

2025 Rule of Law Report - targeted stakeholder consultation

Fields marked with * are mandatory.

Introduction

The annual Rule of Law Report lies at the centre of the Annual Rule of Law Cycle, which acts as a preventive tool, deepening multilateral dialogue and joint awareness of rule of law issues. So far, five editions of the Rule of Law Report have been published since 2020.

As every year, the Commission would like to invite the stakeholders to provide contributions to the 2025 Rule of Law Report. On the basis of these contributions and on-going developments, further targeted questions may be shared at a later stage of preparation of the 2025 Rule of Law Report, in particular in the context of country visits, or bilateral contacts.

The Commission invites stakeholders to provide contributions which include:

- (1) information on measures taken to implement the recommendations addressed to the Member State in the 2024 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter and**
- (2) any other significant developments since January 2024^[1] and up to the date of submission falling under the ‘type of information’ outlined below.**

The input should consist of a short summary, if possible in English, covering the areas referred to below. Legislation or other documents may be referenced with a link. Contributions should focus on significant developments since the last Rule of Law Report both as regards the legal framework and its implementation in practice.

If you would like to provide further specific **input related to the single market dimension in the Rule of Law report**, you can also respond to the additional targeted consultation available [here](#).

^[1] Unless the information was already submitted in the input for the previous Rule of Law Reports.

Type of information to be included:

Under each of the four pillars, the replies should include references to the following types of information:

A) Legislative developments

- Newly adopted legislation
- legislative drafts currently discussed in Parliament
- legislative plans envisaged by the Government

B) Policy developments

- Implementation of legislation
- evaluations, impact assessment, surveys
- white papers/strategies/actions plans/consultation processes
- follow-up to reports/recommendations of Council of Europe bodies or other international organisations
- important administrative measures
- generalised practices

C) Developments related to the judiciary / independent authorities

- important case law by national courts
- important decision/opinions from independent bodies/authorities
- state of play on terms, nominations and expired mandates for high-level positions (e.g. Supreme Court, Constitutional Court, Council for the Judiciary, Prosecutor General, heads of independent authorities included in the scope of the request for input[2])

D) Any other relevant developments

- National authorities are free to add any further information, which they deem relevant; however, this should be short and to the point.

Please also indicate whether the developments reported are linked to the implementation of reforms and investments under the RRP, where applicable. To simplify your answers to the questionnaire, **if there are no developments, it is sufficient to indicate this** and the information covered in the contributions for the previous Rule of Law Reports does not need not be repeated.

[2] Such as: media regulatory authorities and bodies, national human rights institutions, equality bodies, ombudsman institutions, supreme audit institutions and, where they exist, transparency authorities.

About you

* I am giving my contribution as

- ☐ Academic/research institution
- ☐ Business association
- ☒ Civil society organisation/NGO
- ☐ International organisation
- ☐ Judicial association or network
- ☐ Media organisation or association
- ☐ Public authority or network of public authorities

☐ Other

* Organisation name

250 character(s) maximum

Reporters Without Borders

Main Areas of Work

- ☐ Justice System
- ☐ Anti-corruption
- ☒ Media Pluralism
- ☐ Checks and Balances
- ☐ Other

Please insert an URL towards your organisation's main online presence or describe your organisation briefly:

500 character(s) maximum

<https://rsf.org/en>

Transparency register number

Check if your organisation is in the transparency register. It's a voluntary database for organisations seeking to influence EU decision-making

612547127497-45

* Country of origin

Please indicate the country of origin of your organisation

- ☐ Austria
- ☐ Belgium
- ☐ Bulgaria
- ☐ Croatia
- ☐ Cyprus
- ☐ Czechia
- ☐ Denmark
- ☐ Estonia
- ☐ Finland
- ☒ France
- ☐ Germany
- ☐ Greece
- ☐ Hungary
- ☐ Ireland
- ☐ Italy
- ☐ Latvia
- ☐ Lithuania
- ☐ Luxembourg
- ☐ Malta

- ☐ Netherlands
- ☐ Poland
- ☐ Portugal
- ☐ Romania
- ☐ Slovak Republic
- ☐ Slovenia
- ☐ Spain
- ☐ Sweden
- ☐ Other - please specify

First name

Julie

Surname

Majerczak

Email Address of the organisation

secretariat@rsf.org

*** Publication of your contribution and privacy settings**

You can choose whether you wish for your contribution to be published and whether you wish your details to be made public or to remain anonymous.

- ☐ Anonymous - Only your type of respondent, country of origin and contribution will be published. Organisation name, URL, transparency register number, first name and surname given above will not be published. **To maintain anonymity, please refrain from mentioning the name of your organisation and any details from which your organisation can be identified in the rest of your contribution.**
- ☒ Public - Your personal details (name, organisation name, transparency register number, country of origin will be published with your contribution).
- ☐ No publication - Your contribution will not be published. Elements of your contribution may be referred to anonymously in documents produced by the Commission based on this consultation.

☒ I agree with the personal data protection provisions.

[Specific privacy statement targeted stakeholder consultation 2025 rule of law report.pdf](#)

Questions on horizontal developments

In this section, you are invited to provide information on general horizontal developments or trends, both positive and negative, covering all or several Member States. In particular, you could mention issues that are common to several Member States, as well as best practices identified in one Member State that could be replicated. Moreover, you could refer to your activities in the area of the four pillars and sub-topics (an overview of all sub-topics can be found below), and, if you represent a Network of national organisations, to the support you might have provided to one of your national members.

Overview topics for contribution

[List of topics - 2025 Rule of Law Report.pdf](#)

Please provide any relevant information on horizontal developments here

5000 character(s) maximum

Questions for contribution

Under each pillar, you are invited to provide information on measures taken to implement the recommendations addressed to the Member State in the 2024 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter of the 2024 Rule of Law Report and any other significant developments since January 2024 and up to the date of submission[3]. Please always include a link to and reference relevant legislation/documents (in the national language and/or where available, in English). **Significant developments** can include challenges, positive developments and best practices, covering both legislative developments or implementation and practices.

Information provided in reply to the first question under each pillar, related to the follow-up to the recommendations, does not need to be repeated in subsequent parts of the questionnaire, but can be cross-referenced in the subsequent questions, where relevant. All other questions are not limited to the recommendations, but as in previous years, cover the entire scope of the Report.

[3] Unless already covered in the input for the previous Rule of Law Reports.

Member State/enlargement country covered in contribution [only one choice possible]

If you wish to submit information concerning several Member States/enlargement countries, please fill in the questionnaire separately for each country. There is no limit to the number of contributions submitted by a single participant.

