

Contextualization of the Right to Privacy on the Online Portals in Serbia

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Abstract

There has been an increase in the number of online portals in Serbia, which results in more competition in the media market. Due to their desire to increase readership, that is, to increase the number of “clicks” on published texts and thus be among the most visited, editors often opt for sensationalism. Such reporting often leads to the violation of the right to privacy, especially when it comes to accidents and misfortunes that are published in the “Crime and accidents” or “Crime and death” section. This is often the case not only in the texts, but also in the headlines or the visual frame of the photos. In this paper, the authors investigate the principle of “Respect for privacy” on the example of a case study of an accident in the brown coal mine “Soko” near Sokobanja. The accident happened on April 1, 2022, and eight miners lost their lives. The case study is based on the reporting of the local online portal from Niš called Južne vesti. The research was conducted from April 1 to October 25, 2022. The unit of analysis is each published newspaper article that dealt with this accident. In the paper, the authors examine whether the Južne vesti portal respected the right to privacy of the victims and their families, as well as other guidelines of media ethics. The corpus is composed of 21 analyzed texts, all of which were published on the Južne vesti portal under the sections “Society” and “Crime and accidents”. Despite the sensationalism trends in the Serbian online media, the findings of the quantitative and qualitative analysis of our case study show that the Južne vesti portal respected the privacy of the victims and their families when reporting on the “Soko” mine accident.

Keywords: Južne vesti online portal, “Crime and accidents” column, right to privacy, media ethics, accident in the Sokobanja “Soko” mine

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Introduction

At the time of the abundance of information characterized by sensationalism and tabloidization, the right to privacy is questionable when it comes to the reporting done by online portals in Serbia. In their texts, journalists often reveal details about people who are connected to the events they report on. In this way, nowadays, the right to privacy of not only public figures, but also ordinary people, is reduced.

There is a question mark between the protection of the right to privacy and free media reporting. Some authors (De Berg, 2007; Vučković, 2018; Day, 2007) believe that the media can violate the right to privacy of certain persons in cases where it is of public interest. However, sometimes the public interest is viewed too broadly, so the protection of free media reporting can be the excuse to justify sensationalism or achieve professional and personal interests (Ćalović, 2011). Dale Jaquette also talks about respect for privacy from the point of view of journalism, stating that the development of technology also has an impact on the fact that it is difficult for ordinary citizens to hide information about their private lives from the public. He believes that the right to privacy is morally justified, and he mentions three arguments to support it: it is justified as the foundation and protection of individual freedoms; presumption of respect for persons as morally valuable and as a requirement that should be met so that people can live a happy life and avoid anxiety and discomfort. Therefore, the basic principle of journalistic ethics should be respect for the privacy of people (Jaquette 2007).

Hugo de Berg notes that the progress of global network communications has raised many legal issues, including privacy. He looks at the right to privacy from the perspective of investigative journalism, but also the legal framework, i.e., the laws in Great Britain, which ensure its protection when journalists do the reporting (De Berg, 2007). This right is a basic human right, and its importance is reflected in many international, regional and state regulations that deal with the issue of protecting the right to privacy (for example: Universal Declaration of Human Rights; European Convention on Human Rights, etc.). When it comes to Serbia, the right to privacy is not defined in the Constitution, however, several articles from the Constitution of the Republic of Serbia guarantee the rights arising from the right to privacy, such as the right to protection of personal data, the inviolability of the home and the right to secrecy of correspondence (Slijepčević, 2016). Our paper discusses the right to privacy from the perspective of the media, that is, online portals. The protection of the right to privacy of people reported by the media in Serbia is established by the Serbian Code of Journalists², as well as the Guidelines for the use of the Code of Serbia Journalists in the online environment³.

² Principle VII "Respect for Privacy" (Press Council, 2015). See: https://savetzastampu.rs/wp-content/uploads/2020/11/Kodeks_novinarar_Srbije.pdf, visited on 14.1.2023.

³ Chapter VII "Respect for privacy" (Press Council, 2016), amended in 2021 (Press Council, 2021 visited). See: <https://savetzastampu.rs/wp-content/uploads/2020/11/smernice-za-primenu-kodeksa>

This paper wishes to highlight the need to protect the right to privacy on the online portals in Serbia precisely because they often violate this right with various clickbait⁴ headlines and sensational reporting. This paper is based on a case study of the reporting of the local online portal from Niš called *Južne vesti*, and the main hypothesis is that this portal respected the right to privacy of the victims and their families when reporting on the accident in the “Soko” mine.

