

II MONITORING OF THE IMPLEMENTATION OF EXISTING REGULATIONS

1. *Law on Public Information*

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

2. *Broadcasting Law*

2.1. The month of July saw the continuation of the procedure under the open competition for the allocation of frequencies with national coverage. The deadline for submitting applications expired on July 9 and two stations applied. The RBA released the list of applicants on July 11, which list included the criteria for the issuance of the licenses. On its website, the RBA also posted the ownership structure of the applications, while the interviews with the applicants were held on July 17. Stating the criteria for the licenses, the RBA said that, while making the decision, it will particularly take into account: the business results of the applicant; the ratings of the TV station (in the case of an existing broadcaster); experience in broadcasting or similar activities; predominant activity of the applicants; helping the development of domestic production, guarantees in terms of quality and diversity of content; past behavior of the applicant; ownership structure, transparency and origin of capital; prevention of overt or covert imposition of a dominant influence on public opinion (protecting the pluralism of opinions); as well as the conduct of the applicant during the competition procedure. The applicants on the competition were Kopernikus Cable Network d.o.o. from Nis and Nova.rs Television from Belgrade. According to the data released by the RBA, Kopernikus Cable d.o.o has the following ownership structure: Twinel d.o.o from Nis (whose sole owner is Zvezdan Milovanovic) has 47,59% of the share, Zvezdan Milovanovic directly 47,71%, and Mitra Milovanovic 4,7%. Nova.rs Television is exclusively owned by Nova.rs Media Holding d.o.o. from Belgrade. The owners of Media Holding are GMG Media Group d.o.o. from Belgrade, with 7%, BD Media Invest B.V. from the Netherlands, with 85.1% and Dragan Djurkovic from Belgrade, with 7.9 %. The sole owner of GMG Media Group is Ulrich Brock, a German citizen, while BD Media Invest B.V. is owned by New Amsterdam Cititrust B.V. from the Netherlands, the founders of which are Bernd Matthias Dietel (99%) and Ulf Malte Iversen (1%), both German citizens.

On public interviews with the representatives of the applicants, the members of the RBA Council asked additional questions that mainly pertained to the possibility to realize the set goals from their programming study, as well as to the ownership structure, the possible existence of media concentration and the preparedness of the applicant for the digital switchover. The representatives of TV Kopernikus c cable broadcasting, on three channels. They said they will have between 150 and 200 employees, of which 100 with university degrees. They also said to already have 20 correspondent offices throughout Serbia, as well as that they have invested about five million euros in digital equipment. The members of the Council had certain objections to the programming study, finding it inconsistent in some parts. They reminded the representatives of TV Kopernikus of their biased behavior during the election campaign in 2012, where they openly sided (in the opinion of some members of the Council) with one political party. Some members of the Council wanted to know more about the connection of the station with the cable operator Kopernikus, noting that the new Law on Electronic Media “will probably expressly forbid vertical integration”. The representatives of TV Kopernikus said that the abovementioned cable operator is a separate firm, owned by a foreign company. Relative to Nova.rs, the bulk of the questions pertained to their interest in media activities, as well as to their ownership structure. The Council wanted to know what is the interest of a foreign company to invest in a small market like Serbia, which has been steadily declining, on top of already having four national commercial broadcasters and two public service broadcasters. The station’s representatives said they believed they could end up among the Top 3 of national broadcasters, explaining they aimed at providing a quality service, which will be technically up to date with the latest trends, highly interactive and underpinned by quality own production. The Council was most interested in the ownership structure, the relationship with RTL and the former Director of TV Prva Dejan Jovic. The representatives of Nova.rs said they don’t have any hidden owners, as well as that the former Director of TV Prva does not participate in the management or the ownership structure. Their relationship with RTL was described as a contractual relationship involving technical cooperation. The RBA said the Council will decide about the applications on July 23, but due to the absence of most of the members, at the time of writing this Report, that session was not held. It actually took place more than two weeks after the deadline.

In addition to the talks with the applicants for the open competition for the national coverage, the RBA Council also talked to the representatives of TV Jedinstvo and TV NP from Novi Pazar, TV Telemark from Cacak, Moja TV from Belgrade and Radio M from Knjazevac. As in the case of the open competition, the decision had still not been taken while we were compiling this Report.