- ☐ Albania
- ☐ Austria
- ☐ Belgium
- ☐ Bulgaria
- ☐ Croatia
- ☐ Cyprus
- ☐ Czechia
- ☐ Denmark
- ☐ Estonia
- ☐ Finland
- ☐ France
- ☐ Germany
- ☐ Greece
- ☐ Hungary
- ☐ Ireland
- ☐ Italy

- ☐ Latvia
- ☐ Lithuania
- ☐ Luxembourg
- ☐ Malta
- ☐ Montenegro
- ☐ Netherlands
- ☐ North Macedonia
- ☐ Poland
- ☐ Portugal
- ☐ Romania
- ☒ Serbia
- ☐ Slovakia
- ☐ Slovenia
- ☐ Spain
- ☐ Sweden

I. Justice System

Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding the justice system (if applicable)

5000 character(s) maximum

A. Independence

Appointment and selection of judges, prosecutors and court presidents (incl. judicial review)

(The reference to 'judges' concerns judges at all level and types of courts as well as judges at constitutional courts)

5000 character(s) maximum

Irremovability of judges, including transfers, (incl. as part of judicial map reform), dismissal and retirement regime of judges, court presidents and prosecutors (incl. judicial review)

5000 character(s) maximum

Promotion of judges and prosecutors (incl. judicial review)

5000 character(s) maximum

Allocation of cases in courts

5000 character(s) maximum

Independence (including composition and nomination and dismissal of its members), and powers of the body tasked with safeguarding the independence of the judiciary (e.g. Council for the Judiciary)

5000 character(s) maximum

Accountability of judges and prosecutors, including disciplinary regime and bodies and ethical rules, judicial immunity and criminal/civil (where applicable) liability of judges (incl. judicial review)

5000 character(s) maximum

Independence/autonomy of the prosecution service

5000 character(s) maximum

Independence of the Bar (chamber/association of lawyers) and of lawyers

5000 character(s) maximum

Significant developments capable of affecting the perception that the general public has of the independence of the judiciary

5000 character(s) maximum

B. Quality of justice

(Under this topic, you are not required to give statistical information but should provide input on the type of information outlined in the introduction)

Accessibility of courts (e.g. court/legal fees, legal aid, language)

5000 character(s) maximum

Resources of the judiciary (human/financial/material), remuneration/bonuses/rewards for judges and prosecutors, including observed changes (significant and targeted increase or decrease over the past year)

(Material resources refer e.g. to court buildings and other facilities. Financial resources include salaries of staff in courts and prosecution offices.)

5000 character(s) maximum

Training of justice professionals (including judges, prosecutors, lawyers, court staff, clerks/trainees)

5000 character(s) maximum

Digitalisation (e.g. use of digital technology, including electronic communication and AI tools, within the justice system and with court users, procedural rules, access to judgments online)

5000 character(s) maximum

Use of assessment tools and standards (e.g. ICT systems, including AI-based systems, for case management, court statistics and their transparency, monitoring, evaluation, surveys among court users or legal professionals)

5000 character(s) maximum

Geographical distribution and number of courts/jurisdictions (“judicial map”) and their specialisation, in particular specific courts or chambers within courts to deal with fraud and corruption cases.

5000 character(s) maximum

C. Efficiency of the justice system

(Under this topic, you are not required to give statistical information but should provide input on the type of information outlined under section 2)

Developments related to efforts to improve the efficiency of the justice system (e.g. as regards length of proceedings)

5000 character(s) maximum

Any other developments related to the justice system - please specify

5000 character(s) maximum

II. Anti-Corruption Framework

Where previous specific reports, published in the framework of the review under the UN Convention against Corruption, of GRECO, and of the OECD address the issues below, please make a reference to the points you wish to bring to the Commission's attention in these documents, indicating any relevant updates, changes or measures introduced that have occurred since these documents were published.

Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding the anti-corruption framework (if applicable):

5000 character(s) maximum

A. The institutional framework capacity to fight against corruption (prevention and investigation / prosecution)

List any **changes** as regards relevant authorities (e.g. national agencies, bodies) in charge of prevention, detection, investigation and prosecution of corruption and the resources allocated to each of these authorities (the human, financial, legal, and technical resources as relevant), including the cooperation among domestic and with foreign authorities. Indicate any relevant measures taken to effectively and timely cooperate with OLAF and EPPO

5000 character(s) maximum

Safeguards for the functional independence of the authorities tasked with the prevention and detection of corruption

5000 character(s) maximum

Information on the implementation of measures foreseen in the strategic anti-corruption framework (if applicable). If available, please provide relevant objectives and indicators

5000 character(s) maximum

B. Prevention

Measures to enhance integrity in the public sector (including as regards incompatibility rules, revolving doors, codes of conduct, ethics)

5000 character(s) maximum

Measures to enhance general transparency of public decision-making (including rules on lobbying, asset and interest disclosure rules, gifts policy, transparency of political party, financing)

5000 character(s) maximum

Measures to prevent conflicts of interest in the public sector. Please specify the features and scope of their application (e.g. categories of officials concerned, types of checks and corrective measures depending on the category of officials concerned)

5000 character(s) maximum

--> For the three previous points, **please also provide information and figures on their application /enforcement**, such as number of detected breaches/irregularities of the various rules in place and the follow-up given (investigations, sanctions, etc.)

Measures to ensure whistleblower protection and encourage reporting of corruption, including their application (i.e. number of reports received, and the follow-up given)

5000 character(s) maximum

Specific measures to enhance transparency, integrity and accountability in sectors with high risks of corruption, with a view to monitor and prevent corruption and conflict of interests, and where applicable measures to prevent and address corruption committed by organised crime groups.

Such high-risk sectors could include: public procurement, including construction, transport/infrastructure, defence, cohesion, agriculture, environment, healthcare, citizen/residence investor schemes, large-scale investments of national interest and the spending of EU funds, urban planning.

5000 character(s) maximum

C. Repression

The legal framework on the criminalisation and sanctions for corruption and related offences, including foreign bribery

5000 character(s) maximum

Official data on the number of investigations, prosecutions, final judgments and the application of sanctions for corruption offences (differentiated by offence if possible). Please indicate whether the cases: involve legal persons; are related to the implementation of EU or national funds; involve high level corruption. Please indicate which data is publicly available and how policy-making is informed by the data

5000 character(s) maximum

Potential obstacles identified in law or in practice to the investigation and prosecution of high-level and complex corruption cases (e.g. political immunity regulation, procedural rules, statute of limitations, cross-border cooperation, pardoning)

5000 character(s) maximum

Information on effectiveness of criminal and non-criminal measures and of sanctions (e.g. recovery measures and administrative sanctions) on both public and private offenders

5000 character(s) maximum

Any other developments related to the anti-corruption framework - please specify

5000 character(s) maximum

III. Media pluralism and media freedom

Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding media pluralism and media freedom (if applicable)

5000 character(s) maximum

A. Media authorities and bodies

(Cf. Article 30 of Directive 2018/1808)

Measures taken to ensure the independence, enforcement powers and adequacy of resources (financial, human and technical) of media regulatory authorities and bodies

5000 character(s) maximum

The independence of the Regulatory Authority for Electronic Media (REM) is guaranteed by the Law on electronic media.

However, the independence of this body was still not fully ensured at the end of 2024.

The European Commission in its “2024 Rule of Law Report” noted that there are serious concerns regarding the independence of REM.

In October 2023, the National Assembly of Serbia adopted amendments to media laws. One of the solutions was to select new members of the REM Council within one year (by November 4, 2024).

