



South East European Network
for Professionalization of Media

HIGH PROFESSIONALISM WITH LIMITED REACH

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Milica Janjatić Jovanović

OUR MEDIA:

A civil society action to generate media literacy and activism,
counter polarisation and promote dialogue



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I.

SUMMARY

The general regulatory framework for media in Serbia is divided into two highly polarised branches – regulation and self-regulation. The findings of this research show that the regulatory body, which has the capacity and authority to conduct regular monitoring and impose penalties on unprofessional media, does not utilise these powers. At the same time, decisions made by the self-regulatory body, which conducts regular monitoring and records violations of the Serbian Journalists' Code of Ethics, are not binding, and a large number of print and online media in Serbia do not adhere to them. The only self-regulatory body in Serbia is the Press Council, which publishes regular reports on breaches of the Code in print and online media. During the preparation of this research, a new Law on Public Information and Media was being drafted, and a proposal was made for the Press Council to be included in this law, with adherence to the Code and acceptance of the Council's jurisdiction being a condition for receiving funds in public media competitions.

The biggest challenges faced by the Press Council are project funding sources and threats to the members of the Complaints Commission. As a recommendation of this research, an additional funding model for the Press Council was defined, where funds would come from membership fees from all media outlets that recognise the Council's jurisdiction. Threats to the members of the Commission should first be recognised by media associations as a serious obstacle to their members' work, and then steps should be taken to support them in dealing with these threats.

An example of good practice by media that complements self-regulatory mechanisms, is the work of fact-checking portals which every day analyse false and manipulative information published in the media. The FakeNews Tracer portal regularly updates a list of media with the highest number of published disinformation and marks media whose articles it has analysed and found to contain false and manipulative information. In the past year, several media outlets have approached this editorial team with the intention of correcting their texts, which certainly represents a smaller number compared to the media that continue to spread dis/misinformation without correcting their texts after being informed of the error. The findings of fact-checking portals are not binding for any media that does not report in accordance with professional standards.

Decisions made by the self-regulatory body are not binding, and a large number of print and online media in Serbia do not adhere to them.

The biggest challenges faced by the Press Council are project funding sources and threats to the members of the Complaints Commission.

An example of good practice by media that complements self-regulatory mechanisms, is the work of fact-checking portals which every day analyse false and manipulative information published in the media.

The work of the two public media services is regulated by the Law on Public Media Services and specific regulations, while in December 2022, Radio Television of Serbia (RTS) adopted an internal ethics code following years of warnings from experts, international institutions, and the Regulatory Authority for Electronic Media.

In Serbia, there is not enough discussion about the new European regulations, specifically the Digital Services Act and the proposed European Media Freedom Act. In fact, such discussions are practically non-existent. The assessment of experts is that Serbia will first observe the implementation in European Union member states and then seek appropriate models to apply these regulations in Serbia.

Despite this, there are discussions in Serbia about new trends in the online environment, especially the use of artificial intelligence in media reporting, and proposals are already being drafted on ways to incorporate this type of technology in editorial work. However, it is essential to note that journalists from smaller and local newsrooms often feel excluded from these professional discussions and training efforts. Therefore, there should be a focused effort to provide media professionals from all regions of the country with intensive training in the areas of new technologies, the ethical challenges they raise, and European regulations.

As the most significant examples of good practice in media self-regulation in Serbia, publicly accessible video recordings of sessions and public meetings of the Complaints Commission of the Press Council should be highlighted. Additionally, the annual and quarterly reports of the Press Council on the most common violations of the Code and the list of media outlets that breached the Code and how many times during a given period serve as noteworthy examples.

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II.

INTRODUCTION

The core of media regulation in Serbia consists of regulatory and self-regulatory mechanisms. The Regulatory Authority for Electronic Media (REM) is responsible for regulation. The work of the REM is defined by the Law on Electronic Media (LEM), with the scope of the regulator's activities specified in Article 22. Among other things, the REM is responsible for issuing licences for radio and television media services, monitoring the work of media service providers and ensuring the consistent implementation of the law's provisions, imposing measures on media service providers in accordance with the LEM, promoting and developing professionalism and high levels of education among employees in electronic media, as well as enhancing the editorial independence and autonomy of media service providers. Members of the REM Council are appointed by the National Assembly based on proposals from authorised nominators,¹ and it is financed through fees paid by media service providers for the right to provide media services, as specified by law, with financial plans requiring approval from the National Assembly (Zakon o elektronskim medijima, 2014/2021).

Self-regulation is primarily implemented through the self-regulatory body, the Press Council, whose work is not regulated by law but by its Statute and Rules of Procedure of the Complaints Commission. The Press Council monitors compliance with the Serbian Journalists' Code of Ethics in print and online media. Additionally, the Complaints Commission decides on complaints regarding media content submitted by individuals, institutions, organisations, and other media. The Council is also responsible for conducting mediation between affected individuals/institutions and editorial boards. The Press Council was established by media associations – the Journalists' Association

1 Article 9 of the Law on Electronic Media stipulates that authorised nominators may be: 1) the competent committee of the National Assembly; 2) the competent committee of the Assembly of the Autonomous Province of Vojvodina; 3) universities accredited in the Republic of Serbia by mutual agreement; 4) associations of electronic media publishers whose members have at least 30 licences for providing audio and audio-visual media services, and associations of journalists in the Republic of Serbia, each with a minimum of 500 members, and registered at least three years before the announcement of the public call by mutual agreement; 5) associations of film, stage, and drama artists, and associations of composers in the Republic of Serbia, if registered at least three years before the announcement of the public call by mutual agreement; 6) associations whose goals are the promotion of freedom of expression and the protection of children, if registered at least three years before the date of the announcement of the public call and if they have implemented at least three projects in this area in the last three years, by mutual agreement; 7) national councils of national minorities, by mutual agreement; 8) churches and religious communities, by mutual agreement.

of Serbia (UNS), the Independent Journalists' Association of Serbia (NUNS), the Association of Media, and Local Press. The Council consists of a Management Board, which has five members, and a Complaints Commission, which includes four representatives from the media industry, two representatives from media associations (UNS and NUNS), and three representatives from civil society.² The names of all members are publicly available on the Council's website. So far, more than 120 media outlets have accepted the jurisdiction of the Press Council.³ The financing of the self-regulatory body is project-based, often uncertain, and completely separate from the state budget.

Media associations and media professionals assess the work of the Press Council as solid and professional but with limited reach. Media expert Maja Vasić Nikolić points out that “the Press Council is often praised by various stakeholders, including the EU, and has indeed proven to be a more or less functional body, but not effective in meeting the needs of the media market in Serbia concerning adherence to professional standards”.

According to the latest report from Reporters Without Borders, published in May 2023, Serbia ranks 91st in the Media Freedom Index, 12 places lower than the previous year, making it the country with the largest decline in the EU and the Balkans (Jovanović, 2023). The report notes that Serbia has advanced media regulation and constitutionally guaranteed freedom of expression, but journalists work in a restrictive environment, with self-imposed censorship and facing numerous SLAPP lawsuits (Reporters Without Borders, 2023). In a socio-political reality where good media regulation is not being applied and institutions and media violate or ignore it, self-regulation becomes a more significant mechanism for maintaining media professionalism, primarily as an example of good functional regulation that exists when all parties are interested in respecting the principles of professionalism.

