

REGULATORY
AUTHORITY FOR
ELECTRONIC
MEDIA

Trg Nikole Pašića 5
11103 Belgrade, Serbia
www.rem.rs

Number: 555/2025/1
Date: 04/06/2025
Belgrade

To the REM Council

Subject: Ex officio report on political advertising outside of election campaign on Preduzeće za marketing, izdavačku delatnost, radio i televiziju HAPPY TV d.o.o. – Nacionalna Hepar TV

The Regulatory Authority for Electronic Media received a complaint from the Crta association against the MSP **Nacionalna Hepar TV** (555/2025, 28 April 2025) stating that from 28 March to 12 April 2025 it broadcast political advertising outside of the election campaign, inviting people to attend a rally Ne damo Srbiju (Hands Off Serbia), at which the programme of the Movement for the People and the State, supported primarily by the Serbian Progressive Party and the Socialist Party of Serbia, would be presented. At the same time, in the video clips, “student and civic protests and representatives were presented as destroyers of the state”, while the government and Aleksandar Vučić were “credited with economic development and infrastructure construction”.

The received complaint has the status of a notification, and the report was prepared ex officio.

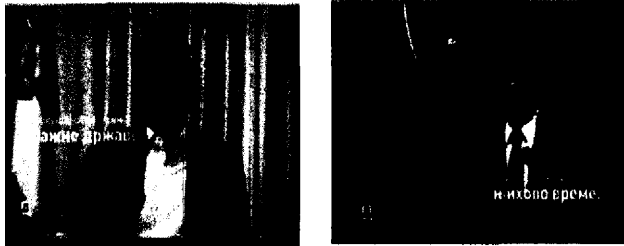
By reviewing the content of the programme of the MSP Nacionalna Hepar TV in the period from 28 March to 13 April 2025, it was established that from 25 March and ending on 13 April 2025, 68 ads containing political content were broadcast in relation to the invitation to the political rally on 12 April. The fewest ads (one each) were broadcast on 28 March, 3 and 4 April, and the most on 11 April (14), while on 6 April they were not broadcast, and two ads were broadcast on 13 April, after the main rally had already been held. Eight different forms (types) of ads were broadcast, out of the total 68 observed.

1. 28/03/2025 16:52:41 – 16:53:04

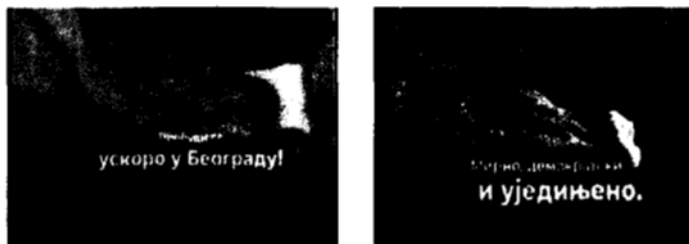
The transcript of the spoken text (female voice): "Do not forget. The March pogrom and the attempted secession of the false state happened during their period. I do not want a new pogrom and I do not want a Kosovo outside of Serbia!
Wake up, soon in Belgrade! Peacefully, democratically and united."

tel: 011/2028 700
fax: 011/2028 745
e-mail: office@rem.rs
TIN: 102945724
Registry number: 17488554

In the visual part of the video, frames were displayed showing Boris Tadić and Vojislav Koštunica.



The ad ended with a call ("Wake up") and a notification ("Soon in Belgrade") that visually looked like this:



The spoken text was also displayed on the screen during the broadcasting of the ad.

2. 29/03/2025 17:27:32 - 17:27:57

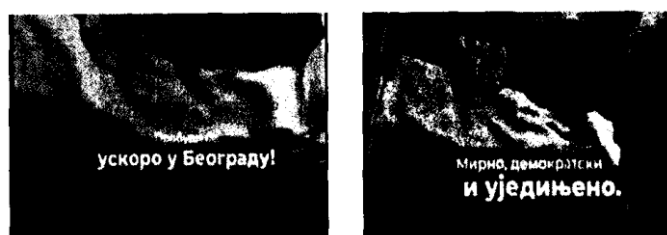
The transcript of the spoken text (female voice): "From 2008 to 2012 we lost 500,000 jobs. Today, they continue to harm the country even as part of the opposition. Imagine if they were in power!

