

**Implications of the
EU Digital Services Act
on Critical Voices in Serbia:**
Challenges for Civil Society
Organizations and
Investigative Journalists



Implications of the EU Digital Services Act on Critical Voices in Serbia: Challenges for Civil Society Organizations and Investigative Journalists

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Abstract

The European Union's Digital Services Act (DSA) will significantly impact the digital environment. Civil society organizations (CSOs) have raised concerns about the impacts of the legislation in EU candidate states, such as Serbia, due to the importance of the operational independence of state-level institutions. By analyzing the DSA and conducting interviews with Serbian-based CSOs and investigative journalists, this report argues that platforms are likely to heavily lean on notifications from state-influenced Digital Services Coordinators and trusted flaggers in Serbia. Due to the relationship between CSOs, investigative journalists, and the Serbian government, the implementation of this legislation is likely to result in a disproportionate suppression of content critical of the government.

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Introduction

The Digital Services Act (DSA), adopted by the European Union in 2022, will significantly impact the digital environment. While the impact still lacks clarity for EU member states, concerns among civil society organizations (CSOs) are even less understood, as is the impact on EU candidate members, who are obligated to align with EU regulations but have received little guidance. The effective implementation of the law rests on the functioning independence of several state-level institutions. While this may be possible in a majority of EU member states, this reality may not exist in other states that require the implementation of the legislation. This report analyzes the potential impacts of DSA implementation on CSOs and investigative journalism (IJ) outlets in the Republic of Serbia, henceforth referred to as Serbia.

To understand the impacts in Serbia, this report analyzes the DSA legislation, Serbia's political context, and the current position of CSOs and investigative journalism in Serbia. Additionally, this report analyzes nine interviews with current Serbian-based activists and journalists about their work, use of social media, and past experiences with the government.

This report argues that under the DSA's pressure to quickly remove illegal content to avoid liability, platforms may lean heavily on algorithmic deletion processes and over rely on flags from the countries' trusted flaggers and Digital Services Coordinators (DSCs). Due to the lack of independence in Serbia's media regulatory bodies, particularly the Regulatory Body for Electronic Media (REM), there is a significant risk that Serbia's ruling party will wield undue influence over content moderation. This could result in disproportionate targeting and removal of content from CSOs and IJs critical of the government.

Definitions

Digital Services Act

The European Parliament adopted the Digital Services Act in July 2022 and published it in the Official Journal in October 2022. According to the European Commission, the goal of the DSA is to foster a safer online environment by providing stronger protection for users' fundamental rights. Member states were required to fully implement the law by February 2024; however, this has yet to take place in many EU states. If platforms fail to comply with the DSA, they can be fined up to 6% of their global revenue.

This section of the paper does not provide a comprehensive overview of the DSA. Rather, it highlights articles and provisions that directly impact content moderation and the role of the DSC, trusted flaggers, and other related state-level competencies that could be influenced by a lack of independence. It covers changes in platform liability, new mechanisms for responding to illegal content and content moderation methods, orders to act against illegal content, the Digital Services Coordinator (DSC), out-of-court dispute bodies, and trusted flaggers.

Very Large Online Platforms and Very Large Online Search Engines

In the DSA, Very Large Online Platforms (VLOPs) and Very Large Online Search Engines (VLOSEs) are defined as online platforms that have more than 45 million monthly active users, around 10% of the EU's population. Both VLOPs and VLOSEs will be directly regulated by the European Commission and not Member States themselves^[1]. Designated VLOPs and VLOSEs include Facebook, Instagram, X (formerly known as Twitter), Google, Amazon, Bing, LinkedIn, Pinterest, Snapchat, Youtube, and Zalando^[2]. It is still unclear who the regulation of VLOPs and VLOSEs falls under for EU candidate states.³

[1] European Commission, "DSA: Very Large Online Platforms and Search Engines," European Commission: Shaping Europe's digital future, February 21, 2024.

[2] "EU: Commission Requests 17 VLOPs and VLOSEs to Provide Information on Measures Taken to Give Access to Data," DataGuidance, January 23, 2024, <https://www.dataguidance.com/news/eu-commission-requests-17-vlops-and-vloses-provide>.

Platform Liability

The DSA amends Directive 2000/31/EC (E-Commerce Directive), particularly in the realm of platform liability for illegal content^[3]. Articles 12–15 of the E-Commerce Directive have been replaced by DSA Articles 4, 5, 6, and 8, with platform liability now addressed in DSA Articles 16–38^[4]. Notably, the DSA introduces changes in ‘hosting’, specifying how providers of online hosting services receive “authorized orders”^[5].

As was the case with the E-Commerce Directive, it remains that providers are not liable for illegal content until they are aware of it^[6]. General monitoring for illegal activity is not required, but voluntary monitoring is allowed, and cooperation with authorized orders from public authorities is emphasized. Consequently, it is important to highlight that the DSA does not shift liability for illegal content to providers. Instead, it provides a direct mechanism for users and public authorities to alert the providers of such content, which the providers are then liable to respond to in a ‘timely manner’^[7]. This induces pressure for quick responses to the alerts arising from the new mechanisms in order for the platforms to continue avoiding liability.

Responding to illegal content under content moderation

Mechanisms for Users to Report Illegal Content. Under the DSA, platforms must establish a user-friendly mechanism for reporting illegal content, ensuring users can explain their concerns through a notice and action framework^[8]. When reporting illegal content, the user must be given the opportunity to explain why they believe the content is illegal^[9]. These notices are considered sufficient to give the platforms notice of illegal content, eradicating their non-liability status^[10]. The platform must provide the notifier confirmation of receipt and its moderation decision, which must be processed in “a timely, diligent, nonarbitrary, and objective manner.” Additionally, if the decision is made using automated means, the notifier will be informed^[11].

[3] Joanne van Eenennaam, “The New Platform Liability: From the e-Commerce Directive to the Digital Services Act Regulation (‘DSA’),” *WiseMen Advocaten* (blog), December 10, 2023, <https://www.wisemen.nl/en/news/the-new-platform-liability-from-the-e-commerce-directive-to-the-digital-services-act-regulation-dsa/>.

[4] DSA Article 89

[5] van Eenennaam, “The New Platform Liability: From the e-Commerce Directive to the Digital Services Act Regulation (‘DSA’).”

[6] DSA Article 6 (1)

[7] DSA Article 16 (4)

[8] DSA Article 16 (1)

[9] DSA Article 16 (2)

[10] DSA Article 16 (3)

[11] DSA Article 16 (6)

Additionally, providers must offer an internal complaint system, allowing users affected by moderation decisions to lodge complaints within six months^[12]. The decisions that can be addressed include the removal, disabling of access, or visibility restrictions of content; the suspension or termination of provisions of the service, in whole or in part, to recipients; the suspension or termination of the recipient’s account; and the termination or restriction of the ability to monetize information^[13]. The complaints are required to be addressed in a timely manner, and if it finds that the complaint has sufficient grounds to reverse the provider’s initial decision, the measure will be done “without undue delay”^[14]. The providers must also provide the complainants with the reason for their decision^[15].

