



REGULATORY
AUTHORITY FOR
ELECTRONIC MEDIA

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Belgrade

Report of the REM Monitoring and Analysis Service

Ex officio actions

Against: Public Media Institution Radio Television Serbia Belgrade - RTS

Summary: Based on a letter from EUTOPIJA Association from Belgrade, the Monitoring and Analysis Service has been notified about the content broadcast on channel 1 of Radio Television Serbia in the News program at 19:30 on 7 October 2024, which, in their opinion, is false and partially fabricated, and ascribed to the Whistle (Pištaljka, in Serbian), which is published by the Association, thus violating their professional integrity. As the RTS, according to them, refused to broadcast their response, they demand the initiation of the procedure against the RTS and the pronouncement of an appropriate measure in accordance with the law.

Upon the request of the Regulator, the RTS submitted its Response to the allegations from the stated letter.

Report

Based on the letter of EUTOPIJA Association from Belgrade, the Monitoring and Analysis Service has been notified about the content broadcast in the News programme at 19:30 on 7 October 2024. It is a statement whereby the editorial board of the RTS responds to the text published on the Whistle portal, pointing out that there was a clear intention to tarnish the reputation of the RTS again and mispresent the report of the State Audit Institution.

According to the opinion submitted in the letter of the EUTOPIA Association, the broadcast statement is false and partially fabricated, as well as ascribed to the Whistle, which is published by the Association, thus violating their professional integrity. Furthermore, the RTS, according to them, refused to broadcast their response to the statement and correct, as they claim in the Whistle, false information that had been released.

Broadcast statement, transcript (20:04:03 - 20:05:30):

Concerning the false claims published on the website of the Whistle and in the Informer daily, the RTS states that there are clear intentions to tarnish again the reputation of the public broadcaster. In the Report of the State Audit Institution, it is stated that the RTS, it is not stated that, excuse me, it is not stated that the RTS has violated any law; instead, recommendations are given to how to align and connect data in the RTS internal documents. The Law on Public Procurement says that the provisions of the Law are not applied to "the procurement, development,

	<p><i>production or co-production of programme content intended for audio visual media service procured by a public procurement authority, which is a media service provider. Accordingly, the RTS has been procuring programme content in accordance with the provisions of the law. In the Report of the State Audit Institution, it is also stated: "The broadcaster redistributed the funds, i.e. reallocated funds planned under the Programme Organisational Unit in the total amount of 772,818,580 dinars, in line with the Rulebook on Financial Operations". Therefore, the allegations of the Whistle on the New Year's programming and the Radio Mileva series are false.</i></p> <p>If the stated media fail to release correct data on the operation of the RTS, we will use all available legal remedies to protect the reputation of our company, said the statement.</p> <p>In the Response of the Radio Television Serbia signed by the Secretary General of RTS, Marijana Gojković, it is first claimed that the Whistle published on its internet portal false information that the State Audit Institution had determined that, only during last year, the RTS management incorrectly and non-transparently spent 3.5 billion dinars (30 million euros) for the procurement of programmes from external production companies.</p> <p>Also, that the RTS did not misinform the public about the stated text, and did not violate the dignity or professional integrity of the Whistle. They then clarify what is false in the complaint that was delivered to them and, regarding the reasons why they failed to broadcast the response on the stated statement, they determined that the <i>responsible editor is not obliged to broadcast the response if the response relates to an opinion rather than a claim concerning the facts or if the response does not contain a claim concerning facts but rather an opinion, which in the concrete case the Whistle did do, as it gave a value judgment on the broadcast statement of the RTS</i> (they refer to the provisions of the Law on Public Information and Media, Article 109, paragraph 1, item 8)).</p> <p>They attached to their Response the report of the State Audit Institution, a copy of the text published on the portal of the Whistle, as well as a copy of the RTS statement (response to the texts by the Whistle and the Informer). They also submitted to the Monitoring and Analysis Service a Request for the publication of response to the information sent to the Editor in Chief of the Whistle (counter-statement regarding the text published on the portal), signed by the Director General of the RTS.</p>
Conclusion	<p>After reviewing the presented content, letter, as well as all the documentation submitted and attached to the Response of the RTS, the Monitoring and Analysis Service is of the opinion that the editorial board was obliged to publish a response of the Whistle to the statement, in line with the <u>Other Party Rule</u> of the Rulebook on the Protection of Human Rights in the Area of Media Service Provision, Article 8, Paragraph 1 - <i>If information is broadcast in the programme related to which a certain person has justified interest to respond and, in particular, if allegations are presented on the lack of skills, immoral or illegal conduct or in case of discussion that involves a conflict of opinions or positions, the media service provider shall give an opportunity to this other person to respond to the information published or to participate in a discussion in an equal manner.</i> The RTS</p>

	<p>publishes a statement as a reaction to the text on the portal, without publishing the disputed text from the portal, and then prevents the broadcasting of the response of the Whistle, thus abusing the position of the public broadcaster and selectively informing the public. Article 7, paragraph 2 of the Rulebook on the Protection of Human Rights in the Area of Media Service Provision states that the <i>Media service provider may, in line with its editorial concept, comment on the released information, idea or opinion</i>. Respecting the rules of objective information provision, the editorial board was obliged first to publish information on which it commented.</p> <p>I propose the initiation of an examination procedure.</p> <p>REM Monitoring and Analysis Service</p>
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