitter;

6) **Radio/TV network:** two or more transmitters or repeaters or a combination of them broadcasting the same programme at the same time;

7) **Networking:** the setting up of a temporary radio or television network via terrestrial, cable or satellite links between two or more broadcasters with the aim of directly transmitting a radio or television programme;

8) **Broadcasting organisation (hereinafter broadcaster):** a natural or legal person registered to produce and broadcast radio or TV programmes, which has been issued a broadcasting licence in keeping with this Law.

9) **Public Broadcasting Service:** production, purchase, editing and broadcasting of the informative, educational, cultural, artistic, children's, entertainment, sports and other radio and TV programs in the general interest of citizens, and especially those aimed at realization of human and civic rights, exchange of ideas and opinions, nurture of political, gender, interethnic and religious tolerance, as well as the preservation of national identity;

10) **Independent production:** a radio and television programmes intended solely for broadcasting and produced by a natural or legal person who is registered therefor but who is not a broadcaster of the programme it is producing;

11) **Advertisement:** promotional message the aim of which is to present and draw attention to a certain product, service or firm, i.e. to induce consumers to purchase, i.e. use the product or service;

12) **Advertising:** broadcasting of advertisements for a fee or other form of compensation;

13) **Sponsorship:** any funding by a natural or legal person, which is not involved in the activity of producing a radio and/or television programme or the production of audiovisual content, of a radio and/or television programme, with the aim of promoting its name, trademark, reputation, activities or products;

14) **Teleshopping:** radio or television presentation of the qualities or values of products or services with the aim of directly selling them to the public.

15) **Cable distribution system (hereinafter CDS):** a predominantly cable telecommunication network intended for the distribution of radio and television programmes and the provision of other telecommunication services;

Cooperation with the Telecommunications Regulatory Authority

Article 5

The Republican Broadcasting Agency and the telecommunications regulatory authority shall cooperate and coordinate their work in accordance with and in the manner envisaged by the provisions of this Law and of a separate telecommunications law with the aim of achieving the rational and effective use of the broadcast band and consistent application of this Law and a separate telecommunications law.

II. REPUBLICAN BROADCASTING AGENCY

1. Legal Status

Establishment

Article 6

The Republican Broadcasting Agency (hereinafter Agency) is established as an autonomous i.e. independent organisation exercising public competencies pursuant to this Law and regulations passed on the basis of this Law to secure conditions for the efficient implementation and improvement of the set broadcasting policy in the Republic of Serbia in a manner befitting a democratic society.

The Agency is an autonomous legal person and is functionally independent of any state body, as well as of all organisations and individuals involved in the production and broadcasting of radio and television programmes and/or related activities.

Legal Status and Representation

Article 7

The Agency shall have the status of a legal person.

The Agency Council shall be the Agency body reaching all decisions on issues within the Agency's competencies.

The Agency Council Chairperson, or the Council Vice-Chairperson in the absence of the Chairperson for any reason, shall act in the name and on behalf of the Agency.

The Chairperson, i.e. the Vice-Chairperson deputising for the Chairperson, may wholly or partially delegate the power to represent the Agency to another Council member only on the basis of a Council decision.

2. Agency Competencies

Article 8

The Agency is competent for:

- 1) Passing the broadcasting development strategy in the Republic of Serbia with the consent of the Government of the Republic of Serbia;
- 2) Supervising and ensuring the consistent application of the provisions of this Law;
- 3) Issuing broadcasting licences and prescribing the licence form;
- 4) Setting technical, organisational and programming conditions for the production and broadcasting of programmes pursuant to the provisions of this Law;
- 5) Prescribing rules binding on broadcasters which ensure the implementation of the broadcasting policy in the Republic of Serbia;
- 6) Supervising the work of broadcasters in the Republic of Serbia;

7) Considering submissions filed by natural and legal persons and complaints of broadcasters concerning the operation of other broadcasters;

8) Delivering to the competent state bodies its opinion with regard to accession to international conventions related to broadcasting;

9) Imposing adequate sanctions against broadcasters in keeping with this Law;

10) Performing other duties in accordance with this Law.

In addition to the competencies set forth in para 1 of this Article, the Agency is also competent to take measures in the broadcasting sector with the aim of:

1) Protecting minors;

2) Enforcing regulations on copyright and neighbouring rights;

3) Preventing the broadcasting of programmes which contain information inciting discrimination, hatred or violence against an individual or a group of individuals on grounds of race, religion, nationality, ethnicity or gender.

The Agency performs the duties in para 1, sub-paras 1, 2, 3, and 6 as duties entrusted to it.

Passing of the Broadcasting Development Strategy

Article 9

In cooperation with the telecommunication regulatory authority, the Agency shall pass a Broadcasting Development Strategy for the Republic of Serbia wherein it shall determine the number and types of broadcasters, proposed service areas and other parameters for which a public tender shall be called, after having taken into consideration the different requirements of citizens and social groups for information, education, cultural, sports and other contents et. al.

Law Implementation Supervision

Article 10

The supervision of the implementation of this Law entails control of the work of the broadcasters with respect to their consistent application and affirmation of principles upon which the relations in the broadcasting sector are regulated as well as to the fulfillment of other obligations which broadcasters have under the provisions of this Law.

Issuing of Broadcasting Licence

Article 11

The Agency shall issue a licence for broadcasting a programme via terrestrial, cable or satellite transmission, either digital or analogue, in a procedure and according to criteria laid down by this Law.

A broadcasting licence is not required for broadcasting via the global information network (Internet webcasting), but the provisions of this Law shall apply to programme content.

Prescribing Binding Regulations for Broadcasters

Article 12

The Agency shall pass recommendations, instructions, binding instructions and general binding instructions for broadcasters to ensure the efficient implementation of the broadcasting policy in the Republic of Serbia.

The Agency shall pass recommendations for broadcasters in the event of inconsistent permitted practice on part of the broadcasters when applying the provisions of this Law in respect of the programme content.

The Agency shall pass an instruction if there is doubt whether the manner, in which a broadcaster or a group of broadcasters is using the licence in regard to the provisions of this Law pertaining to programme content, is permitted or not.

The Agency shall pass a binding instruction if it is established that the broadcasters' conduct in regard to certain issues regarding programme content is inconsistent and the Agency deems certain types of such conduct impermissible.

The Agency shall pass a general binding instruction in order to regulate certain issues regarding programme content in greater detail, regardless of the current practice of the broadcasters. The general binding instruction may pertain to a specific issue regarding programme content, a number of related issues, or all issues in respect of programme content (broadcasters' code of conduct).

Non-compliance with a binding instruction shall be deemed grounds for pronouncing a reprimand or a warning to the broadcaster, while non-compliance with a general binding instruction shall be the basis for pronouncing any sanction the Agency is empowered to pronounce.

Recommendations, instructions, binding instructions and general binding instructions shall be published in the manner envisaged by the Agency Statute.

The Agency shall pass and publish other regulations in keeping with this Law and in the manner envisaged by the Statute.

Supervising the Work of Broadcasters

Article 13

The Agency shall supervise the work of the broadcasters itself or by hiring an authorised organisation.

When exercising the competence laid down in para 1 of this Article, the Agency is under duty to focus on the broadcasters' overall respect of the terms and conditions on which they were issued the licence, particularly with regard to programme type and quality.

Broadcasters are obliged to allow the Agency access to the data and other documentation related to the subject of the supervision.

Consideration of Submissions

Article 14

Natural and legal persons shall have the right to file submissions to the Agency with regard to a broadcaster's programme contents if they deem these programmes are violating or endangering their personal interests or the public interest.

Upon the receipt and consideration of the submission, the Agency shall deliver forthwith the submission to the broadcaster for explanation and set a deadline thereof, unless the submission is manifestly ill-founded, in which case the Agency dismisses it and informs the submitter thereof.

If the broadcaster does not provide an explanation within the given deadline or informs the Agency that the submission is groundless, but the Agency still maintains that the submission is grounded, the Agency shall take adequate measures against the broadcaster and advise the submitter on ways in which s/he can protect his/her interests.

Adequate measures set forth in para 3 of this Article include but are not limited to:

- 1) Sanctions pronounced by the Agency in keeping with this Law;
- 2) Filing of misdemeanour or criminal charges or initiating of other appropriate proceedings with a state body of competent jurisdiction.

Consideration of Complaints

Article 15

A broadcaster may submit a complaint to the Agency about the conduct of another broadcaster which has inflicted or may inflict it damage.

The Agency shall deliver the complaint in para 1 of this Article forthwith to the broadcaster concerned, who shall provide an explanation within 15 (fifteen) days after the day of complaint receipt.

If the Agency maintains that the complaint is well-founded despite the broadcaster's explanation, it shall take measures set out in Article 14 para 4 of this Law against the broadcaster concerned.

Cooperation with State and Other Bodies and Organisations

Article 16

The Agency shall deliver its opinion to the competent state bodies at their request and in regard to accession to international conventions and other agreements related to the broadcasting sector.

The Agency shall cooperate with relevant organisations of other states, i.e. relevant international organisations with the aim of exchanging opinions, improving its work and harmonizing it with international experience and standards.

Competent state bodies shall ask the Agency for its opinion during the drafting of regulations related to the broadcasting sector.

Pronouncement of Sanctions

Article 17

The Agency may pronounce a reprimand or a warning against broadcaster, and may temporarily or permanently revoke its broadcasting licence in keeping with the provisions of this Law.

Exceptionally, public broadcasting service institutions - which are not obliged to acquire a broadcasting licence from the Agency - may only be pronounced a reprimand and a warning.

The Agency may initiate proceedings against a broadcaster or the broadcaster's responsible person with a court of competent jurisdiction or another state body if the broadcaster's act or failure to act has the character of an offence punishable under the law.

Article 18

A reprimand set forth in Article 17 paras 1 and 2 of this Law shall be pronounced against a broadcaster, which has for the first time breached an obligation stipulated by this Law or an Agency by-law passed on the basis of this Law.

The reprimand shall not be published in the media.

A warning shall be pronounced against a broadcaster which:

1) Despite the issued reprimand, continues acting in contravention of obligations stipulated by this Law or an Agency by-law adopted on the basis of this Law.

2) Violates an obligation for the first time, but in a manner in which this violation seriously threatens the application of principles regulating relations in the broadcasting sector;

3) Violates a term included in the broadcasting licence.

When pronouncing a warning, the Agency shall expressly specify the obligation the broadcaster has violated and define measures the broadcaster is to take to rectify the violation.

The warning shall be published in the media and obligatorily in the programme of the broadcaster concerned.

A broadcaster may also be subject to pronouncement of sanctions laid down in a separate telecommunications law, in the event the broadcaster does not abide by the prescribed obligations.

The Agency shall ensure impartiality and fairness during the imposition of a sanction, as well as enable the broadcaster to be heard about the committed violations of obligations it is held liable for prior to the imposition of the sanction.

The Agency shall prescribe detailed rules on the terms and procedure of sanction imposition.

Protection of Minors

Article 19

The Agency shall ensure the protection of minors and the respect of human dignity in programmes broadcast via radio and TV and shall pass a general binding instruction to that effect.

The Agency shall especially ensure that programmes, which may impair the physical, mental and moral development of minors, are not accessible via radio or television except when the broadcasting time or technical measures ensure that minors are as a rule unlikely to have the opportunity to watch or hear them.

Broadcasting of programmes, which grossly impair the physical, mental or moral development of minors, shall be prohibited.

Protection of Copyrights and Neighbouring Rights

Article 20

The Agency shall ensure that all broadcasters apply regulations on copyrights and neighbouring rights.

Conduct contrary to regulations in para 1 of this Article by a broadcaster may be the basis for pronouncing prescribed sanctions by the Agency independently of other legal remedies at the disposal of the aggrieved holder of a copyright or a neighboring right.

Suppression of Hate Speech

Article 21

The Agency shall ensure that the broadcasters' programmes do not contain information inciting discrimination, hatred or violence against an individual or a group of individuals on grounds of their political affiliation, or their race, religion, nationality, ethnicity, gender or sexual orientation.

Conduct in contravention of the prohibition in para 1 of this Article shall be deemed grounds for pronouncing the envisaged sanctions by the Agency, independently of the other legal remedies at the disposal of the aggrieved.

3. Agency Council

Composition of the Council

Article 22

The Agency Council (hereinafter Council) shall have 9 (nine) members, appointed from the ranks of reputed experts in fields relevant to conducting the affairs within the Agency's competencies (media experts, advertising experts, lawyers, economists, telecommunication engineers, et al.).

Council Appointment

Article 23

The Council members are appointed by the National Assembly of the Republic of Serbia (hereinafter Assembly) at the proposal of authorised nominators.

A Council member is appointed if the majority of all National Assembly members votes for him or her.

The power and duty to nominate Council members are vested in:

- 1) National Assembly of the Republic of Serbia;
- 2) Assembly of the Autonomous Province of Vojvodina;
- 3) Government of the Republic of Serbia;
- 4) Executive Council of the Autonomous Province of Vojvodina;
- 5) Rectors of the Universities in the Republic of Serbia, through mutual agreement;
- 6) Associations of broadcasting public media in the Republic of Serbia, Associations of journalists in the Republic of Serbia, Professional associations of film and drama artists in the Republic of Serbia, Professional associations of composers in the Republic of Serbia, through mutual agreement;
- 6) Domestic non-governmental organizations and civic associations focusing on the protection of the freedom of expression and/or the protection of the rights of national and ethnic minorities, and the protection of the rights of the child, through mutual agreement;
- 7) Churches and religious communities.

The ninth member of the Council is nominated by previously appointed members of the Council, while the nominated member must both fulfill the criteria for the Council membership determined by this Law and live and work on the territory of the Autonomous Province of Kosovo and Metohija.

Nomination for the Council's member from para. 4 of this article is deemed determined if at least 5 Council members have voted for it.

Procedure for Nominating Council Members

Article 24

Each authorised nominator as prescribed by article 23, para. 3 of this Law, nominates the candidates for one Council member, but shall submit obligatorily nominate two individuals on its nominee list. The individuals nominated by the authorised nominator need not belong to the ranks of the authorised nominator.

Exceptionally, candidate list for the member nominated by the previously appointed Council members, in accordance with article 23, para. 4 and 5 of this Law, contains only one individual.

An individual enjoying the reputation of a prominent media expert, advertising expert or a prominent expert in a field relevant to the work of the Agency shall be nominated for the post of Council member.

The Assembly shall appoint one nominee from each valid list.

The authorised nominators shall draft their lists independently, and, if an authorised nominator comprises more than one natural and/or legal person, the nomination shall be determined in agreement, by negotiations.

In case of nominators set forth in Article 23, para 3, sub-para 7 of this Law, the Assembly shall acquire the data on registered republican non-governmental organisations and civic associations from bodies competent for keeping records of these organisations i.e. associations.

The submitted nomination list must be signed and certified by the authorized nominator and include the name and address of its representative.

If the nominators set forth in Article 23, para 3, sub-para 7 of this Law submit more than one nominee list, the list signed by a greater number of associations or

organisations (of authorised nominators) that in the previous period had more effective actions, initiatives and publications in the area they are predominantly focused on, shall be deemed valid list.

Only registered organisations and associations may be the signatories of the nominee lists.

If the nominee list has been submitted in contravention of the provisions of this Law, the Assembly shall return the submitted proposal to the authorized nominator to conform it with this Law within 15 (fifteen) days.

The Assembly shall return the submitted nominations to the authorized nominators also when it is unable to determine which nominee list is valid in respect of para 8 of this Article, in which case the authorized nominators are obliged to submit to the Assembly an agreed-on nomination within 15 (fifteen) days.