“The new Law on electronic media reinforced the mandate and regulatory competences of REM, giving it a new possibility to impose financial penalties, which has not yet been used,” stated the European Commission, adding: “All four television channels with national frequency had their licenses renewed by REM in 2022 despite having received warnings from REM due to violations of their legal obligations during the previous period. Several of these channels continued to violate applicable rules in 2023. In August 2022, REM published a call for the allocation of a fifth media service license with national frequency, which has still not been awarded within the deadline published in the call, without proper justification for the delay. REM has also not been effective in countering foreign information manipulation or interference, most obviously in

the context of Russia's war of aggression against Ukraine.”

Despite changes to the law, which incorporated most recommendations from the international community and media associations and organisations in Serbia, television stations that received licenses for national broadcasting continued to violate the Law on electronic media in 2024.

Monitoring of news programs on national televisions during 2024, conducted by the Slavko Ćuruvija Foundation, showed that four televisions daily and grossly violated provisions of media laws and sub-legal acts, as well as journalistic codes and professional standards.

<https://www.slavkocuruvijafondacija.rs/wp-content/uploads/2024/12/scf-analiza-prva-godina-novog-zakona-o-elektronskim-medijima.pdf>

The foundation states that the editorial concept of these televisions is in direct conflict with the law, serving to misinform the public and carry out propaganda.

Monitoring revealed that televisions continuously publish one-sided and false news, disinformation, and manipulations; selectively and incompletely inform; spread hate speech; and campaign against journalists, opposition politicians, and government critics.

Programs exclusively represent views from one political option while violating obligations not to report sensationistically, simplistically, and unethically about violence.

Human rights and personal dignity are violated along with prohibitions against publishing hate speech and legal obligations during electoral campaigns.

All listed violations contradict the programming documents of commercial televisions based on which these televisions were granted broadcasting licenses for another eight years.

Despite all this, REM did not respond appropriately during 2024, often dismissing or rejecting complaints from individuals and legal entities.

In October 2024, just days before its mandate ended, the REM Council granted a broadcasting license for Belgrade to TV Informer.

This television was launched by the tabloid Informer, known for daily violations of the Journalist Code and campaigns against government critics while targeting independent journalists. TV Informer is also known for Russian propaganda.

Reporters Without Borders called on the Serbian government in November 2023 to adopt European Commission recommendations to improve the media situation so that the state could more effectively combat Russia's disinformation campaign.

“The lack of real change at REM raises concerns about renewed government pressure and prominent Russian propaganda,” wrote Reporters Without Borders.

Instead of adopting recommendations, REM granted a license to TV Informer.

<https://www.cenzolovka.rs/drzava-i-mediji/poklon-rem-a-za-kraj-mandata-informer-tv-postala-beogradska-televizija/>

Had REM acted according to the law, this television would not have been able to obtain a Belgrade license since it does not meet legal requirements for objectivity and professionalism.

The problem with law enforcement remained much greater than just legal provisions even in 2024. Laws were ignored or broken when it was in line with the interests of the authorities and the electronic media under their control.

This was evident in December 2023 during parliamentary elections as well as during local election campaigning in June 2024.

Despite recommendations from ODIHR, OSCE, Reporters Without Borders, and other international organizations, REM did not respond due to mass violations of laws.

By the end of 2024, REM had still not made public reports on electronic media activities during the December 2023 electoral campaign as required by law.

Conditions and procedures for the appointment and dismissal of the head / members of the collegiate body of media regulatory authorities and bodies

5000 character(s) maximum

The conditions and procedures for appointing and dismissing the leaders and members of the Regulatory Authority for Electronic Media (REM) are regulated by the Law on electronic media, which was amended in October 2023.

http://www.parlament.gov.rs/upload/archive/files/cir/pdf/zakoni/13_saziv/2032-23.pdf

According to the law, members of the REM Council must have appropriate education and experience, professional reputation, and integrity. Members serve a term of six years without the possibility of re-election. The National Assembly of Serbia elects the members of the REM Council based on proposals from the Committee for Culture and Information, to which relevant proposers submit qualified and credible candidates. The Regulatory Authority for Electronic Media in Serbia is legally required to be independent both legally and functionally; it must not be influenced by political pressures. This is the main reason why a compromise legal solution was reached in the new law to elect new members of the REM Council, but this is to be done one year after the law comes into effect, specifically by 5 November 2024.

By the end of December 2024, a new REM Council had not been elected, despite the old council's term having expired. Therefore, as of 4 November 2024, there was no body making decisions regarding electronic media regulation.

The Committee for Culture and Information of the National Assembly of Serbia considered a list of candidates for the REM Council proposed by authorized proposers on December 20. This discussion showed that the ruling Serbian Progressive Party (Srpska napredna stranka, SNS) wants to continue controlling REM's work. A representative from SNS publicly stated at the Committee meeting that they intend to maintain control over the Council's work.

<https://www.cenzolovka.rs/drzava-i-mediji/farsa-se-nastavlja-rasprava-o-novom-rem-u-u-starom-pakovanju/>

The Serbian government committed in its Reform Agenda, a strategic document adopted to align with European standards, that the REM Council must be elected by the end of 2024.

It is unclear why there was such a long delay in holding elections. The chairwoman of the Assembly's Committee for Culture and Information, Nevena Đurić (SNS), did not initiate the procedure for electing the REM Council until 4 August, when it was too late to complete the election process before the old members' terms expired. This way, she is responsible for blocking REM's operations. As a result, media associations and civil sector organisations filed a criminal complaint against Đurić.

The meeting that should have been held by 4 August ultimately took place on 20 December.

The Committee for Culture and Information allowed part of the proposers for candidates for the REM Council to be so-called "phantom" or "gongo" non-governmental organisations or associations. These are usually inactive and not known to the public except when they need to propose candidates who work in favor of the government.

Some of these gongo organisations do not even meet basic criteria for proposers in this process—besides being inactive on their portals, one was even impossible to find online. Some journalistic gongo associations do not meet the requirement of having at least 300 members.

Nevertheless, the Assembly committee decided by majority not to verify opposition doubts regarding proposers but accepted all their proposals.

Their candidates for the REM Council are also controversial. Some have not demonstrated expertise in electronic media operations; some are known publicly for praising the government and participating in campaigns against government critics. Candidates even include song creators in praise of the president or editors from publications affiliated with the Serbian Progressive Party.

The Association of Independent Electronic Media (ANEM), as one of the proposers, submitted an objection to the Committee regarding the procedure for adopting the list of proposers and candidates. The association pointed out numerous irregularities and illegalities that contradict provisions of the Law on electronic media, as well as the invitation of the Committee for Culture and Information for selecting members of the REM Council.

This organisation stated that some candidates are in a conflict of interest and noted that one proposing association does not meet membership requirements. Therefore, it requested that certain proposers and candidates be removed from the list.

The Committee for Culture and Information adopted the lists of candidates at the session on 30 December

and rejected all the objections of ANEM and the opposition.

<https://www.cenzolovka.rs/drzava-i-mediji/prigovor-na-listu-kandidata-i-predlagaca-za-izbor-saveta-regulatornog-tela-za-elektronske-medije/>

Organisations that proposed candidates will select two candidates each for members of the REM Council, while final selection will be made by the National Assembly of Serbia.

Existence and functions of media councils or other self-regulatory bodies

5000 character(s) maximum

The Press Council in Serbia is an independent self-regulatory body established by relevant journalistic associations. Its main function is to monitor compliance with the Journalists' Code of Serbia in printed and online media.