Importance of the right to privacy

According to Hugo de Berg, one of the main human and civilizational aspirations is the right to privacy. He claims that there are several reasons why we consider privacy a right, the main one being the importance of autonomy (De Berg, 2007). De Berg explains the significance and importance of privacy as follows: “If privacy was not recognized as a right, we would not be able to protect ourselves from manipulation and pressure on our thinking and behavior. Finally, privacy is important, because without it we would not be able to perform certain activities that allow us to build ourselves up” (De Berg, 2007: 224). For Mike Taylor, the process of defining the concept of privacy is slightly foggy, because sometimes the authors focus only on some aspects of this concept, and lose sight of other dimensions as well (Taylor, 2012). Jacques believes that there are certain problems when defining the concept of privacy, so he calls the whole process a “slippery slope”. The reason is that the concept of privacy is not absolute, because there are cases when it is difficult to establish privacy standards (Jacques, 2007). The author primarily refers to situations when a journalist collects information about people who deserve public attention, and states that such a criterion “implies that violations of personal privacy of any public or private person are allowed, but only if this will lead to sufficiently important information that is really in the interest of the public” (Jacques, 2007: 289). The author Jelena Vučković states that “There is a general ban on publishing information from a private life, that is, personal written records (private information)” (Vučković, 2018: 136). In most cases, the media can invade someone’s private life only with the consent of those persons. However, Vučković, like Jacques, believes that there are also cases when journalists can publish information from someone’s private life even without consent and legal authorization. Vučković justifies the violation of privacy when it is in the public’s interest to know (Vučković, 2018). Today’s media have the rising tendency to include the private in the media space, regardless of whether the person to whom the information refers to gives permission. Due to such a way of working, the question arises whether by intruding into private life, the media today engage in a specific form of surveillance (Čalović, 2011).

Although the authors above do not give the exact definition of the right to privacy, Louis Alvin Day defines it as “the right of an individual to be left alone

novinara-srbije-u-onlajn-okruzenju.pdf, <https://savetzastampu.rs/lat/wp-content/uploads/2020/11/SMERNICE-PDF-PR.pdf>, visited on, 14.1.2023.

⁴ The European non-profit organization EAVI - Media Literacy for Citizenship defines sensational headlines as those that wish to attract attention, headlines that do not match the content and those that make money (EAVI, n.d.).

or the right to have control over unwanted publicity about personal matters” (Day, 2007:157). He claims that the job of the media is not to leave people alone, and he believes that one of the most difficult ethical issues of our time is to find a balance between individual privacy and the public’s interest in information about others. Media workers should demonstrate special attention and a greater level of moral sensitivity when reporting on accidents and tragedies. Information about an accident should be published by the media, because it is in the interest of the public, but that interest does not include the publication of recordings and photos of the victims of the accident or talking to family members (Day, 2007).

The right to privacy is one of the more recent human rights that was recognized only in the middle of the 20th century and this right was mentioned for the first time in Europe in 1948, in the Universal Declaration of Human Rights in Article 12⁵ (Surčulija Milojević, 2016). The Constitution, as the highest legal act in the Republic of Serbia, does not define the right to privacy, but it offers a detailed list of human rights and rules from which the right to privacy can be abstracted. Thus, for example, the Constitution protects the inviolability of the home, the secrecy of correspondence and other means of communication, as well as physical and psychological integrity, and all these rights in international context equal the right to privacy (Gutić, 2010).

The protection of the right to privacy is a particularly important issue at a time of technological progress and the rapid spread of information, which is also contributed to the online portals, which the audience often uses to be informed. Compared to traditional media, online portals have brought a series of changes - supplementing content, multimedia access, and the speed of information distribution is one of its main features (Bajić, 2017). However, despite all the good aspects of online portals, there is a question whether they respect laws, human rights and regulatory and self-regulatory rules (Grigorov, 2019).

