Artificial Intelligence in the Media in Serbia: When Satire Isn't Funny[1]

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Abstract

The use of Artificial Intelligence (AI) is becoming a daily routine in newsrooms. AI appears as an essential tool in journalists' professional routines, aiding in faster work processes, automatic text generation, and assisting with repetitive tasks. However, the use of AI in the media provides fertile ground for various types of abuse, settling scores with dissenters, and falls under the category of "weaponized defamation."

The Serbian government is committed to keeping pace with the development and application of AI in various sectors. However, this commitment is not accompanied by an adequate legal framework when it comes to the media. Currently, there is no specific law regulating this field, leaving those affected by existing practices to rely on related legislation, which neither covers all potential violations in this area nor prevents further manipulation.

This paper analyzes the legal framework for regulating AI in the media, as well as the potential for self-regulation. The analysis is based on a case study in which media mogul Željko Mitrović published a "satirical video" on his X platform, followed by its broadcast in the news programs of Pink Television. The video, which was a deepfake generated using artificial intelligence, mocked opposition representatives. The paper also examines the first lawsuit in which opposition representative Dragan Djilas won against Željko Mitrović and Pink Television, based on the AI-generated video content that was broadcast on television. The scope of this ruling highlights both the possibilities and shortcomings of the legal framework in this area within the Serbian media landscape.

Keywords: artificial intelligence, media, legal framework, self-regulation, Serbia

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Introduction

The threatened child stared at the reader. Deep, dark eyes, a grimy face, and a fair wisp on the left cheek provoked shock and discomfort. "It is a picture that

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AI created to help illustrate my text on the implementation of the Amber Alert in Serbia, which aims to help locate lost or kidnapped children," said Slavica Vujanac, editor of the local portal VAmedia. "I noted below that the photo was created by AI. Some newsrooms don't permit the use of AI-generated images, but as a media entrepreneur, I cannot pretend it doesn't exist. I use it and label it transparently," Vujanac explained.

A growing number of media outlets are using artificial intelligence (AI) in the creation of media content (Brenner, 2018). Some have even announced plans to replace journalists, or at least part of their daily routines, with AI (Chan-Omsted, 2019; Simon, 2024). Scholars often point to 2014 as a pivotal moment when the Los Angeles Times introduced "Quakebot" to generate content for the paper (Kotenidis & Veglis, 2021, 247). In 2015, the Associated Press implemented automated journalism to produce financial reports following Apple's quarterly figures (Graefe, 2016). NPR's Planet Money podcast employed AI to write news stories, The New York Times invited readers to distinguish between human - and AI-written articles, and even The Daily Show humorously used AI to address certain topics (Graefe, 2016: 10). Over the last decade, numerous examples have emerged from various parts of the media sector, showing how AI is being used to create content that was previously the exclusive domain of human journalists

AI is now applied across multiple sectors of media production, including content creation, data mining, news dissemination, and content optimization (Kotenidis & Veglis, 2021: 246). For journalists, the most alarming aspect may be its role in content production, which challenges both the identity and ideology of the profession (Deuze, 2005). The possibility of robots replacing journalists (Miroshnichenko, 2018) raises fundamental questions about the future of the profession and the role of human journalists. AI-generated content is not limited to print and online media, where its integration is more straightforward, but extends to electronic media, creating opportunities for both the application and violation of professional norms. Some scholars have questioned whether technology is becoming the new gatekeeper of news (Nechushtai & Lewis, 2019), while others have raised concerns about whose interests are being prioritized (Simon, 2024) and the ethical implications of transparency in content production (Diakopoulos & Koliska, 2017; see also Kotenidis & Veglis, 2021).

The increasing use of AI TV anchors is becoming a daily occurrence in news programs worldwide. This trend began with the introduction of the first AI TV anchor on the Chinese TV channel Xinhua in 2018, followed by the appearance of Feda on a Kuwaiti news program and Ana on the Montenegrin portal Dan in 2023. In parallel, in November 2023, media mogul Željko Mitrović announced a new satirical TV show generated by AI. This show, broadcast on the pro-government TV Pink, a channel with a national license, was focused on shaming the opposition, blurring the line between real and fabricated content. The AI generated video falls into the "weaponized defamation category" (Surčulija Milojević, 2018: 99).