The Council handles complaints from citizens and organisations that point out violations of ethical standards and provides recommendations for improving journalistic practices.

It accepts complaints from anyone who believes that a media content has violated the Journalists' Code and harmed their rights, allowing the public to actively participate in media oversight.

The Press Council in Serbia has built a reputation as a professional body made up of reputable and expert members. It acts as an independent entity that promotes media accountability to the public and monitors how public interest is taken into account in the media while analysing adherence to the Journalists' Code, thus playing an important role in strengthening trust in credible media and preserving media freedoms in Serbia.

The decisions of the Council are not binding, meaning that many media outlets do not necessarily have to comply with them—this applies to almost all government-controlled media in Serbia. This is especially true for pro-government tabloids, which largely do not recognize the Press Council.

The work of the Press Council in Serbia is regulated by the Law on Public Information and Media, which was amended in 2023.

During the process of changing the Law on Public Information and Media, journalistic associations under government influence, so-called gongo associations, as well as pro-government media, proposed establishing another Press Council that they would control. This proposal was not implemented into the Law on Public Information and Media.

A key change in the law regarding the Press Council is that media wishing to participate in competitions for co-financing projects from public funds must accept the jurisdiction of the Press Council, meaning they must adhere to the Journalists' Code of Serbia.

However, after the law was adopted, there was a significant reduction in the amount of funding allocated from local government budgets to media outlets.

According to the analysis of the Association of Journalists of Serbia, the total amount of money allocated from the state budget for project co-financing of the media in Serbia is 30 percent less than last year.

<https://www.uns.org.rs/sr/desk/UNS-news/165078/najdrasticniji-pad-od-2015-godine-za-medije-ove-godine-skoro-600-miliona-dinara-manje-nego-prethodne.html>

At the same time, according to information from UNS, the amounts allocated to pro-government media that do not respect the Journalists' Code have increased through other means or through advertising from public institutions and enterprises. About half of the local governments "transferred" the difference to last year's amount to public procurement, which is directly contrary to the idea of project co-financing and fair competition for obtaining money for the production of media content.

Thus, the amounts received by media that do not recognise the Press Council have not decreased; only the budget lines from which they are financed have changed. Once again, the Law on Public Information has been circumvented.

Pro-government media that daily violate the Journalists' Code of Serbia continue to receive public funds through advertising from public enterprises and institutions, through public procurement, and other means.

<https://birnsrbija.rs/transparentnost-pod-lupom-javne-nabavke-za-medijske-usluge/>

B. Safeguards against government or political interference and transparency and concentration of media ownership

Measures taken to ensure the fair and transparent allocation of state advertising

5000 character(s) maximum

Measures for transparency in advertising from state resources, proposed in the Media Strategy, have yet to be fully implemented, stated the European Commission in the 2024 Rule of Law Report. https://commission.europa.eu/document/download/862952fa-6e79-44c4-b629-174a441e3d2e_en?filename=62_1_58091_coun_chap_serbia_sb.pdf

State advertising has been recognized as a problem not only by the European Commission but also by ODIHR and the Venice Commission, as one of the ways in which authorities in Serbia control the media.

They noted that revenues from institutional advertising can favor pro-government media or penalize independent media. The new Advertising Law was supposed to be adopted by the end of 2024, but this did not happen.

After a public discussion in October 2024, the Serbian government withdrew the amendments to the law from the procedure. This was done in a non-transparent manner. Journalistic associations that participated in proposing amendments to the law did not know by the end of December 2024 which version of the law would ultimately be proposed to the National Assembly of Serbia for adoption.

The proposed Draft Advertising Law that went to public discussion did not include provisions about advertising by state institutions and enterprises.

In its progress report on Serbia back in 2018, the European Commission stated that Belgrade “needs to ensure that informal influence on editorial policies” does not occur through the distribution of advertising funds, which also applies to money spent on advertising by public companies.

https://neighbourhood-enlargement.ec.europa.eu/document/download/377c86c1-1cb6-49ca-8549-e40be2308643_en?filename=20180417-serbia-report.pdf

[https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2022\)046-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2022)046-e)

In May 2024, the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression stated in her report that the financial sustainability of media - especially independent and critical ones - is endangered because state advertising is increasingly directed towards media that are favorable to the authorities.

This report also mentioned that data on rules, processes, and distribution of state advertising should be regularly published.

<https://www.ohchr.org/en/documents/country-reports/ahrc5653add2-visit-serbia-and-kosovo-report-special-rapporteur-promotion>

The Media Strategy, a document adopted by the Serbian government, includes measures that should be implemented to reduce state influence on the media market. However, no one from the media was included in the working group for drafting a new Advertising Law. During public discussions, government representatives claimed that the Draft New Advertising Law was aligned with the Media Strategy, but the Coalition for Media Freedom argues that it is not aligned with this document at any point.

During the drafting of the Draft Advertising Law, eight associations and organisations requested that the new law obliges state bodies and enterprises to publicly disclose how much money they spend on advertising and which media they allocate it to. They also demanded that the state commits to procuring media services through public procurement and prohibits state advertising in media that violate laws.

<https://birn.rs/novi-zakon-o-oglasavanju/>

These eight organisations requested that the new Advertising Law:

define the concept of state advertising;

establish and specify the criteria for the allocation of funds for advertising;

ban on state advertising in media that violate laws and standards of professional ethics;

adopt rules on audience measurement based on European laws on media freedom.

Some of the requested measures include requiring both state bodies and enterprises to publicly disclose data on their total advertising budget and conditions and criteria for selecting media for advertising, as well as submitting data on allocated funds to a Media Registry maintained by the Agency for Business Registers. So far, local public and utility enterprises have most often chosen to contract with media houses through direct agreements with government-controlled media instead of issuing public procurement notices for media services.

Media associations point out that this law does not address key issues related to transparency and fairness in fund distribution. Local media view state advertising as a potential model that could enable their sustainability and development. This would be very important for them since Serbia lacks measures to support local media.

Safeguards against state / political interference, in particular:

- safeguards to ensure editorial independence of media (private and public)
- specific safeguards for the independence of heads of management and members of the governing boards of public service media (e.g. related to appointment, dismissal), safeguards for their financial and operational independence (e.g. related to reporting obligations and the allocation of resources) and safeguards for plurality of information and opinions
- information on specific legal provisions and procedures applying to media service providers, including as regards granting/renewal/termination of licenses, company operation, capital entry requirements, concentration and corporate governance

5000 character(s) maximum

Media independence, including that of public services, is guaranteed by law, but its implementation and effectiveness during 2024 remained subjects of criticism from independent media, the civil sector, opposition parties, and international organizations.

There was no progress in this area during 2024.

In fact, the situation with project co-financing for the media worsened. According to journalistic associations, the budgets allocated by local governments for these purposes decreased throughout 2024.

Local media that respect the Journalists' Code and report according to professional standards are endangered due to budget cuts.

On 1 January 2025, a Unified Information System for implementing and monitoring project co-financing in the field of public information began operations. According to the Ministry of Information and Telecommunications, this system is expected to improve the project co-financing process and enhance its transparency.