Wake up, soon in Belgrade! Peacefully, democratically and united".

In the visual part, there were scenes of abandoned factories, very brief shots of opposition MPs Dragan Djilas and Aleksandar Jovanović Ćuta, as well as scenes of disorder in the assembly caused by part of the opposition (briefly, one could see Miloš Jovanović).



The ad ended with a notification ("Soon in Belgrade") and a call ("Wake up") that visually looked like this:

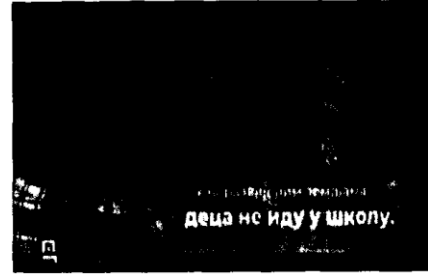
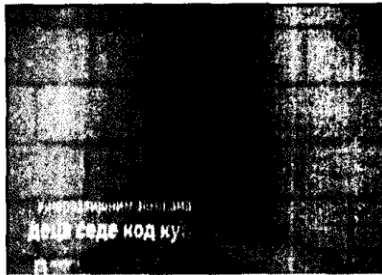


The spoken text was also displayed on the screen during the broadcasting of the ad.

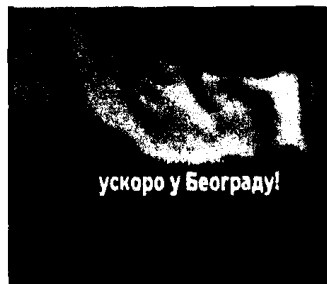
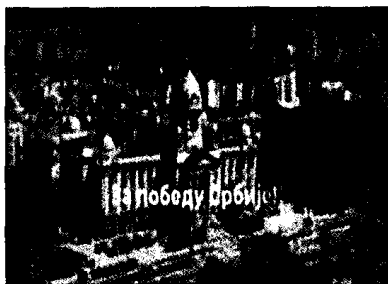
3. 29/03/2025 15:42:07 – 15:42:50

The transcript of the spoken text (female voice): "In underdeveloped countries, children sit at home. In underdeveloped countries, children do not go to school. In underdeveloped countries, diplomas are not created. It is time to stop the madness and take the future into our own hands. It is time for you to decide in what kind of country you want to live. For Serbia's victory! Wake up, soon in Belgrade! Peacefully, democratically and united".

In the visual part, there were scenes showing young people and adults, but also scenes showing a female child and minors.



The ad ended with a call ("Wake up") and a notification ("Soon in Belgrade") that visually looked like this:



The spoken text was also displayed on the screen during the broadcasting of the ad.

4. 05/04/2025 15:39:06 — 15:40:00

The transcript of the spoken text (female voice): "Serbia takes care of education for more than 220 thousand preschool-age children, more than 540 thousand primary school pupils, more than 220 thousand secondary school pupils, more than 250 thousand university students. They are future teachers, craftsmen, professors, engineers, doctors, artists, scientists, military officers... Do not let them jeopardise your future. It is time for you to decide in what kind of country you want to live. For Serbia's victory! Wake up, soon in Belgrade! Peacefully, democratically and united".

In the visual part, there were scenes with preschool age children, primary school pupils, secondary school pupils, university students, teachers, craftsmen, professors, engineers, doctors, artists, scientists, military officers.



The ad ended with a call ("Wake up") and a notification ("Soon in Belgrade") that visually looked like this:



The spoken text was also displayed on the screen during the broadcasting of the ad.