Orders to Act Against Illegal Content. If service providers receive orders to address illegal content, they must inform the issuing authority and other relevant bodies of their decision^[16]. These orders can come from Member States through their DSC. The orders must contain details such as the legal basis and the issuing authority^[17]. Service providers must inform the affected recipients of the orders’ implications, avenues to appeal, and the territorial scope^[18]. Additionally, providers may suspend services if a user has made frequent violations and can suspend the processing of notices if numerous flags are deemed unfounded^{[19][20]}. When making suspension decisions, providers must consider multiple factors, including the number and gravity of violations and the perceived intentions of the involved parties^[21].

Digital Services Coordinator

The DSC is an independent institution chosen by the member state to be in charge of implementation and to represent them at the EU level^[22]. Additionally, if the MS designates other competent authorities to implement the DSA, the DSC acts as the national-level coordinator^[23].

Regarding service providers established in their member states, the DSCs have investigative and enforcement powers. Investigative powers include the ability to request audits, perform site inspections, and question staff of service providers established in its

[12] DSA Article 20 (1)

[13] DSA Article 20 (1)

[14] DSA Article 20 (4)

[15] DSA Article 20 (5)

[16] DSA Article 9 (1)

[17] DSA Article 9 (2)

[18] DSA Article 9 (5)

[19] DSA Article 23(1)

[20] DSA Article 23 (2)

[21] DSA Article 23 (3)

[22] DSA Article 49 (1)

[23] DSA Article 49 (2)

member state. Enforcement powers include soliciting binding commitments from service providers, ordering the cessation of infringements, and imposing remedies and fines.

Additionally, the DSC certifies out-of-court dispute bodies, trusted flaggers, and researchers^[24]. Annually, the DSC must produce an annual audit, which will include information on orders against illegal content and if any judicial or administrative bodies request information^[25]. The DSC must also participate in cross-border investigations and represent the MS at the European Board of Digital Services^[26].

The independence of the DSC is crucial to the successful implementation of the DSA^[27]. Due to its important oversight functions, including acting as a complaints body, vetting researchers seeking data access to platforms, certifying out-of-court dispute settlement bodies, and designating trusted flaggers, a non-independent DSC has a strong probability of suppressing freedom of expression.

Even within the EU, there are apprehensions about the reality of DSC independence. There are several ways DSC's independence might be impacted. First, the institution might not be independent on paper. This could include instances where political or business choices impact the governance structure, the funding is not independent of an agency, or a variety of other ways. Second, the DSC could be legally independent, but there might be undue influence from the government on businesses behind the scenes. In this case, there is potential for the online space to be decided based on political wishes and special interests taking precedence over the public good^[28].

Trusted Flaggers. The DSC will award the status of trusted flaggers within its member states. The flagger will have to prove it meets certain conditions, including particular expertise and competence in detecting, identifying, and notifying illegal content; it is independent of online platforms; and it submits its notices diligently, accurately, and objectively^[29]. The DSC must share those granted flagger statuses with the EU Commission, and the Commission will publish them in the publicly available database^[30].

Notices from trusted flaggers, submitted through mechanisms referenced in Article 16, are given priority and processed without undue delay^[31]. Similar to notices from users, notices from flaggers will be sufficient notice for platforms to be liable for illegal content. For

[24] DSA Article 40, 52

[25] DSA Article 51

[26] DSA Articles 58, 61

[27] Tar, "MEPs Concerned about Hungarian Digital Authority's Lack of Independence."

[28] Julian Jaurisch, Interview with Dr. Julian Jaurisch on Digital Services Act, interview by author, April 9, 2024.

[29] DSA Article 22 (2)

[30] DSA Article 22 (5)

[31] Article 22 (1)

transparency purposes, the flaggers will be required to publish detailed reports on notices submitted, which will include the identity of the provider of the hosting services, the type of allegedly illegal content notified, and the action taken by the provider. The reports will be sent to the DSC and made publicly available without identifying information^[32]. If a provider indicates that the flagger has submitted a significant number of imprecise, inaccurate, or inadequate notices, it will notify the DSC. The DSC can open an investigation that will be carried out without undue delay^[33]. If there are substantial findings, the DSC can revoke trusted flagger status^[34].

Social Media Platform Content Moderation

Content moderation methodologies

Social media platforms, including Meta, often approach moderation by relying on algorithms to automatically filter or flag content that seems inappropriate based on their Terms of Service (ToS) and community guidelines^[35]. Before legislation such as the DSA, digital platforms acted as a “quasi-public power,” setting and enforcing online rules independently^[36]. However, the DSA shifts this status by changing liability guidelines and giving governments a more active role.

Typically, the ToS and community guideline rules are implemented through an “industrial approach,” relying on automatic and algorithmic content flagging, filtering, and removal to process large amounts of data. Providers can use various algorithms, ranging from keyword analysis, machine learning (ML), and natural language processing tools, to detect content that violates the ToS^[37]. Critics of these methods argue that these algorithms are by nature opaque and struggle with sensitive issues, which has led to innumerable false positives^[38].

Meta’s AI technology reviews content against its ToS. It flags cases too ambiguous for its algorithms for human review based on the content’s severity, virality, and likelihood of policy

[32] DSA Article 22 (3)

[33] DSA Article 22 (6)

[34] DSA Article 22 (7)

[35] Sulmicelli, Sergio. 2023. “Algorithmic Content Moderation and the LGBTQ+ community’s Freedom of Expression on Social Media: Insights from the EU Digital Services Act”. *BioLaw Journal - Rivista Di BioDiritto*, n. 2 (luglio):475. <https://doi.org/10.15168/2284-4503-2717>.

[36] *ibid.*, 476.

[37] *ibid.*, 478.

[38] *ibid.*

violation^[39]. However, much of its content review is based on industrial approaches. In early 2024, Meta stated that algorithms influence over 95% of its content removal and bans on Facebook. YouTube shared a similar statistic, where 98% of the videos that were removed for violent extremism were flagged by ML algorithms^[40]. Within the context of the DSA, platforms like Meta will likely still rely on industrial approaches to handle the influx of notices from users, trusted flaggers, and DSCs.

Serbia's EU Candidacy

Under the “Stabilization and Association Agreement between the European Communities and Their Member States and the Republic of Serbia,” Serbia must align its laws with the EU acquis to join the EU^[41]. Article 72 of the Agreement states:

“The Parties recognize the importance of the approximation of the existing legislation in Serbia to that of the Community and its effective implementation. Serbia shall endeavor to ensure that its existing laws and future legislation will be gradually made compatible with the Community acquis. Serbia shall ensure that existing and future legislation will be properly implemented and enforced.”^[42]

If the EU sees that Serbia is not making improvements or implementing the EU acquis, they can withhold funds from the Instrument from Pre-Accession Assistance (IPA)^[43]. The IPA is an investment to support reforms through financial and technological assistance. Serbia, along with six other countries involved in the IPA III (2021-2027) benefit from 14.162 billion euros in assistance. Not only does the IPA help the beneficiary country with implementing political, institutional, legal, administrative, social, and economic reforms, but it also works to promote the EU's economy and stability. It is in Serbia's interest to comply with the

[39] Meta Transparency Center Staff, “Detecting Violations: Technology,” Meta Transparency Center, 2024, <https://transparency.meta.com/enforcement/detecting-violations/>.