The critical assessment of ethical codes and the self-regulatory media framework in Serbia which forms the basis of this research report has been conducted in parallel with the adoption of new media laws (the Law on Public Information and Media and the Law on Electronic Media). During the public debate regarding the new Law on Public Information and Media, the role, significance, and influence of the Press Council, as the unique self-regulatory body in the country, were discussed. The working group responsible for drafting this law accepted a proposal that print and online media outlets that do not recognise the jurisdiction of the Press Council and violate the Serbian Journalists' Code of Ethics cannot receive funding through public competitions. However, it is still uncertain whether this provision will be included in the actual law (Predić, 2023). Therefore, the focus of this research is on the role, significance, and capacities of the self-regulatory body, as well as the possibilities for media self-regulation, particularly in the context of

2 Representatives of civil society are selected through public competitions, while associations appoint their own representatives.

3 The list of media outlets that recognise the jurisdiction of the Press Council is available at the following link: <https://savetzastampu.rs/o-nama/mediji-koji-prihvataju-nadleznost-saveta/>

challenges posed by the online environment and the political situation in the country. Along with this critical issue, the content, clarity, and applicability of the Serbian Journalists' Code of Ethics were also considered. By addressing these questions, this research aims to determine the necessary steps to further improve self-regulation.

For the purposes of this research, a desktop analysis of the existing self-regulatory framework in the country was conducted, along with seven in-depth interviews and one focus group with media experts, media professionals, representatives from the academic community, and media associations. The interviews and focus group were conducted in April and May 2023. The research was carried out as part of the project "Our Media: A civil society action to generate media literacy and activism, counter polarisation and promote dialogue", which is implemented with the financial support of the European Union and in partnership with SEENPM, Albanian Media Institute, Kosovo Press Council, Macedonian Institute for Media, Novi Sad School of Journalism, Peace Institute, and Bianet.

III.

GENERAL OVERVIEW

Media self-regulation in Serbia is almost synonymous with the self-regulatory body, the Press Council. Previous research and analyses of self-regulatory mechanisms indicate that “there is inadequate understanding of self-regulation in Serbia, with many understanding it solely as the existence of an external self-regulatory body, but not the mechanisms and procedures within the media themselves” (Divac, 2018b, p. 42).

As the work of the self-regulatory body is entirely transparent and the only systematic form of media self-regulation in Serbia, this report presents a brief overview of its establishment and functioning.

The Press Council, a self-regulatory body for print and online media, was founded in 2009 and officially started its operations in 2011. An analysis of the annual reports on the Council’s work indicates that it has continuously improved its functioning since its establishment. This is evident primarily through internal operations analysis and the needs of Council members, which have been addressed through amendments to the Statute (in 2013, 2016, and 2020) to expand the authority of the Complaints Commission and provide more efficient decision-making mechanisms during sessions. The Code of Journalists was updated three times (in 2013, 2016, and 2021) to include provisions on preventing corruption and conflicts of interest and to respond to challenges in the online environment.

The adaptation to the online environment is also evident in the development of a Press Council application for Android (in 2017)⁴ and iOS (in 2018), which facilitates filing media complaint forms, makes the content of the Code of Journalists accessible on mobile phones, and provides a test on media ethics. Due to the significant number of complaints addressed by the Commission and the conducted monitoring of Code violations in daily newspapers with national coverage, a database of the Council was created in 2019 for easier search of Commission decisions, available on the website www.zalbe.rs. For greater visibility of the work of the Commission, each Commission session since 2022 has been followed by a press release, resulting in more media outlets covering the Commission’s work. Despite significant and continuous improvements in the work of the Council, the biggest challenge over the years remains the inability to influence the behaviour of media outlets that are not interested in the self-regulation process, even though they have declaratively

4 Application is not available for newer versions of Android.

recognised the Council's authority (such as tabloids Alo, Kurir, Blic, and daily newspaper Večernje Novosti), as well as media outlets that do not acknowledge the Council's authority (Informer, Srpski Telegraf, Objektiv), and which ignore the decisions of the Complaints Commission regarding Code violations:

"Self-regulatory bodies are ignored by a large number of media outlets that need to be analysed and continuously improve their adherence to professional and ethical standards. Since self-regulation functions on a voluntary basis, they do not have to accept it, and they choose not to do so". (Interview with Rade Veljanovski)

Although some outlets have shown improvement – Kurir, for example, started publishing the decisions of the Complaints Commission and reduced the number of Code violations – the majority of tabloids continue to consistently violate the Code, disregarding the Council's warnings.

In Serbia, self-regulation can be considered functional in the case of media outlets that accept the Council's authority and are willing to actively participate in self-regulation. This is evident in examples of media outlets that have a low number of Code violations and that publish decisions by the Council in cases where they violated the Code (Danas, O21, Politika, etc.). At the same time, media outlets that consciously violate the Code or operate under political influence remain outside the realm of self-regulation, and the self-regulatory body lacks the mechanism to influence their conduct.

"In these days and months, there is a political battle within the Working Group for amendments to the Law on Public Information and Media regarding the future status of the Press Council. This speaks to the fact that there is actually no readiness of the state, neither before nor now, to somehow attempt to equalise the status of regulation and self-regulation". (Interview with Saša Mirković)

As the Press Council is also responsible for online media, it is worth noting that in 2016, the Council created guidelines for the application of the Code in the online environment to clarify the uncertainties of journalists and editors regarding the use of artificial intelligence, moderation of audience comments, collection of readers' personal data, etc. (Savet za štampu, n. d.).

Bojan Perkov, a researcher in the field of human rights and online media at the Share Foundation, states that the guidelines are "quite clear, and many situations and courses of action are described in detail with concrete examples".

According to the interviewees in this research and our desktop analysis, there are still not enough public discussions and professional meetings addressing European regulations, particularly the Digital Services Act and the proposed European Media Freedom Act. However, it should be noted that the self-regulatory body keeps up with the development of digital technologies and the emerging challenges for media in the online environment, and the guidelines adequately respond to the needs of both media professionals and the audience.

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IV.

ETHICAL CODES

In Serbia, there is one universal ethical code accepted by most media outlets – the Serbian Journalists’ Code of Ethics – as well as specific ethical codes adopted by individual media; there are also codes that provide guidelines for reporting in special situations or for specific target groups (such as the Children and Media Code or the Code of the Association of Online Media). Regarding the implementation of specific ethical codes, there is no available data and analysis on violations or improved media practices. However, their existence is significant as they provide additional guidance to journalists interested in specific areas of reporting.