Protection of privacy on the online portals

More than half a century ago, the media theorist Marshall McLuhan highlighted that the progress of technology connects people and creates a “global village” (McLuhan, 1971). With the advent of the Internet, all borders were erased and more connections followed, so that village became more than a real representation of human life. The development of the Internet enabled the emergence of online journalism and information sharing on the online portals, so citizens can also be familiar with events outside their home country. Online journalism is metaphorically defined by Ward as a vast church that includes different genres and modes of reporting (Ward, 2002). Although the Internet is often perceived as a place that does not set limits to free expression, American journalism professor Richard Craig states that online journalists are bound by the same standards and laws as their colleagues in the

⁵ Article 12 of the Universal Declaration of Human Rights reads "No one shall be subjected to arbitrary or unlawful interference with his privacy, home or correspondence, nor to unlawful attacks on his honor and reputation." Everyone has the right to the protection of the law against such interference or attacks." (UN General Assembly, 1948).

press or on television (Craig, 2010). In order for media workers to respect the ethical principles of journalism, self-regulation is an essential concept. Self-regulation in the media represents “organization within the profession, when journalists themselves set their ethical standards, expressed in journalist codes” (Surčulija Milojević, 2016: 72). It should be noted that the violation of journalism ethical codes in most countries, including Serbia, is not subject to legal sanctions (Malešević, 2017). Although the rules of the journalistic profession are not legally binding, they are legally important (Vodinešić, 2012). In 2006, the Independent Association of Journalists of Serbia (NUNS) and the Association of Journalists of Serbia (UNS) adopted the Code of Journalists of Serbia. The code includes ten principles that media workers should adhere to when reporting, with special reference to principle seven, “Respect for privacy” (Press Council, 2015: 5). Also, as another form of self-regulation in the field of media in the Republic of Serbia, in 2016, the Guidelines for the Application of the Code of Journalists of Serbia in the Online Environment were adopted (Press Council, 2016). The manual “The Online Media Self-Regulation Guidebook” states that all ethical principles are important for journalism in the digital era, but it is especially noted that online journalists should be careful when it comes to privacy and verifying the information they have received (Hulin & Stone, 2013).

Respect for privacy, according to the Serbian Code of Journalists, states that “Journalists respect the privacy, dignity and integrity of the people they write about.” The right to privacy is narrowed when it comes to public figures, especially public office holders” (Press Council, 2015: 23). In the paper, we deal with the case study of the accident in the Soko brown coal mine, which is based on the reporting of the Južne vesti portal, and the first guideline of the principle explains exactly how to protect privacy in those cases - “When reporting on accidents and crimes, it is not allowed to publish names and photographs of victims and perpetrators that clearly identify them. Also, it is not allowed to publish any data that could indirectly reveal the identity of either the victim or the perpetrator, before the authorities officially announce it” (Press Council, 2015: 23).

The third rule refers to the manner of reporting on events involving personal pain, and it is the journalist’s duty to adapt their questions in a way that reflects discretion and compassion (Press Council, 2015: 24). Also, this rule includes the guideline that “photographers and videographers must treat victims of accidents and crimes with consideration and compassion” (Press Council, 2015: 24). In the Guidelines for the Application of the Code in the Online Environment, there is also the principle “Respect for Privacy” (Press Council, 2016). One of the guidelines that media workers should respect is the right to be forgotten, and it states that the online media editor “may decide to remove content or personal data within the content at the request of a person whose personal rights are threatened if the publication of personal data is not in the public’s interest, or if for any reason the right of the public to be informed about matters of public importance does not prevail over the protection of the right to privacy” (Press Council, 2016: 12).

According to the Share Foundation online media database, 1401 online media are registered in Serbia. The expansion of online media began in 2015 when 104

portals⁶ were established. The consequence of the increasing number of online portals is increased competition in the field of media, which leads to the commercialization of content and often sensational reporting that is not in accordance with the stated guidelines of the Code. Thus, some portals revealed the identity of the victims and their families and details from their private lives when reporting on the accident in the “Soko” mine.

This paper is not based on a comparative analysis of the content, so we share some examples of the headlines to indicate the issue of privacy protection on the online portals: *“Don’t go down, don’t go down!” Terrible scenes at the cemetery in Bobovište, a miner who has a one-month-old son was buried* (Telegraf.rs, 2022)⁷; *HE HAD A SON 40 DAYS AGO, FIXED THE APARTMENT, BUT HE DIDN’T COME OUT OF THE PIT THIS MORNING! A poignant confession of Bojan’s brother: They fell as if they were slayed!* (Kurir.rs, 2022)⁸. *12 FATHERLESS CHILDREN AWAIT JUSTICE, THE YOUNGEST IS FIVE MONTHS OLD: “Novosti” visit the families of the miners who died in the “Soko” mine” (PHOTO)* (D. Miljković, 2022)⁹.