According to the Digital Rights Annual Report, digital rights violations in Serbia became "more severe" in 2023, with numerous cases of hate speech, breaches

of private data, and discriminatory rhetoric. Journalists and activists faced an increasing number of threats and insults (BIRN, 2023: 110). Freedom House ranked Serbia's digital environment as free but noted the existence of "pro-government news sites, some of which are connected to the ruling party, that engage in disinformation campaigns" (Freedom House, 2023). The report also highlighted the use of paid online propagandists, surveillance infrastructure, and Strategic Lawsuits Against Public Participation (SLAPP lawsuits) (Freedom House, 2023; see also BIRN, 2023). The Digital Rights Violations Annual Report further emphasized the unethical use of AI, particularly deepfakes, to mislead and spread disinformation.

Notable examples involved opposition representatives whose remarks were misrepresented by media mogul and owner of TV Pink Željko Mitrović. Mitrović posted a deepfake video on the X platform, which later aired on his private, pro-government TV Pink's news program. Although the Regulatory Authority for Electronic Media claimed that the media bears responsibility, no steps were taken to hold Mitrović accountable (similarly, in the case of opposition representative Savo Manojlović, who also sought a response from REM, no significant measures were taken). Dragan Djilas subsequently sued both Mitrović and TV Pink, demanding the removal of the video and seeking a court order to prevent its further broadcasting. In July 2024, the court temporarily banned the broadcast of the controversial content (case 1635/23, July 11, 2024), but the video remains on Mitrović's account on the X platform (accessed on September 12, 2024). This lawsuit marked the first high-level private case in Serbia over the alleged misuse of AI. However, this decision was made under the Law on personal data protection, as no specific legislation addressing artificial intelligence exists.

This paper aims to analyze the use of AI in Serbian media, highlighting its potential for abuse within the country's highly polarized media landscape. The study will focus on the lack of a regulatory framework for AI, identify steps in the government's strategy for regulating AI in the media production, and examine the misuse of existing legal frameworks through the example of an AI-generated satirical program broadcast as part of TV Pink's news segment. Additionally, this paper will explore the challenges of self-regulation in the AI-driven media sector within a polarized media environment, where some outlets disregard the Code of Ethics, let alone address the need for updates to accommodate AI.

Theoretical framework

When discussing artificial intelligence (AI) in content production, scholarly attention frequently centers on automated journalism (AJ) within professional routines. A substantial body of literature positions AI as a tool that can enhance journalistic productivity, facilitate the acquisition of new skills, and allocate more time for creative endeavors (Kotenidis & Veglis, 2021). Many studies focus on "using software or algorithms to automatically generate news stories without human intervention" (Greafe, 2016: 9). This perspective underscores the concept of operation "without human intervention" (Ali & Hassoun, 2019), highlighting

AI's role in automating repetitive tasks within newsrooms. However, this viewpoint may overlook the broader implications of AI's impact on editorial, political, and economic agendas. AI is often seen merely as a tool for task automation, rather than a transformative force that could influence news content and journalism practices.

AI has assumed a significant role in professional journalism, playing a "transformative role in reshaping news work, from editorial to the business side" (Simon, 2024). Its function extends beyond mere task automation to include potential uses in misleading the audience (Shao et al., 2017). This study aims to explore the context and framework of potential misleading applications of AI and assess whether they can be addressed through legal frameworks or self-regulation.

In an effort to bolster media resilience and "support journalists in their execution of this societal and democratic role" (European Commission [EC], 2023, 5), the Council of Europe has provided Guidelines for the Responsible Use of Artificial Intelligence (CoE, 2023). The CoE offers a broad definition of AI in the media, describing it as a system "that uses computational methods derived from statistics or other mathematical techniques and that generates text, sound, image, or other content or either assists or replaces human decision-making" (CoE, 2023: 7). Additionally, the CoE distinguishes between general AI and journalistic AI, defining the latter as "artificial intelligence systems directly related to the business or practice of regularly producing information about contemporary affairs of public interest and importance, including the research and investigation tasks that underpin journalistic outputs" (CoE, 2023: 7). The Council of Europe emphasizes that states "should encourage independent regulatory authorities, news media self-regulatory bodies, or standard-setting bodies to help news organizations develop procurement guidelines, making available standard clauses for the responsible procurement of journalistic AI systems" (CoE, 2023: 23). Furthermore, it highlights the importance of self-regulation to ensure transparency and accountability (Ibid).

In recent years, the European Union has committed to establishing a legal framework for the use of AI in the media. The EU's AI Act aims to "provide measures to guarantee the safety and fundamental rights of people and businesses with respect to AI" (AI Act, 2024). Through its guidance and legal obligations, the EU addresses the "dark side" of AI, prohibiting manipulations and abuses, particularly those affecting vulnerable groups. The Act notes that "AI systems could be influenced by inherent biases that may gradually increase and perpetuate existing discrimination, particularly against persons belonging to certain vulnerable groups, including racial or ethnic groups" (Ibid, article 67).