Table 1: ETHICS CODES IN SERBIA

NAME OF THE CODE	GENERAL /SPECIFIC	YEAR OF ADOPTION/ REVISION	IMPLEMENTED IN PRACTICE	WHICH SELF-REGULATORY BODIES OBSERVE IMPLEMENTATION OF THE CODE AND PROCESS COMPLAINTS RELATED TO THE CODE
Serbian Journalists’ Code of Ethics	General	2006 / 2013 / 2016 / 2020	Yes	Press Council
Ethical Code of the Association of Online Media	Specific – for online environment	2017	No reports available	/
Children and the Media	Specific – determines reporting on minors	1993 / 2019	No reports available	/
Ethical Code of RTS	Specific – determines the standards of conduct of RTS employees	2022	No reports available	Ethical Board of RTS

Internal Ethical Code of Good Journalistic Practice, Portal Storyteller	Specific – created for Portal Storyteller	2022	No reports available	Portal Storyteller
Internal Ethical Code of Journalists of Loznica News	Specific – reporting in crisis situations	2022	No reports available	Loznica News
Protocol for Online Security of the Loznica News editorial team	Specific – determines guidelines for online security	/	No reports available	Loznica News

4.1 SERBIAN JOURNALISTS' CODE OF ETHICS

The Serbian Journalists' Code of Ethics was adopted in 2006 by the Independent Association of Journalists of Serbia and the Journalists' Association of Serbia. Guidelines for the Application of the Code in the Online Environment were drafted in 2016, updated in 2020, and were again subject to public discussion and invitation for amendments in 2021.

Journalists and publishers are responsible for adhering to the Code, which provides guidelines for various media practices (such as dealing with sources of information, respecting privacy, using fair means, respecting authorship), media reporting (principle of truthfulness), and the conduct of media workers towards colleagues, citizens, superiors, and people in positions of power (independence from pressure, prevention of corruption and conflicts of interest, protection of journalists). The provisions of the Code are further clarified with examples from the practice of the Commission for Complaints of the Press Council.

The interviewees in this research evaluate the content of the Code as good since it was developed in line with high professional standards, and like the majority of ethical codes worldwide, the Serbian Journalists' Code of Ethics was created following the template of the International Federation of Journalists, according to Tamara Skrozza, member of the Commission for Complaints of the Press Council. However, as Skrozza emphasises, there are certain shortcomings, and consideration should be given to potential additions to the Code:

“For years, I have been arguing that it is necessary to introduce a provision regarding the persecution or discrediting of individuals. You have provisions to which people could complain when they are attacked by tabloids [for example biased reporting, reporting under political influence, accusation of an innocent person]. But there is no category for media persecution, and we witness it on a daily basis.”

Although there are provisions in the Code that could indirectly prevent situations of media persecution (journalists are prohibited from advocating for a specific political option in their professional work; publishing accusations, defamation, or rumours is forbidden; journalists must resist pressure on free professional practice and censorship), based on Tamara Skrozza's experience, the Code should be supplemented with a provision regarding persecution/discrediting, which not only happens to politicians but also to other individuals who are targeted with some form of pressure.

The Guidelines for the Application of the Code in the Online Environment represent a significant step forward in the field of self-regulation and provide detailed guidance to media professionals on how to address challenges such as disinformation, hate speech, specific software based on artificial intelligence, and the like. The area of disinformation is regulated through the principle of truthful reporting, and the specifics of the online environment are further clarified with the following provision:

“With the obligation to respect citizens' right to be truthfully informed about matters of public importance in the online environment, it is incompatible to:

Fabricate digital traces. Publishing fabricated communications, as well as altering (and subsequently publishing) communications in a way that changes their original meaning, context, sense, and portrayal (e.g., tendentious truncation of texts, cropping of photographs, editing video clips, etc.), as well as other alterations of communications without the consent of the participants in that communication (using email, SMS, communication platforms, or other communication channels)” (Savet za štampu, n.d.).

The Guidelines also regulate the use of artificial intelligence in journalistic work, with a note that the use of artificial intelligence does not exempt journalists from adhering to the Code, and it prescribes mandatory disclosure of which content was created by artificial intelligence, what type of artificial intelligence was used, and how it functions (Savet za štampu, n.d.).

Through the analysis of the Code and discussions with media experts and professionals, we established that the Code is adequate to the task and sufficiently up-to-date. As a general drawback, it is noted that “it may be too broad and should be made more specific through examples from practice” (Interview with Dušan Aleksić). In this context, the publication of the Handbook for Journalists, Editors, and Journalism Students on the most frequently violated provisions of the Serbian Journalists' Code of Ethics by the Press Council can be considered a good practice (Spasić & Pešić, 2019), and it is recommended to update it with new, specific, and atypical examples from journalistic practice.

4.2 APPLICATION OF THE CODE

The application of the Serbian Journalists' Code of Ethics can primarily be tracked through the analysis of the annual reports of the Press Council and the Complaints Commission. The analysis has shown that in the early years of its operation, the Commission most commonly established violations of the provision on accuracy in reporting, often due to the publication of unfounded accusations, libel, rumours, and failure to distinguish facts from speculation (see Press Council reports 2013-2016). Since 2015, the Council has conducted monitoring of daily newspapers, and the most frequently violated provision of the Code in this context is the journalist's responsibility, particularly concerning the presumption of innocence (reports 2015-2022). Monitoring of reporting on minors was first conducted in 2018, and at that time, 386 violations of the Code were identified, while the following year, in 2019, the number of violations increased to 601. Continuous violations of the Code, especially provisions related to the journalist's responsibility, accuracy in reporting, the right to privacy, and reporting on minors, culminated during the coverage of two mass shootings that occurred in May 2023 in Belgrade.

4.3 REPORTING ON MASS SHOOTINGS IN BELGRADE IN MAY 2023

Given the tragic events that occurred during the preparation of this report, in which a juvenile student in an elementary school in Belgrade killed eight female students, one male student, and one school staff member and injured five children and a teacher, followed by another mass shooting the next day in which a young man in villages near Mladenovac killed nine people and injured 13, special attention needs to be paid to the Children and Media Code, as well as the general provisions of the Serbian Journalists' Code of Ethics related to reporting on children and crime victims. In Article 14 of the Children and Media Code, it is stated that "the media are obliged to protect the integrity of all children, including juvenile delinquents, whose full identity must not be publicised, nor can the media freely (non-obligatorily) interpret the causes, consequences, and structure of deviant behaviour" (Plavšić, 2019, p. 55). However, the media situation was such that soon after the shooting at the Belgrade school, the media revealed the identity of the juvenile suspect and published his photograph. "On the same day, details about the boy's medical condition and information about his family were disclosed by [President] Aleksandar Vučić himself" (Ljubičić, 2023).

The Serbian Journalists' Code of Ethics also stipulates that "the media are obliged to respect the right to the presumption of innocence and to protect the privacy and identity of the suspect or perpetrator, even in the case of a confession of guilt", as well as "the journalist is obliged to respect and protect the rights and dignity of children, crime victims, persons with disabilities, and other vulnerable groups".

Commenting on the media coverage of the mass murder at the elementary school, Tamara Skrozza told N1:

“We caused panic. We violated their rights [of the victims’ parents and of child witnesses] to privacy. Interviews were conducted with people who should not have been spoken to on camera. I’m referring to the parents who were waiting outside the Vladislav Ribnikar elementary school to see if their children were alive. They should not have been approached. Our Code of Journalists clearly and loudly states that journalists are prohibited from exploiting the emotional state of the people they interview.”