The Assembly shall in an appropriate manner make public all valid nominee lists submitted by the authorized nominators at least 30 (thirty) days before the decision on the appointment of Council members is taken, along with their short CVs.

The Assembly is entitled to, before its decision on the Council members appointment, organize a public interview with all nominated candidates in order to get insight into their capabilities for performing duties stemming from the Agency's competencies.

If no candidate from Council members candidate lists obtains sufficient number of votes as prescribed by the article 23 para 2, the appointment shall be executed only after the submittal of a new list from the authorized nominator, which has to take place within 15 days from the day of decision on the previous list at the latest.

Ineligibility for Council Membership

Article 25

The following are not eligible to be Council members:

1) Federal and/or Republican Members of Parliament or members of the autonomous provincial parliaments;

2) Elected or appointed officials in the Federal Government, the Government of the Republic of Serbia (hereinafter Government) and the executive bodies of the autonomous provinces (ministers, their deputies, assistants, as well as heads of separate departments directly controlled by the Government or executive councils, and other officials);

3) Officials of political parties (party leaders, party presidency members and their deputies, members of party executive and main boards and other party officials);

4) Individuals, who as owners of shares or stocks, members of management or supervisory bodies, employees, contractees et al, have an interest in the legal persons involved in the production and/or broadcasting of radio and television programmes or related activities (advertising, telecommunications, et al) because the membership of such an individual in the Council may lead to a conflict of interests;

5) Individuals, who have been convicted by a final sentence of a crime of abuse of official power, corruption, fraud, theft or another criminal offense rendering him/her unfit for the post, notwithstanding the imposed sanction, or who have been convicted by a final sentence of another criminal offense to a prison sentence exceeding 6 (six) months.

6) Individuals who are spouses, parents, children or collateral relatives to the second degree of kinship of individuals listed in para 1, sub-paras 1 to 4 of this Article.

The nominee shall submit a written statement to the authorised nominator that there are no restrictions set forth in para 1 of this Article to his/her nomination.

Tenure of Council Members

Article 26

The Council Members shall not represent in the Council the bodies or organisations which nominated them, but shall fulfil their duties independently, to the best of their knowledge and conscience, and in keeping with this Law.

A Council member's term of office may terminate only for the reasons and after the procedure envisaged by this Law.

No one has the right to influence the work of Council members in any way and the members shall not take any instructions from anyone regarding their work with the exception of the decisions by the court of competent jurisdiction made in the procedure of judiciary control of the Council's work.

Duration of Tenure

Article 27

A Council member is appointed to a tenure of six years.

Notwithstanding para 1 of this Article, when appointing the first Council members, three Council members shall be appointed to two-year, three members to four-year and three members to six-year terms of office.

The Council members with two and four year tenures in the first Council composition shall be appointed in the following manner: before the Assembly decides on the submitted nominations, the Assembly Speaker shall draw lots to determine the authorised nominators whose nominees shall be appointed to two- and four-year terms of office.

An individual may not be appointed Council Member for two consecutive terms of office.

Termination of a Council Member's Tenure

Article 28

The tenure of a Council member may terminate in the following cases:

- 1) Expiration of the term of office to which the Council member has been appointed;
- 2) Dismissal for reasons envisaged by this Law;
- 3) Submission of a resignation to the Assembly in written form, in which case the term-of-office of the Council Member terminates the day the resignation has been submitted, whereas an *a priori* signed (enveloped) resignation shall not have legal effect;
- 4) Death of the Council member.

Termination of Tenure by Dismissal

Article 29

At the proposal of the Council or at least 20 MPs, the Assembly may dismiss a Council member in the following events:

- 1) If a competent health institution finds the member incapacitated by an illness to fulfil the duties of Council member for a period exceeding six months;
- 2) If it is determined that the member gave false personal data during the submission of the nomination or omitted to report data on circumstances set forth in Article 25 of this Law.
- 3) If it is determined that some of the circumstances set forth in Article 25 of this Law occurred during the tenure of the Council member.

4) If for no good reason, the member omits or refuses to fulfil the duty of a Council member for at least 3 (three) consecutive months or a period of 12 months during which the member failed to fulfil his duties for at least 6 months.

The decision on dismissal may be reached only on the basis of a duly reasoned motion for dismissal following a procedure, wherein all the relevant circumstances have been determined and the Council member concerned has been given the opportunity to be heard on all the circumstances.

A Council member may not be dismissed because of his or her political or other opinions, i.e. because of his or her membership in a political organisation.

The decision to dismiss a Council member shall be deemed adopted if the majority of all MPs voted for it.

Suspension of a Council Member

Article 30

Upon the filing of a motion to dismiss a Council member, the Council may, by a two-third majority vote of all its members, reach a decision to suspend the Council member against whom the dismissal motion has been filed until the Assembly passes its decision thereon, but in duration no longer than 6 months.

Consequences of Tenure Termination

Article 31

The Assembly Speaker shall publicly call for a submission of a nominee list for a Council member at least six months before the term-of-office of that Council member expires. The invitation is addressed to the authorised nominators who had nominated the candidates whose term of office is expiring.

The authorised nominators shall submit to the Assembly the nominee lists for the vacated posts within three months from the day the public call has been made.

The Assembly shall reach a decision on the appointment of the new Council members before the tenure of the incumbent members expires.

In the event of the early termination of a Council member's tenure (due to death, dismissal or resignation), the authorised nominator, who had nominated the member whose tenure has terminated in this manner, shall forthwith and within three months at the latest submit a list of nominees for the vacated Council post to the Assembly. The Assembly shall appoint the new Council member within 30 (thirty) days after the day of reception of the nominee list. This member shall be appointed to a tenure of six years.

Until a new member is appointed, decisions taken by the incomplete Council shall be deemed legally effective. However, the Council may not reach legally effective decisions if the number of Council members is less than five, because the tenures of certain members have terminated.

Council's Mode of Operation

Article 32

The work of the Council is public.

The Council shall reach decisions by a simple majority of votes of members present on condition that the decision-making quorum of five members is fulfilled, unless otherwise stipulated by this Law or the Statute. General by-laws and decisions on the rights of broadcasters shall be voted in by a simple majority of all Council members unless this Law or the Statute stipulates a two-thirds majority of all Council members. In the event of a tie, the vote of the Council Chairperson, or, in his/her absence, that of the Deputy Chairperson, shall prevail.

The Council decision referring to the territory of the AP of Vojvodina shall be deemed adopted if within the number of votes required for the decision adoption there is a vote of at least one Council member appointed on the proposal of the authorized nominators from AP Vojvodina.

The Council shall vote in the Council Chairperson and Deputy Chairperson from amongst its ranks by a two-thirds majority vote of all its members.

The Council Chairperson and members shall have the right to financial remuneration for their work in an amount equal to the salaries of the Chairperson, i.e. judge of the Supreme Court of Serbia.

The Council Chairperson shall act in the name of and behalf on the Agency, direct the work of the Council, sign the Council decisions and ensure their implementation, have the powers of a company director in respect of employment rights, obligations and responsibilities of the Agency expert department employees, and perform other functions set forth in the Law and Statute.

Agency Statute and Other General By-laws

Article 33

The Statute, the Council's rules of procedure, the by-law regulating the organisation of the Agency expert departments, the number and status of employees in the Agency expert departments and other Agency by-laws shall be passed by the Council.

The by-laws in para 1 of this Article shall be passed by a two-thirds majority vote of all Council members.

The Assembly shall give its consent to the Agency Statute.

4. Agency Funding

Financial Plan

Article 34

The funding of the Agency shall be carried out in keeping with a financial plan, which shall be adopted by the Council on an annual basis.

The financial plan shall determine the overall revenue of the Agency, the overall expenditure of the Agency, including reserves for unforeseen outlays, as well as the elements for the comprehensive overview of the Agency's salaries and employment policy.

The Assembly shall approve the financial plan in para 1 of this Article.

The financial plan shall be adopted by 15 December of the current year at the latest for the following year.

The financial plan shall be published in the manner envisaged by the Agency Statute.

All Agency revenue and expenditure accounts shall be subject to annual audit by an independent authorised auditor. The accounts shall be published within three months after the end of the fiscal year.

If the annual balance of the Agency revenues and expenditures shows that the Agency's overall revenues have exceeded the expenditures, the difference shall be paid to the account of the budget of the Republic of Serbia and shall be proportionately used to promote and develop culture, health, education and social care.

Sources of Funding

Article 35

The Agency income comprises funds earned from the fees the broadcasters pay for the right to broadcast programmes (the broadcasting licences) in keeping with this Law.

If the Agency fails to accrue the planned income from the fees set forth in para 1 of this Article, the lacking funds shall be provided from the budget.

The provision of lacking funds in keeping with para 2 of this Article shall in no way influence the independence and autonomy of the Agency.

5. Transparency of the Agency's Work and Judicial Control

Transparency of Work

Article 36

The Agency shall publish an annual report on its work in the manner determined by the Statute.

Judiciary Control

Article 37

An Agency decision may not be appealed against, but an administrative lawsuit may be launched against it.

III. BROADCASTING LICENCE

1. Definitions of Licence and Licence Holders

Principles of Licence Issuance

Article 38

A natural or legal person may not broadcast a radio or television programme unless it has previously been issued a licence by the Agency, unless otherwise stipulated by this Law.

Any legal or natural person, fulfilling the conditions prescribed by this Law and regulations passed on the basis of this Law may be granted a licence to broadcast a radio and television programme under equal terms.

The broadcasting licence issuance procedure is public.

Records of all issued licences are kept in accordance with this Law.

Broadcasting Licence

Article 39

A broadcasting licence is an authorisation the obtainment of which vests in the licence holder the right to broadcast a certain radio and/or television programme intended for an unspecified number of users via terrestrial radio stations, cable distribution systems, satellite radiocommunications or in another appropriate manner.

The broadcasting licence shall be issued by the Agency upon its implementation of a procedure envisaged by this Law.

The broadcasting licence shall determine the programming and technical standards for the production and broadcasting of radio and television programmes.

A composite part of the broadcasting licence is the radio station licence (broadcasting station licence), which is issued by the telecommunications regulatory authority at the Agency's request, in accordance with a separate law and on the basis of the Radio Frequency Assignment Plan adopted by the telecommunications ministry.

The issued radio station licence shall be submitted to the Agency for the implementation of the procedure for issuing a broadcasting licence.

The telecommunications regulatory authority shall issue a radio station licence if the conditions set in separate law have been met and if the Agency request is in keeping with the Radio Frequency Assignment Plan.

The broadcasting licence holder shall exercise the right to mount, use and maintain fixed and mobile broadcasting equipment in keeping with the provisions of a separate telecommunications law, regulations passed on the basis of that law, general by-laws of the telecommunications regulatory authority and the technical prerequisites i.e. standards the application of which is stipulated by these regulations.

Cable and Satellite Broadcasting

Article 40

The Agency shall issue a licence for cable or satellite broadcasting of programmes without calling a public tender at the request of the holder of a cable distribution system (hereinafter CDS), i.e. holder of a terrestrial satellite station, if the holder of the CDS i.e. terrestrial satellite station has met the conditions regarding the mounting, use and maintenance of telecommunication equipment determined in keeping with a separate telecommunications law.

The obligation to obtain a broadcasting licence shall not be incumbent upon the holder of a system which is broadcasting the following radio and television programmes intended for cable distribution:

1) Programmes for which the Council has awarded a terrestrial broadcasting licence for the area in which the CDS is situated, whereby the CDS holder is obliged to distribute the public service programmes via its system free of charge.

2) Programmes which can be received via free (unencrypted) satellite distribution in the territory of the Republic of Serbia.

The holder of a system for broadcasting radio and television programmes intended for satellite distribution shall be obliged to obtain a licence in all events in which the holder has not obtained a licence for the terrestrial or cable broadcasting of the programme to be broadcast via satellite.

Regulations envisaged for the issuing of cable broadcasting licences shall accordingly apply to the issuance of licences for broadcasting via the MMDS (Microwave Multichannel Distribution System) technology, whereby the holder of the MMDS shall not be exempted from the obligation to obtain the appropriate licence for each radio station in keeping with a separate telecommunications law.

Broadcasting Licence Holder

Article 41

Only a domestic legal or natural person, registered for the businesses of producing and broadcasting radio and television programmes and with a head office i.e. residence in the territory of the Republic of Serbia, may be a holder of a broadcasting licence.

A domestic legal person, whose founders are foreign legal persons registered in countries the internal regulations of which do not allow or where it is impossible to determine the origin of the founding capital, may not take part in the public tender for a broadcasting licence.

A foreign legal or natural person may have a share of a maximum 49% in the overall founding capital of the broadcasting licence holder unless otherwise envisaged by international agreements ratified by the Federal Republic of Yugoslavia.

Exceptionally, a foreign natural or legal person may not possess a share in the capital of public service broadcasting institutions.

Persons which may not be Licence Holders

Article 42

The following may not be broadcasting licence holders:

- 1) An enterprise, institution or another legal person established by the Republic of Serbia or an autonomous province, with the exception of public broadcasting service institutions;
- 2) A political party, organisation or coalition, or a legal person founded by a political party, organisation or coalition.

Broadcaster

Article 43

A legal or natural person, registered for the business of producing and broadcasting radio and television programmes, shall acquire the status of broadcaster in terms of this Law when awarded a broadcasting licence, i.e. when awarded a radio station licence in the case of broadcasters which are not required under the provisions of this Law to obtain a broadcasting licence.

A broadcaster may produce and broadcast radio and tv programmes as a:

- 1) Public broadcasting service institution;
- 2) Commercial radio and/or television station;
- 3) Civic sector radio and/or television station;
- 4) Radio and/or television station of a local or regional community.

Public Broadcasting Service Institutions

Article 44

Public broadcasting service institutions of the Republic of Serbia or of the autonomous provinces, shall be awarded the right to programme production and broadcasting as broadcasters directly on the basis of this Law.

Broadcasters in para 1 of this Article shall be issued only radio station licences in keeping with the Radio Frequency Assignment Plan and this Law.

Broadcasters in para 1 of this Article shall be subject to the provisions of this Law, except for provisions regarding the obtainment of broadcasting licences, as well as to the relevant provisions of a separate telecommunications law.

Types of Broadcasters with regard to Radio and Television Programme Content

Article 45

With respect to the radio and television programme content they produce and broadcast, broadcasters may be:

- 1) Broadcasters of complete programmes, encompassing news, educational, cultural, scientific, sports and entertainment contents as the predominant part of their activities;
- 2) Broadcasters of specialised programmes, the content of which fundamentally belong to the same thematic category (sports, culture, music, education, et al); or,
- 3) Broadcasters whose programmes are wholly devoted to advertising and sale of goods and services.

Licence Non-Transferability and Inviolability

Article 46

The broadcasting licence, which also comprises the radio station license, may not be ceded, leased or in another manner transferred or alienated either temporarily or permanently.

The broadcasting licence set forth in para 1 of this Article may not be ceded even in the event of broadcaster's selling of the broadcasting equipment.

In the event set forth in para 2 of this Article, new owner of the broadcasting equipment may not start broadcasting prior to obtaining the broadcasting licence as prescribed by this Law.

Proposed Service Area

Article 47

A proposed service area may encompass the territory of the Republic of Serbia, the territory of an autonomous province, region or local area.

A public service broadcaster must ensure quality reception of radio i.e. television signal by at least 90% of the population in the proposed service area.

A commercial broadcaster must provide quality reception of the radio i.e. television signal to at least 60% of the population in the proposed service area.

Sharing a Radio Frequency

Article 48

If the terms set forth in the Radio Frequency Assignment Plan have been fulfilled, approval may be granted to a maximum of three broadcasters to a broadcast radio i.e. television programme on the same radio frequency and in the same proposed service area.