[40] *ibid.*

[41] European Commission. “European Neighbourhood Policy and Enlargement Negotiations: Stabilization and Association Process.” European Commission: Directorate General for Neighbourhood and Enlargement Negotiations. Accessed February 8, 2024. https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/glossary/stabilisation-and-association-process_en.

[42] European Commission, “Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: An Economic and Investment Plan for the Western Balkans,” October 6, 2020, https://neighbourhood-enlargement.ec.europa.eu/system/files/2020-10/communication_on_wb_economic_and_investment_plan_october_2020_en.pdf.

[43] European Parliament. “Press Release: Serbia Did Not Fulfil Its Commitments to Free and Fair Elections, Say MEPs.” European Parliament: News, August 2, 2024. <https://www.europarl.europa.eu/news/en/press-room/20240202IPR17327/serbia-did-not-fulfil-its-commitments-to-free-and-fair-elections-say-meps>.

Stabilization and Association Process (SAP), including harmonizing its laws, even if only to receive financial and institutional support from the EU and ultimately become a member of the bloc^[44].

[44] European Commission. “European Neighbourhood Policy and Enlargement Negotiations: Instrument for Pre-Accession Assistance.” European Commission: Directorate General for Neighbourhood and Enlargement Negotiations, October 8, 2021. https://neighbourhood-enlargement.ec.europa.eu/enlargement-policy/overview-instrument-pre-accession-assistance_en.

Political Context

Serbian State of Democracy

Since the collapse of Yugoslavia and the civil war of the 1990s, a unique form of governance has emerged and solidified. Before 2016, many scholars argued that Serbia and its Western Balkan neighbors were in a state of transition from authoritarianism to a consolidated democracy. However, today, scholars argue that the Western Balkans exist within the continuum of regime types and instead place the countries in between democracy and authoritarianism rather than amongst countries in ‘transition’^[45].

This report will follow a similar line of thinking, along with Bieber (2018) and Kmezcic (2020)^[46], that Serbia should be categorized as a competitive authoritarian regime. Levitsky and Way define competitive authoritarian regimes as still having formal democratic institutions that are perceived as a legitimate method for obtaining and exercising political authority. However, the ruling party and its incumbents consistently violate the rules and continually fail to meet democratic standards^[47]. Bieber describes the central features of competitive authoritarian systems as a specific ideology, a reliance on external legitimacy, approaches to crises, media control, and state capture^[48].

Additionally, to understand the potential impact of the DSA, the role of the rule of law must be highlighted. Kmezcic (2020) writes how control of the legislature and judiciary gives the incumbents the ability to legalize, and sometimes retroactively legalize, actions that work for their benefit in this kind of system^[49]. The regime is centered on a legal setting that enables ruling elites to abuse the structural weakness and fragility of these institutions for the incumbent’s benefit^[50].

[45] Florian Bieber, “Patterns of Competitive Authoritarianism in the Western Balkans,” *East European Politics* 34, no. 3 (July 2018): 337–54, <https://doi.org/10.1080/21599165.2018.1490272>.

[46] Marko Kmezcic, “Rule of Law and Democracy in the Western Balkans: Addressing the Gap between Policies and Practice,” *Southeast European and Black Sea Studies* 20, no. 1 (January 2020): 183, <https://doi.org/10.1080/14683857.2019.1706257>.

[47] Steven Levitsky and Lucan Way, “Elections without Democracy: The Rise of Competitive Authoritarianism,” *Journal of Democracy* 13, no. 2 (April 2002): 53.

[48] Florian Bieber, “Patterns of Competitive Authoritarianism in the Western Balkans,” *East European Politics* 34, no. 3 (July 2018): 341, <https://doi.org/10.1080/21599165.2018.1490272>.

[49] Marko Kmezcic, “Rule of Law and Democracy in the Western Balkans: Addressing the Gap between Policies and Practice,” *Southeast European and Black Sea Studies* 20, no. 1 (January 2020): 183–98, <https://doi.org/10.1080/14683857.2019.1706257>.

[50] Kmezcic, “Rule of Law and Democracy in the Western Balkans: Addressing the Gap between Policies and Practice.”

It will take significant time to fully comprehend the impact of implementing the DSA under a competitive authoritarian regime. However, by understanding Serbia's current relationship with critical voices and the new powers granted at the state level, activists can hope to be better prepared to mitigate the consequences.

State of Media Freedom

Media pluralism in Serbia is characteristically weak, and independent media is systematically disadvantaged by the government^[51]. Pro-government groups overwhelmingly control print, television, and radio outlets in Serbia. Although direct ownership of private media by the government or party officials is banned in Serbia, an indirect state ownership model is often employed and impacts an overwhelming number of outlets^[52]. Critical and opposition media are present but have a fraction of the airspace granted to pro-government outlets. In July 2022, this lack of airspace was solidified when the media regulatory body awarded the four national frequencies to only pro-government channels^[53]. Now, if citizens want to access the critical media, such as members of the United Group, *N1*, *Nova*, and *Danas*, they have to actively search them out. Often, this requires them to pay extra to view programming. Since the July 2022 decision, citizens must purchase an additional television service package to view critical media programming on their television. Consequently, tabloids and pro-government television programming are much more easily available, and as a result, much of the general public is not exposed to independent channels^[54].

Media Regulators

Similar to EU member states, Serbia's DSC is likely to be a media regulator. Presently, there are two regulating bodies that are likely to be designated as the DSC. Whichever is chosen, it is likely that the other will be listed as a competent authority. In Serbia, the Regulatory Body for Electronic Media (REM) or the Regulatory Body for Electronic Communications and Postal Services (RATEL), are favored to be the DSC. Although both, on paper, are legally and financially independent institutions, in practice, there are many concerns about this reality^[55]. As of the publication of this report, it is still unknown which institution will serve as the DSC or competent authorities.

Regulatory Body for Electronic Media. REM is actively preparing for the implementation of the DSA in Serbia. Currently, REM is an observer in the European Regulators Group

[51] Article 19, "Serbia: Independent Journalism Faces Biggest Crisis in Years," *ARTICLE 19* (blog), April 26, 2023, <https://www.article19.org/resources/serbia-independent-journalism-faces-biggest-crisis-in-years/>.

[52] *ibid.*

[53] *ibid.*

[54] Freedom House, "Serbia: Freedom in the World 2024 Country Report," Freedom House, 2024, <https://freedomhouse.org/country/serbia/freedom-world/2024>.