<https://mit.gov.rs/vest/sr/12711/pocinje-sa-radom-jedinstveni-informacioni-sistem-za-sufinansiranje-medijskih-projekata.php>

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With the Reform Agenda, a strategic document adopted in early October 2024, the Serbian government committed to adopting a new Law on Public Media Services aligned with European Union legal standards and Council of Europe standards by the end of the year.

The process of amending the law has begun but was not completed by the end of 2024. By 16 January 2025, public discussions on amendments to this law should be concluded. Despite announcements from the

Ministry, the draft amendments have not been publicly released.

The Coalition for Media Freedom, whose members are representative associations that participated in the working group for amending the law, stated that Minister Dejan Ristić “imposed amendments to the Law on Public Media Services,” which are outside the framework on which the working group worked intensively for two months and contradicts the Media Strategy.

<https://www.slavkocuruvijafondacija.rs/koalicija-za-slobodu-medija-ministar-dejan-ristic-oktroisao-izmene-zakona-o-javnim-medijskim-servisima/>

<https://www.danas.rs/vesti/drustvo/radne-grupe-za-izmene-medijskih-zakona/>

The process of electing members of the boards of public services, chosen by the Regulatory Authority for Electronic Media (REM), has been overshadowed by the fact that a new REM Council has not been elected that meets independence and professional credibility requirements.

A candidate known publicly for promoting government interests was elected to the Board of Radio Television Serbia (RTS). He is an editor at RT Balkan, a Russian media outlet banned in EU countries.

<https://www.danas.rs/vesti/drustvo/ko-je-filip-rodic-novi-clan-upravnog-odbora-rts-a/>

RTS and RTV funding continues through a combination of fees and funds from the state budget, further enabling government influence over editorial policy.

The law stipulates that budget funds must not compromise the editorial autonomy of public services; however, independent media and the public in Serbia clearly see that public services operate in accordance with government interests. Protests have continued outside public media services.

Thousands of students protested in December in front of Radio Television Serbia and Radio Television Vojvodina buildings.

<https://www.slavkocuruvijafondacija.rs/en/student-protests-truth-about-accident-and-punishment-for-attackers-of-peaceful-protesters-demanded/>

One way public money flows into media that support the government is through Radio Television Serbia advertising in pro-government tabloids known for targeting journalists and critics of the government and for frequently violating the Journalists' Code.

Public media services are legally obligated to independently decide on their editorial policies, promote pluralism of opinion, and inform citizens impartially. Monitoring by independent organizations shows that RTS and RTV often do not provide balanced reporting.

<https://www.slobodnaevropa.org/a/izvestavanje-rtv-vojvodine-zeleznicka-stanica-nesreca/33228232.html>

Transparency of media ownership and public availability of media ownership information, including on direct, indirect and beneficial owners

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The recommendations of the European Commission, such as protecting media pluralism and editorial independence, have not been systematically addressed.

Media ownership is regulated by the Law on Public Information and Media, which was amended in October 2023. The new amendments were supposed to be completed during 2024, but the Ministry of Culture and

Information only started this process at the end of the year.

According to the Independent Journalists' Association of Serbia (NUNS), this limited the time for analysis and discussion, undermining the democratic nature of the process and rendering the participation of experts meaningless.

<https://nuns.rs/nuns-netansparentan-i-aljkav-proces-izmene-zakona-o-javnom-informisanju-i-medijima/>

Part of the media community insists that provisions in the law allowing for indirect state ownership of media contradict the goals of the Media Strategy, such as establishing a “functional, sustainable, and fair media market protected from political influence.” Critics argue that these changes significantly increase government control over the media.

Credible journalistic and media organisations were largely excluded from the working group for amending the law. At the beginning of the amendment process, NUNS was not included in the working group despite being one of the two largest journalist associations in Serbia.

This association had previously participated in working groups for media law amendments. NUNS was only reinstated in the working group after the second-largest association—the Journalists' Association of Serbia—conditioned its participation on NUNS being included as well.

In December 2024, NUNS called on the Ministry of Culture and Information to urgently publish all comments and requests from the European Commission, allow public access to the working group's activities, ensure sufficient time for serious dialogue and discussion on all proposed amendments, and include independent experts and representatives from the media community in the working group.

According to this association, proposals for amending the law were adopted without critical examination and with support from organizations that openly align with the interests of the Serbian government.

One goal of the Law on Public Information is to ensure transparency in ownership and prevent monopolies in the media sector.

Under this law, media outlets are required to provide information about their direct and indirect owners. The public has a right to access information about ownership.

However, revealing indirect and actual owners is often complicated due to complex ownership chains, registration of companies in offshore zones, and a lack of adequate verification mechanisms.

Several large media companies dominate the market, threatening media pluralism.

Civil society and experts point out insufficient enforcement of competition protection laws.

Kopernikus Technology still owns two national television stations, which threatens media pluralism. Its owner is linked to the ruling Serbian Progressive Party. The other two national televisions openly support the government in their news programs and conduct campaigns against critics of the government.

The state company Telekom Srbija is not only the largest internet provider but also dominant in distributing media content, owning several cable television channels and IPTV services.

After amendments to the Law on Public Information and Media in October 2023 allowed state ownership in media, Telekom Srbija was enabled by the government to legalise its long-standing expansion into media

ownership.

Boban Rajić, co-owner of Serbia's oldest daily newspaper Politika, is also connected to top government officials. At the end of 2024, he purchased a building in downtown Belgrade where this newspaper is located. Previously, he bought Serbia's second oldest daily newspaper, tabloid Večernje novosti, along with its building in central Belgrade. He also owns Sportski žurnal daily. He had never been in the media business before.

<https://www.danas.rs/vesti/ekonomija/boban-rajic-politika-firme-poslovanje/>

As with other private media companies, political and economic interests of the ruling party are realised through media owners, negatively impacting the independence and professionalism of editors and journalists.

C. Framework for journalists' protection, transparency and access to documents

Rules and practices guaranteeing journalists' independence and safety, including as regards protection of journalistic sources and communications, referring also, if applicable, to follow-up given to alerts lodged with the Council of Europe's Platform to promote the protection of journalism and safety of journalists

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The Law on Public Information and Media formally ensures the freedom to collect, publish, and exchange information, protects journalists from discrimination and pressure, and grants journalists the right not to disclose their sources.

However, there are significant problems in protecting these sources, especially in the context of digital surveillance and threats from representatives of the authorities, powerful businessmen, and others. These issues became more pronounced during 2024.

On 16 December 2024, Amnesty International published a report providing evidence that authorities in Serbia used mobile forensic products from the Israeli company Cellebrite to extract data from the mobile devices of independent journalists and activists. Evidence was released showing that the police and the Security Information Agency (BIA) use modern spyware for mobile devices to illegally monitor the phones of journalists, environmental activists, and others.

<https://www.amnesty.org/en/latest/news/2024/12/serbia-authorities-using-spyware-and-cellebrite-forensic-extraction-tools-to-hack-journalists-and-activists/>

The European Federation of Journalists, Media Freedom Rapid Response, SafeJournalists network, and others expressed concern over this discovery. They added that these revelations come amid escalating threats to journalists in Serbia. MFRF and SJN called on the government to strengthen the protection of freedom of expression, privacy, and journalists' sources guaranteed by international human rights acts.