The joint use of a radio frequency may be approved only on the basis of a positive opinion previously obtained from the telecommunications regulatory authority.

Broadcasters shall jointly apply for a broadcasting licence in para 1 of this Article, by submitting, *inter alia*, a contract wherein they have together detailed the time slots of each broadcaster intending to share the radio frequency in the same proposed service area.

The Agency shall award to each broadcaster in para 3 of this Article a separate broadcasting licence which specially details the joint use of the radio frequency, the broadcaster/s sharing the same frequency and the terms and conditions of the joint frequency use.

2. Licence Issuance Procedure

Public Tender

Article 49

The broadcasting licence shall be issued on the basis of a public tender.

The public tender must be called when conditions are met on the basis of the Radio Frequency Assignment Plan to award new broadcasting licences.

The public tender shall publicise the proposed service areas the coverage of which is the reason for calling the public tender, in keeping with the Radio Frequency Assignment Plan.

Invitation for a public tender

Article 50

The announcement calling for a public tender for broadcasting licences shall contain:

1) The territory of the proposed service area with the radio frequencies /locations assigned to it;

2) The technical, organisational and programming terms for programme production and broadcasting which the applicant is to fulfil;

3) The terms set forth in a separate telecommunications law and regulations adopted on the basis of that law which the applicant is to meet to be awarded a radio station licence;

4) The amount of the annual fee for the right to broadcast a programme and the amount of the fee which is paid for the use of a radio frequency on the basis of the awarded radio station licence;

5) The deadline for submitting the application for the public tender, together with the prescribed documentation;

6) The deadline in which the decision on tender applications shall be reached.

In order to ensure that the public tender is made known to all interested parties under equal terms, the invitation for a public tender shall be published in the "Official Gazette of the Republic of Serbia" and in at least one newspaper of general circulation. If the public tender is called for awarding broadcasting licences to radio and/or television stations of local or regional communities, the invitation must also be published in at least one local i.e. regional newspaper published in the area for which the public tender is being called.

The deadline for submitting applications for the public tender shall not be shorter than 60 (sixty) days after the day the announcement has been published.

Deposit

Article 51

The Agency may reach a decision binding the applicants to pay a deposit when submitting the applications.

The decision from para. 1 of this article shall determine the amount of the deposit that may not exceed the full amount of a trimester license fee.

Application for the Public Tender

Article 52

An application for the public tender is submitted on a form the content of which is prescribed and published by the Agency.

The applicant shall furnish the following documents together with the application:

1) Proof of the applicant's registration for the business of radio and television programme production and broadcasting;

2) Proof that the applicant has fulfilled the terms embodied in Article 50 para 1, sub-para 2 and 3 of this Law;

3) Documentation in respect of the proposed programme concept;

4) Organisational and technical concept and staff structure;

5) Estimate of annual cost and revenue plans (with their specification) and data on the financial potentials of the applicant, and, if the applicant is broadcasting a radio and/or television programme at the time of application, also the financial statement and the profit and loss account for the year preceding the year in which the application for the public tender is being submitted;

6) A statement that there are no hindrances pursuant to this Law in respect of prohibited concentration of media ownership;

7) Proof of payment of the deposit and of the administrative taxes for application submission.

The applicant may submit other documentation which it deems material to being awarded a broadcasting licence.

Agency's Consideration of Submitted Applications

Article 53

The Agency shall:

- 1) Reject an application containing incomplete or incorrect data, i.e. incomplete documentation if the applicant does not amend the application, i.e. submit the correct data or comprehensive documentation within the subsequently set deadline of seven days;
- 2) Publicise, in the same manner as the public tender, a list of all applicants, whose applications are complete and have been submitted within the envisaged deadline, within seven days after the expiration of the application submission deadline;
- 3) Consider all complete and duly submitted applications;
- 4) Set and publicise non-discriminatory, impartial and measurable decision-making criteria, corresponding to the activities for the performance of which the licence is awarded;
- 5) Reach a decision in keeping with the set criteria and prescribed conditions and standards for programme production and broadcasting, and, in the event that more than one person fulfilling the terms has applied for the same radio frequency, give advantage to the one which, on the basis of the submitted documentation, provides stronger guarantees that it shall contribute to better quality and more diverse programme i.e. programme contents in the area in which the programme is to be broadcast. If the applicant is broadcasting a radio and/or TV programme at the time of application submission, the Council shall, while making a decision, take into consideration the applicant's previous broadcasting period contribution to the implementation of principles regulating relations in the broadcasting sector, determined in article 3 of this Law;
- 6) Ensure coordination of work with the telecommunications regulatory authority and timely submission of requests for radio station licences, so that a decision on the comprehensive broadcasting licence can be reached within a maximum of (90) ninety days after the date of the publication of the list of public tender applicants;
- 7) Publicise in the same manner as the tender the list of persons which have been awarded broadcasting licences;
- 8) Deliver the applicants, whose applications have been rejected, duly reasoned decisions thereof within eight days after the day the decision on the public tender has been reached;
- 9) Submit one copy of the awarded licence to the telecommunications regulatory authority.

Complaint against an Agency Decision

Article 54

A person, which has applied at the public tender and is dissatisfied with the Council decision, has the right to file a complaint to the Council within 15 (fifteen) days after the day of receipt of the decision on application rejection.

The Council shall decide on the complaint within 30 (thirty) days after the date of its submission.

An administrative lawsuit may be launched against the decision on the complaint.

Register of Granted Broadcasting Licences

Article 55

The Agency shall maintain a register of issued broadcasting licences, which shall be public.

The Agency shall establish and update a database on the register it maintains.

Commencement of Broadcasting

Article 56

A broadcaster shall commence broadcasting the programme within a maximum of 60 (sixty) days after the date of broadcasting licence receipt, but may not begin to broadcast the programme before fulfilling the terms for launching the radio station prescribed by a separate telecommunications law.

In the event a broadcaster does not act in keeping with para 1 of this Article, the broadcaster's broadcasting licence shall be revoked.

Deposit Refund

Article 57

A person, which has not been issued a broadcasting licence, shall receive the deposit refund within seven days after the day the decision on its application to the public tender has been reached, while the paid deposit shall be calculated as part of the broadcasting fee of a person which has been granted a licence.

The deposit is not refunded to a broadcasting licence holder which:

- 1) Informs the Council in writing before the expiration of the deadline for commencing broadcasting that it is relinquishing the use of the awarded broadcasting licence, i.e. the use of the radio frequency granted to it on that basis;
- 2) Does not commence broadcasting the programme within the set deadline.

Licence Granted at the Broadcaster's Request

Article 58

Notwithstanding the provisions of this Law, broadcasters, whose proposed service area is not fully covered due to terrain configuration, may submit a request to the Agency, without a public tender being called, to award them a broadcasting licence for additional coverage.

The Agency shall decide on the submitted request in coordination with the telecommunications regulatory authority in keeping with the Radio Frequency Assignment Plan.

Validity and Extension of a Broadcasting Licence

Article 59

The licence to broadcast a radio and/or television programme shall be issued for a period of eight years.

The broadcasting licence may be issued for a shorter period of time at the request of the applicant.

The validity of the broadcasting licence may be extended at the licence holder's request, which the licence holder is obliged to submit to the Agency within six months before the expiration of the valid licence.

Issuance of a Broadcasting Licence of Shorter Validity

Article 60

The Agency may issue a broadcasting licence of shorter validity for the coverage of certain events.

The licence in para 1 of this Article shall be issued at the request of a natural or legal person intending to broadcast a programme exclusively linked to the holding of a certain event.

The licence in para 1 of this Article shall be temporary in character and shall be valid only for the duration of the event wherefore it was issued.

The time-restricted radio station licence, which is a composite part of the licence in para 1 of this Article, is issued by the telecommunications regulatory authority, in keeping with the provisions of a separate telecommunications law.

Broadcasting Licence Invalidation before Expiry

Article 61

A broadcasting licence shall cease to be valid prior to the expiry of its validity period in the following events:

1) If a broadcaster notifies the Agency in writing it no longer intends to broadcast its programme;

2) If it is established that, whilst applying, a broadcaster presented untrue data or omitted to present data material to the decision on its application either in the application for the public tender or in the accompanying documentation;

3) If the telecommunications regulatory authority annuls the issued radio station licence in respect of the provisions of a separate telecommunications law due to the occurrence of any reason envisaged by that law;

4) If a broadcaster has not commenced programme broadcasts within the prescribed deadline;

5) If a broadcaster has not conducted a technical inspection of the radio station within the prescribed timeframe;

6) If a broadcaster has for no justifiable reason ceased broadcasting programme for more than 30 (thirty) consecutive days or for 60 (sixty) days intermittently in one calendar year;

7) If a broadcaster has violated the provisions on prohibited concentration of media ownership envisaged by this Law;

8) If the Agency has imposed the sanction of revoking a broadcasting licence after a procedure in accordance with this Law and regulations passed on the basis of it because the broadcaster has violated its obligations or failed to comply with the terms and conditions prescribed by the broadcasting licence;

9) If the broadcaster has not paid the broadcasting licence fee despite a prior written warning;

10) If it transpires after the licence issuance that a founder of the broadcaster, which has been issued a broadcasting licence, is a foreign legal person registered in a country whose internal regulations do not allow or where it is impossible to determine the origin of the founding capital.

Licence Revocation Procedure

Article 62

In the event any of the reasons set forth in Article 61 of this Law occur, the validity of the broadcasting licence shall cease by an Agency decision on licence revocation.

The Agency shall regulate in greater detail the procedure for reaching the decision in para 1 of this Article, whereby the procedure shall be based on the principles of impartiality and fairness and the broadcaster shall be provided the opportunity during the procedure to be heard on the facts which have given cause to the procedure. The broadcaster's representative has the right to attend the Council session at which the revocation of the licence is discussed and to orally plead the broadcaster's defense at that opportunity.

The Council decision on revoking the broadcasting licence shall be reached by a two-thirds majority of all the Council members.

The decision in para 3 of this Article must be duly reasoned.

The broadcaster, whose broadcasting licence has been revoked, has the right to file a complaint to the Council within eight days after the Council has delivered it the decision.

The complaint stays the implementation of the decision.

An administrative lawsuit may be launched against the Council decision on the complaint.

Unless the court temporarily stays the execution of the decision during the administrative lawsuit on the filed charges, the broadcaster shall forthwith obey the final Council decision on licence revocation, and if it fails to comply, the compulsory enforcement procedure shall be applied in keeping with the regulations of general administrative procedure.

Broadcasting Licence Revocation as a Sanction for Violating Broadcaster Obligations

Article 63

The Council shall pronounce a temporary broadcasting licence revocation lasting up to 30 (thirty) days against a broadcaster which, despite the warning pronounced in terms to Article 18 of this Law, continues failing to abide to the provisions of this Law or regulations passed on the basis of it or does not abide to the terms embodied in the broadcasting licence or does not act pursuant to measures for remedying the violations specified in the Council warning.

The permanent revocation of a broadcasting licence shall be pronounced against a broadcaster which has not fulfilled its obligations and has previously been punished at least three times by temporary broadcasting licence revocation.

Broadcasting Licence Expiration

Article 64

A broadcasting licence shall no longer be valid upon expiration of the term for which the broadcasting licence was issued unless the Agency has reached a decision on its extension in keeping with Article 59 of this Law.

Revision of Terms Set in the Radio Station Licence

Article 65

The terms set in the radio station licence may be revised by the telecommunications regulatory authority during the work of that radio station only in keeping with a separate telecommunications law and regulations passed on the basis of that law.

3. Broadcasting Fee

Compulsory Fee Payment

Article 66

The broadcaster shall pay an appropriate fee for the right to broadcast programme (hereinafter broadcasting fee).

In addition to the fee set forth in para 1 of this Article, the broadcaster shall also pay the fee for the use of a radio frequency (a fee for the radio station licence). The fee for the radio station licence shall be fixed and the manner of payment shall be determined in keeping with a separate telecommunications law and regulations based on that law. The fee for the radio station licence shall be paid to the account of the telecommunications regulatory authority.

The broadcasting fee shall be paid to the account of the Agency.

The broadcasting fee shall be fixed on the basis of the following criteria:

- 1) Number of residents in the area in which the programme is broadcast on the basis of official data of the authorised statistics authority; and,
- 2) Programme concept of the broadcaster, i.e. the origin and type of programme being broadcast, notably:
 - a) proportion of scientific, educational, cultural, art, children or self-produced news programmes in the entire broadcast programme;
 - b) proportion of self-produced programmes or programmes of independent producers with contents listed in point 1) of this sub-para above the quota set by this Law;
 - c) proportion of the programme of other domestic broadcasters or translated foreign programmes.

The Agency shall set the broadcasting fee with the consent of the Government of the Republic of Serbia, whereby the radio programme fee shall amount to 20 % of the fee set for the broadcasting of television programmes.

The programme broadcasting fee shall be fixed on an annual basis and the broadcaster shall pay the Agency 1/12 of the set annual fee on a monthly basis, with the exception of the day of licence issuance.

The Agency shall pass detailed guidelines for setting the broadcasting fee in keeping with criteria set forth in para 4 of this Article.

The Agency may revise the fee amount during the validity of a broadcasting licence depending on the changes in the broadcast programme. The Agency decision on amending the fee amount must be duly reasoned.

For the first six months of exercising the right to broadcast programme, a broadcaster shall pay the total six months fee set forth in para 5 of this Article within seven days after the day of receipt of the notification of the granted right. In the subsequent period, the broadcaster shall pay its monthly fee installment by the fifth day of the month for the running month.

Exemption from the Obligation to Pay the Broadcasting Fee

Article 67

Public broadcasting service institutions of the Republic of Serbia and the autonomous provinces, radio and television stations of local and regional communities, which are wholly state-owned, and civic sector radio and television stations shall pay only the radio station fee (radio frequency use fee) and shall be exempt from the broadcasting fee.

The radio and television stations of local and regional communities, which are partly privately owned, shall pay part of the broadcasting fee proportionate to the share of private capital.

Radio and television stations of churches and religious communities shall not pay the broadcasting fee until the completion of the procedure restituting the property these churches and religious communities were deprived of through nationalisation, confiscation, expropriation et al. after World War Two.

IV. BASIC PROGRAMME STANDARDS

Basic Broadcaster Obligations in Respect of Programme Content

Article 68

All broadcasters shall abide by the following standards in respect of programme content within their programme concept:

- 1) Ensure the production and broadcasting of quality programme both in terms of technology and of programme content by applying international and national standards;

- 2) Ensure free, comprehensive and timely informing of citizens;
- 3) Broadcast important urgent announcements regarding threat to human life, health, security or property;
- 4) Contribute to raising the overall culture and awareness of the citizens;
- 5) Shall not broadcast programmes the content of which may impair the physical, mental or moral development of children and youth, as well as clearly mark such programmes and, if they are broadcasting them, do so only between 24:00 and 06:00 hours;
- 6) Shall not broadcast programmes containing pornography or the content of which gives undue prominence to violence or is likely to incite violence, drug abuse or other forms of criminal behaviour, as well as programmes abusing the naiveté of the audience;
- 7) Broadcast foreign programmes intended for pre-school children synchronised in Serbian or the languages of the national and ethnic minorities.

All broadcasters shall keep the broadcast programme contents in accordance with regulations on public information, i.e. in accordance with regulations on the protection of cultural heritage.

Identification Obligation

Article 69

The name, logo, i.e. the abbreviated identification sign of the broadcaster must be continuously displayed throughout the broadcasting of the television programme or aired in an appropriate manner during the broadcasting of radio programmes.

The use of the name, logo or abbreviated identification sign incorrespondent to the registered name of the broadcaster shall be prohibited.