Serbia is working to align its legal framework with European standards on AI. The Republic of Serbia participated in drafting UNESCO's Recommendation on the Ethics of AI (UNESCO, 2021) and has incorporated it into its Guidelines (Serbia Government Guidelines). In 2019, the Serbian Government adopted the Strategy for the Development of Artificial Intelligence in the Republic of Serbia for the period 2020-2025. This strategy aims to establish a foundation for the Fourth Industrial Revolution by focusing on education, technology development, and the market and business sectors (Strategy Gov RS, 2019). While the strategy did not specifically

address media, it provided a framework for digitalization in Serbia. The government's agenda was "ambitious," including plans to establish an AI Institute and adopt an Ethical Framework for Responsible AI Development. Despite significant progress, there remains a need for ongoing dialogue regarding the benefits and risks associated with rapidly advancing technology (Marković, 2023). The implementation of these goals has been delayed due to the absence of a legal framework. The public discussion on the Strategy for the Development of Artificial Intelligence in Serbia for the Period 2024-2030 is currently ongoing.

While Serbia's approach to AI development has not specifically addressed the media sector, the broader societal impacts of AI are acknowledged. Consequently, media producers and users, particularly in the electronic media sector, must adhere to existing legal documents such as the Public Information Law, Law on Electronic Media, Law on Public Service Broadcasting and Law on Personal Data protection. Additionally, the media landscape in Serbia is characterized by significant polarization, with some influential media outlets refusing to adhere to the Code of Ethics (Kulić, 2021) the process often relies on self-regulation. As a result, violations of professional norms or human rights in the media field through AI usage are currently addressed only through existing media laws.

According to the Digital Rights Violations Annual Report 2022-2023, fabricated content and fake accounts are prevalent in Serbia, with 12 documented cases. The report concludes that despite the government's Strategy and associated Ethical Standards, "no regulations specifically address AI-generated media content," leading to a "regulatory gap (that) leaves the field unchecked" (BIRN, 2023: 114).

Methodology

This case study focuses on the broadcasting of media content generated by artificial intelligence (deepfakes) on the central news program of the private TV station *TV Pink*. Owned by media mogul Željko Mitrović, the station has maintained a strong pro-government stance, aligning itself with various political regimes since its establishment in 1993. Despite receiving a national broadcasting license, *TV Pink* has a controversial reputation, with its content consisting largely of reality shows and news programs that frequently violate the *Code of Ethics*. Mitrović, who uses the station for personal promotion, often appears on its central news programs, turning the platform into a vehicle for his public relations and attacks on political opponents.

Mitrović has long experimented with AI technology, owning the *Pink Development Research Center*, which focuses on technological innovation. He is also known for using biased and fabricated content to shame opposition leaders, a core element of *TV Pink*'s news programming. However, the use of AI-generated deepfakes to target opposition figures represents a new and alarming development in both Mitrović's practice and the Serbian media landscape.

In April 2023, Mitrović introduced a satirical TV program titled *Don't Be Angry, Man*, borrowing the name from a children's game. The show used deepfake

technology to manipulate interviews of opposition leaders—Dragan Djilas, Marinika Tepić, Vuk Jeremić, Boris Tadić, Savo Manojlović, and Aleksandar Jovanović Ćuta—creating fabricated statements that were broadcast both on Mitrović's *X* account and in *TV Pink*'s news program. The videos appeared genuine, as they were derived from actual interviews the opposition leaders had given to the media, but the content was entirely fabricated. The false statements reflected opinions contrary to the usual positions of these political figures, blending elements of truth with misleading information to deceive the audience (Wardle, 2020).

Discussion

For instance, in one deepfake, Vuk Jeremić is made to say, "I'm going alone in the next elections. I have no idea who I could collaborate with, so may God save us, and may Vučić help us". Similarly, Dragan Djilas is falsely depicted stating, "I'm going to the elections with 10 political invalids, and I'm worried if Žeks [Mitrović], through his robots, will reveal who we really are" (Ibid). The most widely circulated video was a deepfake of Djilas on the prominent political TV program *Utisak Nedelje*, where he insults fellow opposition leaders, saying: "Ćuta hasn't sobered up in months; that Sava Harvard pretender was torn apart by Žeks in a debate and hasn't recovered. Lutovac doesn't know where he is, and Aleksić doesn't know who he is. Jeremić is terrified" (see more on Adjudicate of Higher Court in Belgrade 1635/23, July 11, 2024).

