

MONITORING THE IMPLEMENTATION OF NEW MEDIA LEGISLATION IN SERBIA

PRIVATISATION OF MINORITY LANGUAGE MEDIA IN SERBIA: LIBERATION OR DISAPPEARANCE?

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According to the 2014 Law on Public Information and Media, the remaining state-owned media in Serbia should be privatised by 1 July 2015. However, on the eve of the privatisation deadline, the government retreated from the previous plan.² Faced by obstruction of the prescribed procedures from different actors, it proposed changes of the law. It now specifies 31 October 2015 as a new deadline.³

Among the opponents of media privatisation, a strong voice belongs to leaders of ethnic minority communities. They have been coherently against privatisation of minority language media all along the 15-year process of media system transformation. They already managed to stop the first wave of media privatisation in 2007. In their latest action in May 2015, the Coordination of National Councils of 18 national minorities requested from the Ministry of Culture and Information to exempt local and regional media broadcasting in minority languages from mandatory privatisation.⁴ Like before, councils of national minorities claimed that privatisation could lead to disappearance of information in minority languages, especially in Central Serbia. This would result in the decline of minority rights, while the Constitution of Serbia guarantees that the attained level of minority rights may not be lowered. Councils of national minorities also required that local municipalities retain their ownership

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- 1 Novi Sad School of Journalism's Research Assistants, Stefan Janjić and Ana Velimirović conducted the in-depth interviews which were used in this study.
 - 2 On 29 June 2015, the Law on Amendments to the Law on Public Information and the Media was adopted in urgent procedure. It provides an extension of the deadline for media privatisation until 31 October 2015. Available at: <http://www.parlament.gov.rs/akti/doneti-zakoni/doneti-zakoni.1033.html>. Accessed on 1 July 2015.
 - 3 It specifies 1 July 2015 as the term for the official beginning of the process of privatisation that should be completed in four months the latest, i.e. on 31 October 2015
 - 4 Open letter of the Coordination of National Councils of National Minorities of the Republic of Serbia to the Minister of Culture and Information, Ivan Tasovac, Available at: <http://www.novinarska-skola.org.rs/sr/?p=3815>. Accessed 1 July 2015.
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2015
MONITORING REPORTS

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rights over minority language media and continue to systematically fund them, as is the case in some EU countries.

The authorities answered negatively to this plea. In their view, the Law on Public Information and Media gives sufficient guarantees for the survival of media in minority languages and for the exercise of right of ethnic minorities to be informed in their languages.

In an interview for this report, president of the Coordination of National Councils of National Minorities Ana Makanova Tomanova claimed that the authorities had shown the lack of interest to find a compromise solution that would secure the survival of minority language media. She hoped that the domicile countries of the minorities living in Serbia and other international actors would react and reproach Serbia for not respecting the rights of national minorities.

Indeed, the future of minority language media that have to be privatised is not clear. At the same time, the catastrophic scenarios pictured by national minority councils do not seem accurate. This report examines the challenges the mandatory privatisation of media and other provisions of the new Law on Public Information and Media bring to the system of dissemination of information for national minorities in their native languages. It also offers recommendations that could provide viable solutions to financially sustainable, independent and quality minority media outlets. The report is based on a study of relevant literature and on five in-dept interviews and three informative conversations with a variety of actors related to the issue of minority media, conducted specifically for this report in spring 2015.

1 MINORITY LANGUAGE MEDIA

Serbia is a multiethnic society. According to the 2011 population census, 13 percent of Serbian citizens (about a million) are members of national minorities. Among 21 ethnic communities, most numerous are Hungarians, Roma and Bosniaks, followed by Croats, Slovaks, Vlachs and Montenegrins. Other significant minorities are Albanians (who boycotted the census, so their number is not identified), Romanians, Macedonians, Bulgarians and Ruthenians. In order to ensure the protection of national, cultural and linguistic identity of ethnic minorities, Serbian legislation stipulates the rights of minorities to freedom of expression, information in their own languages and the right to establish their own media.⁵

There is no precise information on the number of media which produce content in languages of national minorities. Not a single institution is keeping separate records of these media. The latest accessible data come from 2010: about 160 media outlets produced at least in part the content in minority languages, 31 of them fully.⁶ The majority of these media are in Vojvodina, the most ethnically diverse region in Serbia.