The provisions of a separate public information law shall be applied to the broadcaster's identification obligation.

The name, logo, i.e. abbreviated identification sign of the broadcaster must be displayed even during the rebroadcasting of programmes of other broadcasters, whereas, in the event of broadcasting independent production programmes, the broadcaster's name shall be cited at the beginning or at the end of the programme.

Networking

Article 70

The networking of two or more broadcasters for simultaneous programme broadcasting without the use of additional radio frequencies or radio relay links is allowed for the duration of up to three hours per day in continuation or in summation. In exceptional circumstances, the Agency may reach a decision allowing networking of longer duration if it establishes that such a decision would be in the public interest. The Agency decision must be duly reasoned.

Networking, involving the establishing of radio relay links or link repeaters may be only temporary in character and shall be approved by the telecommunications regulatory authority if such networking does not interfere with the broadcasts of other broadcasters.

Networking to broadcast the same programme is prohibited if it constitutes a violation of the provisions on concentration of media ownership embodied in this Law or the anti-monopoly provisions set out in separate regulations.

Access to Major Events

Article 71

The Agency shall detail the list of events which are of interest to all citizens in the Republic of Serbia for which the exclusive right to broadcast may be exercised only by the broadcaster whose service area, as prescribed by article 47 of this Law, encompass the entire territory of the Republic of Serbia.

The broadcaster, granted with an exclusive right to broadcast an event included in the list from para 1 of this Article, shall allow and enable all interested broadcasters to tape and broadcast short reports of the event lasting up to 90 seconds which shall contain the authentic picture and sound of the event.

Broadcasting in One's Native Tongue

Article 72

The broadcaster shall produce and broadcast programme in Serbian or ensure that the programmes produced in foreign languages are broadcast with a translation into Serbian.

The obligation in para 1 of this Article does not pertain to broadcasters producing and broadcasting programme intended for national minorities or parts of the programme of the public broadcasting service institutions meeting the needs for information of national minorities in their mother tongues.

The obligation in para 1 of this Article does not pertain to the broadcasting of foreign music programmes, with the exception of television broadcasts of stage shows.

In exceptional circumstances, the Council may allow the broadcaster to air parts of a programme in a foreign language.

Self-Produced Programmes

Article 73

Of the total annual broadcasting time, a broadcaster shall broadcast at least 50% of programmes produced in Serbian, out of which at least 50% shall be produced by the broadcaster itself.

Broadcasters producing and broadcasting programmes for national minorities are obliged to broadcast at least 50% of their self-produced programme in the total annual broadcasting time in the languages of national minorities.

The total annual broadcasting time does not include reruns, transmission of sports events, game shows, advertisements and teleshopping, nor news programmes, with the exception of the broadcaster's self-produced news.

Self-produced programme signifies programmes or shows in which the self-produced audio or video material and/or co-authorship proportion of a show or programme account for over 50% of the television and over 20% of the radio programmes, i.e. shows.

Self-produced programme also entails co-productions.

Independent Production Quotas

Article 74

The public broadcasting service institutions of the Republic of Serbia and autonomous provinces, as well as the local and regional broadcasters, which are predominantly state-owned, are obliged to place at least 10% of their total annual broadcasting time at the disposal of independent radio and television productions.

Programmes older than five years may account for maximum 50% of the quota set forth in para 1 of this Article.

Total annual broadcasting time does not include reruns, transmission of sports events, game shows, advertisements and teleshopping, nor the news programmes, with the exception of a broadcaster's original news production.

Accountability of Broadcasters

Article 75

A broadcaster shall be held accountable for the broadcast programme content in accordance with the provisions of a separate public information law.

V. PUBLIC BROADCASTING SERVICE

Carriers of the Public Broadcasting Service

Article 76

Republican and provincial broadcasting institutions shall be the carriers of the public broadcasting service in the Republic of Serbia.

Broadcasting institutions in para 1 of this Article shall perform the activities of producing and broadcasting radio and television programme and shall have specific obligations in achieving public interest in the public broadcasting service sector, as determined by this Law.

Broadcasting institutions in para 1 of this Article shall have the status of a legal person.

Achieving Public Interest in the Public Broadcasting Service Sector

Article 77

Programmes produced and broadcast within a public broadcasting service shall be of public interest.

Programmes in para 1 of this Article shall encompass programmes with informative, cultural, art, educational, religious, scientific, children's, entertaining, sports and other content, ensuring the meeting of the needs of citizens and other persons and the fulfillment of their rights in the broadcasting sector.

Programmes produced and broadcast within the public broadcasting service must ensure diversity and balance (mutual coordination or conformity) of content which uphold democratic values of a modern society, particularly the respect of human rights and cultural, national, ethnic and political pluralism of views and opinions.

Public Service Broadcasters' Obligation to Achieve Public Interest

Article 78

With the aim of achieving public interest in the broadcasting sector, determined by this Law, and in addition to general obligations of broadcasters in relation to programme content set forth in Article 68 of this Law, public broadcasting service carriers shall:

1) Ensure that programmes which are produced and broadcast, and particularly programmes with news content, are protected from any influence of the authorities, political organisations or centres of economic power;

2) Produce and broadcast programmes intended for all segments of society, without discrimination, particularly taking into consideration specific societal groups such as children and youth, minority and ethnic groups, handicapped, socially and medically vulnerable groups, deaf and dumb (mute), and others;

3) Adhere to lingual and speech standards not only of the majority population but also, proportionately, of national minorities and ethnic groups in the area where the programme is being broadcast;

4) Ensure the satisfaction of the needs of citizens for programme content expressing cultural identity not only of the nation, but also of national minorities and ethnic groups, by enabling them to follow certain programmes or blocks of programmes in the areas where they live and work, in their native tongue and writing;

5) Provide adequate time slots for broadcasting content related to activities of civic associations and non-governmental organisations, as well as of religious communities in the area where the programme is being broadcast;

6) Provide during election campaigns free-of-charge and balanced broadcasts of promotions of political parties, coalitions and candidates for federal, republican, provincial or local elections, whose candidacies have been accepted, whereas these broadcasters may not broadcast a paid election promotion and, pursuant to their general by-laws, may refuse to broadcast programmes and propaganda spots if these do not serve the election campaign;

7) Envisage in their annual plans the broadcasting of independently produced programmes, the selection of which is based on a public tender and upon the conclusion of a written contract with the independent producer at customary market conditions;

8) Enable the use of self-produced teletext or teletext independently produced by a third party at the recommendation of the Agency;

9) Ensure the use and development of modern technical and technological standards in programme production and broadcasting, and draft and duly fulfil plans of transferring to new digital technologies;

10) Respect the traditional spiritual, historical, cultural, humanitarian and educational importance and role of churches and religious communities in society;

11) Mutually cooperate and exchange programme contents of interest to the citizens of Serbia.

Special Obligations Regarding News Programme Production and Broadcasting

Article 79

Public broadcasting service carriers shall in their news programme production and broadcasting abide by the principles of impartiality and fairness in treating different political interests and different persons, uphold the freedom and pluralism of the public expression of opinions, and prevent any form of racial, religious, national, ethnic or other intolerance or hatred, or intolerance on the grounds of sexual orientation.

Financing of a Public Broadcasting Service

Article 80

A radio-television subscription shall be paid to finance the activities of public broadcasting service institutions related to activities in the public interest determined by this Law.

For the execution of other tasks within the scope of its activities, the public broadcasting service shall acquire resources from:

- 1) The production and broadcasting of advertisements;
- 2) The production and sales of audio-visual programmes (shows, films, serials, sound carriers, etc.);
- 3) The production of other programme services (teletext, etc.);
- 4) Organising concerts and other performances;
- 5) Performing other activities laid down in the Statute;
- 6) Other sources in keeping with the law.

Radio-Television Subscription

Article 81

Owners of radio and TV receivers shall pay radio-television subscription to public broadcasting services, in keeping with this Law.

Owners of radio and TV receivers shall pay an identical flat RTV subscription across the entire territory of the Republic of Serbia.

Radio-television subscription (hereinafter subscription) shall be paid for radio and television receivers (hereinafter receiver) per household and for receivers linked to joint antennae or connected to a cable system.

One household, owner of two or more receivers, notwithstanding receivers in motor vehicles, shall pay the subscription for one radio or television receiver at the same address.

Hotels and motels shall pay one subscription per every ten rooms equipped with television or radio receivers, whereas any other legal person, the owner of a television receiver, shall pay the subscription per every 20 employees capable of receiving a programme.

The obligation to pay the subscription shall begin on the first day of the month following the purchase of a receiver.

All natural and legal persons, which are owners of a receiver, shall report the purchase of the receiver to the republican public broadcasting service institution, and for the territory of AP Vojvodina radio and TV receivers are to be registered at the Vojvodina's PBS as well.

The obligation to report the receiver or report the receiver owner's change of address or change of head office shall be fulfilled within 15 (fifteen) days from the day of the receiver purchase or the change.

In the event of alienating the receiver, the former owner of the receiver shall pay the subscription until the cancellation of the receiver registration and shall submit a statement that s/he does not own another receiver.

The republican public broadcasting service institution shall keep a register of subscribers, with all personal and other necessary data, and for the territory of AP Vojvodina radio and TV subscribers are to be registered in the Vojvodina's PBS as well.

The public broadcasting service institution may not execute control of ownership of receivers in a manner that would jeopardise the citizens' constitutional rights.

Exemption from the Obligation to Pay Subscription

Article 82

Exempted from the obligation to pay subscription are households - owners of receivers - with at least one household member who is:

- 1) An invalid with 100% physical disability;
- 2) An invalid with less than 100% physical disability who, in keeping with provisions of other specific regulations, has been granted a right to a subsidy for external care and assistance;
- 3) An individual with permanent loss of hearing or a blind individual.

The right to exemption from the obligation to pay the subscription set forth in para 1 of this Article is exercised on the basis of a certificate issued by a competent pension and disability insurance institution, i.e. another institution or body if so stipulated by a separate law.

The following legal persons are exempted from the obligation to pay subscription:

- 1) Institutions, which in terms of Article 79 of the Law on Social Welfare and Protection ("Official Gazette of the Republic of Serbia", Nos. 36/91, 33/93, 53/93, 67/93, 46/94, 48/94, 52/96 and 29/2001) are deemed institutions for the accommodation of the socially vulnerable, schools, health institutions and organisations of the disabled, and firms for training and employing the disabled;
- 2) Diplomatic-consular representation offices, on a reciprocal basis.

The Rates and Modes of Subscription Payment

Article 83

The rate of monthly subscription for receivers used in households and for receivers owned by legal persons shall be 210 dinars.

The rate of annual subscription for a receiver used in a motor vehicle shall be 440 dinars.

The subscription in para 1 of this Article shall be paid on a monthly basis, by the 15th day of the current month for the preceding month.

The subscription in para 2 of this Article shall be paid on an annual basis, by a special money order, during the registration of a motor vehicle.

Seventy (70) percent of the revenue collected from the subscription in the territory of an autonomous province shall belong to the province's public broadcasting service institution. The Broadcasting Institution of Serbia shall transfer these funds to the public broadcasting service institution of the autonomous province within three days after payment collection.

The Broadcasting Institution of Serbia shall pay to a separate account of the Republic of Serbia budget 1.5% of its overall monthly subscription for the development of the domestic film industry.

Payment of the monthly subscription shall be collected via the public company offering most favorable conditions for the collection of subscription fees for certain territory, and in a manner prescribed by the contract concluded in between the Broadcasting Institution of Serbia and the corresponding public company.

The subscription rates in paras 1 and 2 of this Article in the year 2003 and each following year shall be harmonised with the retail price growth index in the Republic of Serbia in the preceding calendar year, in accordance with data officially published by the authorised statistics body, increased by 5%.

Obligations relating to the Proposed Service Area

Article 84

The Broadcasting Institution of Serbia shall broadcast its programme in the entire territory of the Republic of Serbia within the MF, VHF and UHF frequency bands assigned to the broadcasting service. The Broadcasting Institution of Serbia shall broadcast programme outside the territory of the Republic within the HF frequency bands.

The public broadcasting service institution of an autonomous province shall broadcast programme in the territory of the autonomous province within the MF, VHF and UHF frequency bands assigned to the broadcasting service.

The Broadcasting Institution of Serbia shall broadcast its radio programme via three networks within the MF band and three networks within the VHF band, and its television programme via two networks within the VHF/UHF band.

The public broadcasting service institution of an autonomous province shall broadcast its radio programme via two networks within the MF band and three networks within the VHF band, and its television programme via two networks in the VHF/UHF band.

Before the commencement of broadcasting, institutions in paras 1 and 2 of this Article are obliged to obtain radio station licences, which are issued at the request of the Agency by a telecommunications regulatory authority in keeping with the Radio Frequency Assignment Plan.

Serbian Broadcasting Service Institution

Article 85

In order to perform the activities of a public broadcasting service in the territory of the Republic of Serbia, the Broadcasting Institution of Serbia shall be set up with its head office in Belgrade.

The assets for the founding and operation of the Broadcasting Institution of Serbia shall include the real estate and other resources used by the Public Company "Radio Television of Serbia", determined by the division of assets dividing the assets, rights and obligations of the Public Company "Radio Television of Serbia" between the Broadcasting Institution of Serbia and the Broadcasting Institution of Vojvodina.

The Broadcasting Institution of Serbia shall use the immovable property and broadcasting infrastructure assets in para 2 of this Article (buildings, antenna systems, radio-relay systems et al.) as stipulated in the contract concluded by the authorised persons of the Broadcasting Institution of Serbia and the Republic of Serbia Property Directorate.

Bodies of the Broadcasting Institution of Serbia

Article 86

Bodies of the Broadcasting Institution of Serbia shall comprise: the Managing Board and the General Manager.

The Programme Board shall be the consultative body of the Broadcasting Institution of Serbia.

Managing Board

Article 87

The body managing the Broadcasting Institution of Serbia shall be the Managing Board, which has nine members.

Members of the Managing Board shall be appointed and dismissed by the Agency.

Members of the Managing Board shall be named from the ranks of journalists and prominent experts in media, management, law and finance, as well as from among other prominent figures.

Federal and Republican Members of Parliament, members of the autonomous provincial parliaments, members of the Agency Council, members of Government or of executive bodies of an autonomous province, individuals appointed to the Government, an executive body of an autonomous province or the republican, that is, provincial bodies, as well as officials of political parties (leaders of political parties, their deputies, members of party presidencies, main and executive party boards and other officials) may not be members of the Managing Board.

The term of office of Managing Board members is five years and one person may be appointed member of the Managing Board for a maximum of two consecutive terms.

In their work, members of the Managing Board shall be autonomous and shall ensure the consistent implementation of the provisions of this Law with regard to the public broadcasting service.

The Mode of Operation of the Managing Board

Article 88

The Managing Board shall adopt rules of procedure on its work.

The Managing Board shall elect its Chairperson from amongst its members.

The Managing Board shall make decisions by a majority vote of all members of the Managing Board, unless the Statute (of the Broadcasting Institution of Serbia, translator's addition) envisages a two-thirds majority of all the Managing Board members for certain decisions. In the event of a draw, the Chairperson shall have the prevailing vote.

Members of the Managing Board shall be entitled to financial remuneration for their work, the level of which shall be determined by the Agency.