<https://europeanjournalists.org/blog/2024/12/16/serbia-used-spyware-to-hack-phones-of-journalists/>

<https://safejournalists.net/alert/safejournalists-and-mfrf-urgent-need-for-a-swift-and-thorough-investigation-into-intelligence-and-police-invasive-surveillance-of-journalists-and-sources-in-serbia/>

Civil society organisations in Serbia filed a criminal complaint with the Prosecutor's Office for High-Tech Crime. They also reached out to the Commissioner for Human Rights of the Council of Europe and the Special Procedures body before the United Nations Human Rights Council.

The SHARE Foundation confirmed this information about hacking with its expert verification.

The foundation stated that it discovered malicious applications installed on devices that are key components of NoviSpy spyware. Analysis of these applications revealed that data from infected devices was sent to a server hosted on an IP address previously linked to the BIA. The SHARE Foundation's analysis showed that all data from system records coincided with the period when activists and journalists were at police and BIA facilities where they were summoned to give statements.

Journalists and activists suspect that spyware was installed on their phones during this time.

https://www.sharefoundation.info/wp-content/uploads/CoE_Urgent-Concerns-Regarding-Use-of-Spyware-in-Serbia-Dec-2024.pdf

The Norwegian Ministry of Foreign Affairs donated digital forensic tools to the Serbian Ministry of Interior through the United Nations Office for Project Services (UNOPS). The Norwegian Embassy in Serbia stated that the allegations made in the report are “alarming and, if proven true, unacceptable.”

A group of 25 Members of the European Parliament sent a letter to Serbian authorities demanding an end to the use of spyware.

<https://n1info.rs/vesti/grupa-evroposlanika-uputila-srbiji-pismo-prestanite-sa-upotrebom-spijunskih-softvera/>

The Ministry of Interior assessed the allegations in the report and by civil society members as “inaccurate,” while BIA issued a statement saying it operates solely within Serbian laws and refused to comment on claims made in the report.

The European Commission expects national authorities to thoroughly investigate such allegations and restore citizens’ trust.

<https://www.glasamerike.net/a/reakcija-mediji-amnesti-izvestaj-spijunski-softveri/7903053.html>

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The year 2024 will be remembered for the Appellate Court’s acquittal of those accused of murdering journalist Slavko Ćuruvija in 1999.

Twenty-five years after his murder, Serbian judiciary demonstrated institutional inability to punish those who kill journalists and their masterminds, continuing impunity for serious crimes against journalists.

<https://www.ifj.org/media-centre/news/detail/category/europe/article/ifjblog-serbia-darkness-and-despair-return-of-the-deep-state>

<https://ipi.media/solidarity-with-the-slavko-curuvija-foundation-in-their-quest-for-justice/>

On the other hand, a guilty verdict was handed down against those accused of burning journalist Milan Jovanović’s house after six years of trial.

The safety of journalists is undermined by ongoing campaigns from top government officials and media under government influence. They target independent media and journalists with unfounded accusations of treason against national interests, attempts at coups, and calls for assassinations of state officials

Law enforcement capacity, including during protests and demonstrations, to ensure journalists' safety and to investigate attacks on journalists

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Although there are legal mechanisms to protect journalists and investigate attacks against them, their implementation in practice remains ineffective.

Criticism is directed at the responses of the police and prosecutors regarding attacks on independent media and journalists. Institutional reactions often fail to occur or are slow, resulting in perpetrators frequently going unpunished.

Improving the protection of journalists requires strengthening institutional capacities, additional training for prosecutors and police officers, but above all, political will to combat impunity.

The Independent Journalists’ Association of Serbia (NUNS) recorded a total of 18 fewer attacks, threats, and pressures against journalists in 2024 (166 in total) compared to 2023 (184 in total). It is concerning that there were more physical attacks and verbal threats recorded, while it is encouraging that there were significantly fewer pressures.

<https://www.bazenuns.rs/srpski/napadi-na-novinare>

The Association of Journalists of Serbia (UNS) recorded a total of 111 cases of threats, pressure and attacks on journalists and media workers in 2024, 20 less than in 2023.

<https://www.uns.org.rs/sr/desk/UNS-news/167445/uns-ova-baza-u-2024-godini-zabelezeno-111-slucajeva-pretnji-pritisaka-i-napada-na-novinare-i-medijske-radnike.html>

Both associations recorded a significant increase in attacks in November and December 2024, at a time when there were civic and student protests.

According to UNS's database, during those two months, 15 journalists and media workers were physically attacked, insulted, or obstructed in their work, eight of whom were during reporting at protests in Novi Sad and Belgrade.

By 31 November, a total of 55 cases against journalists had been opened in all public prosecutor's offices in Serbia. During 2023, the prosecutor's office opened 76 cases.

According to prosecutor's data, 2024 was the first year in which female journalists were statistically more often targets of attacks and threats than their male colleagues.

The Permanent Working Group for the Safety of Journalists (which includes journalistic and media associations and organizations, police, and prosecutors) expressed concern about the effectiveness of investigations into attacks on journalists.

<https://www.danas.rs/vesti/drustvo/radna-grupa-najvise-napada-u-2024-na-novinare-n1-nove-s-i-radara-prvi-put-novinarke-cesca-meta/>

There are a significant number of cases (29) in 2024 where the prosecutor's office, according to legally prescribed procedures, submitted requests for information gathering to the police regarding specific cases that the police did not respond to.

The Permanent Working Group also noted that the increase in attacks on journalists is "particularly noticeable" during civil protests and other types of public gatherings.

Due to different methodologies used by NUNS, UNS, and the Prosecutor's Office for creating databases on attacks against journalists, they record different data on attacks in 2024. All three databases agree that there were fewer attacks overall in 2024 compared to 2023. The prosecutor's database only records cases accepted by the prosecutor's office - it does not record pressures on journalists or threats that it deems have no legal basis for initiating proceedings. It has also been noted this year that similar threats are processed by the prosecutor's office when they are addressed to politicians, while they are rejected when they are addressed to journalists.

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The police have a legal obligation to ensure the safety of all participants in protests, including journalists. Since protests are common in Serbia, it can be observed in practice that journalists are often at risk during protests, either from demonstrators or due to inappropriate behavior from police officers.

During 2024, incidents involving aggressive groups opposing protests have increased. There are many testimonies that these groups come organized to provoke, occasionally clashing with protest participants and attacking journalists. The police have often been criticised for inadequate responses, especially when attacks on protest participants or journalists come from organised violent groups. In such situations, the police almost never react. On the other hand, the police have arrested students, activists, and opposition politicians during protests.

Journalistic associations have publicly warned about frequent incidents where journalists are not adequately protected during protests. There have been recorded cases of physical attacks on journalists, intimidation, and obstruction of their work.

<https://www.slavkocuruvijafondacija.rs/en/journalists-and-camera-operators-attacked-during-novi-sad-protest-as-police-fail-to-provide-protection/> There are also cases where police officers directly obstructed journalists from performing their duties during protests, which contradicts laws protecting media freedom.