The privatisation process includes 73 media outlets, with an unknown number of them producing content in minority languages. The previously stopped privatisation wave in 2007 left in Vojvodina intact 21 broadcasters owned by local municipalities, 17 of which had programs in one or several minority languages.⁷ Some of them are media with long tradition in addressing ethnic communities, such as *Radio Kisač*, the oldest radio in a minority language in Vojvodina that has continuously broadcast for 50 years in Slovak language, *RTV Kragujevac* with programs in Roma, *RTV Caribrod* and *RTV Bosilegrad* in Bulgarian, *Radio Bujanovac* in Albanian, *Radio Tutin* in Bosnian, *Radio Subotica* with programs in five languages, etc.

In the last 15 years, the reforms of the Serbian media sector have not managed to create conditions for independent, pluralistic and sustainable system of information for minorities in their own languages. Information needs of ethnic minorities are satisfied by three types of media. None of them have so far

5 See the Law on Protection of Rights and Freedoms of National Minorities (2002). Available in English online at: http://www.seio.gov.rs/upload/documents/ekspertske%20misije/protection_of_minorities/the_law_on_the-protection_rights_nat_minorities.pdf. Accessed 29 May 2015.

6 See details in Marko, D. et al., 'Analiza medija na jezicima manjina u Srbiji: Afirmativno i nekritički o sebi, malo o drugima', in *Manjine i mediji na Zapadnom Balkanu*, Sarajevo, 2012. pp. 326–397. Available at: <http://www.mediaonline.ba/ba/pdf.asp?id=505&n=manjine%20i%20mediji%20na%20zapadnom%20balkanu>. Accessed 29 May 2015.

7 Serenčeš, Ž., 'Privatizacija medija u Vojvodini i postprivatizacioni procesi', in *Vojvodanski mediji – politički kompromis ili profesionalno izveštavanje*, Nezavisno društvo novinara Vojvodine, Novi Sad, 2010, p. 22.

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The first type are public service broadcasters. Two public broadcasters operate in Serbia – *Radio Television of Serbia (RTS)* which covers the entire territory of the country (later called republic public broadcaster) and *Radio Television of Vojvodina (RTV)*, covering the province of Vojvodina (provincial public broadcaster). Republic public service *RTS* provides very small amount of programming for national minorities, exclusively in Roma language. On the contrary, provincial broadcaster *RTV* produces programs in 10 languages of minorities living in Vojvodina province. However, its programs are not of a high quality.⁸ Only in recent times the *RTV* management has invested serious efforts to make these programs more relevant for their audiences.

The second type are broadcast media owned by local municipalities in ethnically mixed communities. They usually broadcast in Serbian and in one or more minority languages. They are currently financed by the municipality budget subsidies. Financially dependent on their owners, who also decide on human resources policy (appointment of general managers, editors-in-chief, hiring and sacking of journalists), these media are under strong political influence of the ruling political parties in their municipalities. Public funds are thus used for the promotion of political agendas of ruling parties in these municipalities.

The third type are the media founded and owned by councils of national minorities which produce the full content in their respective minority languages. These are usually print and online media, such as a daily *Magyar Szó* (the only daily in a minority language), weeklies *Hlas Ludu* (in Slovak), *Libertatea* (in Romanian), *Ruske slovo* (in Ruthenian), *Hrvatska riječ* (in Croatian), a monthly *Makedonska videlina* (in Macedonian), etc. They are also financed by budget subsidies, as are their owners. The overwhelming part of the budget of the Secretariat for Culture and Public Information of Vojvodina province government, for example, is spent on funding only the media owned and managed by councils of national minorities living in Vojvodina. These media are strongly influenced by ruling structures of councils of national minorities, which have the authority to decide on business, human resources and editorial policies of media. Given that their members are elected from lists featuring politicians, national minority councils are para-political bodies and exercise political influence on the media they own. In these media as well, public money is spent for the promotion of political agendas of ruling structures of minority councils.

The most widely known examples of interference of minority councils into everyday work of journalists are dismissals of editor-in-chief of a daily *Magyar Szó* and director of *RTV Panon* by the Hungarian Minority Council in 2011.

8 Detailed analyses of these programs can be found in Valić Nedeljković, D. (ed.), *Mediji o svakodnevnici*, Novosadska novinarska škola, Novi Sad, 2008.