Managing Board's Duties

Article 89

The Managing Board shall:

- 1) Adopt the Statute of the Broadcasting Institution of Serbia (hereinafter Statute) with the Agency's consent, adopt business plans and reports on activities of the Broadcasting Institution of Serbia and periodical and annual profit and loss accounts and inform the public, the Agency and the Assembly thereof;
- 2) Appoint and dismiss the General Manager of the Broadcasting Institution of Serbia, with a two-thirds majority vote of all the Managing Board members, whereby the decision on appointment shall be made after a public tender;
- 3) Appoint and dismiss directors of radio and television, programme editors-in-chief, with a two-thirds majority vote of all members of the Managing Board, whereby the decision on appointment shall be made at the proposal of the General Manager after a public tender;
- 4) Approve the General Manager's general by-law on the systematisation of duties and tasks in the Broadcasting Institution of Serbia;
- 5) Adopt investment plans;
- 6) Consider recommendations of the Programme Board;
- 7) Determine the mode of registering and cancelling the registration of receivers;
- 8) Perform other activities determined by the law and the Statute.

General Manager

Article 90

The General Manager shall:

- 1) Act for and on behalf of the Broadcasting Institution of Serbia;
- 2) Organise and manage the process of work and run the business activities of the Institution;
- 3) Ensure the legality of the work and business activities;
- 4) Execute decisions of the Managing Board;
- 5) Consider recommendations of the Programme Board;
- 6) Be held accountable for the fulfillment of the programme concept and ensure the execution of adopted business plans and the implementation of the provisions of this Law which relate to the public broadcasting service;
- 7) Propose to the Managing Board the appointment of directors of radio and television and programme editors-in-chief;
- 8) Pass general by-laws on the systematisation of duties and tasks and on the organisation of work in the Broadcasting Institution of Serbia;
- 9) Perform other duties determined by law and the Statute.

The term of office of the General Manager shall be four years and an individual may be appointed General Manager for two consecutive terms at the most.

An individual, ineligible for the post of a member of the Managing Board of the Broadcasting Institution of Serbia, may not be appointed General Manager.

Auditing

Article 91

All profit and loss accounts and financial statements of the Broadcasting Institution of Serbia are subject to annual audit by an independent authorised auditor.

The Programme Board

Article 92

The Programme Board shall advocate the interests of all viewers and listeners.

The Programme Board shall consider the implementation of the programme concept of the Broadcasting Institution of Serbia and shall thereon submit recommendations and suggestions to the General Manager and the Managing Board.

The Programme Board shall consist of 18 members appointed by the Assembly, six of whom are MPs, while 12 (twelve), proposed by the Agency, shall come from amongst various professional associations, scientific institutions, religious communities, civic associations, non-governmental organisations et al.

Individuals elected or appointed to Government or republican bodies and Agency Council members may not be members of the Programme Board.

The term of office of the members of the Programme Board shall be three years and they may not be reappointed.

The Statute of the Broadcasting Institution of Serbia shall detail the mode of operation of the Programme Board.

The Broadcasting Institution of Serbia shall provide working conditions for the Programme Board.

Statute of the Broadcasting Institution of Serbia

Article 93

The Statute of the Broadcasting Institution of Serbia shall detail in-house organisation, mode of operation, manner for achieving public interests in the broadcasting sector, the rights and obligations of journalists in fulfilling public information duties, development planning, investment and information technology policies, and other issues relevant to the work and the functioning of the Broadcasting Institution of Serbia.

The Statute of the Broadcasting Institution of Serbia shall be approved by the Agency.

Broadcasting Institution of an Autonomous Province

Article 94

The Broadcasting Institution of Vojvodina shall be set up with its head office in Novi Sad in order to perform the activities of a public broadcasting service in the territory of the Autonomous Province of Vojvodina.

The assets for the founding and operation of the Broadcasting Institution of Serbia shall include the real estate and other resources used by the Public Company "Radio Television of Serbia", determined by the division of assets dividing the assets, rights and obligations of the Public Company "Radio Television of Serbia" between the Broadcasting Institution of Serbia and the Broadcasting Institution of Vojvodina.

The Broadcasting Institution of Vojvodina shall use the immovable property and broadcasting infrastructure assets in para 2 of this Article (buildings, antenna systems, radio-relay systems et al.) as stipulated in the contract concluded by the authorised persons of the Broadcasting Institution of Vojvodina and the Republic of Serbia Property Directorate.

The provisions of this Law related to the bodies of the Broadcasting Institution of Serbia, their competencies, the Programme Board, the auditing of financial statements, and provisions with regard to the Statute of the Broadcasting Institution of Serbia, shall be applicable to the Broadcasting Institution of the Autonomous Province.

The Agency shall appoint members of the Managing Board of the broadcasting institution of the autonomous province from amongst individuals who live and work in the territory of the autonomous province.

The Programme Board of the broadcasting institution of the autonomous province shall be appointed by the assembly of the autonomous province.

Radio and/or Television Stations of the Civic Sector

Article 95

Radio and/or television stations of the civic sector are those stations which satisfy specific interests of particular social groups and civic associations.

Radio and/or television stations in para 1 of this Article may be founded by a civic society non-profit organisation (a non-governmental organisation or a civic association).

The content of a programme broadcast by civic sector radio and/or television stations must be related to the field of activity of the non-governmental organisation or the civic association which founded the station.

Civic sector radio and/or television stations may be founded to cover only a local area.

Civic sector radio and/or television stations may not be profit-making.

Provisions of this Law pertaining to the public service broadcaster with respect to special programme production obligations shall apply to civic sector radio and/or television stations.

Civic sector radio and/or television stations shall be granted a broadcasting licence upon participation at a public tender for a proposed service area, but they need not pay the broadcasting fee.

Resources for the work of radio and/or television stations of the civil sector may be provided from donations, citizens' contributions, sponsorship and other sources of revenue, in keeping with a separate law regulating the founding and the activities of civic associations and non-governmental organisations. Revenues raised through sponsorship and advertising shall be subject to the provisions of this Law which pertain to a public service broadcaster.

Management of a civic sector radio and/or television station is detailed in the station Statute which is approved by the Agency.

If a civic sector radio and/or television station changes its status in the course of its work, or broadcasts a programme or uses sponsorships and advertisements in contravention of the provisions of this Law, its licence shall be revoked before validity expiry and it shall make a retroactive payment of the broadcasting fee for the period of work since the occurrence of reasons for launching the licence revocation procedure.

Radio and/or Television Stations of Local and Regional Communities

Article 96

A radio and/or television station of a local community is founded by a municipal assembly.

A radio and/or television stations of a regional community is founded by two or more municipal assemblies.

A station set up by a city assembly also has the status of a radio and/or television station of a regional community.

A municipal assembly may set up only one local radio and/or television station, while two or more municipal assemblies or a city assembly may set up only one regional radio and/or television station, and each of these radio and/or television stations shall broadcast only one radio and/or television programme.

If a municipal assembly is a co-founder of a regional radio and/or television station, it may not simultaneously be the founder of a local radio and/or television station.

Radio and/or television stations in paras 1, 2 and 3 of this Article may be in mixed ownership. These stations shall have the status of a public company as long as the state-owned resources represent the majority stake in their total capital.

Radio and/or television stations in paras 1, 2 and 3 of this Article shall be granted licences after participation in a public tender for the proposed service area.

Radio and/or television stations in paras 1, 2 and 3 of this Article are obliged to comply with provisions of this Law which relate to special obligations of a public service broadcaster in programme production and broadcasting, as long as they have the status of a public company.

Federal and republican MPs, members of the parliament of the autonomous province, municipal councilmen, individuals elected or appointed to federal, republican, provincial or local executive bodies, as well as political party officials may not be directors, editors-in-chief or members of the managing boards of local and/or regional radio and/or television stations while these stations have the status of a public company.

Radio and TV stations from para. 1,2 and 3 of this article shall be under obligation to get privatized within the deadline of 4 years from the day when this Law comes into effect.

Privately owned radio and/or television stations, which have not been founded by one or more municipal assemblies i.e. a city assembly, or stations in which the state does not possess a majority shareholding interest, may also broadcast in the territory of one or more municipalities as well as in the territory of a city. Such stations shall not enjoy the special status of local or regional radio and/or television stations and general provisions of this Law applying to commercial broadcasters shall apply to them.

VI. PREVENTION OF PROHIBITED CONCENTRATION OF MEDIA OWNERSHIP

Concentration of Media Ownership

Article 97

Concentration of media ownership, in terms of this Law, exists when a broadcaster:

- 1) Possesses a share in the founding capital of another broadcaster;
- 2) Possesses a share in the founding capital of a company publishing a daily newspaper, or vice versa;
- 3) Possesses a share in the founding capital of a company performing the activities of a news agency, or vice versa;
- 4) Simultaneously possesses several broadcasting licences;
- 5) Simultaneously broadcasts both radio and television programmes;
- 6) Simultaneously broadcasts a radio and/or television programme and publishes a daily newspaper distributed in the area in which the radio and/or television programme is broadcast;
- 7) Simultaneously broadcasts a radio and/or television programme and performs the activities of a news agency.

Concentration of media ownership in terms of this Law also exists when founders of a broadcaster are legal or natural persons, who are at the same time:

- 1) Founders of another broadcaster;
- 2) Founders of a company publishing a daily newspaper distributed in an area in which the radio and/or television programme is broadcast;

- 3) Founders of a company or a shop performing the activities of a news agency; or
- 4) Spouses or direct relations regardless of the degree of kinship.

Prohibited Concentration of Media Ownership

Article 98

Prohibited concentration of media ownership, i.e. prevalent influence on the public opinion, shall exist in terms of this Law, when a broadcaster violates principles of the pluralism of views in the mass media in the following ways:

- 1) By participating in the founding capital of another broadcaster;
- 2) By participating in the founding capital of a newspaper-publishing company;
- 3) By participating in the founding capital of a company performing the activities of a news agency;
- 4) By simultaneously broadcasting both radio and television programmes in the same area as the only broadcaster; or
- 5) In any other way determined by the provisions of this Law.

Prohibited concentration of media ownership, in terms of this Law, shall also exist when a founder of a newspaper-publishing company or a company performing the activities of a news agency violates the principles of pluralism of opinions in mass media by taking part in the founding capital of a broadcaster.

Article 99

Prohibited concentration of media ownership, i.e. a prevalent influence on the public opinion, shall be considered to exist always when:

- 1) A broadcaster, licensed to broadcast programme at the national level of coverage, has a share exceeding 5% in the founding capital of another broadcaster with the same type of licence;
- 2) A broadcaster is broadcasting more than one television and more than one radio programme in the same area;
- 3) A broadcaster, licensed to broadcast programme at the national level of coverage, has a share exceeding 5% in the founding capital of a company publishing a daily newspaper with a circulation of more than 30,000, and vice versa;
- 4) A broadcaster, licensed to broadcast programme at the national level of coverage, has a share exceeding 5% percent in the founding capital of a company performing the activity of a news agency, and vice versa;
- 5) A broadcaster, licensed to broadcast programme at the national level of coverage, simultaneously publishes a daily newspaper with a circulation exceeding 30,000;
- 6) A broadcaster, with the status of a local or regional radio or television station, has a share exceeding 30% in the founding capital of another local or regional broadcaster in the same area;
- 7) A broadcaster, which has the status of a local or regional radio or television station and is simultaneously publishing a local daily newspaper in the same or neighbouring area.

Article 100

Prohibited concentration of media ownership, i.e. prevalent influence on the public opinion, shall also be deemed existent when, in the events set forth in Article 99, a natural person, who is the founder of a broadcaster or a company publishing a daily newspaper or performing the activities of a news agency, or his/her direct relatives regardless of the degree of kinship or his/her spouse, takes part in the founding capital of another broadcaster, of a company publishing a daily newspaper

or performing the activities of a news agency, up to a set level of the founding capital.

Broadcasting Licence Issuance and Prohibited Concentration of Media Ownership

Article 101

The Agency shall not issue a broadcasting licence to an applicant for the public tender if it establishes that issuing the licence would result in prohibited concentration of media ownership in terms of this Law.

An applicant for the public tender shall submit together with the application form a certified statement that the issuance of the broadcasting licence would not result in prohibited concentration of media ownership in terms of the provisions of this Law.

Article 102

If the Agency establishes that the prohibited concentration of media ownership resulted after the granting of the licence, it shall order the broadcaster to bring its status into accordance with the provisions of this Law related to prohibited concentration of media ownership within six months.

If the broadcaster does not act in accordance with the order in para 1 of this Article without a justifiable reason within the set deadline, the Agency shall launch the procedure for revoking the broadcasting licence.

Notification of Change in the Broadcaster's Ownership Structure

Article 103

A broadcaster shall notify in writing the Agency of any change in its ownership structure prior to the change.

If the Agency establishes that the planned changes in the ownership structure would result in prohibited concentration of media ownership, it shall recommend to the broadcaster to revise the changes in a way so as to avoid prohibited concentration of media ownership.

If the broadcaster does not act in keeping with the Agency recommendation and proceeds with the ownership structure change whereby prohibited concentration of media ownership occurs, provisions of this Law with respect to broadcasting licence termination before expiry shall be applied to the broadcaster.

VII. ADVERTISING AND SPONSORSHIP

1. Advertising and Teleshopping

Permissibility of Advertisements and Teleshopping

Article 104

Prohibited shall be the advertising of tobacco products; alcoholic beverages; professional medical treatments and their results and health protection methods, including traditional and alternative medical methods and procedures; methods and procedures of treatment by persons not deemed health workers and health associates in terms of the law regulating the health protection sector; medications or treatment with medications that may be purchased only on subscription, and of goods and services the trade in or the provision of which is banned under the law shall be prohibited.

Advertisements and teleshopping, targeting children or in which children are performing, must avoid anything likely to damage their interests and shall take into consideration their particular vulnerability.

Teleshopping shall not exert pressure on minors to purchase or negotiate the purchase of goods and services.

Prohibited shall be the running of untrue, deceitful, covert or denigrating (offensive) advertisements and teleshopping, of advertisements and teleshopping which abuse the naivete of listeners and viewers, advertisements and teleshopping that, by means of technical audio and visual editing in a very short period of time or in another way, may transmit messages or influence the opinion of listeners or viewers by affecting their sub-conscience so that they are not fully or at all aware of the influence, as well as the advertising of free professions.

Advertisements must be clearly distinguishable and set apart from other programme products by visual or acoustic means.

Advertisements shall, as a rule, be broadcast in blocks.

Journalists, presenters and editors of news, documentary, cultural, educational and children's programmes may not appear or be heard in an advertisement or on teleshopping.

Modes of Broadcasting Advertisements

Article 105

Advertisements shall be broadcast between programmes, and, in exceptional circumstances, during a programme, so as not to undermine the value of the programme or infringe the rights of the copyright holder.

News programmes, information, documentary and children's programmes may not be interrupted by advertisements if their duration is shorter than 30 minutes.

Religious programmes may not be interrupted by advertisements at all.

In programmes, comprising separate wholes, and during sports, cultural and art programmes and events with breaks, advertisements may be broadcast only between the wholes or during the natural breaks in the event.

Broadcasting of audio-visual works, such as recordings of theatre plays, musical and stage works, concerts, or movies and television movies (which does not include entertainment programmes, etc.) may be interrupted only once on condition that they are longer than 45 minutes. Another break is allowed if these recordings are at least 20 minutes longer than two or more 45-minute periods together.

When programmes are interrupted by advertisements, at least 20 minutes must pass between two commercial breaks.

Advertising of Political Organizations

Article 106

All advertising of political organizations shall be prohibited outside election campaigns.

During an election campaign, registered parties, coalitions and candidates may advertise on the basis of equal representation and without discrimination.

Mediation in Advertising

Article 107

Public broadcasting service institutions and civic sector radio and television stations shall be prohibited from acting as mediators, representatives, or advertisers of or on behalf of third parties.