Access to information and public documents by public at large and journalists (incl. transparency authorities where they exist, procedures, costs/fees, timeframes, administrative/judicial review of decisions, execution of decisions by public authorities, possible obstacles related to the classification of information)

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The Law on Free Access to Information of Public Importance from 2004 allows citizens and journalists the right to access information held by government bodies that the public has a legitimate interest in knowing. <https://mduls.gov.rs/wp-content/uploads/zakon-o-slobodnom-pristupu-informacijama-od-javnog-znacaja.pdf>

The Commissioner for Information of Public Importance and Personal Data Protection is an independent state body responsible for overseeing the implementation of this law. The Commissioner has the authority to initiate misdemeanor proceedings against bodies that do not comply with the law.

In practice, compliance with the law by institutions varies. Although some improvements are evident, problems still exist in realizing the right to access information. Some government institutions and public enterprises do not regularly respond to journalists' requests.

The legal timeframe for responding to requests is set by law (15 days), but delays or ignoring requests often occur. If a government body does not respond, the information seeker can complain to the Commissioner, who then initiates a process. If an institution or public enterprise fails to provide information even after the Commissioner's order, it may be fined.

Some institutions or public enterprises are willing to pay these fines rather than provide the requested information.

Journalists often receive this public information several months after submitting requests and complaints to the Commissioner, by which time the topic they were inquiring about is often no longer relevant.

The trend of not receiving public information in recent years coincides with a rise in corruption in Serbia, which, according to Transparency International's 2023 report, was at its worst in the last 12 years. Serbia fell three places on the Corruption Perception Index and ranks 104th out of 180 countries. <https://www.transparency.org/en/cpi/2023/index/srb>

Among the institutions that have been fined by the Commissioner for failing to respond to requests for public information are the national airline Air Serbia, Serbian Railways, Srbijagas, and the state telecommunications company Telekom. The percentage of unresolved cases by the Commissioner regarding journalists' complaints is 28.6%, according to the Commissioner's report for 2023 (the report for 2024 has not yet been prepared). <https://www.poverenik.rs/sr/o-nama/godisnji-izvestaji/4173-izvestaj-poverenika-za-2023-godinu.html>

In December 2024, a public discussion concluded regarding amendments to the Law on Free Access to Information of Public Importance initiated by the Ministry of State Administration and Local Self-Government. The amendments are a response to mass abuse of rights by "malicious" information seekers and lawyers who have used this right for financial gain, thereby blocking the work of several institutions, the Commissioner, and the Administrative Court.

However, the proposed amendments to the Law on Free Access to Information of Public Importance diminish the achieved level of rights and leave room for government bodies to excessively restrict this right, conclude civil society organisations gathered in the Coalition for Freedom of Access to Information and the National Convention on European Union. <https://eukonvent.org/predlozene-izmene-zakona-o-slobodnom-pristupu-informacijama-od-javnog-znacaja-umanjuju-dostignuti-nivo-prava-i-otvaraju-prostor-za-dodatne-zloupotrebe/>

These organisations state that research from civil society, media, and international organisations indicates an increasing degree of institutional closure and that access to public information often depends on political will or decisions made by individuals leading these institutions.

In such an atmosphere, they argue that introducing abuse of rights could have severe consequences for already difficult access to public information.

They emphasize that such solutions are partly a result of an insufficiently representative composition of the Working Group for amending this law, which did not include representatives from media, academia, and civil

society—who are typically the most frequent seekers of public information.

Lawsuits (incl. SLAPPs - strategic lawsuits against public participation) and convictions against journalists (incl. defamation cases) and measures taken to safeguard against manifestly unfounded and abusive lawsuits

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In the report by the Coalition Against SLAPPs in Europe, Serbia ranks fifth out of 49 observed countries for the total number of SLAPP lawsuits since 2010. The foundation's report for 2023 mentions the number of lawsuits in Serbia (10) as a "notable number," alongside Italy, Turkey, and Romania, where such lawsuits are used "to deploy the law as a tool for private censorship."

https://www.the-case.eu/wp-content/uploads/2024/12/CASE-2024-report-vf_compressed-1.pdf

Data from the Independent Journalists' Association of Serbia indicate that over the last three years, there have been 48 SLAPP lawsuits against journalists. In 2023, there were 11, and by December 2024, there were 14 lawsuits.

Even several years after SLAPP lawsuits were recognised as a threat to freedom of expression, Serbia has not defined this term or incorporated it into the judicial system. It is evident in many cases that the aim of those suing is not to win in court but to intimidate journalists and newsrooms or to prevent the publication of reports, forcing them to pay high legal costs.

Despite many lawsuits being unfounded, courts often accept them. In Serbia, two cases were ongoing in 2024 where the lawsuit sought imprisonment for journalists. Due to publishing a database about judges based on publicly available information, a judge from the Appellate Court sued the investigative portal KRIK and is seeking 10 months in prison and a two-year ban on journalistic work for the editor-in-chief and a journalist.

This is the first case in recent Serbian history where a judge has sued journalists and sought prison time for them.

https://reutersinstitute.politics.ox.ac.uk/sites/default/files/2024-08/RISJ_Fellows

[Paper_Patrycja_HT24_Final2_0.pdf](#)

<https://europeanjournalists.org/blog/2024/06/18/serbia-krik-journalists-facing-slapps-after-publishing-the-profile-of-judge-dusanka-dordevic-in-database/>

The investigative portal KRIK has a total of 17 lawsuits against it filed by individuals close to the government, businessmen, and even ministers. The secretary of a state-funded rowing club is suing a journalist from the Pištaljka portal, seeking a two-year prison sentence. The reason is reporting on irregularities in the club's operations pointed out by whistleblowers.

A local media outlet from Indija, IN Media, whose editor has been threatened for years, has received seven lawsuits. One first-instance ruling has already been made against IN Media. If similar rulings are made in other cases, the local media faces closure.

In a case brought by three former members of State Security against the Slavko Ćuruvija Foundation, the legal representative of the foundation stated that these are SLAPP lawsuits aimed at intimidation and limiting freedom of speech. They are suing the Foundation over a statement made at the end of a nine-year court process when they were acquitted after being previously convicted twice for the murder of journalist Slavko Ćuruvija.

<https://balkaninsight.com/2024/07/17/surge-in-slapps-hits-serbias-independent-media-hard/>

State authorities have not taken formal steps regarding combating SLAPP lawsuits despite the fact that the European Commission identified them in Serbia back in 2022.

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52022SC0338>

Neither has the Anti-SLAPP directive adopted by the European Parliament nor recommendations from the Council of Europe been applied.

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Progress in judicial practice regarding crimes committed against journalists was noted from 2021 to 2023. In criminal cases from prosecutorial records during that period, there was an increase in cases resolved with guilty verdicts, according to an analysis by the Slavko Ćuruvija Foundation.

<https://www.slavkocuruvijafondacija.rs/wp-content/uploads/2023/12/Is-there-justice-for-freedom-of-expression-Third-report-on-the-protection-of-freedom-of-expression-in-the-judicial-system-of-Serbia-SCF-2023.pdf>

In 2024, a dangerous judicial precedent was established with two final guilty verdicts against KRIK.

The National Anti-SLAPP Task Force believes these convictions could have far-reaching consequences for freedom of expression and demands that authorities stop using the judicial system to stifle media freedoms.