5. 10/04/2025 14:31:12 – 14:32:21

The transcript of the spoken text (multiple female and male voices, voice of a female child, multiple children): "Sometimes you think that things will resolve on their own. That it is enough to wait. (female children's voice - pupil) *Mom, will we go to school normally again?*

But sometimes... you are the one who has to stand up. (voice of a woman - the mother). *Yes, we will.*

Not for your own sake. But for the sake of those who still cannot decide. For the sake of the children asking. And for the sake of those who still do not dare. That is why you say: (voice of woman - mother): *Are we going?* (male voice – father) *We are going.*

There are hundreds of such moments. And they all mean the same.

(male voice – worker) *Are we going?* (other male voice – worker) *You bet we're going!*

(third male voice – worker) *Of course we're going!*

(male voice) *Are we going?* (other male voice) *We are going.*

(children's voices) *Are we going?* (female teacher) *Of course we're going!*

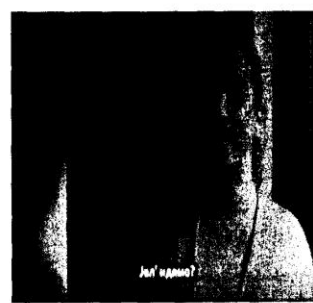
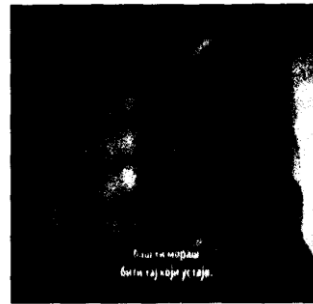
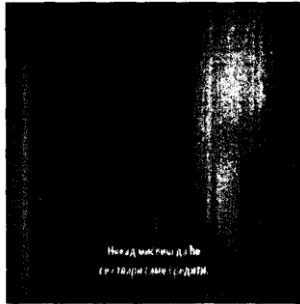
(female voice) *Are we going?* (male voice) *We are going.*

(female retiree) *Are we going, granddad?* (male retiree) *We are going.*

(girl) *Are we going?* (young man) *We are going.*

The moment of decision is not always easy. But it always belongs to you. If you do not decide – someone will decide instead of you. Rise! Serbia is calling you! Serbia will win! See you in Belgrade on 12 April at 19:00."

In the visual part, there were scenes showing parents, children, workers, farmers, teachers, youth, retirees.



The ad ended with a notification and a call to take part in the rally on 12 April, which looked as follows:

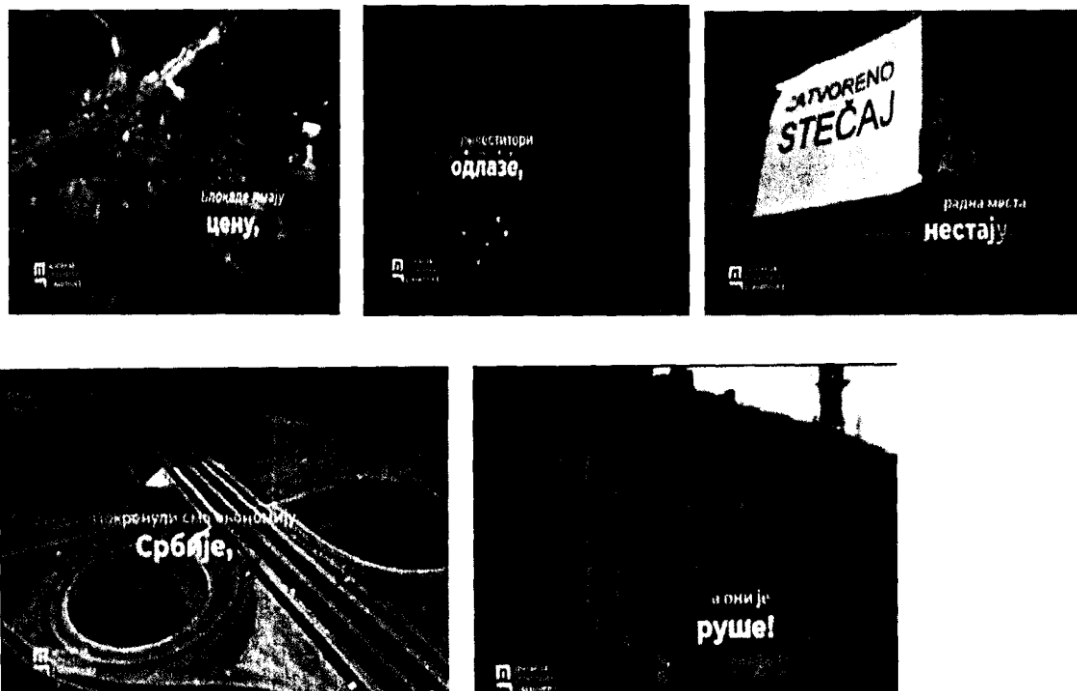


The spoken text was also displayed on the screen during the broadcasting of the ad.

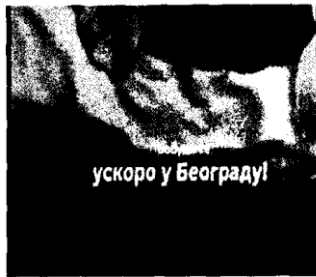
6. 01/04/2025 17:38:03 – 17:38:25

The transcript of the spoken text (female voice): "Blockades come at a price, investors are leaving, the credit rating is falling, jobs are disappearing. We restarted Serbia's economy, but they are tearing it down!"

Wake up, soon in Belgrade! Peacefully, democratically and united".



The ad ended with a call ("Wake up") and a notification ("Soon in Belgrade") that visually looked like this:

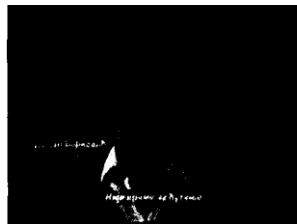
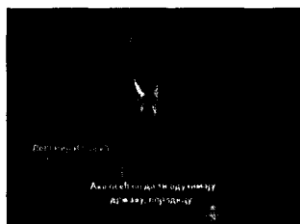


The spoken text was also displayed on the screen during the broadcasting of the ad.

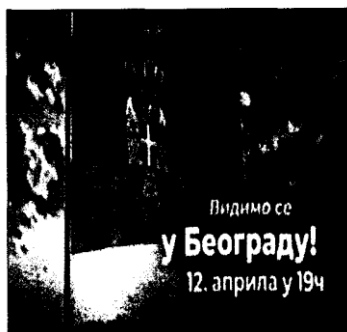
7. 09/04/2025 15:40:13 – 15:40:43

The transcript of the spoken text: "If you feel that they are taking away your country, your family, your right to live in peace. Do not be silent, join us. We have been silent for long enough. Now is the time to speak up. Peacefully and together. It is no time for fear. It is no time for silence. If you love Serbia, show that there are more of us. Serbia is calling us, on 12 April at 19:00. Serbia will win! See you in Belgrade on 12 April at 19:00".

The text was successively uttered by public figures: Lepomir Ivković, actor (SNS Member of Parliament), Iva Štrlić, actress (SNS councillor in the City Assembly of Belgrade), Dušan Borković, race car driver (SNS).



The ad ended with a notification and a call to take part in the rally on 12 April, which looked as follows:



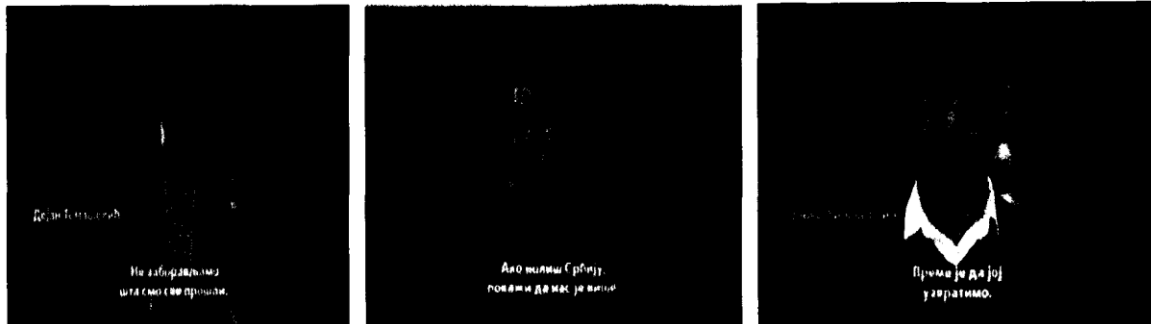
The spoken text was also displayed on the screen during the broadcasting of the ad.