Duration of Advertisements

Article 108

The duration of advertisements in proportion to the total programme time of public broadcasting service institutions, civic sector radio and television stations and local and regional radio and television stations shall not exceed 10% of the total daily broadcasting and shall not be longer than six minutes per hour of programme, and the schedule and manner of broadcasting advertisements during the programme shall be regulated in detail in keeping with this Law.

Article 109

The duration of advertisements for commercial broadcasters shall be restricted to 20% of the daily broadcasts and to 20% per hour of broadcasting.

A maximum of six teleshopping programmes, whose total duration does not exceed three hours, may be broadcast per day.

During an election campaign, commercial broadcasters may broadcast paid political announcements and advertisements, but without discriminating political parties, coalitions and candidates and on equal financial terms.

The same rules regulating the schedule and manner of broadcasting advertisements during programmes shall apply to commercial broadcasters.

2. Sponsorship

Definition

Article 110

Sponsorship signifies the participation of a legal or natural person, not involved in broadcasting, in the direct or indirect financing of a programme, with the aim of promoting a name, trademark or an image.

State authorities and institutions, political parties, coalitions and other political organisations may not be sponsors of broadcast programmes.

Programmes may not be sponsored by legal or natural persons, whose core activity is the production or sale of products or provision of services, the advertising of which is prohibited by this Law.

Identification of a Sponsored Programme

Article 111

A fully or partially sponsored programme must be clearly marked as such by the identification of the sponsor at the beginning, during or at the end of the show. During the airing of sports, cultural or art programmes, the identification of the sponsor may be displayed both at the beginning and at the end of the natural breaks of the programme.

Prohibition of Sponsor's Influence on Programme Content and Time

Article 112

A sponsor may not under any circumstances influence the content and broadcasting time of the sponsored programme, nor shall the sponsor question the broadcaster's editorial policy on that account.

Sponsorship of news and other programmes dealing with current affairs is prohibited.

VIII. PENAL PROVISIONS

Article 113

A fine between 50,000 and 200,000 dinars shall be imposed on a legal person which commits the following misdemeanour:

- 1) Broadcasts programme without a Council license (Article 38.);
- 2) Broadcasts a programme contrary to programme and/or technical standards laid down in the licence (Article 39, para 3);
- 3) Cedes, leases or in any other way transfers or alienates, temporarily or permanently, the granted broadcasting licence (Article 46);
- 4) Uses a radio frequency jointly with another natural or legal person without the Agency Council's approval or in contravention of the granted approval (Article 48);
- 5) Broadcasts without a licence a programme, which requires a broadcasting licence with a limited period of validity (Article 60);
- 6) Broadcasts programme contrary to the granted broadcasting licence with a limited period of validity (Article 60)
- 7) Broadcasts programme after the expiry of the broadcasting licence (Article 64);
- 8) Fails to broadcast an important and urgent announcement (Article 68, para 1, sub-para 3);
- 9) Broadcasts programme content in contravention of Article 68, para 1, sub-para 5 and 6 of this Law;
- 10) Fails to identify its programme in keeping with Article 69, para 1 of this Law;
- 11) Uses a name, logo or abbreviated identification sign which does not correspond to the registered name of the broadcaster (Article 69, para 2);
- 12) Fails to identify the broadcaster or independent production whose programme it has broadcast or rebroadcast (Article 69, para 4);
- 13) Networks in contravention of Article 70 of this Law;
- 14) Does not allow other interested broadcasters to record and broadcast short reports of events for which the broadcaster had purchased the broadcasting right (Article 71, para 2);
- 15) Omits to report the planned change in ownership structure (Article 103);
- 16) Advertises products, goods or services the advertising of which is prohibited (Article 104, para 1);
- 17) Broadcasts advertisements and/or teleshopping, the broadcasting of which is prohibited (Article 104, para 4);
- 18) Broadcasts advertisements in contravention of Article 105 of this Law;
- 19) Broadcasts political advertisements outside an election campaign (Article 106, para 1);
- 20) Despite being a public broadcasting service institution, a civic sector radio and television station, acts as mediator, representative or advertiser of or on behalf of third parties (Article 107);
- 21) Broadcasts advertisements and teleshopping programmes beyond the time limits set out in Articles 108 and 109;
- 22) Discriminates political parties, coalitions or candidates when broadcasting paid political announcements and advertisements (Article 109, paragraph 3);
- 23) Sponsors a programme in contravention of Article 110, paras 2 and 3 of this Law;
- 24) Fails to clearly identify a fully or partially sponsored programme (Article 111);
- 25) As a sponsor, influences the content or the broadcasting time of the sponsored programme (Article 112 para 1);
- 26) Sponsors news or current affairs programmes (Article 112, para 2).

For a misdemeanour in para 1 of this Article a fine between 2,500 and 10,000 dinars shall be imposed on both the legal person's responsible person and the natural person.

A fine in the amount corresponding to 1 year subscription fee shall be imposed for a misdemeanour of natural and legal person failing to report the purchase of a radio and/or TV receiver, as prescribed by article 81 of this Law.

IX. INTERIM AND FINAL PROVISIONS

Article 114

Authorised nominators in Article 23 para 3 of this Law shall submit to the National Assembly of the Republic of Serbia their lists of nominees for Agency Council members within 45 (forty five) days after the day this Law comes into effect.

Article 115

The National Assembly of the Republic of Serbia shall decide on the appointment of the members of the Agency Council, nominated by authorized nominators as prescribed by article 23 para 3 of this Law, within 45 (forty five) days after the expiry of the deadline for submitting the nominations.

Article 116

The Agency Council shall be constituted within 15 (fifteen) days from the day the Council members were appointed, in accordance with article 115 of this Law.

At its constituent session, the Agency Council is obliged to determine the proposal for the appointment of the ninth member in accordance with article 23 para 4 and 5 of this Law, and to deliver this proposal to the National Assembly of the Republic of Serbia.

The National Assembly of the Republic of Serbia shall appoint the ninth member of the Council within 15 (fifteen) days from the delivery day of the proposal from para 2 of this article.

The Agency Council shall be under obligation to appoint the Chairperson and Deputy Chairperson, to pass its Statute, standing orders and general by-laws on systematisation of duties and tasks and the in-house organisation of the Agency within the deadline of 7 (seven) days from the appointment of the ninth member.

The Agency Council and Council Chairperson shall hire and allocate jobs to the required number of employees in the Agency within 45 (forty five) days after the day of the adoption of general by-laws in para 4 of this Article.

The Agency shall begin work the day the Council of the Agency is constituted.

The Government of the Republic of Serbia shall provide premises, technical, financial and other material resources for the beginning of the work of the Agency within 60 (sixty) days from the day this Law takes effect.

Article 117

Other Agency general by-laws, necessary for its functioning and work, shall be adopted within six months at the latest from the day the Agency commences work.

General by-laws required for the calling of a public tender and the issue of broadcasting licences shall be passed within three months from the day the Agency commences work.

Article 118

The Agency shall begin issuing invitations for a public tender for broadcasting licences within 15 (fifteen) days from the day of adoption of by-laws,

which are required for calling a public tender and granting broadcasting licences in keeping with the provisions of this Law and a separate telecommunications law.

The Agency shall start inviting tenders for granting broadcasting licenses in following order:

- 1) for the territory of the entire Republic;
- 2) for the territory of Autonomous Province and regions;
- 3) for local territories.

Article 119

Radio and/or television stations, which are broadcasting a programme at the time this Law comes into effect, shall continue broadcasts until the completion of a relevant broadcasting licence public tender, which shall be called in keeping with the provisions of this Law.

Article 120

The division of assets in Article 85, para 2, i.e. Article 94, para 2 of this Law shall be adopted by the Government of the Republic of Serbia by 31 December 2002 at the latest, upon the proposal of a Commission made up of three representatives each of the Government of the Republic of Serbia, the Executive Council of the Autonomous Province of Vojvodina and the Public Company "Radio-Television of Serbia".

The Commission set forth in para 1 of this Article shall be formed by the Government of the Republic of Serbia.

Radio frequencies used by the Public Company Radio-Television Serbia until the day this Law takes effect, shall, in keeping with the provisions of this Law, continue to be used by the Broadcasting Institution of Serbia and the Broadcasting Institution of Vojvodina until radio station licences are issued in keeping with the new Radio Frequency Assignment Plan and this Law.

The Broadcasting Institution of Serbia and the Broadcasting Institution of Vojvodina shall commence work on 31 January 2003.

Article 121

The Republican Broadcasting Agency shall appoint the Managing Board of the Broadcasting Institution of Serbia and the Managing Board of the Broadcasting Institution of Vojvodina at least 30 (thirty) days before the day the Broadcasting Institution of Serbia and the Broadcasting Institution of Vojvodina commence work.

The Managing Board of the Broadcasting Institution of Serbia and the Managing Board of the Broadcasting Institution of Vojvodina shall be constituted within 7 (seven) days from the day of appointment (hereinafter Managing Board).

At its constituent session, the Managing Boards of the Broadcasting Institution of Serbia and the Broadcasting Institution of Vojvodina shall reach a decision to call a public tender for the appointment of the General Manager of the Broadcasting Institution of Serbia and the General Manager of the Broadcasting Institution of Vojvodina.

The respective Managing Boards shall appoint the General Manager of the Broadcasting Institution of Serbia and of the Broadcasting Institution of Vojvodina, within 15 (fifteen) days from the day the deadline for submitting applications to the public job tender has expired.

In the event that it fails to reach a decision on appointment upon the called public tender in para 4 of this Article, the respective Managing Boards shall appoint an acting General Manager of the Broadcasting Institution of Serbia and an acting General Manager of the Broadcasting Institution of Vojvodina, until the appointment of their respective General Managers.

The Managing Board of the Broadcasting Institution of Serbia, i.e. the Managing Board of the Broadcasting Institution of Vojvodina shall pass the statutes of these institutions within 30 (thirty) days from the day of their constitution.

Article 122

The Broadcasting Institution of Serbia and the Broadcasting Institution of Vojvodina shall take over the resources, rights, obligations and employees of the Public Company Radio-Television Serbia the day they commence work in keeping with the division of assets in Article 85 para 2 i.e. Article 94 para 2 of this Law.

The General Manager of the Broadcasting Institution of Serbia, that is the General Manager of the Broadcasting Institution of Vojvodina, shall adopt general by-laws on the systematisation of jobs and the in-house organisation of work of the Broadcasting Institution of Serbia, that is of the Broadcasting Institution of Vojvodina, within 60 (sixty) days from the day Broadcasting Institution of Serbia i.e. the Broadcasting Institution of Vojvodina commences work.

Employees in para 1 of this Article, who are not assigned jobs in keeping with a general by-law on in-house organisation of the Broadcasting Institution of Serbia, that is of the Broadcasting Service of Vojvodina, shall enjoy the rights exercised by employees in the event of employment termination set out in a separate law.

From the day of the division of assets adoption in accordance with article 120 para 1 of this Law, Radio-Television Serbia may not alienate or burden its property or employ new staff.

Article 123

The Managing Board of the Broadcasting Institution of Serbia, that is the Broadcasting Institution of Vojvodina, shall at the latest within 15 (fifteen) days before the Broadcasting Institution of Serbia, that is the Broadcasting Institution of Vojvodina, commences work, launch a public tender for the appointment of the radio and television directors and programme editors-in-chief.

Until the completion of the public tender in para 1 of this Article and the adoption of the decision on appointment and within 30 (thirty) days from the day the Broadcasting Institution of Serbia, that is the Broadcasting Institution of Vojvodina, commences work, the respective Managing Boards shall appoint acting radio and television directors and acting programme editors-in-chief upon the proposal of respective General Managers.

Article 124

Radio-Television Serbia shall cease work on the day the Broadcasting Institution of Serbia and the Broadcasting Institution of Vojvodina are registered in the court register.

Article 125

The Broadcasting Institution of Serbia and the Broadcasting Institution of Vojvodina shall pass other general by-laws envisaged by the law within six months from the day they commence work.

Article 126

Broadcasters, founded by local administrations (municipality, city) shall continue operating as local or regional radio and television stations, but shall be obliged to bring their work and business activities in accordance with the provisions of this Law within one year from the day this Law takes effect, as well as to conclude the privatization process within the deadline set forth in article 96 of this Law.

The competent Ministry shall within 6 months upon this Law takes effect adopt the regulation in which it shall prescribe the manner of radio and/or TV stations privatization set forth in article 96, para 1, 2 and 3 of this Law in more detail.

Article 127

The Public Company Radio-Television Serbia shall establish by 1 December 2002 a register of subscribers in the territory of the Republic of Serbia, who, as owners of radio and television receivers, are obliged to pay radio-television subscription in keeping with this Law.

The Radio-Television Serbia shall submit to each subscriber written notification on the future obligation to pay radio-television subscription, within 15 (fifteen) days from the day of establishing the register.

The obligation to pay radio-television subscription starts the month following the month in which notification in para 2 of this Article had been delivered.

Article 128

Provisions of this Law, in respect of the obligation to broadcast a prescribed percentage of programme in the Serbian language, i.e. self-produced programme, shall be applied upon the expiration of a period of one year after the day this Law takes effect.

Provisions of Chapter VII dealing with advertising and sponsorship shall be effective from January 1, 2003.

Article 129

Provisions of this Law, which regulate prohibited concentration of media ownership issues, shall not be applied to the state of affairs at the time this Law takes effect until a decision is made following a public tender for broadcasting licences for the relevant service area.

An applicant for the public tender for broadcasting licences shall abide to the provisions on prohibited concentration of media ownership in order for his application to qualify for consideration.

Article 130

The Law on Radio Television ("Official Gazette of the Republic of Serbia" no. 48/91, 49/91, 53/93, 55/93, 67/93, 48/94 and 11/2001) shall cease to be effective when this Law comes into force.

Article 131

This Law takes effect on the eighth day from the day of its publication in the "Official Gazette of the Republic of Serbia".

LAW ON AMENDMENTS AND SUPPLEMENTS TO THE BROADCASTING ACT

AUGUST 24, 2004

Article 1.

The Article 23 of the Broadcasting Act (*Official Gazette of the Republic of Serbia, No. 42/02*) is amended as follows:

“The Council members are appointed by the National Assembly of the Republic of Serbia (hereinafter: the Assembly) at the proposal of authorized nominators.

Authorized nominators are:

- 1) The Assembly’s relevant committee;
- 2) The Assembly of the Autonomous Province of Vojvodina;
- 3) Rectors of the universities of the Republic of Serbia, through mutual agreement;
- 4) Associations of broadcasting media in the Republic of Serbia, associations of journalists in the Republic of Serbia, professional associations of film and theater artists in the Republic of Serbia and professional associations of composers in the Republic of Serbia, through mutual agreement;
- 5) Domestic non-governmental organizations and associations of citizens primarily dealing with the protection of the freedom of expression, the protection of the rights of national and ethnic minorities and the protection of children’s rights, through mutual agreement;
- 6) Churches and religious communities.

The ninth member of the Council shall be nominated by previously appointed Council members. Their candidate must live and work in the territory of the Autonomous Province of Kosovo and Metohija, and meet all the criteria for the membership of the Council stipulated under this Law.

The candidate for the ninth member of the Council shall be considered a nominee if voted in by at least five members of the Council.”

Article 2.

The Article 24 is amended as follows:

“Each authorized nominator shall submit to the Assembly’s relevant committee a list that must name two candidates for the Council’s membership. Only the Assembly’s relevant committee shall put forth a list that must specify six candidates. One candidate only shall be nominated for the ninth member of the Council. Proposals shall be duly signed and certified by authorized nominators and shall contain their representatives’ names and addresses.

Candidates need not come from the ranks of authorized nominators.