<https://www.cenzolovka.rs/pritisci-i-napadi/podrska-slobodnom-novinarstvu-koje-se-danas-zove-krik/>

Threats against media workers online continue to dominate as a form of attack on journalists, along with campaigns targeting journalists with unfounded accusations and insults led by representatives of authorities, national televisions, and tabloids influenced by the government.

Although tabloid media pay compensation for non-material damage in many lawsuits, these rulings have not led their journalists to adhere more closely to laws and journalistic codes.

Any other developments related to media pluralism and freedom - please specify

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1-Campaigns Against Journalists

The authorities in Serbia should immediately stop and publicly condemn attacks and campaigns against journalists and media, insults, and other attempts to discredit them, especially when these actions come from government officials and other politicians.

2-Response of State Authorities to Attacks and Threats

All attacks on journalists and media teams, including those that occurred during civil protests should be investigate and prosecute those who threaten journalists with death or intimidate them in various ways should be prosecute. The Serbian government should create conditions for the judicial system to respond quickly and effectively in such cases.

A uniform criteria for the prosecution's response regarding threats to public officials and threats directed at journalists should be established.

3. Impunity

The Serbian government should enable the adoption and enforcement of measures against the impunity of crimes committed against journalists. The murder of journalist Slavko Ćuruvija in 1999 remains unresolved after a nine-year court process. The murders of journalists Milan Pantić (2001) and Dada Vujasinović (1994) are also unsolved, as well as the attempted murder of journalist Dejan Anastasijević (2007).

4. SLAPPs

A law that protects media and journalists from SLAPP lawsuits, based on recommendations from the Council of Europe and the European Commission, should be adopted

5. Spyware surveillance

Serbian authorities should urgently investigate reports from Amnesty International and SHARE Foundation

about spyware being installed on the phones of certain journalists and activists. If these reports are confirmed as accurate, prosecute and punish all responsible parties.

6-Disinformation and Propaganda

Serbia must take urgent measures against campaigns spreading disinformation and Russian propaganda, which is present through Russian media banned in the European Union (RT Balkans, Sputnik) as well as through news from almost all nationally licensed TV stations and popular daily newspapers and portals.

7- Regulatory Body for Electronic Media

The selection of members for the Council of the Regulatory Body for Electronic Media should be completed according to the law—ensuring that new council members are credible, professional, and independent in their decision-making.

The decision-making process of the REM Council should be made more transparent. The public access to decisions on the REM website should be accelerated and REM Council meetings should be open to the public and ensure live video broadcasts.

REM should promptly award the remaining fifth national broadcasting license to a television station that has proven it respects laws and the Journalists' Code. The competition should be conducted transparently and without political influence.

REM must use its legal authority regarding penalties for TV stations that do not comply with laws and licensing conditions.

8-Media Laws

The ongoing process of amending important media laws—such as the Law on Public Information and Media, Law on Electronic Media, Law on Advertising, Law on Public Services, Law on Free Access to Information—should be completed transparently with participation from credible members of the media community and journalistic associations.

Implementing the Law on Public Services should be a priority so that public services can independently decide on editorial policies, promote pluralism of opinions, and inform citizens impartially.

The media community should participate in drafting the Law on Free Access to Information, and the law should increase citizens' rights to information while preventing authorities from excessively restricting this right.

Serbia should ensure that access to information does not depend on political will or decisions made by individuals leading institutions.

It is particularly important to ensure adequate enforcement of all legal provisions.

9- Local Media

Serbia should adopt state measures to support local media, and enforce laws that require only media outlets recognizing the Press Council and Journalists' Code of Serbia to receive funding from budget competitions, with similar conditions applying for other budget funds like public procurement or direct contracts for media

services.

The budget allocation for media should not be reduced, as was the case in 2024.

State advertising should be distributed fairly and regulate by law. One obligation should include advertising in local media, which could significantly impact their sustainability and development.

Serbia is ranked 98th out of 180 countries in RSF's World Press Freedom Index for 2024.

IV. Other institutional issues related to checks and balances

Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding the system of checks and balances (if applicable)

5000 character(s) maximum

A. The process for preparing and enacting laws

Framework, policy and use of impact assessments and evidence based policy-making, stakeholders'[1]/public consultations (including rules and practices on the transparent participation of civil society to policy development and decision-making processes), and transparency and quality of the legislative process both in the preparatory and the parliamentary phase

[1] This includes also the consultation of social partners

5000 character(s) maximum

Rules and use of fast-track procedures and emergency procedures (for example, the percentage of decisions adopted through emergency/urgent procedure compared to the total number of adopted decisions)

5000 character(s) maximum

Rules and application of states of emergency (or analogous regimes), including judicial review and parliamentary oversight

5000 character(s) maximum

Regime for constitutional review of laws

5000 character(s) maximum

B. Independent authorities

Independence, resources, capacity and powers of national human rights institutions ('NHRIs'), of ombudsman institutions if different from NHRIs, of equality bodies if different from NHRIs and of supreme audit institutions

(Cf. the website of the European Court of Auditors: <https://www.eca.europa.eu/en/Pages/SupremeAuditInstitutions.aspx#>)

5000 character(s) maximum

Statistics/reports concerning the follow-up to recommendations by National Human Rights Institutions, ombudsman institutions, equality bodies and supreme audit institutions in the past two years

5000 character(s) maximum

C. Accessibility and judicial review of administrative decisions

Transparency of administrative decisions and sanctions (incl. their publication and rules on collection of related data)

5000 character(s) maximum

Judicial review of administrative decisions: short description of the general regime (in particular competent court, scope, suspensive effect, interim measures, and any applicable specific rules or derogations from the general regime of judicial review)

5000 character(s) maximum

Rules and practices related to the application by all courts, including constitutional jurisdictions, of the preliminary ruling procedure (Art. 267 TFEU)

5000 character(s) maximum

Implementation of final judgments by the public administration and State institutions and follow-up given to supranational judgments, including decisions from the European Court of Human Rights, as well as available remedies in case of non-implementation

5000 character(s) maximum

D. The enabling framework for civil society

Measures regarding the framework for civil society organisations and human rights defenders (e.g. legal framework and its application in practice incl. registration, transparency and dissolution rules)

5000 character(s) maximum

Rules and practices having an impact on the effective operation and safety of civil society organisations and human rights defenders. This includes measures to protect them from attacks – verbal, physical or on-line –, intimidation, legal threats incl. SLAPPs, negative narratives or smear campaigns, measures capable of affecting the public perception of civil society organisations, etc. It also includes measures to monitor threats or attacks and dedicated support services, as well as available remedies

5000 character(s) maximum

Organisation of financial support for civil society organisations and human rights defenders (e.g. framework to ensure access to funding, and for financial viability, taxation/incentive/donation systems, measures to ensure a fair distribution of funding)

5000 character(s) maximum

E. Initiatives to foster a rule of law culture

If there have been developments related to initiatives to foster a rule of law culture, please specify, which (e.g. debates in national parliaments on the rule of law, public information campaigns on rule of law issues, contributions from civil society, education initiatives, etc.)

5000 character(s) maximum

Any other developments related to the system of checks and balances - please specify

5000 character(s) maximum

Supporting document upload

If you would like to submit any supporting document(s) to your contribution, please upload your file(s) here

Contact

rule-of-law-network@ec.europa.eu