During a session held in Niš on 25 May, the Complaints Commission of the Press Council considered two complaints related to the coverage of the mass murder at the elementary school, and in both cases, it was found that the Code of Journalists had been violated due to the disclosure of the identity of the underage perpetrator, dissemination of inaccurate information about the number of victims, and sensationalist reporting of statements made by the underage perpetrator after the incident (Momčilović & Ničić, 2023). The Commission announced that a special session would be scheduled to analyse the texts about the mass shootings in Belgrade and Mladenovac.

Considering the clear guidelines in the Code of Journalists, explicit legal provisions,⁵ and recommendations in the Children and Media Code on how to report in such situations, it can be concluded that the reason for the media’s unprofessionalism in the coverage of the two mass murders was not due to a lack of information and guidelines.

4.4 INTERNAL ETHICS CODES IN THE MEDIA

In 2021, the Press Council published the results of a research study on media readiness to formulate and adopt internal ethical codes. The questionnaire was sent to 85 media outlets, 28 of which responded. The research showed that more than half of the media (52.2%) responded positively to the question, “Does your media have a statement of editorial mission, a set of principles, or a similar document related to editorial policy?” while in 14% of cases, the media made that document publicly available (Savet za štampu, 2021, p. 7). During 2022, seven media outlets⁶ developed internal ethical codes with the assistance of the Press Council and with financial support from the Organization for Security and Co-operation in Europe (OSCE). The development of internal ethical codes was recognised as a necessity due to various circumstances in individual newsrooms, specific reporting focuses, and internal relationships,

5 Articles 80, 101, and 140 of the Law on Public Information and Media, and articles 50 and 68 of the Law on Electronic Media.

6 These are: Beta news agency, Loznica News, Srem Newspaper, Magločistač Portal, Storyteller Portal, Media and Reform Center Niš Portal, and TV Info puls Vranje.

such as between management and journalists (Grekulović, 2022). The only portal that published its internal code is Storyteller, which focuses on reporting on human rights, minority rights, women's rights, and the rights of marginalised groups, and emphasises the importance of journalistic creativity and proactivity. The editorial staff of Loznica News shared their code for analysis in this research. The internal code of Loznica News sets guidelines for reporting in crisis situations, with a specific emphasis on reporting from protests and demonstrations (especially when potential "escalation in the field" is expected). The code includes preparation and conduct in the field, the relationship with the police, digital security, and the well-being of journalists. In addition to the internal code, Loznica News also has its own Protocol for Online Safety of the Editorial Team, which is particularly important as it provides guidance on how to handle specific cases of attacks in the online environment and provides contacts of institutions and individuals who can offer formal support and protection.

Considering the number of media outlets that participated in the research conducted by the Press Council, it can be concluded that there is still no clear picture of how many media outlets in Serbia have internal ethical codes. Two interviewees, Sanja Petrov and Klara Kranjc, both holding editorial positions (at the online portal Slobodna reč and O radio, part of the Public Broadcaster of Vojvodina), stated that their newsrooms do not have internal ethical codes, and the reasons for this vary.

"We don't have our own code; we are a small newsroom and don't have the capacity for such things. We have our internal rules that are not listed anywhere, except on our website in the About Us section. There, we state that we advocate for consistency, objectivity, and verified information, and that we monitor any form of discrimination based on nationality, race, religion, language, political orientation, identity, sexual orientation, disability. We call for accountability for publicly spoken words and the preservation of the rule of law". (Interview with Sanja Petrov)

"We are part of the public broadcaster, and the public broadcaster adheres to the common journalistic code [the Serbian Journalists' Code of Ethics], and we, as a newsroom, are not in a position to adopt a code that would apply only to the O radio programme. Our fortunate circumstance, so to speak, is that our newsroom is very small, there are about ten of us, and it is assumed that we adhere to the codes, and we generally communicate easily and simply regarding dilemmas related to online content". (Interview with Klara Kranjc)

At the end of December 2022, the Serbian Public Broadcaster (RTS) adopted an internal ethical code that establishes standards of conduct for its employees. The code does not address media reporting; rather, it focuses on potential conflicts of interest among RTS employees, the prohibition of using confidential information, and the behaviour of employees in public appearances (including on social media).

It can be concluded that the initiative to create internal ethical codes is still not widely accepted, and a more significant response from professional media is yet to be expected. Considering that even those media outlets that have adopted internal ethical codes still adhere to the Serbian Journalists' Code of Ethics in their daily work, while internal codes serve to provide further clarification for situations specific to a particular newsroom, it can be assumed that there will be a need for internal codes in the future, especially in newsrooms with a specific thematic focus or reporting in unique circumstances. The Press Council has published a training programme on its website for media outlets interested in creating internal ethical codes, which includes presentations with guidelines for creating codes and video recordings from panel discussions where the reasons for introducing internal codes were discussed.

V.

SELF-REGULATORY BODY AND SELF-REGULATORY MECHANISMS

The Press Council represents the only self-regulatory body and the only transparent, systematic, and functional self-regulatory mechanism in Serbia. Media outlets that acknowledge the authority of the Press Council are required to publish the decisions of the Complaints Commission if a breach of the Serbian Journalists' Code of Ethics has occurred. However, media outlets that have not accepted the authority of the Press Council are not obliged to publish the decisions of the Complaints Commission but will still receive a public reprimand.

The website also provides access to the annual reports of the Press Council, as well as the reports of the Complaints Commission, which are published every few months (every three, four, five months, or semi-annually). This data is significant for reviewing the number of breaches of the Code and keeping track of media outlets that frequently violate the Code. Thanks to this record, it was possible to conduct a comparative analysis of Code violations and the distribution of funds through public media competitions in previous years. The 2022 annual report of the Press Council states:

“[...] media outlets that violated the Serbian Journalists' Code of Ethics in the year preceding the competition still receive funds, but the number of co-financed projects of such media is lower. It is also noticeable that in 2020 and 2021, these media outlets applied with fewer projects than in 2019” (Savet za štampu, 2022).

Based on these reports, it was possible to develop a well-argued proposal to include a provision in the new Law on Public Information and Media that violation of the Code and non-acceptance of the authority of the Press Council be a disqualifying factor for obtaining funds through public competitions. For now, the Rulebook on co-financing projects for the realisation of public interest in the field of public information states under the Project Evaluation Criteria:

“1) Whether the applicant has been subject to measures by state bodies, regulatory bodies, or self-regulatory bodies within the last year due to violations of professional and ethical standards (data obtained from the Regulatory Authority for Electronic Media, for electronic media, and from the Press Council, for print and online media);

2) Evidence that after the imposition of penalties or measures, activities have been taken to ensure that a similar case will not recur.”