[55] Milica Tošić, Interview with Milica Tošić on Serbia's Digital Services Coordinator, interview by author, May 7, 2024.

for Audiovisual Media Services (ERGA), allowing it to be informed on DSA implementation. Work on the DSA provisions and other European standard alignments has begun through projects like PROFEX and others similar with the EU and the Council of Europe^[56]. REM has also worked with the Communications Regulatory Agency of Bosnia and Herzegovina to collaborate on the DSA and new roles for the regulators in the region^[57].

However, REM's independence from the government and ruling party is nonexistent. Investigations reveal REM's repeated failure to enforce media regulations, allowing pro-government channels to violate rules^[58]. REM applies legislation selectively and has a clear bias towards the ruling party, raising concerns about its role in DSA implementation. If REM is chosen to represent Serbia, it can be assumed that the requests of the ruling party will be a consistent priority.

Regulatory Agency for Electronic Communications and Postal Services (RATEL). The telecommunications and fixed-line broadband sectors in Serbia are regulated by RATEL and are overseen by the Ministry for Information and Telecommunications (MIT). Similar to REM, RATEL has been participating in EU institutions and DSA-related capacity building. It participates in the Body of European Regulators for Electronic Communications and the Independent Regulators Groups^[59].

However, when compared to REM, RATEL is known for operating in a more transparent manner^[60]. The Parliament chooses the managing board of RATEL through a public competition. Even though parliament's majority coalition often votes for its preferred candidates, the board's members are not formally appointed based on their political affiliation^[61]. Overall, the managing board appointment process is viewed favorably and in a very transparent manner. Additionally, RAEL is financially independent from the executive branch and is funded through service providers' fees. Additionally, CSOs hope that if RATEL is chosen over REM, there is a bigger potential for a multi-stakeholder approach to DSA implementation, including the involvement of civil society, the Commissioner for Information of Public Importance and Personal Data Protection, and the Ombudsman^[62].

[56] Tošić, Interview with Milica Tošić on Serbia's Digital Services Coordinator.

[57] REM Staff, "Размена Знања Запослених о Акту о Дигиталним Услугама," Regulatory Body for Electronic Media, March 29, 2024, <https://rem.rs/sr/arhiva/vesti/2024/03/razmena-znanja-zaposlenih-o-aktu-o-digitalnim-uslugama#gsc.tab=0>.

[58] Ivana Milosavljević, "Kako Je REM Žmurio Na Nasilje Na Televizijama," *Centar Za Istraživačko Novinarstvo Srbije* (blog), May 11, 2023, <https://www.cins.rs/kako-je-rem-zmurio-na-nasilje-na-televizijama/>.

[59] Tošić, Interview with Milica Tošić on Serbia's Digital Services Coordinator.

[60] Mila Bajić et al., "Freedom on the Net 2023: Serbia" (Freedom House, 2024), <https://freedomhouse.org/country/serbia/freedom-net/2023>.

[61] *ibid.*

[62] Tošić, Interview with Milica Tošić on Serbia's Digital Services Coordinator.

State of Civil Society Organizations and Investigative Journalism

In line with the deteriorating political climate in recent years, the relationship between the Serbian government and civil society has become increasingly hostile^[63]. In the media and in rhetoric from government officials, IJs and CSOs in Serbia are consistently faced with a dual narrative. High-level officials, such as President Vučić and former Prime Minister Ana Brnabić, often use pro-NGO and civil society rhetoric^[64]. The role of CSOs in particular is often discussed within the context of European integration. However, critics of the government see this pro-CSO rhetoric as an attempt to distract from the democratic backsliding of institutions. One such example is the creation of the Ministry of Human and Minority Rights and Social Dialogue, whose activities have been underwhelming on the best of days^[65].

The second narrative involves smear campaigns from senior and junior public officials from the ruling party. MPs often attack IJs and CSOs openly during parliamentary sessions^[66]. Similar rhetoric is repeated and published in a variety of pro-government and state-owned media and tabloids, which constitute a majority of Serbia's media market. Commonly, these published attacks are reactions to specific actions taken by a CSO or individual activist^[67]. This can be exemplified by several IJs and CSOs dealing with politically charged topics, such as the wars of the 1990s and LGBTQ+ rights^[68].

Publications in government controlled tabloids, such as *Informer*, *Alo*, *Republika (Serbian Telegraph)*, *Novosti*, and *Kurir*, typically revolve around four different narratives, namely the defense of President Vucic's personality cult, the demonization and dehumanization of government critics, the labeling of these critics as traitors, and discrediting critical media^[69]. These tabloids often directly attack critics using names, media outlets, or other specific and personal information^[70]. Consequently, critical journalists and activists are often targeted^[71].

[63] Antonio Prokscha, "Standing Up for Democracy: How Serbian Civil Society Is Fighting for Survival | German Marshall Fund of the United States," German Marshall Fund, 2023, <https://www.gmfus.org/news/standing-democracy-how-serbian-civil-society-fighting-survival>.

[64] Belgrade Center for Security Policy, "The (Un)Desirable Partner – Analysis of the Narrative on Civil Society as a Tool to Capture the State," May 9, 2022, 6

[65] *ibid.*

[66] *ibid.*, 10.

[67] *ibid.*, 9.

[68] Vladimir Huba Aradi and Ema Antić, Youth Initiative for Human Rights- Programs and Social Media Presence, interview by author, May 13, 2024.

[69] Danica Đokić, "Izveštaj o monitoringu napada tabloida na kritičke novinare i medije 2023." (Fondacija Slavko Curuvija Foundation, March 13, 2024), <https://www.slavkocuruvijafondacija.rs/izvestaj-o-monitoringu-napada-tabloida-na-kriticke-novinare-i-medije-2023/>

[70] Đokić, "Izveštaj o monitoringu napada tabloida na kritičke novinare i medije 2023."

[71] *ibid.*

The dehumanization of journalists in Serbia is rampant and is especially common in tabloid publications. They describe the critical outlets as “hateful media,” “mercenary media,” and more. Often, these tabloids accuse the critical journalists of outrageous sentiments, such as justifying wounded Serbian children and relativizing crimes against innocent Serbs, and they typically revolve around the ever-present hero-victim dichotomy throughout Serbian discourse^[72]. Critical journalists and activists alike are said to be collaborating with the CIA and hoping for a civil war in Serbia^[73].

In 2020, Serbia passed anti-terror legislation. This targeted CSOs and IJs by imposing reporting requirements and financial penalties on organizations that receive foreign funds^[74]. When the law was first introduced, the government targeted 50 organizations that focused on human rights, war crimes investigations, and other forms of monitoring the government’s work and investigative journalism. They were able to obtain banking information and financial transactions from NGOs that received funds from abroad. Due to the Serbian IJ and CSOs’ complete reliance on funds from abroad, this enables the monitoring of almost all CSOs in the country^[75].