8. 09/04/2025 19:43:58 – 19:44:29

The transcript of the spoken text: "We do not forget all the things we have gone through. And we will not allow ourselves to once more lose what we have built. It is no time for fear. It is no time for silence. If you love Serbia, show that there are more of us. This wonderful country has given us a lot. It is time to give back. Let us make Serbia even

stronger, on 12 April at 19:00. All of us together, for Serbia! Serbia will win! See you in Belgrade! On 12 April at 19:00".

The text was successively uttered by public figures: Dejan Tomašević (former basketball player, SNS Member of Parliament), Jelena Djukić, actress, Janko Tipsarević (former tennis player, SNS).



The ad ended with a notification and a call to take part in the rally on 12 April, which looked as follows:



The spoken text was also displayed on the screen during the broadcasting of the ad.

During the broadcasting of ads in the lower left corner, there appeared (not all the time, and often only briefly, just in the beginning) a logo of the association Centre for Social Stability. On their website <https://czds.rs/o-nama/> it says that the Centre for Social Stability (CZDS) was created in 2004. "Throughout our existence, we have made efforts to promote tolerance in public dialogue, to raise awareness about the necessity of democracy as a political and social system of values and the proposing of new solutions intended to improve civic society, building on patriotic foundations". Their goal is to "demonstrate the benefits of a civilised confrontation of ideas, which goes beyond superficial debate. We believe that we have the ability to position ourselves in the mosaic of our city and our country as a place that brings together differences with the aim of discovering new ideas and the most effective solutions".

At the Business Registers Agency (BRA), CZDS is registered as an association, while on Wikipedia, CZDS is specified to be a non-governmental organisation. It would be desirable to determine the status and role of the CZDS in relation to the broadcasting of the ads in question and to request from the MSP TV B92 ad declarations for the ads in questions, in order to determine who the advertiser is.

But even without that information, based on an analysis of the content of the ads in question, it may be concluded that in all 24 different ads there was advertising with political content in which, additionally, at the end of each message indirectly ("Wake up,

soon in Belgrade! Peacefully, democratically and united" – in 5 ads) or directly (Serbia will win! See you in Belgrade! On 12 April at 19:00" – in 3 ads) political activity was advertised – invitation to a rally held on 12 April 2025 in Belgrade on the occasion of the founding of the "all-people's movement initiated by President Vučić"

<https://www.tanjug.rs/srbija/politika/154442/odrzan-centralni-skup-sabora-vucic-podigla-se-casna-i-postena-srbija/vest>.

Two days before the rally, on 10 April, the President of Serbia said in an interview with the MSP Pink, according to Blic writing, the following: "The movement will be a civic association, and whether it will participate in the elections will be decided by the citizens of Serbia. The Serbian Progressive Party is the pillar of the movement. This is an opportunity for some people who are not party members to join as well. The Serbian Progressive Party is the country's greatest strength. I am a proud member of the Serbian Progressive Party." <https://www.blic.rs/vesti/politika/vucic-o-protestima-trebalo-je-da-ranije-krenemo-u-jasnije-suprotstavljanje/3jevyex>

In 3 different ads (in this report they are under ordinal numbers 5, 7 and 8) in which, at the end, there was a direct invitation to the rally on 12 April at 19:00 (first broadcast observed on 9 April), in 2 of them (in this report they are under ordinal numbers 7 and 8) three persons in each of them (actors, doctors, athletes and others), members of or close to the SNS, extended the invitation to the rally – "If you love Serbia, show that there are more of us" (Jelena Djukić, actress - ad under ordinal number 8); Dušan Borković, race car driver - ad under ordinal number 7).