Most of the interviewees in the in-depth interviews and focus groups stated that the proposal that media outlets that do not acknowledge the authority of the Press Council and violate the Code should not receive funding in public competitions is a good initiative that will enable the decisions of the Press Council to have a corrective impact on unprofessional media practices, which would represent a step further from merely acknowledging unprofessionalism. However, Tamara Skrozza does not consider this proposal a viable solution because they have already observed abuses even before the proposal was adopted:

“We were in favour of persuading the media to acknowledge the authority of the Press Council, but that potential sanctions by the Press Council should not be the reason for exclusion from the competition for budget funds. It turned out that we were right with our concerns, as now we have a situation where media outlets are filing mass complaints against each other. In fact, they are now eliminating competition”. (Interview with Tamara Skrozza)

The right to lodge a complaint with the Complaints Commission regarding the reporting of print and online media is granted to any individual, organisation, or institution directly affected by the content they are complaining about; a parent or guardian on behalf of a minor child; and any member of the Complaints Commission. If the published content violates the rights of a particular group of people, a human rights organisation can also file a complaint.

As a drawback of the complaint mechanism of the Press Council, it was noted that only directly affected or injured citizens can lodge complaints, while complaints from citizens who observe violations of the Code but are not directly affected will not be taken into consideration.

“In my opinion, it would be good if not only those directly affected by media reporting could react. Especially after the tragedies that occurred in Ribnikar [Belgrade school shooting] and Mladenovac, the anger and frustration are so great that someone should speak up. Perhaps the Complaints Commission’s initiative should be expanded”. (Interview with Tanja Maksić)

The interviewees conducted for this research suggest that the capacity of the Press Council, specifically the Complaints Commission, should be increased to expand the scope of its activities, to allow it to conduct more detailed and comprehensive monitoring, and also to be able to handle complaints from citizens who are not directly affected. Moreover, the challenges posed by the online environment indicate that monitoring violations of the Code and media professionalism exceeds the capacities of a single self-regulatory body, and the challenges will further complicate:

“I think it would be interesting to consider cooperation with consumer associations, IT community, human rights activists, digital rights experts... We need to involve a broader community in these media issues to form a united front, as I believe the problems will be such that when we have to apply EU rules, the media community alone won't be able to handle it”. (Interview with Tanja Maksić)

Regarding the capacities of the self-regulatory body to monitor European regulations and prepare adaptations in the field of media self-regulation in Serbia, Skrozza points out that the Commission does not have the time or capacity to deal with it, and it is the responsibility of the founders:

“NUNS, UNS, Local Press, and the Association of Media must deal with strategies and the implementation of European documents and legislation. I have to be critical of them, as I think they are not dealing with it at all, and they have left it all to the Press Council.”

Skrozza also discussed the challenges faced by members of the Complaints Commission, which are less known to both the professional and general public:

“There is human potential, but it all depends on the people [members of the Commission] chosen by the founders. The problem is that there is no mechanism to protect the members of the Commission. And the members of the Commission are under tremendous pressure. We receive some form of threat, open or covert, at least once a month. Recently, we had ‘You asked for war, and you will get it’, These are not conditions under which you can realistically assess compliance with the Code. Unfortunately, none of the associations perceive it as a serious attack on journalists. It is something that no one in the scene recognises as a problem, including our Board.”

The second challenge that all interviewees in this research agreed on concerns the effectiveness and impact of the decisions of the Press Council. The antagonism between the Regulatory Authority for Electronic Media (REM) and the self-regulatory body, the Press Council, is most clearly reflected in the influence that their work has. “The self-regulatory body has dignity, they have a reputation, and I think they do relatively well, but they don't have power, and those who have power, the regulatory body, which has a system and method to make changes, they don't do their job” (Focus group comments by V.B.).

In addition to the antagonism between regulation and self-regulation, it has been observed that the Regulatory Authority for Electronic Media ignores the decisions of the Press Council. The latest confirmation of this claim occurred at the end of May this year, with the decision of REM to grant a broadcasting license to the company Insajder tim d.o.o, publisher of the daily newspaper Informer, which according to the reports of the Press Council, consistently ranks high on the list of violations of the Code; according to the latest report for the period October 2022-January 2023, it ranks third, with 512 Code violations (Savet za štampu, 2023). One of the TV shows proposed by this channel is a broadcast of the editorial team meetings of the daily newspaper Informer. Immediately after REM's decision, media and journalist associations and unions requested the initiation of a procedure for the dismissal of members of the REM Council due to their long-term activity that contradicts Article 5 of the Law on Electronic Media, which defines the work of REM (the functioning of the Council, scope of work, selection of Council members, working methods and decision-making of the Council, etc.) (Slavko Ćuruvija fondacija, 2023).

5.1 FINANCIAL SUSTAINABILITY OF THE PRESS COUNCIL

The Press Council does not have stable sources of funding but relies on project-based financing, which represents a significant obstacle to its work. Its survival during periods without financial resources depends solely on the goodwill of individuals who work without compensation: "This happens every two to three years when one project cycle expires. The longest period without projects was six months" (Interview with Tamara Skrozza).

Other interviewees also recognise financial sustainability as a significant challenge in the work of the Press Council, and in the focus group, a debate developed about potential sources of funding that would ensure stability in its work and allow the Council to expand its activities. Predrag Rava, a representative of the Journalists' Association of Serbia, suggests partial budget funding as a possible solution: "It might not be a bad idea for the state, like in some European Union countries, to finance 50% of the work of the Press Council. Then, the Council could increase its activities in the direction of media literacy. They already hold training sessions, but they can't reach everyone."

Some members of the focus group who wished to stay anonymous expressed concerns that any financial contribution from the state to the work of the Press Council would open the door to political influence. An alternative suggestion was to charge membership fees to media outlets that recognise the jurisdiction of the Press Council (Tanja Maksić), which would send a clear message about the importance of the Council's work and provide direct support to it from professional media.

VI.

CHALLENGES AND EXAMPLES OF SELF-REGULATION IN ONLINE MEDIA AND SOCIAL MEDIA

The dissemination of content through websites of traditional and online media is regulated by the Law on Public Information and Media. Among other things, the Law defines the concepts of media, media workers, and public interest, and stipulates specific rights and obligations, as well as the protection of media pluralism and public access to media information. The same law specifies the areas of online content publishing to which the law does not apply:

“Media, within the meaning of this law, do not include platforms such as internet forums, social networks, and other platforms that enable the free exchange of information, ideas, and opinions of their members, nor any other independent electronic publication such as blogs, web presentations, and similar electronic presentations, unless they are registered in the Media Registry, in accordance with this law”. (Zakon o javnom informisanju i medijima, 2014/2016, Article 30)

The Law on Electronic Media also defines that the provider of media services (in the case of online media, editorially designed internet sites and portals, as per Article 4) is responsible for the programme content, regardless of whether it was produced by the provider of media services or another person (Article 54). The work of online media is regulated through various laws, and it is significant that media outlets are responsible not only for their own content but also for user comments. Lawsuits against media outlets have been filed due to user comments, with several examples of condemnatory judgements

(Krivokapić, Perkov & Colić, 2015). The practice shows that online media usually read user comments before publication and decide which comments they will not publish because the laws and court practice categorise this type of content as the responsibility of the media. The Share Foundation conducted an analysis of judgements against media outlets and concluded that:

“By not understanding the broader digital environment, the courts can endanger the position of domestic online media in the Internet market, imposing quite demanding duties on them. At the same time, competing platforms, usually from other countries and without the intention of being media in accordance with Serbian legislation, freely repost content from domestic online media and allow users to comment and engage in other interactions”. (Krivokapić, Perkov & Colić, 2015)

The Guidelines for the implementation of the Code of Ethics in the online environment present options for moderating user-generated content (pre-moderation and post-moderation) with a recommendation for each media outlet to develop and publish its own rules for publishing user content, in order to provide the audience with a clear understanding of how the media functions and to give them the opportunity to engage properly. Media outlets are also recommended to develop a system of notifying users about why their content was not published or was later deleted.