They both were criticized for not paying enough attention to the activities of the Alliance of Vojvodina Hungarians, the political party with a dominant position within the Council.

Private media in national minority languages are extremely rare. One such example is *Radio Srbobran* which was successfully privatised in 2007. Another is the Hungarian-language magazine *Családi Kör*, with the largest audience of all the newsmagazines in Hungarian language in Vojvodina (44 percent audience)⁹.

National minority communities in Serbia have different access to information in their languages. Most privileged, both in terms of number of media and financial resources, are the minorities living in Vojvodina province, which also have the longest tradition in this regard. For example, the government of Vojvodina province designated about 2,45 million euro (294 million RSD) in its 2015 budget to help the minority language media founded by national minority councils. Media aimed at minorities in other parts of Serbia (Albanians, Bosniaks, Bulgarians, Vlachs) did not have access to similar funds. While some minorities are provided with a diversity of information sources, the others are being increasingly deprived of them. In addition to everyday programming on public service broadcaster *RTV* and many print media, Slovaks in Vojvodina for example are served by *Radio Kisač*, *Radio Petrovac*, *Radio Šid*, *Radio Odžaci*, *RTV Stara Pazova*, *RTV Kovačica*, and *TV Novosadska*. On the other hand, Bulgarian minority has access to only two sources, *RTV Caribrod* and *Radio Bosilegrad*. A weekly news show in Bulgarian on public service broadcaster *RTS* was cancelled in 2000; a daily radio show on *Radio Niš* was cancelled in 2006; the publishing enterprise *Bratstvo*, issuing a newspaper *Bratstvo*, children's magazine *Drugarče* and cultural magazine *Most* stopped working in 2011.

The attitude against privatisation includes the argument that differences among national minority communities in access to information in their languages will be further increased. Among Bulgarian minority community, for example, there is fear that privatisation could leave these citizens without any information source in Bulgarian language.

9 See Magyar Nemzeti Tanács [National Council of the Hungarian Ethnic Minority], *Vajdasági magyar médiastratégia: 2011–2016 [Media Strategy for Media Outlets in Hungarian language in Vojvodina]*, Szabadka/Subotica, 2011, p. 5. Available at: http://www.mnt.org.rs/sites/default/files/attachments/vajdasagi_magyar_media_startegia.pdf. Accessed 25 June 2015.

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The Law on Public Information and Media, adopted in 2014, introduced mandatory privatisation in order to stop the political and economic influences on the media owned by the state. Privatisation should bring a halt of financing the media by budget subsidies and thus put all the media in equal position in the market. State Secretary of the Ministry of Culture and Information Saša Mirković in an interview for this report claimed that privatisation will not threaten the right of national minorities. He believes that potential investors in multiethnic communities will find economic interests to buy the media that have loyal audiences. According to Mirković, the law “positively discriminated” minority language media in the prescribed process of privatisation. In addition to the obligation of retaining the core media business in a period of five years, instead of two or three years that are prescribed for companies in other business fields, which is valid for new owners of all the media, investors in minority language media have a legal obligation to keep the share of programming in minority languages in the programming scheme as it was a year before the law was adopted.

Further, Mirković stressed, the Law on Public Information and Media defined preservation of cultural identities of national minorities to be in the public interest and made the minority language media eligible for state aid in the form of project co-financing. He also underlined the role of public service broadcasters as a very important actor in providing information for national minorities, and especially emphasized the role of the provincial public broadcaster Radio Television of Vojvodina and its programming in 10 languages. Finally, the law allowed the councils of national minorities to establish institutions and business companies or foundations with the aim of providing information in minority languages. In Mirković’s opinion, all these measures provide guarantees that the existing standards in the right to information of national minorities will not be endangered.

The State Secretary, however, does not make it clear that the law has introduced a two-fold approach to media in minority languages. The (print) media owned by councils of national minorities are kept intact. Their position will not change in any way. The law, in fact, enables the continuation of para-state ownership in these media and perpetuates both its good (guarantees for survival by reliance on budget subsidies) and bad aspects (lack of autonomy and politicization). The effects of changes will be felt only by (broadcast) media owned by local municipalities, which indeed are left to uncertain future and, more importantly, to uncertain funding, which can partly come in the form of project co-financing by republic, provincial or local bodies.