The December 2023 parliamentary elections were a particularly contentious moment for IJs and CSOs with the Serbian government. Many IJs and CSOs released stories about the myriad of issues surrounding the election. Those who participated were harassed, threatened, and MPs called for their arrests. Consequently, according to media freedom NGO Article 19, Serbia is one of the most dangerous places in Europe to work as an activist or journalist^[76].

[72] *ibid.*

[73] *ibid.*

[74] Antonio Prokscha, “Standing Up for Democracy: How Serbian Civil Society Is Fighting for Survival | German Marshall Fund of the United States,” German Marshall Fund, 2023, <https://www.gmfus.org/news/standing-democracy-how-serbian-civil-society-fighting-survival>.

[75] UN OHCHR Staff, “Serbia’s Anti-Terrorism Laws Being Misused to Target and Curb Work of NGOs, UN Human Rights Experts Warn,” *UN OHCHR* (blog), November 11, 2020, <https://www.ohchr.org/en/press-releases/2020/11/serbias-anti-terrorism-laws-being-misused-target-and-curb-work-ngos-un-human>.

[76] Article 19, “Serbia:Independent journalism faces biggest crisis in years.”

Methodology

In addition to the desk research to better understand how DSA implementation in Serbia might impact CSOs and investigative journalism, interviews were conducted with different CSOs and investigative journalist outlets from throughout the country.

In total, nine organizations were interviewed. The six CSOs interviewed were the Youth Initiative for Human Rights- Serbia (YIHR) (Belgrade), Novi Sad School of Journalism (Novi Sad), the Association of Psychologists (Novi Pazar), the Uzice Child Rights Centre (UCRC) (Uzice), Res Publica (Kragujevac), and Pro.Tok21 (Smederevo). The three investigative journalist outlets were Centar za istraživačko novinarstvo Srbije (CINS) (Belgrade), an anonymous outlet (Belgrade), and Balkan Investigative Reporting Network- Serbia (BIRN) (Belgrade). Although the sample size of the IJs is considerably smaller than the CSOs, it is important to note that many IJs have been forced to close in Serbia in recent years due to SLAPP cases^[77].

Two sets of interview questions were developed, one for CSOs and one for IJs. The interviews addressed the work of the organizations, major projects, advocacy campaigns, advocacy strategies, social media presence and strategies, previous experience with censorship, and past experiences with government institutions and officials. To analyze the information gathered from the interviews, a content and thematic analysis method was used. This allowed for a nuanced understanding and highlighted the differences between the experiences of CSOs and IJs in working in Serbia and utilizing social media. Due to these differences, the results are analyzed separately but work together to form a complete understanding of the picture.

[77] Beta, "IPI supports KRIK: Serbia among European countries with most SLAPP suits," N1, May 22, 2023, <https://n1info.rs/english/news/ipi-supports-krik-serbia-among-european-countries-with-most-slapp-suits/>.

Results

Civil Society Organizations

Organization Work

Each of the six organizations interviewed has variations in their work. YIHR, founded in 2003, focuses on reconciliation among youth in Serbia, Croatia, Bosnia and Herzegovina, Montenegro, and Kosovo. They educate about the 1990s wars and war crimes, promoting transitional justice, human rights, and democratization^[78]. The Novi Sad School of Journalism has been in operation for more than 25 years. It emphasizes media literacy through school workshops and the fact-checking portal FakeNews Tragač^[79]. The Association of Psychologists in Novi Pazar, established in 2014, supports people with disabilities, especially children, vulnerable families, and the Roma community in Novi Pazar and beyond^[80]. The Užice Child's Rights Centre, active since 1998, implements the Convention on the Rights of the Child, leads the Coalition for Monitoring Child Rights in Serbia, supports NGOs, collaborates on public policy, and provides educational training^[81]. Res Publica, founded in 2014 in Kragujevac, promotes citizen participation in local decision-making, monitors government media aid, and operates Media Hub Kragujevac^[82]. Pro.Tok21, based in Smederevo and founded in 2016, focuses on ecology, economic development, and citizen engagement^[83].

Social Media Presence

All six of the CSOs use social media to promote their work and expand their reach. All of the organizations interviewed used Instagram, while most are also active on Facebook or Twitter. A majority are either exploring, currently using, or hoping to expand to TikTok in the near future. Many of the organizations are using short-form video formats and other

[78] Vladimir Huba Aradi and Ema Antić, Youth Initiative for Human Rights- Programs and Social Media Presence, interview by author, May 13, 2024.

[79] Ivan Subotić, Novi Sad School of Journalism- Programs and Social Media Presence, interview by author, May 15, 2024.

[80] Marija Tiosavljević, Association of Psychologists in Novi Pazar- Programs and Social Media Presence, interview by author, May 15, 2024.

[81] Polić Stanojević, Aleksandra. Užice Child's Rights Centre- Programs and Social Media Presence. Interview by author, May 23, 2024.

[82] Marija Milosević Tanasijević, Res Publica- Programs and Social Media Presence, interview by author, May 27, 2024.

[83] Rašković, Nataša. Pro.Tok21- Programs and Social Media Presence. Interview by author, May 28, 2024.

engaging visual content to attract younger audiences. Additionally, interactive content such as quizzes, polls, and direct messages were commonly mentioned as ways to engage with the organizations' target audiences.

However, there were notable differences between the organizations' use of social media and priorities. YIHR is most active on Instagram and X (Twitter) and does not focus a lot of energy on Facebook, largely due to their target audience's lack of engagement on the platform. They are also actively working towards improving the quality of their video and pushing for more engagement through interactive campaigns^[84].

The Novi Sad School of Journalism's FakeNews Tragač social media presence is focused on Instagram and TikTok. Currently, they are working to attract younger audiences and is currently undergoing training to enhance their social media management^[85].

The Association of Psychologists Novi Pazar uses Instagram, Facebook, X, and YouTube and is working on expanding to TikTok. They use social media to showcase their activities through videos^[86].

The Užice Child's Rights Centre focuses its social media use on Facebook and Instagram, but occasionally uses X (Twitter) and TikTok. Their content is aimed at updates, educational posts, and promoting good practices at their partner CSOs. Often, they engage with their viewers through comments and Q&As^[87].

Res Publica sees Facebook as their most popular platform and is actively trying to grow their Instagram to grow their impact on the younger audience^[88].

Pro.Tok 21 tailors its strategy based on the audience and uses Facebook to reach older demographics and Instagram for younger ones^[89].

Advocacy Campaigns. Many of those interviewed mentioned significantly successful advocacy campaigns that utilized social media platforms. In 2023, YIHR initiated a campaign that addressed the glorification of war criminals. The campaign began with an open letter to the Serbian government and a call to action for Serbian citizens. YIHR used social media to draw attention to the issue. In response, some citizens began to spray paint over the graffiti in Belgrade themselves^[90].

[84] Aradi and Antić, Youth Initiative for Human Rights- Programs and Social Media Presence.

[85] Subotić, Novi Sad School of Journalism- Programs and Social Media Presence.