In the research, in addition to the Press Council, the interviewees also recognised fact-checking portals as the most significant complementary mechanism for media self-regulation, contributing to the improvement of professional standards in the field of online media:

“We have several very good and agile organisations in Serbia that deal with fact-checking – Istinomer, FakeNews Tragač, Raskrikavanje, AFP. It is very important to note that Istinomer and AFP are official Facebook partners in Serbia for debunking misinformation on that platform”. (Interview with Bojan Perkov)

At the same time, Sanja Petrov, editor of the local portal Slobodna reč, points out that they cannot fully rely on the community standards as Facebook’s self-regulatory mechanism because they are not effective enough:

“The community standards on Facebook are questionable. I say this from the experience we have in the editorial office, when we demanded that Facebook remove comments, but also from personal experience when I reported hate speech, sexual objectification, and similar content, and received feedback from Facebook that these comments do not violate the community standards. It seems to me that the criteria have been lowered, and Facebook needs to raise them”. (Interview with Sanja Petrov)

Petrov also mentions that fact-checking portals are a significant source of information and assistance in their work, especially when it comes to political topics, but they also find previously published research helpful in creating investigative stories at the local level.

In 2015, self-regulation in the field of online content dissemination began to be addressed by the Association of Online Media (AOM), which brought together 20 internet portals from Serbia. In 2017, the Association published the Code of Online Media (Stojković, 2017). The Code was created as a supplement to the Guidelines for the Implementation of the Serbian Journalists' Code of Ethics in the online environment, providing guidelines and steps for creating media content for the online environment – from information verification, source checking, reporting in special circumstances (e.g., court proceedings or breaking news announcements), to privacy rules, copyright protection, and proper storage of content and preparatory materials. In recent years, the activities of AOM have been solely reflected through the work of the Coalition for Media Freedom, founded in 2021 by six media associations (Radio Slobodna Evropa, 2021). Interlocutors confirmed in in-depth interviews the weaker independent activity of AOM, which is also evident in the dysfunctionality of the Association's website. This information is particularly significant given the growing challenges faced by media in the online environment, as well as the rapid development of digital technologies and the involvement of artificial intelligence in the media profession.

The role of artificial intelligence in the media has been the subject of expert discussions and conferences in recent months. In May 2023, the Novi Sad Journalism School held a conference on "The Future of Journalism", which discussed potential challenges and advancements that artificial intelligence will bring to the media profession. It was concluded that artificial intelligence can facilitate the work of media workers, especially in creating simple, repetitive reports and when working with large databases. However, artificial intelligence will also require the formation of forensic teams in newsrooms and increasing efforts and knowledge in information verification. It is expected that the development of software for creating news and manipulating media content will be accompanied by the development of software that can recognise such content.

In mid-2022, the OSCE mission to Serbia organised a conference on "The Impact of Artificial Intelligence on Freedom of Information, Opinion, and Expression", with a special focus on discrimination manifested through artificial intelligence, as AI inherently incorporates human beliefs, opinions, and biases. According to the Commissioner for the Protection of Equality, there are still no complaints regarding this type of discrimination, but the reasons for that can be found, among other things, in the lack of awareness among citizens about the mechanisms of discrimination through artificial intelligence (Poverenik za zaštitu ravnopravnosti, 2022). The conference also presented the handbook "Artificial Intelligence and Freedom of Expression" (Pirkova et al., 2021),

which showcases specific aspects of artificial intelligence in content creation, sharing, and moderation, with a particular focus on media pluralism, privacy, security measures, and hate speech.

The professional community in Serbia has recognised the upcoming challenges in the online media environment, primarily concerning software for content creation and manipulation, as well as the integration of human biases and prejudices into artificial intelligence software. Although questions were raised during public discussions about whether journalists will lose their jobs due to the rise of artificial intelligence, the conclusion is that the role of journalists remains equally significant, albeit demanding more knowledge and continuous improvement to uphold essential ethical and professional standards.

While conferences and expert gatherings address artificial intelligence and the new challenges in the online environment, especially regarding disinformation and hate speech, it can be concluded that these discussions only hint at what should be implemented in practice and the challenges journalists and citizens will face. However, in everyday journalistic practice, this topic is not yet a priority, except for fact-checking portals and investigative journalists. Sanja Petrov mentions that such initiatives rarely reach small, local online newsrooms – “Vranje doesn’t even have a press centre; we don’t have a local hub where journalists and editors can exchange experiences”. She also emphasises the need to pay much attention to journalist education and familiarisation with new European regulations:

“It seems to me that a directive coming down from the central level to the local level won’t succeed because local media professionals wouldn’t be involved in formulating those directives. A better approach is to generally inform everyone, conduct training, and then jointly implement everything that’s necessary”. (Interview with Sanja Petrov)

VII.

SELF-REGULATION OF PUBLIC MEDIA SERVICES

The work of the public service broadcasters – Radio-Television of Serbia (RTS) and Radio-Television of Vojvodina – is governed by a specific law, the Law on Public Media Services. RTS adopted its Code of Ethics in December 2022, which regulates the conduct of its employees but not media reporting. Shortly after the adoption of the Code of Ethics, the investigative portal pistoljka.rs received and published minutes from the ninth session of the RTS Managing Board, which RTS itself did not disclose. During this session, the results of research on the involvement of private production companies at RTS and conflicts of interest among employees who are simultaneously owners of private production companies or work for private production companies under contract with RTS were presented (Đurić & Samčević, 2023).

In July 2023, one of the most prominent journalists at RTS, Jovan Memedović, resigned because he was in a conflict of interest due to owning a private production company under a contract with RTS and having an additional hosting engagement for another private production, also under a contract with RTS, as per the recently adopted Code of Ethics. Meanwhile, the management of RTS sent a request to the Constitutional Court for an assessment of the legality of the Code of Ethics, arguing that its content contradicts the Law on Information (Živanović, 2023).

Although the adoption of the Code of Ethics and the events that followed can be seen as steps towards more transparency in the work of RTS and preventing conflicts of interest, the failure to adopt a code specifically addressing media reporting, public interest, and the improvement of professional standards has led this public broadcaster to disregard the recommendations of professional experts, international organisations, and the Regulatory Authority for Electronic Media (REM).

The government-opposition agreement from 2021 envisioned the adoption of self-regulation by both public broadcasters to ensure political pluralism (Savet za štampu, 2021, p. 5). In the report “Examination and Evaluation of

Editorial Guidelines/Ethical Codes of Public Media Services in the Western Balkans”, authored by Renate Schroeder, Director of the European Federation of Journalists, several recommendations were formulated for public broadcasters in Serbia: 1) to develop an ethical code modelled after Croatian or Albanian codes or adopt a general code for all media outlets to safeguard editorial independence from political influence; 2) to implement existing rules that separate editorial boards from management; 3) to provide training for all RTS journalists; and 4) to establish an effective internal complaint mechanism within RTS (Schroeder, 2018, p. 16).