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2.1

CHALLENGES FOR MUST-BE-PRIVATISED MEDIA

Municipality-owned radio and TV stations broadcasting in minority languages will be put on sale by tenders. Their employees fear potential investors will not find interest to buy them. Their programming in minority languages is not commercially viable. For example, the interviewed employee of *RTV Caribrod*, Slaviša Milanov, said that this local radio and TV channel in the municipality of Dimitrovgrad, which have been broadcasting in Serbian and Bulgarian language for 24 years, cannot make profit due to limited ethnic and local audiences and have no significant assets to attract potential investors. Besides, their region is one of the poorest in Serbia and has a low advertising potential. Although scarce, research in this field shows that state-owned local media earn up to 30 percent of their revenues from commercial sources, while in the case of minority language media this percentage is much lower.¹⁰

Two other options, provided by the Law on Public Information and Media, are not applicable in the case of *RTV Caribrod*. The law allows national councils to own media but not to take new ones, like *RTV Caribrod*. Additionally, the law prescribes that if the sale of media fails, the shares of media enterprises shall be transferred to their employees free of charge. However, in March 2015 the Serbian government adopted a decree¹¹ specifying that free shares of media enterprises could be obtained only by those employees that had not received free shares of public enterprises on some other ground. This significantly reduced the number of employees eligible for becoming new media owners, given that the majority of citizens of Serbia, and thus media employees, earlier had exercised their right to free shares in the privatisation process of big public companies (Airport, Telekom, etc). If the employees do not accept the shares, the media will cease to exist.

According to interviewed member of the National Council of the Bulgarian national minority Olgica Veličkov, mandatory privatisation could mean a shut-down of the two only remaining media in Bulgarian language – *RTV Caribrod* and *RTV Bosilegrad*. *RTV Caribrod* employee Milanov claims that by insisting on privatisation of these media “the state does not fully respect the Constitution of Serbia, the European Charter, the Framework Convention on the Protection of National Minorities”. He also emphasizes that information in Bulgarian language has already been reduced to a minimum.

10 The data are taken from the research study published by the Fund for Open Society in 2007, while the economic situation of the local media has worsened in the meantime.

11 Regulation on the Transfer of Capital without Compensation to Employees of Media Publishers. ‘Uredba o prenosu kapitala bez naknade zaposlenima kod izdavača medija’, *Službeni glasnik Republike Srbije*, No. 05 110-3345/2015. Available at: <http://www.slglasnik.info/sr/30-27-03-2015/28583-uredba-o-prenosu-kapitala-bez-naknade-zaposlenima-kod-izdavaca-medija.html>. Accessed 1 July 2015.

Some larger media fear that bad experience with past attempt of privatisation will be repeated. Some of the earlier privatised media have ended up in the hands of individuals whose main motivation was a cheap purchase of good office space or other real estate assets. In other cases, private buyers have been a cover for political parties, which by law are not allowed to own the media.¹²

In minority communities, there is great concern about the efficiency of the provisions in the law which oblige new owners to preserve the same form of media business within five years and to keep the share of minority language programming in the program schedule. In an interview for this report, Secretary General of the Independent Journalists' Association of Vojvodina (NDNV) Nedim Sejdinović pointed out that the regulatory body for electronic media was utterly ineffective in controlling the obligation of new owners to continue with media business and in sanctioning its violations in the past. The Coordination of National Councils of National Minorities claims that the Law does not provide sufficient guarantees that programming schemes including content in minority language will be retained. It also does not specify any control mechanism or sanctions for violations of this obligation.

The main problem of the privatised media will be insecure sources of finances. Instead on regular budget subsidies they will have to rely on improbable commercial revenues and unstable and unreliable project funding. The problem is even greater because privatisation should take place in a highly unfavourable economic context of media business, which is often described by media practitioners as "worse than ever".

The Law on Public Information and Media introduced the obligation of republic, provincial and local authorities to co-finance the production of content pursuing the public interest, which includes content in minority languages. Such a grant scheme, specifically designed for content in minority languages, was implemented by the Ministry of Culture and Information in spring 2015, while another is planned for autumn 2015, after privatisation. Media financed from public funds could not apply for these funds. The Ministry received 162 applications following its first call. On the basis of evaluation of independent commission, 76 projects were selected for co-financing and 86 were rejected. The fund comprised about 250.000 euro (30 million RSD), with the largest grant of about 8.000 euro (950.000 RSD). In the province of Vojvodina, private minority language media applied for funds together with all other media. The largest sum awarded for content in minority language equalled about 9.000 euro (1.1 million RSD). These funds are not sufficient for the survival of media whose main content is in minority languages.