LAW ON FREE ACCESS TO INFORMATION OF REPUBLIC IMPORTANCE

"Official Gazette of the Republic of Serbia": 120/04, 02.11.2004

I Basic Provisions

Purposes of the Law

Article 1

This Law regulates the rights to access information of public importance held by public authority bodies, with the purpose of the fulfillment and protection of the public interest to know and attain a free democratic order and an open society. In order to implement the right to access information of public importance, held by public authority bodies, a Commissioner for Information of Public Importance shall be established (hereinafter: Commissioner) by this Law, as an autonomous state body, independent in fulfilling its authority.

Information of Public Importance

Article 2

Information of public importance, within the meaning of this Law, is information held by a public authority body, created during work or related to the work of the public authority body, contained in a document, and related to everything that the public has a justified interest to know.

Information of public importance held by a public authority body shall denote the following notwithstanding: whether the source of information is a public authority or another person; the information medium (paper, tape, film, electronic media, et al) containing the document with the information; the date of creation of information; the manner of obtaining information; or another feature of information.

Public Authority Body

Article 3

In terms of this Law, a public authority body (hereinafter: public authority) shall denote notably:

- 1) A state body, territorial autonomy body, a local self-governance body, as well as an organization vested with public authority (hereinafter: state body);
- 2) A legal person founded by or funded wholly or predominantly by a state body.

Legal Presumptions of Justified Interest

Article 4

It shall be deemed that there is always a justified public interest to know information held by the public authority, in terms of Article 2 of this Law, regarding a threat to, i.e. protection of public health and the environment, while with regard to other information the public authority holds, it shall be deemed that there is a

justified interest of the public to know, in terms of Article 2 of this Law, unless proven otherwise by the public authority.

Content of the Right to Access Information of Public Importance

Article 5

Everyone shall have the right to be informed whether a public authority holds specific information of public importance, i.e. whether it is otherwise accessible.

Everyone shall have the right to access information of public importance by being allowed insight in a document containing information of public importance, the right to a copy of that document, and the right to receive a copy of the document upon request, by mail, fax, electronic mail, or in another way.

Principle of Equality

Article 6

Everyone shall be able to exercise the rights in this Law under equal conditions, notwithstanding their citizenship, temporary or permanent residence, i.e. seat, or personal attribute such as race, confession, nationality, ethnicity, gender, et al.

Ban of Discrimination of Journalists and Media Outlets

Article 7

A public authority may not give preference to any journalist or media outlet, when several have applied, by allowing only him/her or allowing him/her before other journalists or media outlets to exercise the right to access information of public importance.

Limitations of Rights

Article 8

The rights in this Law may be exceptionally subjected to limitations prescribed by this Law if that is necessary in a democratic society in order to prevent a serious violation of an overriding interest based on the Constitution or law. No provision of this Law may be interpreted in a manner that could lead to the revocation of a right conferred by this Law or its limitation to a greater degree than the one prescribed in Para 1 of this Article.

II Exemption and Limitation of Free Access to Information of Public Importance

Life, Health, Security, Judiciary, National Defense, National and Public Safety, National Economic Welfare and Classified Information

Article 9

A public authority shall not allow the applicant to exercise the right to access information of public importance, if it would thereby:

- 1) Expose to risk the life, health, safety or another vital interest of a person;
- 2) Imperil, obstruct or impede the prevention or detection of criminal offence, indictment for criminal offence, pretrial proceedings, trial, execution of a sentence or enforcement of punishment, any other legal proceeding, or unbiased treatment and a fair trial;

3) Seriously imperil national defense, national and public safety, or international relations;

4) Substantially undermine the government's ability to manage the national economic processes or significantly impede the fulfillment of justified economic interests;

5) Make available information or a document qualified by regulations or an official document based on the law, to be kept as a state, official, business or other secret, i.e. if such a document is accessible only to a specific group of persons and its disclosure could seriously legally or otherwise prejudice the interests that are protected by the law and outweigh the access to information interest.

Information of Public Importance Held by a Public Authority and Already Accessible to the Public

Article 10

A public authority need not allow the applicant the right to access information of public importance, if the information has already been published and made accessible in the country or on the Internet.

In the event set out in Para 1 of this Article, a public authority shall in its response notify the applicant on the information medium (number of the official medium, name of the publication, et al), where and when the sought information was published, unless these data are common knowledge.

Denial of Published Information by a Public Authority

Article 11

If a public authority disputes the accuracy or completeness of information of public importance that has been published, it shall make public the accurate and complete information, i.e. shall enable insight into the document containing accurate and complete information, except in cases specified in Articles 9 and 14 of this Law.

Extraction of Information

Article 12

If the requested information of public importance can be extracted from other information contained in the document a public authority is not obliged to allow the applicant insight in, the public authority shall allow the applicant insight in the part of the document containing only the extracted information.

Abuse of Free Access to Information of Public Importance

Article 13

A public authority shall not allow the applicant to exercise the right to access information of public importance if the applicant is abusing the rights to access information of public importance, especially if the request is irrational, frequent, when the same or already obtained information is being requested again, or when too much information is requested.

Privacy and Other Personal Rights

Article 14

A public authority shall not fulfill the applicant's right to access information of public importance if it would thereby violate the right to privacy, the right to reputation or any other right of a person that is the subject of information, except if:

1) The person has agreed;

2) Such information regards a personality, phenomenon or event of public interest, especially a holder of a state or political post, and is relevant with regard to the duties that person is performing;

3) A person has given rise to a request for information about him/her by his/her behaviour, especially regarding his/her private life.

III Access Procedure before a Public Authority

Request for Information, Insight, Duplication and Referral

Article 15

An applicant shall submit a request in writing to a public authority to exercise the right to access information of public importance (hereinafter: request). The request shall contain the name of the public authority, the full name and surname and address of the applicant and as many specifics as possible of the sought information.

The request may also contain other data that will facilitate the search for the requested information.

The applicant need not list the reasons for the request.

If the request does not contain data in Para 2 of this Article, i.e. if the request is deficient, the authorized person of the public authority shall be obliged to instruct the applicant free of charge how to rectify the deficiencies in the request, i.e. to give the applicant instructions on supplements.

In the event the applicant does not rectify the deficiencies within a specific deadline, i.e. within 15 days upon receipt of the instructions on supplements, and the deficiencies are such that they prevent the processing of the request, the public authority shall reach a decision to dismiss the request as deficient.

The public authority is obliged to allow an applicant access to information when the request is lodged orally, for the record, and such a request shall be specially recorded and deadlines apply accordingly, as if the request was submitted in written form.

A public authority may prescribe a sample request form, but it shall also be obliged to review requests that have not been lodged in that form.

Processing of Requests

Article 16

A public authority shall without delay and within 15 days from receipt of the request at the latest inform the applicant whether it holds the requested information, allow insight in the document containing the requested information i.e. issue or send out to the applicant a copy of the document. The copy of the document shall be deemed sent out on the day it leaves the office of the public authority from which the information was requested.

If the request regards information, which is presumed to be of relevance to the protection of a person's life or freedom, i.e. to the protection of public health and the environment, the public authority must inform the applicant it holds such information, allow insight in the document containing the requested information i.e. issue a copy of the document to the applicant within 48 hours upon receipt of the request.

If a public authority is for a justified reason unable to inform the applicant within the deadline in Para 1 of this Article that it holds the information, to allow him/her insight in the document containing the sought information, to issue i.e. send him/her a copy of the document, the public authority shall promptly inform the applicant thereof and set another deadline that may not exceed 40 days from receipt of the request, within which it shall inform the applicant that it holds the

information, allow him/her insight in the document containing the sought information, issue i.e. send the applicant a copy of the document.

If a public authority does not respond to the request within the deadline, the applicant may lodge a complaint with the Commissioner, except in cases prescribed by this Law.

Simultaneously with the notice on allowing the applicant insight in the document containing the requested information i.e. issuing the applicant a copy of the document, the public authority shall inform the applicant of the time, place and manner in which information shall be available for insight, the necessary costs of duplicating the document, or inform the applicant of the possibility to use his/her own equipment for duplication in the event it does not have the technical means for duplication.

The applicant shall be allowed insight in a document containing the requested information on the public authority's official premises.

The applicant may for justified reasons ask to gain insight in the document containing the requested information at a time different from the one set by the authority from which the information was sought.

A person, unable to have insight in a document containing the requested information without an escort, shall have the opportunity of insight with the assistance of an escort.

If the public authority grants the request it shall not issue a separate decision, but shall make an official note about it.

In the event a public authority refuses to inform the applicant, either entirely or partially, whether it holds the sought information, to allow the applicant insight in the document containing the requested information, to issue i.e. send to the applicant a copy of the document, it shall be obliged to issue a decision on the rejection of the request and give a written explanation of such a decision, and to notify the applicant in the decision of the legal means at his/her disposal to appeal such a decision.

Reimbursement

Article 17

Insight in a document containing the requested information shall be free of charge.

A copy of the document containing the requested information shall be issued and the applicant shall be obliged to reimburse the necessary costs of duplication, and also in the event of sending, the costs of sending.

The government shall sign the list of expenditures on the basis of which the public authority shall calculate the costs referred to in the previous Para.

Journalists, requesting a copy of a document for professional reasons, and non-governmental organizations, focusing on human rights and requesting a copy of a document for the performance of their registered activities, and all persons that request the information due to the imperilment, i.e. protection of public health and environment, shall be exempted from the obligation of reimbursement in Para 2 of this Article, except in cases referred to in Article 10, Para 1 of this Law.

The Commissioner shall follow the practice of reimbursement of costs and exemption from reimbursement and issue recommendations to the public authorities with the aim of standardizing the practice.

Insight and Duplication

Article 18

The equipment at the disposal of the public authority shall be used for insight in a document containing the requested information, unless the applicant asks to gain insight in the document by using his/her own equipment.

A public authority shall issue a copy of the document (photocopy, audio copy, video copy, digital copy, et al) containing the requested information in the form the information is in.

If a public authority does not have the technical means to make a copy of the document in terms of Para 2 of this Article, it shall make a copy of the document in another form.

If a public authority holds a document containing the requested information in the language in which the request was submitted, it shall be obliged to allow the applicant insight and make a copy of the document in the language in which the request was submitted.

Referral of Requests to the Commissioner

Article 19

When public authority does not hold the document containing the requested information, it shall refer the request to the Commissioner, and inform the Commissioner and the applicant who, to its knowledge, holds the document.

Processing of the Referred Request by the Commissioner

Article 20

Upon receipt of the request, the Commissioner shall check whether the document containing the information sought in the request is held by the public authority that had referred him the request.

In the event the Commissioner determines that the document in Para 1 of this Article is not held by the public authority that had referred the request of the applicant, the Commissioner shall refer the request to the public authority that holds the document, unless specified differently by the applicant, and inform the applicant thereof or refer the applicant to the public authority that holds the requested information.

The manner of acting described in Para 2 of this Article shall be determined by the Commissioner, depending on the efficiency of the realization of rights to access information of public importance.

In the event the Commissioner refers a request to the public authority from Para 2 of this Article, the deadline envisaged in Article 16 of this Law shall commence upon the day of receipt.

Other Procedural Provisions

Article 21

Provisions of the Law on General Administrative Procedure on decisions by a first instance body shall be applied to the procedure of a public authority, unless specified differently by this Law.

IV Procedure Related to the Commissioner

Right to a Complaint

Article 22

An applicant may lodge a complaint to the Commissioner within 15 days upon receipt of the public authority decision, if:

1) In contravention of Paras 1 and 3 of Article 16 of this Law, the public authority refused to inform the applicant whether it holds specific information of public importance or whether it is otherwise accessible to it, refused to allow insight

in the document containing the requested information, to issue i.e. send to the applicant a copy of the document, or failed to do so within the prescribed deadline;

2) In contravention of Para 2 of Article 16 of this Law, the public authority failed to reply to a submitted request within the prescribed deadline;

3) In contravention of Para 2 of Article 17 of this Law, the public authority conditioned the issuance of the copy of the document containing the requested information by payment of a fee exceeding the necessary costs of duplication;

4) The public authority does not allow insight in the document containing the requested information in the manner set forth in Para 1 of Article 18 of this Law;

5) The public authority does not allow insight in the document containing the requested information, i.e. does not issue a copy of the document in the manner prescribed in Para 4 of Article 18 of this Law.

A complaint cannot be lodged against the decision of the National Assembly, the President of the Republic, Government of the Republic of Serbia, the Supreme Court of Serbia, the Constitutional Court and the republican Public Prosecutor.

An administrative dispute complaint may be lodged against the decision in Para 2 of this Article, in accordance with law, on which the court notifies Commissioner ex officio.

Consideration of Complaints by the Commissioner

Article 23

Provisions of the Law on General Administrative Procedure related to the appellate decisions of second instance body shall be applied to the procedure before the Commissioner, unless specified differently by this Law.

Article 24

The Commissioner shall reach a decision promptly and within 30 days from the submission of the complaint at the latest, upon giving the public authority and, if necessary the applicant, the opportunity to reply in writing.

The Commissioner shall dismiss a complaint that is inadmissible, overdue or filed by an unauthorized person.

The public authority shall prove it has acted in accordance with its obligations set forth in this Law.

Commissioner Decisions on Measures to Promote Transparency of Work

Article 25

Upon receipt of a request or ex officio, the Commissioner shall reach the decision establishing that a public authority has not fulfilled its obligations set forth in this Law, with the exception of public authorities referred to in Para 2 of Article 22 of this Law, and order the measures the authority is to take to fulfill them, upon giving the opportunity to the authority to reply in writing.

The request referred to in Para 1 of this Article cannot be submitted in cases when this Law foresees the right to complaint.

Inquiry by the Commissioner

Article 26

The Commissioner shall undertake actions to determine the facts necessary for reaching the decision referred to in Articles 24 and 25 of this Law. In order to determine the facts referred to in Para 1 of this Law, the Commissioner shall be allowed insight in every information medium this Law applies to.

Legal Remedies against Commissioner's Decisions

Article 27

An administrative dispute complaint may be lodged against a Commissioner's decision.

Obligatory character of Commissioner Decisions and Conclusions

Article 28

The decisions and conclusions of the Commissioner shall be obligatory.

The enforcement of the decisions and conclusions of the Commissioner shall be procured by the Government of the Republic of Serbia if necessary.

V Appointment, Position and Authority of the Commissioner

Seat of the Commissioner

Article 29

The seat of the Commissioner shall be in Belgrade.

Appointment

Article 30

The National Assembly of the Republic of Serbia (hereinafter: National Assembly) shall appoint the Commissioner by a majority of votes of the MPs at the proposal of the Board of the National Assembly competent for information.

A person of renowned reputation and expertise in the field of protecting and promoting human rights shall be appointed Commissioner.

A person, who fulfills the requirements for employment in state bodies and has a Bachelor's degree in Law and at least ten years of working experience, may be appointed Commissioner.

A person holding a post in or employed by a state body or a political party may not be appointed Commissioner.

The Commissioner shall be appointed to a seven-year term of office. The same person may be appointed Commissioner twice the most.

End of Term of Office

Article 31

The term of office of a Commissioner shall cease before the expiration of his/her term of office at his/her request, or upon turning sixty-five years of age, and upon dismissal.

The National Assembly shall decide on the end of Commissioner's term of office.

A Commissioner shall be dismissed if he/she has been convicted of a crime with a sentence of imprisonment, in the event of permanent working incapacity or if he/she holds a post in or is employed by a state body or political party, if he/she loses the citizenship of the Republic of Serbia, or if he/she performs his duties unprofessionally and unconscientiously.

The procedure for dismissing the Commissioner shall be launched on the initiative of one third of MPs.

The Board of the National Assembly competent for information shall establish whether there are reasons for dismissal and shall inform the National Assembly thereof.