The starting theoretical foundation that we will use in the paper to explain how online portals publish content is the Gatekeeper Theory. The way in which the texts are distributed to the public often depends on the editorial policy, and it is the editors who are most often considered the gatekeepers. This theory shows us that the media do not publish all the information in their texts, but only the information that the editors choose, so it is a significant basis for our case study. Authors Shoemaker and Vos describe gatekeeping as the central role that the media play in contemporary public life (Shoemaker & Vos, 2009). The main element of gatekeepers’ activity is selection, i.e., they choose how to shape the news, but also what to exclude from it (Shoemaker & Vos, 2014). The gatekeepers not only select information for the texts, but also put the content into a certain context. This theory also gains importance in the digital age, because it describes and explains phenomena that still exist, that is, individuals in the media still serve as gatekeepers (Heinderyckx & Vos, 2016).

In addition to the headlines and article content, the paper will also analyze the photos about the accident in the “Soko” mine published in the Južne vesti portal. In order to see how this portal visually framed the analyzed texts, we will use framing theory. It is based on the idea of frame analysis by sociologist Erving Goffman, who believed that frames reduce the complexity of information, and that frames serve as a two-way process - they help interpret and reconstruct reality (Littlejohn & Foss, 2009).

⁶ The online media database (onlajnmediji.rs) is an open and free SHARE Foundation platform that contains information about websites whose primary purpose is to inform citizens, and which are registered as such as internet media" (Share foundation, n.d.).

⁷ See: <https://www.telegraf.rs/vesti/hronika/3479870-ne-dole-ne-dole-strasne-scene-na-groblju-u-bobovistu-sahranjen-rudar-koji-ima-jednomesecnog-sina>, visited on, 15.1.2023.

⁸ See: <https://www.kurir.rs/crna-hronika/3904663/nesreca-rudnik-soko-aleksinac-poginuli-rudari>, visited on, 15.1.2023.

⁹ See: <https://www.novosti.rs/hronika/nesrece/1140083/pravdu-ceka-12-dece-bez-oceva-najmladje-ima-pet-meseci-novosti-porodicma-poginulih-rudara-rudniku-soko-foto>, visited on, 15.1. 2023.

Journalism professor from the University of Evanston, Robert Entman, says that to frame a certain problem is to select some parts of reality and emphasize them in the text, so that they highlight a certain definition of the problem, a causal interpretation, a moral evaluation and/or a recommendation on how to solve a problem. He believes that the power of frames is great, and that they draw attention to some aspects of reality while covering other elements, causing different reactions from the audience. Frames are also taken as a visual category, so the photos in the text determine the focus of the story, as well as how the objects and subjects will be presented (Entman, 1993).

Methodology

The research subject in this paper is the respect for the right to privacy in the texts about the accident in the brown coal mine “Soko” published in the local online portal from Niš - Južne vesti. The main goal is to determine whether the Južne vesti portal respected the right to privacy of the victims and their families when reporting on this accident. The main hypothesis of the research is that the Južne vesti portal respected the right to privacy of the victims and their families when reporting on the accident in the brown coal mine “Soko”.

The time frame of the research is from April 1 to October 25, 2022 (seven months). This time frame was taken because the incident happened on April 1, when the first text was published, while the last one on this topic was published on October 25. The unit of analysis is each published newspaper article that has this accident as its topic. The method applied in the case study is a quantitative-qualitative content analysis, and the corpus of analyzed texts is 21, all of which were published in the Južne vesti portal under the sections “Society” and “Crime and accidents” until November 10, 2022.

Research results

The research results will be distributed in two chapters. In the first part, and with a quantitative-qualitative content analysis and certain criteria, we will show how the Južne vesti portal reported on the accident in the “Soko” mine by analyzing the headlines and article content. The second part will include the photos that were published in that portal, which accompanied the texts about the accident.