Additional potential financial sources for these media could be cross-border cooperation programs with countries of origin as well as European and

12 More details can be found in Serenčeš, 'Privatizacija medija u Vojvodini i postprivatizacioni procesi', 2010.

other funds that promote minority media, as pointed by Nedim Sejdinović from NDNV. Sejdinović, however, stressed that the media must develop capacity to participate in these programs and apply for foreign funds.

The National Council of Slovak minority has prepared several strategies for the survival of media that broadcast in Slovak language. They have helped the establishment of a media network for the exchange of content in Slovak. According to the interviewed President of the Council's Information Committee Ana Jaskova, the Council has allocated funds from its own revenue to help these media. In 2015, the Council decided to introduce a more transparent funding through internal calls for support to individuals, personal initiatives and original ideas. Jaskova also hopes that privatised media would be able to improve the quality of their programs, better identify their target groups and thus stimulate new owners to develop a genuine interest to invest in minority language production.

In the view of Bulgarian minority representatives, the national councils and journalists should work together in order to secure further functioning of minority language media. The National Council of the Bulgarian national minority, as revealed by this report, have decided to create a foundation as a new owner of the media in Bulgarian language. On their own initiative, journalists of *RTV Caribrod* have drafted acts for the establishment of the foundation that would establish new media and also suggested whom to include in the staff.

Another potential solution for must-be-privatised media is the establishment of a civil-type community media outlet. However, civil sector media have not taken root in the country.¹³

The majority of local communities and also the media intended for privatisation have obstructed the privatisation process, hoping it would be suspended. According to interviewed representative of the Agency for Privatisation, Ivan Paligorić, conducted in May 2015, two months before the privatisation first deadline, the largest problem was a delay in activities that should have been done by local municipalities. A considerable number of them had not completed the procedure for evaluation of the capital of media companies, have not submitted the complete documentation or have not submitted it at all. By 18 June 2015, complete documentation was submitted to the privatisation agency only for 14 out of 73 media outlets, although it was a precondition for the official procedure to start. Minister of Culture and Information described the obstruction in these words: "The state wants to get out of ownership in media, but the media do not want to get out of the state", i.e. regular state funding.

In the opinion of all interviewed representatives of minority communities and their media, the new Law on Public Information and Media has not

13 Valić Nedeljковиć, D., 'What are national minority media?', in *Information in Minority Languages in the Western Balkans: Freedom, Access, Marginalization*, (ed.) D. Marko, Media-plan Institute, Sarajevo, 2013, pp. 45–61.

provided a sustainable solution for minority language media that have to be privatised. They all insist that the state must provide larger financial support for these media, either directly or through minority councils. According to president of the Information Committee of the National Council of the Slovak national minority Ana Jaskova, in the best case, the problem of minority media will appear again in five years, after new private owners – if any – would be free from the obligation to continue with media business in their enterprises. Economic instability of privatised media is the main reason for a great part of media practitioners to hope that mandatory privatisation would be suspended, as it happened in 2007.

Positive consequences of privatisation, such as liberation of municipality-owned media outlets from political grasps of local authorities, or increased potential for better productivity and content quality after lifting the burden of a great surplus of employees are almost never mentioned by complaining minority councils or media employees. NDNV Secretary General Nedim Sejdinović, however, points out that state-owned media are often used as a warehouse for political party cadre and usually have many employees and a small number of journalists. In his view, a wise new media owner would lay off excessive administrative staff and hire a larger number of journalists in order to increase quality of media production. As a result, it would increase chance of the media to achieve sustainability.

2.2

CHALLENGES FOR MEDIA OWNED BY COUNCILS OF NATIONAL MINORITIES

The position of media in minority languages founded, owned and managed by councils of national minorities is completely different from those owned by local municipalities. The Law on Public Information and Media preserved their privileged status in terms of secure public funding. The available funds for this type of media are in an enormous contrast with grants given as the state aid to private media in minority languages. In 2015, Vojvodina Secretariat for Culture and Public Information from the budget of Vojvodina province subsidizes 22 media owned by national councils by 2.45 million euro (294 million RSD). The largest subsidy was given to a daily in Hungarian language (85 million euro), while additional five media got about 250.000 euro each (29-30 million RSD), which equals the total sum given to 76 media by the Ministry of Culture and Information for support on national level to projects in minority languages.