[86] Tiosavljevic, Association of Psychologists in Novi Pazar- Programs and Social Media Presence.

[87] Polić Stanojević, Užice Child's Rights Centre- Programs and Social Media Presence.

[88] Milosević Tanasijević, Res Publica- Programs and Social Media Presence.

[89] Rašković, Pro.Tok21- Programs and Social Media Presence.

[90] Aradi and Antić, Youth Initiative for Human Rights- Programs and Social Media Presence.

The Užice Child's Rights Centre promoted a successful advocacy campaign through their social media platforms that focused on domestic violence. They shared stories of the survivors, information on how to report abuse, how the reporting system works, and who the different actors are. Additionally, they wanted to increase awareness of the prevalence of the situation in Serbia. Their campaign utilized the story function, regular posts, and short-form videos^[91].

Res Publica has used their social media platforms for several successful advocacy campaigns, including the ongoing effort to grant state aid to local media. Additionally, they use their platforms to encourage citizens to engage in Kragujevac's city budget adoption annually^[92].

Pro.Tok21 addressed the levels of air pollution in Smederevo from a Chinese-owned mine, promoting a petition and crowdfunding via social media to install a LED screen displaying pollution levels after the government refused to act^[93].

Comments. A majority of the organizations have dealt with negative comments on their posts. Of these, all of them noted that the comments come from nationalists, pro government supporters, or alleged government sponsored bots.

YIHR noted that they have the highest number of negative comments when a post goes viral or deals with a particularly sensitive topic. Comments include accusations that YIHR is betraying Serbia and targeting the entire organization or individuals. When they receive these comments, they report them through the Instagram mechanisms, delete them, and block the user. Posts that address war criminals or commemorations of particular events receive the most hate comments^[94].

For the Novi Sad School of Journalism, specific topics receive the most negative comments. For example, posts about a faculty professor in Novi Sad, a story that was covered extensively by tabloids, received comments from small groups of nationalists. Additionally, the staff reported that their social media profiles were concerned about being "tracked" by the nationalists. The organization only moderates the comments if they involve hate speech. Otherwise, they leave the comments there because they do not want to censor anyone's opinions^[95].

The Užice Child's Rights Centre has received a fair amount of negative comments on its work as well. For the most part, the organization leaves comments. However, there were

[91] Polić Stanojević, Užice Child's Rights Centre- Programs and Social Media Presence.

[92] Tiosavljevic, Association of Psychologists in Novi Pazar- Programs and Social Media Presence.

[93] Rašković, Pro.Tok21- Programs and Social Media Presence.

[94] Aradi and Antić, Youth Initiative for Human Rights- Programs and Social Media Presence.

[95] Subotić, Novi Sad School of Journalism- Programs and Social Media Presence.

several instances in 2023 where the organization reported and deleted some comments on Facebook^[96].

Res Publica has not had extensive issues with negative comments. When they do receive them, they hide hate comments from their posts, but do not delete them^[97].

Pro.Tok21 has had issues with the allegedly government sponsored social media bots that comment on posts that are not in line with the government's agenda. The comments are usually not specific to the post and say things such as "you don't know anything" and "our president is the best". More recently, there has been an increase in right wing commenters and direct messages. These comments claim that Pro.Tok21 is destroying the progress of Serbia and other similar ideas^[98].

Past Experience with Censorship

Three CSOs mentioned significant and consistent challenges with social media platforms. They noted that issues often arise when content is flagged or needs approval from the platform for specific content. Additionally, certain content, such as topics related to politics, government, or COVID, are common triggers for posting issues.

YIHR mentioned that a post with the word "phishing" was flagged by Instagram but was quickly resolved^[99]. The Novi Sad School of Journalism noted that posts that deal with COVID might get flagged by Instagram and that they have heard of other organizations having issues around the December 2023 elections^[100]. The Užice Child's Rights Centre noted that most of their posts have to be approved by the donor, so everything is carefully considered, and they have yet to have any issues posting^[101].

Since December 2023, Res Publica has had its verification status revoked on Meta platforms. Even though they have been submitting documents since the end of 2023, there has been no resolution as of May 2024. They only receive automated replies denying their status. Consequently, they have to go through a marketing agency to publish advertisements due to the requirement of flagging political content^[102]. This has significantly blocked the amount of content, and follows a similar trend with IJs outlined in the next section.

[96] Polić Stanojević, Užice Child's Rights Centre- Programs and Social Media Presence.

[97] Milošević Tanasijević, Res Publica - Programs and Social Media Presence.

[98] Rašković, Pro.Tok21- Programs and Social Media Presence.

[99] Aradi and Antić, Youth Initiative for Human Rights- Programs and Social Media Presence.

[100] Subotić, Novi Sad School of Journalism- Programs and Social Media Presence.

[101] Polić Stanojević, Užice Child's Rights Centre- Programs and Social Media Presence.

[102] Milošević Tanasijević, Res Publica- Programs and Social Media Presence.

Additionally, Pro.Tok21 said that it has issues posting when words like “local government,” “democracy,” or “citizens” are used in the pictures. As a result, the organizations makes ongoing adjustments to language in posts to avoid platform restrictions There is a worry that when phrases like “local government” do go through, there is a significant shadowbanning impact^[103].

Past Experiences with the Government and Ruling Party

There were extreme variations in organizations’ experiences with censorship, which varied widely. Those who dealt with more politically sensitive topics, like reconciliation, had more government-related issues. Additionally, it is common for organizations to receive threats, be attacked in smear campaigns, or be subjected to vandalism from government supporters. However, CSOs that do not have political elements do have better cooperation with the government

YIHR noted continued threats against the organization and the director herself. The threats do not come directly from the government but from its supporters. Similarly, smear campaigns are common against the organization and can often be found in government-run tabloids or television shows. Additionally, several times a year, party supporters destroy the organization’s headquarters intercom and spray paint the windows of the office. Even though YIHR reports the criminal activity and has cameras showing the footage, no one is punished for the crimes^[104].

Novi Sad School of Journalism said that they have not had issues with the government. This is due to their extensive and precise methodology and often because political stories can be difficult to fact check^[105].

The Association of Psychologists Novi Pazar is supported by the local government. They help finance new projects and view the CSO as a resource for the community^[106].

However, there are exceptions to this. The Užice Child’s Rights Centre noted that although they have a good working relationship with the Ministry of Sports and the Ministry of Education, there have been significant issues. After the May 2023 mass shootings in Belgrade, due to the director’s son speaking out, the organization came under intense attacks from the government. The Minister of State Administration, in a broadcasted National Assembly session, spoke about the director, said his NGO wanted to crush the government, showed his picture, and listed his personal assets. Consequently, for around five days, the organization received intense numbers of comments, emails, and direct messages. Many

[103] *ibid.*

[104] Aradi and Antić, Youth Initiative for Human Rights- Programs and Social Media Presence.

[105] Subotić, Novi Sad School of Journalism- Programs and Social Media Presence.