Headlines and texts about the accident in the “Soko” mine

The analysis included a total of 21 texts about the accident in the “Soko” brown coal mine, which were published in the Južne vesti portal. In order to confirm the hypothesis that the Južne vesti portal respected the right to privacy of the victims and their families when reporting on the accident in the “Soko” brown coal mine,

we will use the following criteria: mentioning the names and/or surnames of the victims of the accident in the headlines; mentioning victims in headlines without indication of the first and/or last name (Table 1). The criteria are: mentioning the names and/or surnames of the families of the victims of the accident in the headlines; mentioning victims' families in headlines without indication of the first and/or last name; mentioning the addresses of the victims and/or their families in the headlines (Table 2).

Table 1

Overview of the reporting about the accident by Južne vesti portal based on the headlines

	Number of mentions of names and/or surnames of accident victims in headlines	Number of mentions of the victims in the headlines without indicating the name and/or surname
	0	10
Total number of headlines		21

Ten headlines mention the injured miners; however, their names are not mentioned in any of them, only the words such as “killed miners”, “dead miners”, “deceased miners”. When the accident happened on April 1, this portal published the headline *Serious accident in the mine near Sokobanja, 8 miners were killed and 18 were injured* (Lj. F, 2022)¹⁰. When the authorities first released information about the cause of the miner's death to the public, the headline read: *Ministry: Methane poisoning caused the death of miners in the Soko mine* (Lj.F, 2022)¹¹.

Table 2

Overview of the reporting about the accident by the Južne vesti portal based on the headlines

	Number of mentions of the names and/or surnames of the families of the victims in the headlines	Number of mentions of the families of the accident victims in the headlines without indicating the name and/or surname	Number of mentions of the addresses of the victims and/or their families in the headlines
	0	2	0
Total number of headlines		21	

¹⁰ See: <https://www.Juznevesti.com/Hronika/Teska-nesreca-u-rudniku-kod-Sokobanje-najmanje-8-rudara-poginulo.sr.html>, visited on, 15.1.2023.

¹¹ See: <https://www.Juznevesti.com/Hronika/Minsitarstvo-Trovanje-metanom-uzrok-smrti-preminulih-rudara-iz-rudnika-Soko.sr.html>, visited on, 15.1.2023.

The headlines only mention the families of the dead miners twice, but none of the headlines mention their names and/or surnames. The day after the accident, *Južne vesti* published an article with the headline “Eight million dinars of aid for the families of the injured miners from the State budget” (Lj.F, 2022)¹². An article with the headline “Humanitarian theater play in Aleksinac to help the families of the dead miners” was published on the portal (Tasić, 2022)¹³. By the way, the address or the exact place of residence of the victims and their families is not mentioned in any headline.

When it comes to the content of the articles, we will use the following criteria: mentioning the names and/or surnames of the victims of the accident in the articles; mentioning the victims of the accident in the articles without indicating the name and/or surname; mentioning the names and/or surnames of the victims’ families in the articles; mentioning victims’ families in the articles without indicating the name and/or surname; mentioning the addresses of the victims and/or their families in the articles. The victims of the accident in the “Soko” mine were mentioned 64 times in a total of 21 articles published by *Južne vesti*, but without mentioning their names and/or surnames. In the first article, when the accident happened on April 1, 2022, this portal published the initials of the deceased and the year of birth. The text was published under the headline “Serious accident in the mine near Sokobanja, 8 dead and 18 injured miners” (Lj.F, 2022)¹⁴. It should be mentioned that the journalists obtained these data officially, because they were published on the website of the Ministry of Mining and Energy and every citizen had access to it (Ministry of Mining and Energy, 2022).¹⁵ There were 17 mentions of the victims’ families in the articles, but none of the texts mentioned their names and surnames. One of the examples is the article with the headline: “Mihajlovic: Death of 8 miners in the Soko mine again subject to prosecution”. Namely, the families of the victims were mentioned twice, but without names and surnames or any other determinants that would threaten the right to privacy: “She repeated that she would not give up on the fact that the families of the victims had to find out the truth and said that she trusted the institutions.” (J.S, 2022)¹⁶.

When it comes to publishing the exact addresses (street and number) of the victims and/or their families, which can also threaten the right to privacy, *Južne vesti* did not disclose this in any article. However, four articles mention the hometowns

¹² See: <https://www.Južnevesti.com/Drushtvo/Osam-miliona-dinara-pomoci-za-porodice-stradalih-rudara-iz-budzeta-Republike.sr.html>, visited on, 15.1.2023.