The legal regulation for distribution of subsidies to media founded by minority councils is incoherent and unelaborated. It is provided by the Law on National Councils of National Minorities, adopted in 2009. The law, which has already been amended because of some unconstitutional provisions, reflects political deals made in 2004 when the Province of Vojvodina passed its founding and ownership rights over print media for national minorities

living in Vojvodina to councils of national minorities with the obligation of the Province to fund them “from the same sources and according to the same standards” (Article 116) as in the time it was their owner. The 2009 Law on National Councils of National Minorities allowed other national councils to take on founding and ownership rights over media aimed for minorities, although this solution was strongly opposed to by media reformists, who saw this as a path towards etatization and politization of minority language media. However, out-of-Vojvodina minority councils have not managed to secure funding for their media since they had not been financed by state bodies before the change of status, as was the case with those situated in Vojvodina. This is the reason why the media taken by the National Councils of Bulgarians, for example, had to stop working.

Given that the Law on National Councils of National Minorities reflects the inherited differences from the past regarding the way how media owned by minority councils are financed, the new Law on Public Information and Media thus perpetuates the unequal conditions for national minorities to exercise their right to information in native languages. The Coordination of the National Councils of National Minorities is therefore right when it requests from the Ministry of Culture and Information to “establish the legal framework for funding” the media founded by minority councils. However, instead of looking for alternative solutions that would enable professional autonomy of these media, the Coordination requests from the state to widen the number of media financed by the state and include at least one print media managed by minority councils of Roma, Albanians, Bosniaks, Bulgarians, Vlachs, Czechs and Slovenians into the present system of state subsidies.

The analysis of the position of the media owned by minority councils in terms of their relation with founders has shown many negative aspects.¹⁴ Minority councils have all the rights concerning the media they found, but no obligations towards them. Councils of national minorities are not accountable for spending of budget funds or for the quality and development of minority language media. They have not managed to solve any of the chronic problems of these media – poor technical and technological working conditions, low level of education and professionalism of journalists, low diversity of content and lack of investigative reporting, aging newsroom staff and low motivation of journalists.¹⁵ Most importantly, under the management of minority councils these media have become agents for pursuing the political agendas of minority councils instead of serving their minority audiences.

14 Serenčes, ‘Privatizacija medija u Vojvodini i postprivatizacioni procesi’, 2010.

15 Valić Nedeljko, D., *Mediji nacionalnih manjina u Srbiji/Vojvodini - privatizacija*-, pp. 5–6. Available at: <http://www.novinarska-skola.org.rs/nns3/documents/sr/1/sr.pdf>. Accessed 29 May 2015.

3 CONCLUSIONS

The Law on Public Information and Media strictly requires that the state should withdraw from the media sector by terminating state ownership of media and budget subsidies to media enterprises. Once privatised, the media will be eligible for getting the state aid for promotion of the public interest, on an equal footing. Yet, Serbian media policy is not coherent when the media in minority languages are taken into account. It has submitted to the pressure of the leaders of national minority communities to allow indirect state ownership and direct funding from the budget for the part of minority language media which are under control of the national minorities' councils. The main aims of the Law on Public Information and Media – abandoning the basis for political influence on the media and halting the spending of public funds for partial political interests – are thus annulled in this part of the media sector.

When opposing the privatisation, minority language media owned by local municipalities request to be treated the same way as media owned by national councils, i.e. to be funded by ample state subsidies, instead to be left to uncertainties of the market. Notwithstanding its long preparation, the 2014 media regulation has not managed to develop a systematic solution for providing professional, good quality and relevant information to citizens of minority ethnic origin. To-be-privatised minority language media need additional affirmative measures that would secure their survival and protected position, in addition to those envisaged by the Law on Public Information and Media. The media owned by minority councils need the introduction of a system that would prevent political interference in their everyday functioning, the need which is not even touched by the media policy in Serbia.

