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Op-Ed on the occasion of the World Press Freedom Day

World Press Freedom Day: No one should get away with murder

29 years after the establishment of the World Press Freedom Day, journalists all over the world continue to face complex threats and challenges in exercising their fundamental right to freedom of expression and providing comprehensive, timely and truthful information for citizens, placing the interest of the public above all other interests.¹

According to the Reporters without Borders' 2022 Press Freedom Index, out of 180 states in the world, only eight – or 4.4 per cent - can boast a favorable situation in respect to press freedom and journalists' safety. This worrying data points to the very difficult conditions in which media professionals operate, which have a significant impact on their lives and health, and the well-being of their families.

The UNESCO's Observatory of Killed Journalists registers 87 killings of media workers around the world in 2022: One murder every four days. This is a concerning increase compared to 55 killings in 2021 – already a worrying number. In parallel, the rate of impunity for journalists' killings remains shockingly high at 86 per cent of cases unresolved, reminding us of the dangers to the profession and underscoring the need to always stand for justice and accountability for crimes against journalists.

Serbia is not an exception considering the unresolved murders of Slavko Ćuruvija, Milan Pantić and Daliborka Dada Vujasinović that happened in the 1990's and early 2000's. The OSCE is closely following the developments in the ongoing trial in front of the Belgrade Court of Appeal for the 1999 assassination of Slavko Ćuruvija: After 24 years and two re-trials, the OSCE expects a credible final verdict based on the facts and evidence established during this almost decade-long process. In the Pantić and Vujasinović cases, there is no indictment in sight and thus no perspective for a proper judicial epilogue. The families continue waiting for a sense of justice. As the recent case in Peru for the murder of journalist Hugo Bustíos 35 years ago demonstrates, it is never too late to correct the failures of the past.

The OSCE and its 57 participating States recognized the need for urgent, concrete and comprehensive responses to attacks against journalists in the December 2018 Ministerial Council Decision on the Safety of Journalists. The participating States, including Serbia, committed to “take effective measures to end impunity for crimes committed against journalists, by ensuring accountability as a key element in preventing future attacks, including by ensuring that law enforcement agencies carry out swift, effective and impartial investigations into acts of violence and threats against journalists, in order to bring all those responsible to justice, and ensure that victims have access to appropriate remedies.” This ground-breaking decision continues to guide the OSCE's work with national authorities to create conditions for a pluralistic media environment free from intimidation, attacks, and harassment for the journalistic profession.

¹ <https://savetzastampu.rs/en/documents/kodeks-novinara-srbije/>

Serbia established a best-practice example of multi-stakeholder co-ordination to improve the safety of journalists in the country: The Permanent Working Group for Safety of Journalists (PWG) in which the OSCE has been directly participating since its establishment in January 2017. In partnership with the media community, prosecution, and police, the OSCE implemented over 30 activities and numerous projects since 2017 with the PWG. The Permanent Working Group has also established the so-called “Contact Points System” - a mechanism that provides journalists with a simple procedure for reporting attacks and threats to their safety to the relevant authorities. Each prosecution office and police station in the country has an officer available 24/7 to journalists in danger. Upon receiving information regarding an attack on a journalist, they must start investigation immediately. The Mission has also organized training sessions for more than 200 prosecutors, police officers and journalists, produced many analyses to help its partners better understand the safety risks journalists are facing, and supported launching of the 24/7 SOS hotline providing journalists with free legal aid.

In the period from 2016 to 2022, the prosecution received 460 criminal complaints deciding in 267 of them that elements of the criminal code had been breached. Of these criminal sanctions were imposed in 76 cases, meaning that almost 30 per cent of the crimes against journalists ended with the punishment of the perpetrators. The prosecution also reported a decrease in the number of criminal complaints for attacks on journalists from 87 in 2021 to 81 in 2022.

According to the Independent Association of Journalists (NUNS) database,² the number of attacks on journalists decreased from 151 in 2021 to 134 in 2022, the majority being pressures and verbal threats. So far in 2023, NUNS recorded 37 attacks, the majority of which (26) are pressures. Physical attacks and/or attacks on property of journalists have decreased from 24.34 per cent in 2020 (46 out of 189 total attacks) to 9.07 per cent in 2022 (13 out of 134 attacks) and 8.1 per cent to date in 2023 (three out of 13 attacks).

Illustrative examples are the verdict for setting the house of Milan Jovanović on fire, the conviction of the attackers on Dasko Milinović (Novi Sad), or the recent sentence to one year of house arrest for threatening Jelena Obućina (Belgrade). The OSCE has also taken positive note of the conviction in the OK Radio case from Vranje. Four months after the incident, the perpetrators were sentenced to prison in an action representing an example of good co-operation between state authorities and the media community. However, the decision of the construction inspection on the removal of the illegal structure that blocks OK Radio remains to be effectuated.

Should Serbian society be satisfied with these achievements when we know that attacks on journalists continue and that journalists are far from feeling safe? In the April 2023 published research³ commissioned by the OSCE Mission to Serbia, 70 per cent of the media community respondents stated that they constantly feel that they are under some kind of stress or pressure, which leads to mental health issues in a third of the sample. Some are related to the stress factors of the profession, others to feelings of pressure, intimidation, and attacks, whereby journalists feel threatened for their safety.

² <https://www.bazenuns.rs/srpski/napadi-na-novinare>

³ <https://www.uns.org.rs/desk/UNS-news/143619/istrazivanje-o-mentalnom-zdravlju-vecina-ispitanih-novinarar-je-svakodneвно-emotivno-iscrpljena-i-pod-stresom.html>

We need to see that each case of violating journalists' safety is equally and effectively treated before the law. There should be vigilance, collaboration, equity and collective action, because ensuring media freedom is a shared responsibility.

This shared responsibility is also enshrined in the 2018 Ministerial Council Decision, but it also prescribes the double responsibility of public officials, political leaders and/or authorities: to refrain from intimidating, threatening or condoning – and to unequivocally condemn – violence against journalists, in order to reduce the risks or threats that journalists may face and avoid undermining trust in the credibility of journalists as well as respect for the importance of independent journalism.

They should set an example of how to exercise public dialogue in democratic societies and what responsibility for publicly spoken words looks like. Dialogue does not mean agreement. It is a method toward resolving a problem. It is also a means for developing trust among stakeholders.

Trust is a key element for success of every struggle to improve media freedom and the safety of journalists. However, trust requires hard work and dedication by all sides. Only based on trust, can we deal together with the challenges that different opinions bring. This is why the OSCE, and specifically the Mission to Serbia, supports full implementation of the Media Strategy 2020-2025 as the key guiding Government of Serbia policy document, which was drafted in an inclusive, transparent process among all stakeholders from journalist and media associations, civil society organizations and state institutions. Sticking to the jointly-agreed provisions in the Media Strategy is crucial to maintain confidence and trust necessary to improve Serbia's media freedom environment.

Media freedom and democracy cannot exist one without the other. Only by joining forces and working together can we create a society in which journalists can, without fear for their own and the safety of their families, inform citizens on issues of public importance in a professional, objective and ethical manner. All members of a society should care about these issues, and the OSCE, as a trusted partner, will stand by Serbia's side to advance media freedom, reform and the safety of journalists. The first and most important step on that path, as evidenced by the ongoing trial in the Slavko Ćuruvija case, is that no one should get away with murder, not the least when it comes to a political murder of a journalist.