¹³ See: <https://www.Južnevesti.com/Drushtvo/Humanitarna-predstava-u-Aleksincu-za-pomoc-porodicama-poginulih-rudara.sr.html>, visited on, 15.1.2023.

¹⁴ See: <https://www.Južnevesti.com/Hronika/Teska-nesreca-u-rudniku-kod-Sokobanje-najmanje-8-rudara-poginulo.sr.html>, visited on, 15.1.2023.

¹⁵ See: <https://www.mre.gov.rs/aktuelnosti/saopstenja/u-nesreci-u-rudniku-uglja-soko-poginulo-osam-rudara>, visited on, 15.1.2023.

¹⁶ See: <https://www.Južnevesti.com/Hronika/Mihajlovic-Pogibija-8-rudara-rudnika-Soko-ponovo-predmet-tuzilastva.sr.html>, visited on, 15.1.2023.

of the deceased miners. That information was obtained from official authorities, considering that the municipalities, from which the victims of the accident came, declared a Day of Mourning. One of the articles in which the birthplaces of the dead miners are mentioned is headlined “Day of Mourning for the Death of Miners”. At the very beginning of that text, in the lead, the names of the municipalities are stated, “After the accident in the Soko mine, where 8 miners lost their lives, the municipalities of Aleksinac, Sokobanja and Trgovište made a decision to declare Saturday, April 2, as the Day of Mourning.” (M.M.K, 2022)¹⁷.

Photographs of the accident in the “Soko” mine

In addition to the text itself and the interviewees, the photos also attract the readers’ attention. The parallel between the author of the text and the photographer is that the author chooses on which statements to build the text, while the photographer chooses what will be in his photograph (Entman, 1993). When we want to visually emphasize a certain message, it means that we choose how we will photograph a certain object, from which angle, but also what we will decide to publish along with the text from everything photographed (Perlmutter & Wagner, 2004). Research on the effects of visual framing also confirms the suggestive power of photography, and their result is that photographs contribute more to shaping the reader’s perception than the text itself (Powell et al., 2015). As is the case with headlines and texts, the media can also violate people’s right to privacy with photographs. A total of 29 photos were published on the Južne vesti portal in the articles about the accident in the “Soko” mine. In order to examine the hypothesis that the Južne vesti portal respected the right to privacy of the victims and their families when reporting on the accident in the “Soko” brown coal mine, we will use the following criteria: photographs showing the victims of the accident; photographs showing the victims’ families; photographs showing the homes of the victims and/or their families.

Out of a total of 29 photos, only one shows the victims of the Soko mine accident. However, that photo is an exception, because it is a mural painted by the organization “28th June” painted in honor of the victims in Aleksinac. The mural is on a public surface and is available to citizens, and this photo was published in the article under the headline “The injured miners received a mural in Aleksinac, the report on the cause of the accident is still a secret” (T. Tasić, 2022)¹⁸. Južne vesti did not publish any photos showing the families of the deceased miners and there were also no photos showing the homes of the victims and/or their families. We will classify the photos that this portal published when reporting on the accident into several frames. There was a political frame and a human-interest frame that appear in other similar studies as well (Ali & Mahmood, 2013). Government representatives or other politicians are represented in the photos through the political frame, while

¹⁷ See: <https://www.Južnevesti.com/Drushtvo/Dan-zalosti-zbog-pogibije-rudara.sr.html>, visited on, 15.1.2023.

¹⁸ See: <https://www.Južnevesti.com/Drushtvo/Nastradali-rudari-dobili-mural-u-Aleksincu-izvestaj-o-uzroku-nesrece-jos-tajan.sr.html>, visited on, 15.1.2023.

the human interests frame shows people who have been affected by a certain event (Stojković and Petković, 2015). In the paper, we will add two new frames - the location frame and the victim frame. When it comes to the location frame, it includes photos that show specific locations (mine, parts of the city, institutions), while the victim frame shows the deceased miners (Table 3).