The Regulatory Authority for Electronic Media is responsible for overseeing the operations of electronic media, including public broadcasters; however, “the domestic regulations do not specify which body is competent to ensure that the public media service fulfils the public interest and what the consequences are if it fails to do so” (Divac, 2018a, p. 15). Article 6 of the Law on Public Media Services stipulates “public participation in improving radio and television programmes”. Article 30 requires the Program Council to organise a public discussion on RTS programme content for at least 15 days once a year, prepare a report, and submit it to the Director-General and the Managing Board. The reports of the Programme Council are available on the RTS website, but “the law does not provide detailed provisions on how public suggestions and demands are incorporated into the work of public media services” (Divac, 2018a, p. 15). Professor Rade Veljanovski highlights that the way the Programme Council is selected contradicts the public interest: “The Programme Councils are chosen by the Managing Boards of public broadcasters, which is absurd. The Programme Council should represent the public in relation to the public broadcaster. If it is chosen by the Managing Board, then it cannot be a representation of the public”.

Multiple media monitoring reports conducted in previous years have shown that public broadcasters do not report in the public interest. A report by the Novi Sad School of Journalism in 2019 states that “both public broadcasters, during the monitored period and sampled broadcasts, did not consistently follow the public interest or the principles of professional journalistic codes” (Valić Nedeljković & Isakov, 2019, p. 73). A report from the monitoring conducted in 2022 shows that “both public broadcasters do not give due attention to social actors who are not in power and who realistically lack the power of decision-makers. This means that they more often represent the viewpoints of the ruling elites than alternative opinions from the opposition” (Valić Nedeljković et al., 2023, p. 66).

Political bias and the failure to fulfil the public interest have been repeatedly criticised by opposition leaders in their speeches regarding RTS. A change of leadership at RTS and the demand for RTS to report according to the law were among the main demands of the protests “Serbia Against Violence”, which have been taking place once a week in Belgrade since the beginning of May, gathering tens of thousands of people (Gočanin, 2023). At the end of May,

RTS workers themselves announced and carried out a warning strike on June 1, primarily demanding improvements in the material and social position of RTS employees. However, one of their demands also pertains to “preserving RTS”, including “the functioning of RTS in accordance with the Law on Public Media Services” (N. Č., 2023). Nevertheless, the request was formulated without clearer explanations of which specific provisions of the law are currently being violated and what is meant by “functioning in accordance with the law”. Therefore, the unions did not highlight any specific points related to fulfilling the public interest, improving media professionalism, or potential pressure they experience in their journalistic work. This indicates that the RTS employees who went on strike have not yet recognised the significance of internal self-regulation as a mechanism for improving professional standards. Professor Veljanovski points out that there is a certain resistance within public broadcasters to formulate internal codes:

“Even the Regulatory Authority for Electronic Media (REM) has reminded public broadcasters several times that they should have forms of self-regulation, and they responded by saying that they have a Statute, and that is their self-regulation. But that has nothing to do with self-regulation.”

Interviewees in the research have observed that improving self-regulation in public broadcasters is necessary, but it is very difficult to expect initiatives in that direction until the regulation of public broadcasters’ work is improved. Media expert Saša Mirković sees the first possibility for improvement through amendments to the Law on Public Media Services, which are scheduled for the second half of 2023. In this draft law, provisions related to self-regulation could be introduced, following the example of self-regulatory mechanisms for printed and online media in Serbia. Additionally, Professor Veljanovski suggests that public broadcasters could look to the internal ethical code of the BBC, which “practically has the force of law”.

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VIII.

EXAMPLES OF GOOD PRACTICE IN MEDIA SELF-REGULATION AND MONITORING IN SERBIA

The fundamental pillar of media self-regulation in Serbia is the Press Council, while the work of fact-checking portals is recognised as the most significant complementary mechanism that operates outside the formal self-regulation framework, yet substantially contributes to improving professional standards. As already presented, the Press Council is the only one with a formalised functioning structure, with the authority to acknowledge violations, issue warnings, and require the publication of breaches of the Code of Conduct for all media outlets that recognise its jurisdiction. At the same time, fact-checking portals function as potential corrective factors for the media, which, on the other hand, are not obliged to react in any way if fact-checking portals identify that they have published false or manipulative news. However, recently, there has been a noticeable trend where media outlets (in some cases, even tabloid media) send requests to the editorial team of FakeNews Tragač for assistance in correcting articles that contained misinformation, as confirmed by the editor of FakeNews Tragač, Stefan Janjić. Therefore, this chapter will present examples of good practice related to the Press Council as a self-regulatory mechanism, as well as the fact-checking portal FakeNews Tragač, precisely because of its effectiveness, scope, and significance in debunking disinformation in Serbia.

Example 1. Sessions of the Complaints Commission of the Press Council

As an example of good practice, the way sessions of the Complaints Commission of the Press Council are conducted can be highlighted. The sessions are held once a month and follow a structured process. First, the complaint is presented, then the media text subject to the complaint is examined. Next, the members of the Commission present arguments both for and against, during the decision-making process to determine if the Ethics

Code has been violated. Following this discussion, a vote is taken, and the decision is adopted by a majority of the Commission members. Complete transparency is ensured by publishing video recordings of each session on the Press Council's website; in addition, periodic public sessions are also held, allowing the audience to ask questions and scrutinise the Commission's decisions. The most recent public session was held on 25 May 2023 at the Faculty of Philosophy in Niš, in the presence of students and professors.

Example 2. Reports by the Press Council

In presenting the work of the Press Council, it was pointed out as a good practice to publish annual reports and periodic (multi-month) reports on the work of the Complaints Commission. These reports provide statistics on the number of breaches of the Code of Conduct, the types of violations involved, and the media outlets that violated the Code. This approach allows for monitoring any trends in the types of violations and tracking media outlets that frequently violate the Code. Besides keeping a record of unprofessionalism, this data is highly relevant for advocacy activities aimed at building trust in the media and identifying media outlets that do not deserve public trust. Moreover, this data is significant for advocacy efforts regarding legislative changes, as was the case with the demand to include decisions of the Press Council and recognition of its jurisdiction as a necessary condition for obtaining funds in public tenders in the new Law on Public Information and Media. Such a proposal was formulated thanks to the database of the Press Council, which showed that media outlets frequently violating the Code were also receiving significant funding from public tenders (see Press Council reports).