In the ad that is under ordinal number 5 in the report, people representing different segments of society - workers, farmers, teachers, pupils, retirees, parents and children and youth decide to attend the rally on 12 April at 19:00.

What 5 ads (in this report they are under ordinal numbers 1 through 4, as well as ad under ordinal number 6) have in common is that they ended with a notification ("Soon in Belgrade") and a call ("Wake up") to take part in something the date of which was not specified in these ads, but it was clear that it was a rally related to the Movement for the People and the State, which had initially been announced for 28 March, and the meeting of the Initiating Committee was held on 23 March and covered by the media.

In two of these 5 ads (in this report, ordinal number 3 - 29/03/2025, 15:42:07 - 15:42:50, and 4 - 05/04/2025, 15:39:06 to 15:40:00), it is indicative that there was talk of taking care of education for children and youth along with the warning in the first (ordinal number 3): "It is time to stop the madness and take the future into our own hands" and in the second (ordinal number 4): "Do not let them jeopardise your future". At the same time, the phrases related to stopping the madness and jeopardising the future alluded to the blockades of schools and colleges. In both ads, there followed a call to make a decision: "It is time for you to decide in what kind of country you want to live", after which, at the very end of both ads, it was said and written on the screen: "For Serbia's victory! Wake up, soon in Belgrade! Peacefully, democratically and united."

In the ad under ordinal number 2 (29/03/2025 17:27:32 – 17:27:57) there was a mention of the bad economic consequences of the 2008-2012 rule and the damage caused to the country even today "while in the opposition" (brief display of the likenesses of Dragan Djilas from the back, A. Jovanović Čuta (in front of the Serbian Assembly) and Miloš Jovanović (with a flaming torch at a parliamentary sitting). It was followed by: "Wake up, soon in Belgrade! Peacefully, democratically and united".

In the ad under ordinal number 6 (01/04/2025 17:38:03 – 17:38:25) the bad economic consequences of the blockades were pointed out, followed by a claim: “We have restarted the economy of Serbia, and they are tearing it down”, followed by a call: “Wake up, soon in Belgrade!” and the manner how it would be done: “Peacefully, democratically and united”.

In the ad under ordinal number 1 (28/03/2025 16:52:41 – 16:53:04) there was a reminder that a pogrom of the Serbian population in Kosovo and Metohija and “the attempted secession of the false state” happened “during their period”, with frames containing likenesses of Boris Tadić and Vojislav Koštunica. A message followed: “I do not want a new pogrom and I do not want a Kosovo outside of Serbia! and at the end: “Wake up, soon in Belgrade! Peacefully, democratically and united.”

Based on all the previously described messages, it could be concluded that there were “they” who were blocking, destroying the Serbian economy, “the attempted secession of the false state” happened “during their period” and the “March pogrom”, “they continue to harm the country even as part of the opposition. Imagine if they were in power!, “Do not let them jeopardise your future”.

On the other side are “we”, and “We are the people”, “We have restarted the economy of Serbia, and they are tearing it down”, “If you love Serbia, show that there are more of us!, “Rise! Serbia is calling you!”, “It is time to stop the madness and take the future into our own hands”, “We have been silent long enough”.

“They” are the opposition and those formerly in power and those who block.

All of the above indicates that the ads broadcast from 25 March to 13 April 2025 fall under advertising with unequivocal political content. Advertised were activities - the holding of a rally and a call to take part in it, as well as views - about the situation in Serbia, about the opposition, about students staging blockades.

In accordance the definition of political advertising in the Law on Electronic Media (Article 4, Paragraph 1, Item 19), in this specific case it may be concluded that the broadcasting of the aforementioned and described ads is not compliant with the obligation referred to in Article 62, Paragraph 1, Item 1 of the Law on Electronic Media. (“The media service provider shall: 1) comply with the prohibition of political advertising outside the election campaign”).

Political advertising is defined in the Law on Electronic Media (Article 4, Paragraph 1, Item 19) as "programme content recommending, against compensation, registered political parties, groups of citizens, coalitions, candidates or their activities, ideas or positions for the purpose of achieving success in elections".