Table 3

Visual frames on the Južne vesti portal

	Number of photographs
Political frame	2
Human-interest frame	1
Location frame	25
Victim frame	1

Two photographs in the articles published by Južne vesti show the former state secretary of the Ministry of Mining and Energy, Zorana Mihajlović. One example is the article headlined *Mihajlović: “The Ministry is preparing criminal charges for the death of miners near Sokobanja”* (Ljubica Jocić, 2022)¹⁹. In that text, the state secretary is on the cover photo, so the photo itself is in line with the headline and content of the article, because it contains the statements of the former state secretary.

Photograph 1

Cover photo on the Južne vesti portal, 6/8/2022 (Author: Željko Veljković)



¹⁹ See: <https://www.Juznevesti.com/Hronika/Mihajlovic-Ministarstvo-priprema-krivicne-prijave-zbog-smrti-rudara-kod-Sokobanje.sr.html>, visited on, 15.1.2023.

When it comes to the human frame and photos of people affected by the accident, the portal published only one photo showing mine workers. It is found in the article headlined “*Three points*”: *50 days without answers about the causes and those responsible for the tragedy in the “Soko” mine* (T. Todorović, 2022)²⁰. In addition to the accident, the article also discusses the conditions in which miners work, and the cover photo shows two mine workers hugging each other. This photo shows that the miners’ job is not easy at all, it shows unity, but also sadness for the victims.

Photograph 2

Cover photo on the Južne vesti portal, 23/5/2022 (Author: Zoran Petrović)



Out of a total of 29 photos, 25 belong to the location frame. A total of 23 photos shows the accident site - the “Soko” brown coal mine; one shows the Cultural Center in Aleksinac, and one article contains a photo from the Aleksinac Health Center. As an example, we cite the article headlined “The report on the cause of the accident in the Soko mine exists, it is not yet public and is being analyzed by experts” (T. Tasić, 2022)²¹. The cover photo shows the accident scene, and it also shows the Ambulance and the Fire Department vehicles. The photo is in line with the headline and content of the article, because it relates to the cause of the accident that happened at that place.

²⁰ See:<https://www.Južnevesti.com/Drushtvo/Tri-tacke-50-dana-bez-odgovora-o-uzrocima-i-odgovornima-za-tragediju-u-rudniku-Soko.sr.html>, visited on, 15.1.2023.

²¹ See:<https://www.Južnevesti.com/Drushtvo/Izvestaj-o-uzroku-nesrece-u-rudniku-Soko-postoji-jos-nije-javan-i-tumace-ga-vestaci.sr.html>, visited on, 15.1.2023.

Photograph 3

Cover photo on the *Južne vesti* portal, 25/5/2022 (Author: Vanja Keser)



When we talk about the frame of the victims, it includes only one photograph that we previously mentioned in the article headlined “Deceased miners received a mural in Aleksinac, the report on the cause of the accident is still a secret” (T. Tasić, 2022)²². This is a mural in Aleksinac, which is dedicated to the deceased miners and depicts all eight victims of the mine accident. Also, the mural shows what a miner’s job looks like.

Photograph 4

Cover photo on the *Južne vesti* portal, 22/7/2022 (Author: „28th June”)



²² See: <https://www.Juznevesti.com/Drushtvo/Nastradali-rudari-dobili-mural-u-Aleksincu-izvestaj-ozuzroku-nesrece-jos-tajan.sr.html>, visited, 15.1.2023.

Conclusion

The right to privacy of public figures, but also of private figures, is in most cases violated in the media (Vulić, 2018). The monitoring of the Press Council in 2020 showed that among the principles of the Code, journalists violated respect for privacy the most (Press Council, 2020). The right to privacy should be especially adhered to when accidents and misfortunes occur. However, in reality, as this monitoring from three years ago showed, the private lives of the victims and their families are often intruded upon. At a time when it often happens that media workers do not think about ethics but fight for readership, it is necessary to strengthen the control of compliance with rules and ethics. Is that possible nowadays? We have our research to support this. A quantitative-qualitative content analysis showed that the Južne vesti portal respected the principle of “Respect for privacy” and its guidelines (Press Council, 2015, Press Council, 2016) when reporting on the accident in the mine, with the headlines and article content. This local portal from Niš did not reveal the identities of the victims and/or their families, i.e., their names and/or surnames, as well as the exact address in any of the headlines and articles. The Južne vesti coverage of this accident, through headlines and articles, was more focused on answers related to the cause of the accident, who would be responsible for it, as well as what would happen to the other miners. There were no funeral reports in the texts, journalists did not enter the houses of the victims’ families, and the gatekeepers put sensationalism aside.