The Board of the National Assembly competent for information shall also inform the National Assembly about the request of the Commissioner to have his/her duties terminated, as well as about the fulfillment of requirements for the termination of term of office due to age.

If the National Assembly does not decide about the request within 60 days, it shall be deemed that with the expiration of that deadline the Commissioner's duties terminate.

In other events, the Commissioner's duties cease on the day the National Assembly states so in its decision.

Status of the Commissioner

Article 32

The Commissioner shall be autonomous and independent in the exercise of his/her powers.

In the exercise of his/her powers the Commissioner shall neither seek nor accept orders or instructions from state bodies or other persons.

The Commissioner shall have the same salary as a judge of the Supreme Court, other labor rights, in accordance with law, and the right to reimbursement of costs incurred during the discharge of his/her duties.

The Commissioner may not be held liable for an opinion he/she expressed or a recommendation he/she made while performing his/her duties; in the event of a legal proceeding initiated over an act of crime committed in the exercise of his/her functions, he/she may not be detained without the consent of the National Assembly.

Deputy Commissioner

Article 33

The Commissioner shall have a Deputy, who shall be appointed by the National Assembly, upon the recommendation of the Commissioner.

The Commissioner shall nominate for the post of Deputy Commissioner a person fulfilling the requirements for employment by state bodies.

The Deputy Commissioner shall be appointed to a seven-year term of office. The same person may be appointed Deputy Commissioner twice the most.

The Deputy Commissioner shall perform the duties of the Commissioner in the event of the absence, death, tenure expiration, dismissal, or the temporary or permanent incapacity of the Commissioner to exercise his/her powers.

Provisions of this Law on the cessation of duties of the Commissioner shall accordingly apply to the cessation of duties of the Deputy Commissioner.

Procedure for dismissing the Deputy Commissioner shall start upon initiative of the Commissioner.

Staff of the Commissioner

Article 34

The Commissioner shall have staff that will help him/her exercise his/her powers.

The Commissioner shall pass a book of regulations on the work of his/her staff, with approval from the National Assembly. The Commissioner shall independently decide on the employment of expert staff and other employees, in accordance with law, guided by the need to professionally and efficiently exercise his/her powers.

The regulations on working conditions in state bodies shall accordingly apply to staff working for the Commissioner.

The funds required for the work of the Commissioner and his/her staff shall be secured in the budget of the Republic of Serbia.

Powers of the Commissioner

Article 35

The Commissioner shall:

- 1) Monitor the respect of obligations by the public authorities regulated by this Law and report to the public and National Assembly thereof;
- 2) Initiate the preparation or change of regulations for the implementation and promotion of the right to access information of public importance;
- 3) Propose to public authorities measures to be taken to improve their work regulated by this Law;
- 4) Undertake necessary measures to train employees of state bodies and to inform the employees of their obligations regarding the rights to access information of public importance with the aim of their effective implementation of this Law;
- 5) Consider complaints against the decisions of public authorities that violate the rights regulated by this Law;
- 6) Inform the public of the content of this Law and the rights regulated by this Law;
- 7) Perform other duties stipulated by this Law.

Reports

Article 36

The Commissioner shall lay with the National Assembly an annual report on the activities undertaken by the public authorities in the implementation of this Law and his/her own activities and expenses within three months from the end of the fiscal year.

In addition to the report in Para 1 of this Article, the Commissioner shall lay with the National Assembly other reports as he sees fit.

VI Measures for Improving the Transparency of Work of Public Authorities

Manual for Exercising Rights

Article 37

The Commissioner shall without delay publish and update a manual with practical instructions on the effective exercise of rights regulated by this Law in the Serbian language, and in languages that are defined as official languages by law. The manual in Para 1 of this Article shall obligatorily contain the content and scope of rights to access information of public importance, as well as how these rights can be exercised.

The Commissioner shall be obliged to inform the public of the content of the manual in Para 1 of this Article via the press, electronic media, the Internet, public panel discussions and in other ways.

Authorized Person of the Public Authority

Article 38

A public authority shall appoint one or more official persons (hereinafter: authorized person) to respond to request for free access to information of public importance.

The authorized person shall:

1) Receive requests, inform the applicant of holding information and give insight in the document containing the requested information, i.e. deliver the information in an appropriate manner, reject the request with a decision, provide the necessary assistance to the applicants to exercise their rights regulated by this Law;

2) Take measures to promote the practice of administering, maintaining, storing and safeguarding information mediums.

If an authorized person referred to in Para 1 of this Article has not been appointed, the duties of the authorized person shall be performed by the head of the public authority.

Obligation to Publish a Directory

Article 39

A state body shall at least once a year publish a directory with the main data about its work, notably:

1) Description of its powers, duties and in-house organization;

2) Data on the budget and means of labor;

3) Data with regard to the types of service it directly provides to interested parties;

4) Procedure for submitting a request to this state body, i.e. for lodging a complaint against its decisions, actions or negligence;

5) Overview of the requests, complaints and other direct measures undertaken by the interested parties, of the decisions by this state body on the submitted requests and lodged complaints, i.e. responses to other direct measures undertaken by interested parties;

6) Data on the manner and place of storing information mediums, type of information it holds, type of information it allows insight in and the description of the procedure for submitting a request;

7) Names of the heads of this state body, descriptions of their powers and duties and procedures by which they reach decisions;

8) The rules and decisions of this state body regarding its transparent work (working hours, address, contact telephones, logo, accessibility for persons with special needs, access to sessions, permissibility of audio and video recording, et al), as well as every authentic interpretation of these decisions;

9) Regulations and decisions on exemptions or limitations of the transparency of work of the state body and explanations thereupon;

The state body shall allow an interested party insight in the directory free of charge, or give him/her a copy of the directory provided the party reimburses the necessary costs.

Guidebook for Publishing the Directory

Article 40

The Commissioner shall publish a guidebook according to which the directory from Article 39 of this Law shall be published and proffer advice at the request of a state body to ensure the correct, complete and timely fulfillment of the obligation to publish a directory.

Maintaining Information Mediums

Article 41

The public authority shall maintain the information mediums so as to enable the exercise of the right to access information of public importance in keeping with this Law.

Training of Staff

Article 42

With the aim of effectively implementing this Law, a state body shall train its staff and instruct its employees on their obligations regarding the rights regulated by this Law.

The staff training in Para 1 of this Article shall notably include: the content, scope and importance of the right to access information of public importance, the procedure for exercising those rights, the procedure for administering, maintaining, and safeguarding information mediums, and types of data which the state body is obliged to publish.

Reporting to the Commissioner

Article 43

A state body authorized person shall submit an annual report to the Commissioner on the activities of the body undertaken with the aim of implementing this Law, which shall contain the following data:

- 1) Number of submitted requests, number of wholly or partly approved requests and the number of rejected or dismissed requests;
- 2) Number and content of the complaints against the decisions to reject or dismiss a request;
- 3) Total sum of fees charged for the exercise of the right to access information of public importance;
- 4) Measures taken with regard to the obligation to publish a directory;
- 5) Measures taken with regard to maintaining information mediums;
- 6) Measures taken with regard to staff training.

VII Compensation of Damages

Article 44

The public authority shall be held liable for damages caused by the inability of a media outlet to publish information because a public authority had without justification denied or limited its rights to access information of public importance from Article 5 of this Law, i.e. because a public authority gave preference to a journalist or media outlet in contravention of provisions of Article 7 of this Law.

VIII Supervision

Article 45

The implementation of this Law shall be supervised by the Ministry in charge of information affairs.

IX Punitive Provisions

Article 46

A fine between 5,000 and 50,000 dinars shall be imposed upon the authorized person in a public authority if the public authority:

1. Acts in contravention of the principle of equality (Article 6);
2. Discriminates against a journalist or a media outlet (Article 7);
3. Fails to specify the information medium, where and when the requested information was published (Para 2 of Article 10);
4. Fails to communicate accurate and complete information, i.e. fails to allow insight in a document containing accurate and complete information. (Article 11);

5. Fails to allow the applicant insight in a document or to make a copy of the document in the language in which the request was submitted (Para 4 of Article 18);

6. Refuses to receive a request, fails to inform the applicant of possessing the information, or fails to allow insight in a document containing the requested information, i.e. does not deliver a copy of the document in an appropriate way, fails to issue a decision on rejecting the request and refuses to provide the applicants with the necessary assistance for exercising their rights (Sub-Para 1 of Para 2 of Article 38).

Article 47

A fine between 5,000 and 50,000 dinars shall be imposed on the responsible person in a state body if that state body fails to publish a directory with the prescribed data on its work (Article 39).

Article 48

A fine between 5,000 and 50,000 dinars shall be imposed on the authorized person of a public authority in the event he/she fails to submit to the Commissioner an annual report with the prescribed data on the activities the authority undertook with the aim of implementing this Law (Article 43).

X Final Provisions

Article 49

Public authorities shall nominate the authorized persons for deciding on requests for free access of information of public importance within 30 days after this Law takes effect.

The National Assembly shall appoint the Commissioner within 45 days after this Law takes effect.

Article 50

This Law shall come into effect the eighth day upon publication in the "Official Gazette of the Republic of Serbia".

THE CONSTITUTION OF THE REPUBLIC OF SERBIA

"The Republic of Serbia Official Gazette", No. 1/90

(extract)

Article 45

The freedom of conscience, thought and public expression of opinion shall be guaranteed.

Article 46

The freedom of press and other public information media shall be guaranteed.

Citizens shall have the right to express and make public their opinions in the public information media

Publication of newspapers and dissemination of information by other means shall be accessible to everyone without seeking permission, subject to registration with the competent agency.

Radio and television broadcasting organisations shall be established in accordance with law.

The right to correction of published incorrect information which violates someone's right or interest, as well as the right to compensation for any moral and property damage arising therefrom, shall be guaranteed.

The censorship of press and other public information media shall be prohibited. No one may obstruct the distribution of the press and dissemination of other information, except when the competent court of law finds by its decision that they call for the forcible overthrow of the order established by the Constitution, violation of the territorial integrity and independence of the Republic of Serbia, violation of guaranteed freedoms and rights of man and citizen, or incite and foment national, racial or religious intolerance and hatred.

The public information media which are financed from public funds shall be bound to provide the general public with timely and impartial information.

CONSTITUTIONAL CHARTER OF THE STATE UNION OF SERBIA AND MONTENEGRO

6. December 2002

(extract)

The Charter on Human and Minority Rights and Civil Freedoms

Article 8

The Charter on Human and Minority Rights and Civil Freedoms, that shall form an integral part of the Constitutional Charter, shall be adopted under the procedure and in the manner stipulated for the adoption of the Constitutional Charter.

Exercise of human and minority rights and civil freedoms

Article 9

The member states shall regulate, ensure and protect human and minority rights and civil freedoms in their respective territory.

The attained level of human and minority rights, individual and collective and civil freedoms may not be lowered.

Serbia and Montenegro shall monitor the exercise of human and minority rights and civil freedoms and ensure their protection in the case when such protection has not been provided in the member states.

Direct implementation of international agreements

Article 10

The provisions of international treaties on human and minority rights and civil freedoms applying to the territory of Serbia and Montenegro shall be directly enforced.

CHARTER ON HUMAN AND MINORITY RIGHTS AND FUNDAMENTAL FREEDOMS¹

(extract)

Freedom of opinion and expression

Article 29

Everybody has the right to freedom of opinion and expression. This right shall include freedom to use speech, writing, picture or any other form, in order to seek, receive and impart information and ideas.

Everybody has the right of access to data in possession of state authorities, in accordance with the law.

The right to freedom of expression may be restricted by law if that is necessary for the protection of the reputation or rights of others, for maintaining the authority and impartiality of the judiciary, national security, protection of public health or morals and public safety.

Freedom of mass media

Article 30

Every person may without authorisation establish newspapers and other public media. Television and radio stations shall be established in accordance with the laws of the member states.

There shall be no censorship in the state union of Serbia and Montenegro.

Every person shall be entitled to a correction of a publicised untrue, incomplete or incorrectly carried information that violates his right or interests, in accordance with the law.

Each person shall have the right of reply to information published in public media, in accordance with the law.

No one may prevent distribution of the press or dissemination of information and ideas through other mass media, save if it is established by court decision that that is necessary in order to prevent advocacy of war, instigation of direct violence or racial, national or ethnic hatred that constitutes instigation to discrimination, hostility and violence.

¹ See: www.mediacentre.org.yu

CRIMINAL CODE OF THE REPUBLIC OF SERBIA

(extract)

Crimes against Honor and Reputation

Libel

Article 92

(1) A person who imparts or communicates false information that might injure another person's honor and reputation shall be fined or shall be punished by up to six-month imprisonment.

(2) If the offense stipulated under Para 1 of this Article is committed via the press, radio, television or other mass media, or at a public meeting, the perpetrator shall be punished by up to one-year imprisonment.

(3) If the false information that has been imparted or communicated is such that it could have severely affected the damaged party, the perpetrator shall be punished by three-month to three-year imprisonment.

(4) If the defendant proves that his statement was true or presents evidence that he/she had well-grounded reasons to believe the validity of the information he/she has imparted or communicated, he/she shall not be punished for libel, but can be punished for slander (Article 98), i.e. for having disgraced another person by claiming that person had committed a crime (Article 95).

(5) A person imparting or communicating false information that another person has committed a crime that is prosecuted *ex officio* shall be punished for libel in spite of the fact that he/she had well-grounded reasons to believe the validity of the information he/she had imparted or communicated, unless he/she had imparted or communicated this information under the conditions provided under Article 96, Para 2, of this Code. The validity of the fact that another person has committed a crime that is prosecuted *ex officio* can be proved only in a court of law or by the means of other evidence only in the event it is impossible or impermissible to conduct prosecution or trial.

Slander

Article 93

(1) A person who slanders another person shall be fined or punished by up to three-month imprisonment.

(2) If the offense stipulated under Para 1 of this Article is committed via the press, radio, television or other mass media, or at a public meeting, the perpetrator shall be fined or punished by up to six-month imprisonment.

(3) If the slandered person has communicated a slander about his/her slanderer, a court of law may either punish or acquit both parties or only one of them.

Imparting Particulars about Someone's Person or Family

Article 94

(1) A person who imparts or communicates information about another person's private or family life that might injure that person's honor and reputation shall be fined or shall be punished by up to six-month imprisonment.

(2) If the offense stipulated under Para 1 of this Article is committed via the press, radio, television or other mass media, or at a public meeting, the perpetrator shall be punished by up to one-year imprisonment.

(3) If the information that has been imparted or communicated is such that it could have severely affected the damaged party, the perpetrator shall be punished by three-month to three-year imprisonment.

Validity or invalidity of the imparted or communicated information about a person's private or family life shall not be verified, except in the event provided under Article 96, Para 3, of this Code.

BASIC CRIMINAL CODE

(extract)

Inciting National, Racial and Religious Hatred, Hostility and Intolerance

Article 134

(1) A person who incites or fuels national, racial or religious hatred, hostility or intolerance between nations and national minorities living in the FRY shall be punished by one-year to five-year imprisonment.

(2) If the offense stipulated under Para 1 of this Article has involved coercion, ill-treatment, security risk, ridicule of national, ethnic or religious symbols, damage of property, desecration of monuments, memorials or tombstones, the perpetrator shall be punished by one-year to eight-year imprisonment.

(3) A person who commits the offenses stipulated under Para 1 and Para 2 of this Article has committed these offenses through misconduct or misuse of his/her authority, or if these offenses have brought about public tumult, acts of violence or other serious consequences, shall be punished by one-year to eight-year imprisonment for the offense under Para 1, and by one-year to ten-year imprisonment for the offense under Para 2.