This means that political advertising may be conducted, against compensation, by "registered political parties, groups of citizens, coalitions, candidates", in particular "for the purpose of achieving success in elections"; therefore, only they (not non-governmental organisations, associations, organisations, etc.) and only during the election campaign, given that political advertising outside the election campaign is prohibited, as stipulated by Article 62, Paragraph 1, Item 1 of the Law on Electronic Media. Outside the election campaign, in accordance with the definition of political advertising and the prohibition of political advertising outside

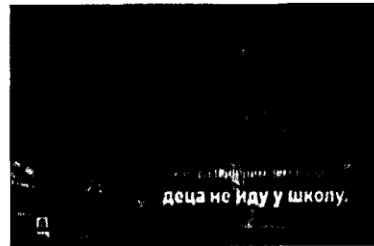
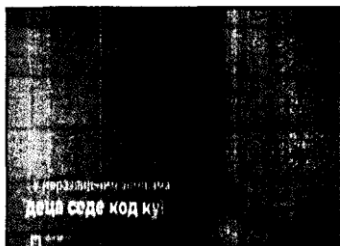
the election campaign, neither they nor their activities, ideas or positions may be advertised, and certainly not anyone else whose political advertising is not even allowed during the election campaign (non-governmental organisations, associations, organisations, etc.).

In 3 different forms (types) of ads (in this report they are under ordinal numbers 3,4 and 5), the participation of children and minors was observed.

3. 29/03/2025 15:42:07 – 15:42:50

The transcript of the spoken text (female voice): "In underdeveloped countries, children sit at home. In underdeveloped countries, children do not go to school. In underdeveloped countries, diplomas are not created. It is time to stop the madness and take the future into our own hands. It is time for you to decide in what kind of country you want to live. For Serbia's victory! Wake up, soon in Belgrade! Peacefully, democratically and united."

In the visual part, there were scenes showing young people and adults, but also scenes showing a female child and minors.



4. 05/04/2025 15:39:06 - 15:40:00

The transcript of the spoken text (female voice): "Serbia takes care of education for more than 220 thousand preschool-age children, more than 540 thousand primary school pupils, more than 220 thousand secondary school pupils, more than 250 thousand university students. They are future teachers, craftsmen, professors, engineers, doctors, artists, scientists, military officers... Do not let them jeopardise your future. It is time for you to decide in what kind of country you want to live. For Serbia's victory! Wake up, soon in Belgrade! Peacefully, democratically and united",

In the visual part, there were scenes with preschool age children, primary school pupils, secondary school pupils, university students, teachers, craftsmen, professors, engineers, doctors, artists, scientists, military officers.



5. 10/04/2025 14:31:12 - 14:32:21

The transcript of the part of the spoken text in which a child was heard and seen: ...*Mom, will we go to school normally again?*



In the visual part, there were scenes showing parents, children, workers, farmers, teachers, youth, retirees and in several scenes, children were also shown.