[106] Tiosavljevic, Association of Psychologists in Novi Pazar- Programs and Social Media Presence.

of the comments reflected similar statements from the government, including accusations that they are trying to destroy the government, that they are foreign agents paid for by the West, and more^[107].

Res Publica has not had major issues with their local government and has had none with the state government. From 2014 to 2021, the government of Kragujevac “ignored” them and their work. While other smaller organizations in other communities were met with violence, according to the organization’s representative, the officials in Kragujevac just did not respond. Since 2021, in line with the election of the new mayor, Res Publica no longer says they are ignored but has reached an understanding and acceptance of their work and existence with the local government^[108].

Pro.Tok21 does not have a working relationship with the local government in Smederevo. When officials are invited to participate in panels or other events, if they accept, they almost always cancel 10 to 30 minutes before the event. The activists believe the government sees them as enemies, and any meetings they have held together have been very unproductive^[109].

Investigative Journalist Outlets

Organization Work

CINS, an investigative journalism outlet, works to produce quality, fact-checked stories to inform citizens and hold institutions accountable. In 2023, their social media engagement surged, especially after coverage of the May 2023 mass shootings and a viral undercover story on the ruling party. They also offer training in investigative journalism to engage youth in the profession and activism^[110].

An anonymous investigative journalism outlet focuses on organized crime and corruption in Serbia. They are expanding their staff and enhancing story protection despite government pressure, receiving strong support from the public and civil society^[111].

The Balkan Investigative Reporting Network (BIRN), founded in 2004 and based in Belgrade, operates throughout the Western Balkans. Besides their investigative journalism on Balkan Insight, they build the capacities of other organizations, provide local media

[107] Polić Stanojević, Užice Child’s Rights Centre- Programs and Social Media Presence.

[108] Milošević Tanasijević, Res Publica- Programs and Social Media Presence.

[109] *ibid.*

[110] Aradi and Antić, Youth Initiative for Human Rights- Programs and Social Media Presence.

[111] Anonymous. Anonymous Investigative Journalist Outlet- Programs and Social Media Presence. Interview by author, May 14, 2024.

training, and founded the South Eastern Europe Digital Rights Network to promote fact-based journalism and government accountability^[112].

Social Media Presence

In recent months, CINS has begun to focus on new social media strategies to attract more engagement from the Gen Z age group. They use a wide range of platforms, including Instagram, X (Twitter), Facebook, and LinkedIn. However, they believe X is less popular in Serbia due to its perceived unreliability. Previously, CINS focused on driving traffic to their website, but they now focus their strategy on delivering information through short-form videos and carousel format^[113].

The anonymous journalism outlet primarily posts their content to Facebook and Twitter, however, they are working to increase their presence on Instagram and want to become active on TikTok. Their highest engagement comes from Facebook, though it varies by story and topic. Readers often share stories on X, which the outlet then reposts to boost visibility. Additionally, they have developed their own app to distribute content outside traditional social media channels^[114].

BIRN, through their Balkan Insight account, relies on social media as a key distribution tool. They concentrate on Twitter, Facebook, and Instagram, with some content on TikTok and LinkedIn^[115].

Advocacy Campaigns. CINS has conducted several highly effective advocacy campaigns using social media. One notable story involved a man from Eastern Serbia who had his land taken without compensation. The campaign included a documentary on YouTube and Facebook, TikTok videos, Instagram carousels, and tweets. Another campaign addressing the misuse of public funds used similar methods, CINS journalists created a videogame for their followers^[116].

The anonymous journalism outlet has also run successful social media campaigns, often sparking increased citizen participation in street protests. They frequently counteract the rhetoric of government-run tabloids to garner support and even sell t-shirts. During the COVID-19 pandemic, when the ruling party distributed 100 euros to citizens before an election, a campaign encouraged people to donate this money to investigative journalism. The outlet received numerous donations of exactly 100 euros, many from first-time female donors.

[112] Jeremić, Ivana. BIRN Serbia- Programs and Social Media Use. Interview by author, May 28, 2024.

[113] Zoran Miodrag and Anđela Jovanović, CINS- Programs and Social Media Presence, interview by author, May 14, 2024.

[114] Anonymous, Anonymous Investigative Journalist Outlet- Programs and Social Media Presence.

[115] Jeremić, BIRN Serbia- Programs and Social Media Use.

[116] Miodrag and Jovanović, CINS- Programs and Social Media Presence.

BIRN regularly conducts advocacy campaigns through their social media channels. Each year, they publish a Freedom of Information Act report, created in collaboration with CSOs and journalists, and share it with the public via all their social media platforms. Additionally, BIRN consistently keeps their audience informed about the status of new laws proposed in various countries.

Comments. While most of the engagement has been positive, like most of those interviewed in this report, CINS has received negative reactions. Occasionally, trolls will leave comments and send messages^[117]. After the undercover SNS story, the Instagram accounts of the report's author came under attack through multiple login attempts^[118].

The anonymous outlets receive a considerable amount of negative and harmful feedback on their posts, especially when the content is related to the president and his family. Often, alleged government-sponsored social media bots flood platforms with negative comments in large numbers simultaneously. If the comments are not hate speech or threats, the outlet leaves them alone. However, the outlet has received a substantial amount of threats through comments, direct messages, and emails. One email, in particular, said that the journalists should all be shot. Even though threats like these are reported, the police and prosecution are not effective^[119].

Similar to the above outlets, the amount and severity of negative comments BIRN receives is based on the topic. For example, when publishing stories about the Srebrenica genocide resolution at the United Nations, people fight with each other in the comments sections and accuse BIRN of being run by foreign mercenaries. Content surrounding the published map of far-right organizations in Serbia also resulted in journalists receiving threats. One journalist, due to her previous work experience, was accused of controlling Facebook, received death threats, and had her photo and Twitter account sent around. It has become normal to receive threats online and offline from viewers^[120].

Past Experience with Censorship

CINS has had some issues with censorship. In addition to the login attempts previously mentioned, there have been issues with boosting political content and concerns about shadowbanning. They have also been unable to gain verified status, even though they have provided the required documents^[121].

[117] Miodrag and Jovanović, CINS- Programs and Social Media Presence.

[118] Jovana Tomić, "Attempts to Infiltrate Instagram Profile of CINS Journalist Who Reported on Call Center," *Center for Investigative Journalism of Serbia* (blog), January 19, 2024, <https://www.cins.rs/en/attempts-to-infiltrate-instagram-profile-of-cins-journalist-who-reported-on-call-center/>.

[119] Anonymous, Anonymous Investigative Journalist Outlet- Programs and Social Media Presence.

[120] Jeremić, BIRN Serbia- Programs and Social Media Use.

[121] Miodrag and Jovanović, CINS- Programs and Social Media Presence.

The anonymous outlet had issues with posting on Facebook during the December 2023 election period. While they were boosting posts related to debunking fake news during the election period, the administrative profiles stopped working and had to be re-verified. They immediately wrote to Facebook but did not receive a quick response. After involving a major European fact-checking network, which approached Facebook, the issue was resolved. However, the election was already over^[122].

