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Conviction of journalists: A scandalous blow to freedom of expression in Serbia

On 8 March 1999 the editor and two journalists of a Belgrade daily newspaper were convicted of “spreading false information” by a Belgrade court. Editor Slavko _uruvija and journalists Zoran Lukovi_ and Srdjan Jankovi_ of the *Dnevni Telegraph* were each given prison sentences of five months, but remain free pending appeal.

Amnesty International believes that the prosecution of the *Dnevni Telegraph* journalists is politically motivated and is yet another attempt to suppress freedom of expression and criticism of the government in Serbia. Should they be imprisoned, the organization will consider them prisoners of conscience.

The charges against the three journalists arose from an article published on 5 December 1998 in the newspaper and on the newspaper’s Internet web site. The article alleged that Milovan Boji_, one of the Deputy Prime Ministers in the Serbian government, was implicated in the murder of the director of a Belgrade medical institute.

The court found the two journalists to be the authors and Slavko _uruvija to be responsible for the article as editor.

The law under which they were convicted, Article 218 of the Serbian Criminal Code, refers to “spreading false information” in a context in which it might “endanger public order or the peace”. However, it is clear that in this case the legal action was aimed at protecting the reputation of a government minister and not the public interest.

Amnesty International considers that criminal prosecutions of this nature are inappropriate and that public officials should have recourse to private prosecutions for slander or libel such as those available to any ordinary citizen if they consider that their reputations have been damaged.

This view is supported by international standards on freedom of expression -- such as Article 19 of the International Covenant on Civil and Political Rights -- and case law, which firmly establish that there must be scope for robust criticism of government officials and that they should not enjoy special protection from criticism.

Background

This conviction comes at a time when there is intense pressure on the independent media in Serbia, particularly because of their reporting of events in Kosovo.

In October 1998 the Serbian authorities introduced a draconian Law on Information which allows for huge fines against news outlets and restricts opportunities for legal defence.

Other targets of prosecutions under the law -- besides *Dnevni Telegraph* which has had to move its printing and registration to Montenegro -- have included the newsletter of a small human rights group with a circulation of only a few hundred copies. The group's president, Dobrosav Nešić, was threatened with 30 days' imprisonment if he failed to pay immediately a fine equalling 7,000 US dollars, a huge sum by local standards.

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