Although the media can protect privacy in headlines and articles, photographs can often reveal the identity of victims and their loved ones. When reporting on the accident in the mine, Južne vesti published photos that are in accordance with the Code of Journalists of Serbia. There were no photos showing the victims or their families and homes, and the exception to this is the photo of the mural in Aleksinac published by this portal. The reason this photo is an exception is that the mural was painted in honor of the victims, it is located on a public surface, it is publicly accessible to all citizens, and some murals require the consent of the authorities. The largest number of photos belong to the location frame, i.e., the photos that show specific places, and the most of the published photos show the accident site, i.e., the mine. Such photos from the scene properly accompanied the texts, especially since they showed ambulance and fire service vehicles as details, and not the victims or their families. Južne vesti also used the victim frame with the photograph of the mural, and in several photos the political frame and the human-interest frame were represented, which followed the texts well. The analysis showed that the Južne vesti online portal respected the right to privacy of the miners who died in the mine near Sokobanja and their families with photographs as well. Although Južne vesti adhered to the Journalist Code of Serbia when reporting on the accident in the mine and avoided sensationalism, this did not affect the lower readership of this portal. For example, the text headlined “Serious accident in the mine near Sokobanja, 8 dead and

18 injured miners” (Lj.F, 2022)²³ had 18,368 views, which is a significant number for local media.²⁴ In addition to the sensationalism trend in the Serbian online media, the quantitative-qualitative analysis of our case study showed that the Južne vesti portal respected the privacy of the victims and their families when reporting on the accident in the “Soko” mine.

The accidents and incidents topics are particularly sensitive. Therefore, media workers should be more cautious in all segments of reporting, especially when it comes to respecting the right to privacy of the victims and their families. Positive examples in practice show that reporting in such situations is possible without violating someone’s privacy, and that the story must firstly focus on the issues of the public interest.

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²³ Vidi: <https://www.Juznevesti.com/Hronika/Teska-nesreca-u-rudniku-kod-Sokobanje-najmanje-8-rudara-poginulo.sr.html>, pristupljeno, 15.1.2023.

²⁴ Data from Južne vesti.

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Kontekstualizacija prava na privatnost na onlajn portalima u Srbiji

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Sažetak

U Srbiji je sve veći broj onlajn portala što za posledicu ima i veću konkurentnost na medijskom tržištu. U želji da povećaju čitanost, „klikove” na objavljenim tekstovima i time budu među najposećenijima, uređivačka politika neretko se opredeljuje za senzacionalizam. Takvo izveštavanje često dovodi i do povrede prava na privatnost, a pogotovo kada je reč o nezgodama i nesrećama koje se objavljuju u rubrici „Hronika” ili „Crna hronika”. To se često dešava ne samo u tekstovima, već i u naslovima ili kroz vizuelni okvir na fotografijama. U radu se autorke bave istraživanjem načela „Poštovanje privatnosti” na primeru studije slučaja nesreće u rudniku mrkog uglja „Soko” kod Sokobanje. Nesreća se dogodila 1. aprila 2022. godine i tada je poginulo osam rudara. Studija slučaja zasnovana je na izveštavanju lokalnog onlajn portala iz Niša Južnih vesti. Vremenski okvir istraživanja je od 1. aprila do 25. oktobra 2022. godine. Jedinica analize je svaki pojedinačno objavljeni novinski napis koji za temu ima ovu nesreću. Autorke u radu ispituju da li je portal Južne vesti poštovao pravo na privatnost žrtava i njihovih porodica, kao i ostale smernice medijske etike. Korpus analiziranih tekstova je 21 koji su objavljeni na portalu Južne vesti u okviru rubrika „Društvo” i „Hronika”. Uprkos trendovima senzacionalizma u srpskim onlajn medijima, nalazi kvantitativne i kvalitativne analize naše studije slučaja pokazuju da je portal Južne vesti poštovao privatnost žrtava i njihovih porodica prilikom izveštavanja o nesreći u rudniku „Soko”.

Cljučne reči: onlajn portal Južne vesti, rubrika „Hronika”, pravo na privatnost, medijska etika, nesreća u rudniku „Soko” Sokobanja

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