BIRN has had issues with Facebook blocking their content. Some of their content on genocide deniers was removed from the platform because Facebook thought they were denying the genocide^[123].

Past Experiences with Government and Ruling Party

CINS has been directly mentioned in many tabloids, especially after the publication of the undercover story. They were called “foreign agents”, “unprofessionals”, and “enemies of the state”. However, no officials have directly named the outlet in official or unofficial statements^[124].

The anonymous platform has had extreme experiences with the Serbian government. Tabloids and government officials often attack the platform directly. At press conferences, the President, the Prime Minister, and members of parliament in the National Assembly routinely call out the platform. The platform has come under a lot of pressure from SLAPPs in previous years and is very worried about upcoming legislation negatively impacting them^[125].

Like the IJs, BIRN is commonly mentioned by the government and ruling party directly and through the government-run media. Recently, the public relations person of President Vucic appeared as a guest on a government-run television show and listed CINS, KRIK, and BIRN as foreign mercenaries being paid to work against the Serbian government and the country^[126].

[122] Anonymous, Anonymous Investigative Journalist Outlet- Programs and Social Media Presence.

[123] Jeremić, BIRN Serbia- Programs and Social Media Use.

[124] Miodrag and Jovanović, CINS- Programs and Social Media Presence.

[125] Anonymous, Anonymous Investigative Journalist Outlet- Programs and Social Media Presence.

[126] Jeremić, BIRN Serbia- Programs and Social Media Use.

Discussion and Conclusion

The results from the interviews indicate that both CSOs and IJs rely heavily on social media platforms to promote their work and advocacy campaigns. Several additional and important conclusions can be drawn from the interviews.

First, both groups have had extremely negative experiences with the Serbian government and the ruling party. These interactions have ranged from direct threats to property destruction and harassment. This is both a symptom of and an indicator of the country's current position in competitive authoritarianism. Not only do officials directly call out organizations, but the government's rhetoric continues to incite violence and threats against individuals operating in critical spaces. This adds additional complexity to the already challenging task of operating in a country with very little media freedom and an increasingly transparent facade of democracy. Individuals working in these spaces not only have to operate under constant pressure from the government but also must reassure their beneficiaries that their intentions are not aimed at undermining the future of Serbia.

Second, many organizations encounter challenges with their content being excessively moderated by platforms. Some struggle with verification status; for instance, CINS has faced difficulties obtaining it, while Res Publica lost it and has been unable to regain it, and the anonymous IJ was only able to reobtain it through international engagement. This loss prevents them from using politically flagged advertisements to expand their reach. For six months, Res Publica has been attempting to regain verification status on its Facebook and Instagram pages. Moreover, both ProTok.21 and Novi Sad School of Journalism noted restrictions on posting about certain topics and instances of automatic blocking on Instagram and Facebook, indicating Meta's lack of responsiveness and potential reliance on automated systems.

Finally, according to insights gleaned from the interviews, nearly all organizations aim to target the 'Gen-Z' demographic, typically aged 25–35, primarily through Instagram and TikTok. Instead of relying on traditional media outlets to disseminate their work, they prioritize social media platforms to enhance engagement within this age group. Engaging with younger demographics is crucial for the success of these organizations'. However, this success will be endangered if their content is overly moderated. Many of the interviewees mentioned that they remain optimistic that younger generations are more inclined to be actively involved and less influenced by tabloid sensationalism and government narratives. However, without social media free from government influence, the task of reaching this generation becomes insurmountable.

Implications of the DSA in Serbia

It still remains that once the DSA is implemented in Serbia, the Serbian DSC will not directly control social media content. However, it is crucial to emphasize the DSA's impact on platform liability. Platforms are likely to rely on flags from DSCs and trusted flaggers and prioritize swift removal to evade liability, and they will likely use algorithms that may overlook regional and political nuances, leading to rapid removal.

The impact of the DSA in Serbia hinges on the DSC's role in implementation and oversight and its authority to select trusted flaggers. Due to the likelihood of non-independence, it can safely be assumed that the DSC will align its actions with the goals of the ruling party. The rhetoric and actions of government-run media, social media bots, official and unofficial statements, and party support for CSOs and IJs are representative of the party's opinion of critical voices in Serbia. Using phrases such as "foreign agent" and attempting to convince citizens that these organizations and voices are attempting to "destabilize Serbia" works to discredit them in all public spaces. Although the current situation is difficult, there is still room on social media for these voices to reach their target audience.

Understanding the relationship between IJs, CSOs, and the Serbian government, coupled with the high likelihood of a government-influenced Digital Services Coordinator, leads to the conclusion that the implementation of the DSA in Serbia will be detrimental for CSOs and IJs. While both groups will be affected, the current government dynamics suggest that IJs may face more immediate and direct repercussions. Similarly, CSOs, especially when addressing politically sensitive subjects, will need to navigate potential challenges carefully to avoid overmoderation.

The DSA does require mechanisms for users if they think their content has been unjustly removed. Even with this, it will take time for the platforms to review content users think is not illegal or does not go against community guidelines. Delays in platform remedies, as is the current case, may exacerbate issues of overmoderation, particularly given the timely nature of content posted by these organizations.

This described situation is especially destructive in Serbia due to the country's lack of media freedom. Presently, as referenced above, outside of the few independent outlets and other smaller outlets, critical voices have little to no room. Social media platforms, currently out of the government's control, provided space for these voices, especially with the younger generation. Social media platforms, previously seen as a refuge for critical voices, will be subjected to government influence, impacting not only IJs and CSOs but also citizens, especially in regions of Serbia that lack independent media outlets.

This research offers a grim outlook on the future of critical voices in Serbia. Nonetheless, Serbian civil society has a strong track record of successfully opposing legislation with severe impacts on human rights. A notable example is the sector's and public's reaction to the Draft Law on Internal Affairs in 2021^[127], which was ultimately withdrawn by the government due to civil society's efforts^[128]. It is crucial that the public, along with civil society, become fully informed about the DSA and its potential consequences on digital and other fundamental rights. The public's awareness is vital for the country to safeguard its freedoms and strive to enhance the current state of freedom of expression and other rights. Serbia's extensive and vibrant civil society plays a crucial role in upholding fundamental rights, and its efforts must be actively protected.

[127] Belgrade Center for Security Policy, "Draft Law on Internal Affairs Opens up Space for Misuse of the Police," *Beogradski Centar Za Bezbednosnu Politiku* (blog), September 17, 2021, <https://bezbednost.org/en/draft-law-on-internal-affairs-opens-up-space-for-misuse-of-the-police/>.

[128] Government of Serbia, "Draft Law on Internal Affairs Withdrawn from the Adoption Procedure," December 26, 2022, <https://www.srbija.gov.rs/vest/en/199975/draft-law-on-internal-affairs-withdrawn-from-the-adoption-procedure.php>.

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