Example 3. Tracer in Action - Research by FakeNews Tragač Portal

In addition to daily media monitoring in Serbia and analyses of potential misinformation based on reader reports, the FakeNews Tragač portal conducts long-term research on specific media phenomena, which can be collectively categorised as media manipulation and misinformation (FakeNews Tragač – category: Tracer in Action). Some of the research topics include narratives in false news in science (Mijatović, 2022), online scams (Stojković et al. 2021), misinformation about COVID-19, as well as statistical analyses of the interconnections of misinformation sources in Serbia and the creation of a catalogue of media outlets spreading disinformation. The significance of such long-term and phenomenological analyses is manifold. These analyses are essential as they reveal networks of media outlets that are frequent producers and disseminators of disinformation (which is significant for both the media and the public). When it comes to topics of public interest, such as public health, deceptive advertising, and the sale of medical products online, these research efforts contribute to systematising and cataloguing fraudulent websites that financially profit from deceiving citizens, while also posing a threat to public safety by spreading conspiracy theories about immunisation and the spread of viruses. Although there is a legal basis in Serbia to address online scams, long-term investigative analyses can raise public awareness about the appearance and functioning principles of fraudulent websites, the most common types of manipulation and disinformation, and indirectly and in the long run, reduce the significance and scope of such media phenomena.

IX.

CONCLUSION AND RECOMMENDATIONS

The main conclusion from this research is that self-regulatory mechanisms in Serbia operate in unstable conditions, as they are project-funded and survive primarily due to the enthusiasm and goodwill of individuals (who, according to a Commission member's statement, are often subjected to direct threats due to their work). Additionally, self-regulation relies on media voluntarily adhering to the Serbian Journalists' Code of Ethics, but in practice, media outlets that frequently violate the Code do not recognise the jurisdiction of the Press Council and, therefore, ignore the warnings issued by the Council. In addition to unprofessional media, public institutions and the Regulatory Body for Electronic Media also disregard the Council's decisions, as evidenced by significant budget funds being awarded through public tenders to media outlets with a high number of Code violations. Furthermore, the Regulatory Body granted broadcasting licences to the publisher of one of the most unprofessional daily newspapers in Serbia (as indicated by the Press Council's records and the FakeNews Tragač portal's records). These facts suggest that there is significant political influence on the media in Serbia, where, for certain (usually unprofessional) media actors, even formal legislation operates on a voluntary basis, as institutions inadequately respond to observed violations, while these actors enjoy privileged positions in terms of budget allocations and public support from state officials.

For these reasons, discussions concerning self-regulation as an effective mechanism are relevant for that part of the media scene only that is not in a politically favoured position but comprises actors interested in improving professional standards. The work of the self-regulatory body is entirely transparent, as evidenced by the mechanisms for selecting members of the Managing Board and the Complaints Commission, whose names are available on the Press Council's website. Furthermore, transparency is enhanced through the regular publication of quarterly and annual reports, as well as public sessions of the Complaints Commission.

Most of the interviewees in this research agreed that the Serbian Journalists' Code of Ethics is sufficiently clear and informative, with a note that continuous updating is necessary every few years to address new developments in the

online environment. Guidelines for applying the Code in the online environment represent a significant and innovative initiative by the Council, addressing the growing challenges faced by the media, especially in the context of information verification and the use of artificial intelligence.

When it comes to the capacities of the self-regulatory body to comply with European regulations, it can be concluded that these capacities, in terms of members responsible for monitoring and implementation, should be improved. However, before that, the founders must consider strategic changes and innovations, which, according to one of the members of the Complaints Commission, is not yet happening.

Alongside the Press Council as the only formal self-regulatory body, fact-checking portals have been recognised as an extremely significant mechanism for media monitoring and improving professional media standards. The importance of these portals lies in their comprehensive analysis of individual disinformation published in the media, as well as the creation of databases of fraudulent websites and the most common sources of misinformation and manipulative media content in the online environment. The main challenge for this type of media monitoring is its non-binding nature for media outlets that spread disinformation to change their practices.

According to the interviewees in the research, one way to incorporate unprofessional media into the self-regulation system would be to make it financially unprofitable for them to violate the Code. The first step in this direction is to include the Press Council in the Law on Public Information and Media. With the adoption of the Law expected in the coming months, the professional community needs to monitor the situation and react promptly. In line with the conclusions presented and based on discussions with media experts, journalists, and representatives of the academic community, recommendations have been formulated to improve self-regulatory mechanisms in Serbia.

Recommendations:

- Media outlets should provide stable sources of funding for the Press Council through a membership fee system for media that recognise the jurisdiction of the Council.
- The Press Council should expand the list of potential complainants to the Commission, including citizens and other actors who are not directly affected by media reporting but have identified potential violations of the Code.
- The Press Council should involve a broader community, including consumer associations, the IT community, human rights and digital rights organisations, the academic community, in debates, public discussions, and the work of the Complaints Commission in the process of media self-regulation. This would

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enable addressing the growing challenges of the online environment and implementing European regulations in practice.

- The Parliament should adopt the proposal for the Law on Public Information and Media, which includes the decisions and competencies of the Press Council as a necessary condition for receiving funds in public competitions.
- The Ministry of Information and Telecommunications and the Regulatory Authority for Electronic Media (REM) should acknowledge the relevance of the self-regulatory body's work and act in consideration of the Complaints Commission's reports.
- Public service media should enhance internal self-regulation mechanisms by further developing ethical codes.
- Fact-checking portals should regularly submit their research, analysis, and reports to the Press Council.
- Media associations should organise ongoing training for journalists from all regions of the country, focusing on new technologies and upcoming European regulations.
- The governing bodies of the Press Council should provide protection and support to members of the Complaints Commission who face attacks and threats due to their work.

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LIST OF INTERVIEWS

The interviews for this research were conducted during April and May 2023. We interviewed:

Klara Kranjc (editor of O radio);

Saša Mirković (media expert);

Bojan Perkov (researcher, Share Foundation);

Sanja Petrov (editor of the portal Slobodna reč);

Tamara Skozza (media expert, member of the Complaints Commission of the Press Council);

Maja Vasić Nikolić (media expert);

Professor Rade Veljanovski;

Participants in the focus group: Predrag Rava (President of the Journalists' Association of Vojvodina – Association of Journalists of Serbia), Tanja Maksić (researcher and journalist at BIRN), Milan Zirojević (editor of the portal Južne vesti), Dušan Aleksić (Assistant Professor, Faculty of Philosophy in Niš), V.B. (academic worker), anonymous academic worker.

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HIGH PROFESSIONALISM WITH LIMITED REACH

Media self-regulation in Serbia

This publication is the result of research undertaken as part of the project **“Our Media: A civil society action to generate media literacy and activism, counter polarisation and promote dialogue”**. The first research series was conducted in the thematic framework titled **“Critical analysis of ethics codes and self-regulation in the media in Albania, Bosnia and Herzegovina, Kosovo, Montenegro, North Macedonia, Serbia and Turkey”**.

The project **“Our Media: A civil society action to generate media literacy and activism, counter polarisation and promote dialogue”** is jointly implemented by nine media development organisations from the Western Balkans and Turkey with the financial support of the European Union. The coordinator of the three-year project is the Foundation Mediacentar Sarajevo. Partners in the project are the Albanian Media Institute in Tirana; Bianet in Istanbul; the Macedonian Institute for Media in Skopje; the Montenegro Media Institute in Podgorica; the Novi Sad School of Journalism; the Peace Institute in Ljubljana; the Press Council of Kosovo in Pristina; and the South East European Network for Professionalization of Media (SEENPM).