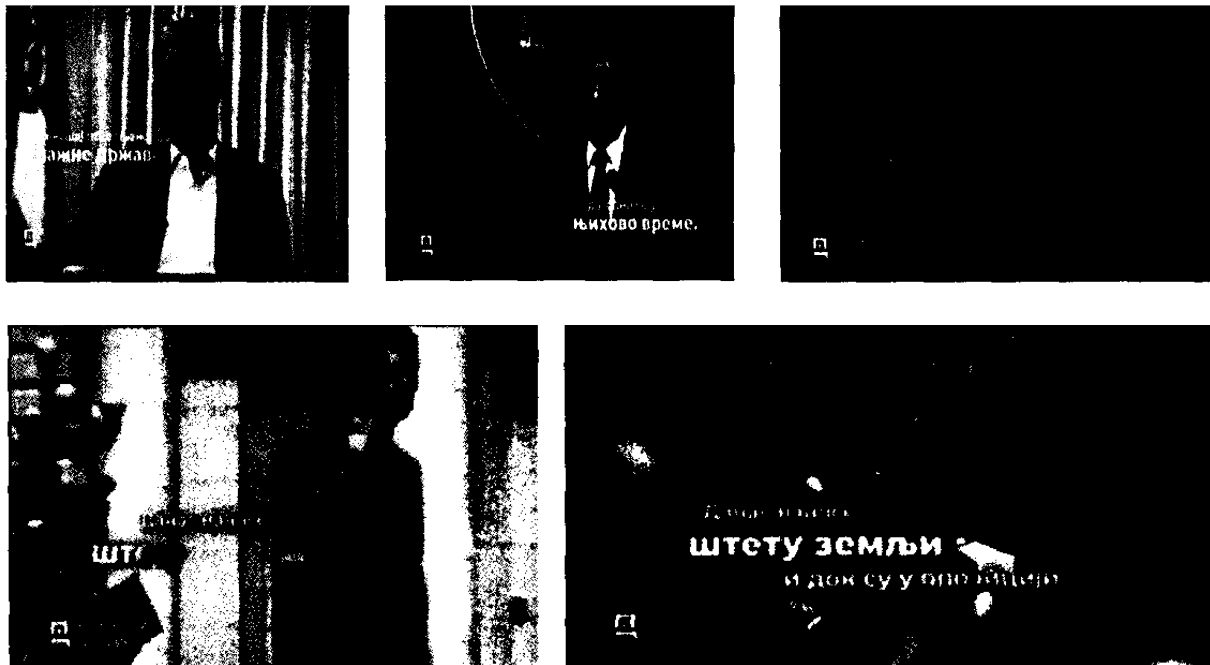


The aforementioned actions taken in the three described ads are contrary to Article 66, Paragraph 5 of the Law on Electronic Media:

“It is forbidden to use the participation of minors in programme content for political purposes or to abuse it.”

In two forms (types) of ads (the descriptions are under ordinal numbers 1 and 2 in this report), the portrayal of figures from the opposition and previous governments in a negative context was observed.

In these ads, the likenesses of Boris Tadić, Vojislav Koštonica, Dragan Djilas, Aleksandar Jovanović Čuta and Miloš Jovanović were displayed.



Such display is contrary to Article 15, Paragraphs 1 and 2 of the Law on Advertising:

"If an ad contains a personal good on the basis of which the identity of a person can be determined or recognised, the ad may not be released without the prior consent of the person to whom the personal good relates. Personal data, personal recordings, recorded images (photographic, cartoon, graphic, cinematic, video and digital recordings), the voice audio recordings and those of the spoken words of a particular natural person are considered personal goods."

Conclusion: By broadcasting 68 ads in 8 different forms (types), in the period from 25 March to 13 April 2025, MSP Nacionalna Hepi TV violated Article 62, Paragraph 1, Item 1 of the Law on Electronic Media relating to the prohibition of political advertising outside the election campaign.

Broadcasting 3 different forms (types) of ads, in an indetermined number of broadcasts, violated Article 66, Paragraph 5 of the Law on Electronic Media, which stipulates that it is forbidden to use the participation of minors in programme content for political purposes.

Broadcasting 2 different forms (types) of ads, in an undetermined number of broadcasts, violated Article 15, Paragraphs 1 and 2 of the Law on Advertising relating to the consent of the person to the use of a personal good (display of likeness), in relation to multiple persons.

Furthermore, in order to determine who the advertiser is, it would be desirable for the MSP Nacionalna Hepi TV, as the transmitter of the ad, to submit ad declarations for the

broadcasting of the ads in questions, in order to determine whether the advertiser is the Centre for Social Stability, whose name and logo can be seen in the lower corner of ads, and in what capacity, in accordance with Article 2, Paragraph 1, Item 3 of the Law on Advertising: "An advertiser is a person engaging in advertising, in the capacity of a trader in line with regulations governing trade or operating in the name and on behalf of a trader, that is, performing a professional or business activity of selling goods and services, real estate, as well as the transfer of rights and obligations, in line with separate regulations. "

Monitoring and Analysis Service