In addition, new media legislation does not specify the way in which republican public broadcaster RTS should serve the needs of national minorities which are not met by the provincial public broadcaster RTV. The 2014 Law on Public Service Broadcasting, which replaced the former Law on Broadcasting (adopted in 2002), just repeated the obligations of PSB in this regard. Listing of these obligations in the former law, however, did not prevent RTS to ignore them all along and to provide only the program in Roma language. The implementation of the new law has not brought any changes in the programming of RTS, which is excused by the lack of financial resources in RTS.

A widespread opposition to privatisation of minority language media in minority ethnic communities therefore should be considered just a reflection of deeper problems in the regulation of position of national minorities in Serbia. The Republic does not have a strategic document for protecting the rights of national minorities. The Law on National Councils of National Minorities has been under revision for many years, but a new draft has not yet been completed. Legal framework for collective rights of national minorities is not

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harmonized with other laws and international documents. In such a context, it is no surprise that the communication rights of minorities are not comprehensively elaborated and solutions for development of these rights without discrimination among minorities are not yet formulated.

At the moment this report is written, after the republic authorities decided to extend the media privatisation deadline from 1 July to 31 October 2015, it is not clear if privatisation of national minority media owned by local municipalities will be carried out. Obstruction of the process by local authorities and media, along with a strong campaign by councils of national minorities against the privatisation, proved to be successful enough. Namely prior to the rapid change of the 2014 law the Ministry of Culture and Information had claimed for months that there will be no extension of the deadline.

1. If privatisation proceeds, the Ministry of Culture and Information should in the meantime provide some legal solution that media, which could not be sold due to the lack of interested parties, be transferred free of charge to journalists, as envisaged by the law, without being limited by the government decree that restricted this right only to some media employees. Journalist ownership of media in minority languages could be a well suited form of ownership, contributing to the independence of these media from the interests of external owners, be it private businessmen or councils of national minorities with their own agendas. This would also help increase pluralism of media in minority languages and provide the minority audiences with diverse views on relevant events.
2. The government should provide additional financial support for privatised media in minority languages, such as tax relief, in order to improve their difficult market position due to limited audiences.
3. Councils of national minorities should support the media in minority languages from their own revenues and provide them with logistical assistance.
4. Most importantly, a new Law on National Councils of National Minorities has to be drafted, with a wide participation of all stakeholders. This Law should provide ground for equal conditions of development of rights of national minorities and elaborate rights and obligations of minority councils regarding the media they found and own. Minority councils should be held accountable for spending public funds for functioning of media in minority languages. Relations between minority councils and employees of these media should be arranged in such a way as to prevent interference in journalist autonomy.
5. As soon as financing of the public service broadcaster RTS changes from the current scheme of state budget funding to a subscription fee model, as envisaged in the Law on Public Service Broadcasting from the beginning of 2016, the management of RTS should introduce programs for minorities which are not served by Vojvodina public broadcaster RTV. The regulator should hold responsible RTS for fulfilling its PSB remit, which includes the provision on content in minority languages.

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Ivan Paligorić, representative of the Privatization Agency, 6 May 2015.

Ana Makanova Tomanova, president of the Coordination of National Councils of National Minorities and president of the National Council of the Slovak national minority, 15 May 2015

Ana Jaskova, President of the Information Committee of the National Council of the Slovak national minority, 5 April 2015.

Olgica Veličkov, President of the Commission for information of the National Council of the Bulgarian national minority, 6 May 2015.

Slaviša Milanov, representative of RTV Caribrod, 5 May 2015.

Nedim Sejdinović, General Secretary of the Independent Journalists' Association of Vojvodina (NDNV), 21 April 2015.

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MONITORING THE IMPLEMENTATION OF
NEW MEDIA LEGISLATION IN SERBIA

PRIVATISATION OF MINORITY
LANGUAGE MEDIA IN SERBIA:
LIBERATION OR DISAPPEARANCE?

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PUBLISHER Peace Institute, Institute for Contemporary Social and Political Studies, Metelkova 6, SI-1000 Ljubljana, Slovenia, <<http://www.mirovni-institut.si>>
DESIGN DAK, Ljubljana, 2015

This report has been produced with the financial assistance of the Open Society Foundations Program for Independent Journalism and the European Union. The contents of the report are the sole responsibility of the Peace Institute and the authors, and can under no circumstances be regarded as reflecting the position of the European Union.

The report has been produced within the project South East European Media Observatory, <http://www.mediaobservatory.net>.