

## II MONITORING OF THE IMPLEMENTATION OF EXISTING LAWS

### 1. Public information Law

1.1. The implementation of the Public Information Law has been partly elaborated on in the section concerning freedom of expression.

1.2. The first-instance verdict of the First Basic Court in Belgrade, delivered for serious form of discrimination against the LGBT population, against Dragan Markovic Palma, the Mayor of Jagodina and the President of the parliamentary political party Jedinstvena Srbija (JS) and until recently the MP of that party in the Serbian Parliament, received its epilogue on Pink Television. The editor of the gay magazine "Optimist" Predrag Azdejkovic stated that the Jagodina Mayor had first threatened him on November 7 in Pink's building and had then shook his arm vehemently. Azdejkovic and Palma were supposed to participate in the TV show "Magazin In", the topic of which was diversity in Serbia on that particular evening. "As soon as he saw me, he got mad saying he was set up and that he didn't know he was going to participate in the show with me. He was angry because Boban Stojanovic (the President of the Queeria Center) called him a fool recently. He then attacked me," Azdejkovic told the daily "Alo!". During the debate, Palma mentioned the verdict against him for severe discrimination against LGBT persons. "Alo!" claims that Markovic said that only a bribed judge could have convicted him and that the verdict would be revoked on the Appellate Court. The editor and presenter of the "Magazin In" Sanja Marinkovic ultimately cancelled the appearance of Azdejkovic in the show.

The cancellation of Azdejkovic's participation in the show was debated by certain media, with the predominant point of contention being whether there was a physical conflict between Markovic and Azdejkovic or not. Meanwhile, "Pink" accused Azdejkovic of wanting to take the opportunity of participating in the talk show for promoting the LGBT population. Pink also said that it was a case where LGBT organizations "abused other people by falsely pointing to non-existing problems". Markovic said that homosexuals were known "for striving to be in the limelight at any cost and since their private lives are uninteresting, they must constantly invent they are under attack in order to appear in the media". However, there was no analysis of that incident's consequences, both from the aspect of the ban on hate speech, provided for by the Public Information Law and from that of general programming standards, under the Broadcasting Law. In the above described case, it is pertinent to ask if it was wise by the editors to invite to a talk show about diversity in Serbia a man who was only a week ago convicted for discrimination against LGBT people. To make matters worse, after a

row between the guests, the editors cancelled the appearance of the representative of the discriminated group and not that of the person convicted of discrimination. Reducing the whole issue solely to whether the incident involved physical contact or not, implies that homosexuals should not be beaten up, but it is perfectly acceptable to insult them, as well as that they are welcome on television only if they are on good terms with heterosexual guests in the same show. Furthermore, removing Azdejkovic from the show could be seen as the reflection of the overall situation in the Serbian media, which are forced to get on the right side of politicians to the extent of allowing them to even pick the guests in television shows.

## **2. Law on Ethnic Minorities' National Councils**

2.1. The National Council of Hungarians (NSM) has adopted a media strategy which should, according to NSM, improve the quality and professionalism of media in the Hungarian language in Vojvodina by the year 2016, "Dnevnik" reported. The Strategy was voted for by 21 members of the Council, while five were against it, with one abstaining. The majority of NSM members belong to the Association of Vojvodina Hungarians (SVM), while the "opposition" are the representatives of other Vojvodina Hungarians political parties and the Democratic Party. The daily "Magyar Szó" in Hungarian language reported that the NSM Information Advisor Erzsébet Zita Simon had said that the Strategy was not and could not be the final document in view of the constantly changing general environment. NSM member Laszlo Rac Szabo said that freedom of media ought to be restored and since the NSM operated as a political organization, the media belonging to it were not free. Janos Hazy, also a NSM member, criticized the Strategy for not detailing the way in which the set goals would be achieved – for instance, how the necessary financial resources would be ensured for the round-the-clock radio and television program. The President of the Hungarian Hope Movement Laszlo Balint voiced dissatisfaction over what he called "the current balance of power on the Vojvodina Hungarians' political scene 'being cemented'" by the implementation of the strategic determinant that Hungarian political parties in Vojvodina should be represented in the media proportionately to their "strength and activities". NSM members from the ranks of the NGO "Humentis", close to the Democratic Party, criticized the content of the Media Strategy saying that it was, on one hand, utopian and on the other, that it gave primacy to media founded or co-founded by high officials of the SVM and/or NSM, at the expense of commercial media. According to Attila Czengeri, the goal of the NSM is to set up a centralized media network that may be politically controlled.

National Councils, under the Law on Ethnic Minorities' National Councils, are representative bodies established for the purpose of realization of ethnic minorities' rights to self-

government in culture, education, information and official use of language and alphabet. The councils represent ethnic minorities in the areas of culture, education, information in the minority language and official use of the language and alphabet, participate in decision-making or decide about issues from the aforementioned areas and establish institutions, companies and other organizations to operate in these areas. The Law expressly provides that national councils shall adopt a strategy of the development of information in the minority language, in accordance with the Strategy of the Republic of Serbia. The Hungarian's National Council (NSM) has lately stirred controversy with certain decisions that were branded as "unacceptable" obstruction of media freedom. Namely, at the proposal of the managing board, the NSM dismissed the Editor-in-Chief of "Magyar Szó" Csaba Pressburger last July, in spite of the opposition of the majority of journalists of that newspaper. Pressburger was reprimanded for insufficiently covering the activities of the Speaker of the Vojvodina Parliament and member of the SVM Szandor Egeresi, as well as for the fact that "Magyar Szó" journalists had failed several times to show up at press conferences organized by the SVM – a political party that also has the majority in the NSM. Another media official was sacked as early as in September: Rudolf Mihok, the Director of the regional TV station in Hungarian language Pannon RTV from Subotica, co-founded by the NSM. The Vice-President of the NSM said on that occasion that one of the reasons for Mihok's dismissal was the interruption of the live transmission of the Hungarian national holiday dedicated to the founder of the Hungarian state and first Hungarian King Istvan. The adoption of the controversial text of the Vojvodina Hungarians' Media Strategy, in the backdrop of dismissals in the media, whose founding rights were taken over by the NSM, have confirmed how problematic certain concepts are from the Law on Ethnic Minorities' National Councils. It was once again proven that the said Law had opened the door for manipulation with the competences entrusted to national minority councils – as the representative bodies of minorities, the members of which are chosen on elections – by having the councils work in the interest not of the ethnic community as a whole, but that of political parties that have the majority in the national council itself.