Although Mitrović labeled the content as part of his satirical show on his *X* account, there was no mention that the videos were generated by AI. On *X*, the satirical nature of the content might be inferred, but when these clips were broadcast on *TV Pink's* central news program, no such context was provided. While the anchor briefly mentioned that the content was AI-generated, there were no on-screen indicators to inform viewers that the videos were deepfakes. This omission could easily mislead even attentive viewers into believing the fabricated content The legal proceedings concerning the use of AI-generated deepfakes in Serbia underscore significant gaps in the regulatory framework governing artificial intelligence, particularly within the media landscape. In the case involving Dragan Djilas, the Higher Court initially ruled (Case 1635/23, November 17, 2023) that there was insufficient legal justification for a temporary injunction to remove the deepfake video from *TV Pink's* broadcast. However, following an appeal by Djilas, the Court of Appeal (Case 859/24, March 20, 2024) ordered the Higher Court to reconsider its decision. Subsequently, on July 11, 2024, the Higher Court ruled in favor of forbidding *TV Pink* from further broadcasting or commenting on the video in any form. This decision was based on Serbia's *Law on Personal Data Protection*, as the court determined that the video had unlawfully exploited Djilas' voice and likeness, thereby violating his rights to personal data integrity and privacy. In addition, the Court found the breach of Article 42 of the Constitution of the Republic of Serbia, regulating the right to protection of personal data.

While the court's ruling effectively halted the broadcasting of the AI-generated content on television, it did not extend to social media platforms, where the video continued to circulate freely. The Higher Court explicitly acknowledged in its decision (Case 1635/23, November 7, 2024) that Mitrović's *X* account, with over 81,600 followers, provided a significant platform for the continued dissemination of the deepfake. This legal gap is emblematic of the broader challenges in regulating AI-generated content on social media platforms, as existing laws concerning personal data protection were not designed to address the complexities introduced by AI. The ruling exposed the inadequacy of current Serbian legislation to regulate AI-driven media content, particularly in instances where such content is disseminated through digital channels that operate outside the traditional media landscape.

The Regulatory Authority for Electronic Media, at its fourth urgent session held on August 21, 2023, adopted the following statement:

> "In light of the recently published footage on social media and in the announcements of PMU programs, featuring public figures whose statements have been processed using artificial intelligence (AI) capabilities, we remind all media service providers that, pursuant to Article 47 of the Law on Electronic Media, they are obliged not to provide programming content that could exploit the gullibility of viewers and listeners, and that audiovisual content must not mislead the public regarding individuals, events, or phenomena depicted in the footage. This is especially pertinent for informational programs, which are primarily intended to inform media service users about current events, individuals, and phenomena based on facts, as well as to contribute to their interpretation and understanding. We emphasize that failure to comply with this legal provision may result in the initiation of procedures for the imposition of measures stipulated by the Law on Electronic Media".

The Regulatory Authority added that the "presentation of content using artificial intelligence in other types of programs, such as entertainment, documentary, educational, and others, should include a conspicuous notice before, throughout, and at the end of the program indicating that the content was generated using artificial intelligence. In addition to displaying the notice as described, PMU has a legal obligation to prevent the misuse of personal data, including identity, which encompasses an individual's likeness or voice" (REM, 2023).

The Regulatory Authority for Electronic Media referenced the Law on Electronic Media as the overarching legislation governing media, interpreting sections related to artificial intelligence (AI) in a somewhat broad manner. However, this body, as seen in the case of the complaint filed by opposition representative Savo Manojlović for similar reasons, did not impose any significant measures such as a ban on broadcasting. Simultaneously, the authority lacks jurisdiction over content that Mitrović broadcasts on social media platforms. In a nearly mocking manner, Mitrović publicly responded to the Regulatory Authority, effectively stating that they would not be able to halt his production of this and similar content.

> "I believe that this prohibition not only pertains to the satire of the eccentric Žeks but also to the potential AI satire of Stevan Sremac, Branislav Nušić, and other free-

spirited individuals who, in various epochs, certainly alarmed and terrified many! Nevertheless, it doesn't matter; I have so many plans that such prohibitions only inspire me! Besides having developed technology that will be known to the world only in 3 to 6 months, I decided to respond to REM and Olivera Zekić in a way that should make them understand that no prohibition can impede the rapid advancement of technological TV and video AI revolution in which I am currently a global leader. So, if all of you are frightened, just send me to the Moon, as in this song, so you can relax in the ambiance of the Inquisition and the Middle Ages, because it is certainly better for us who definitely do not belong to this gloomy and repressive era."

This case highlights the lack of specific regulatory frameworks designed to address the use of artificial intelligence in both traditional media and digital platforms. While general legal provisions such as personal data protection laws offer some recourse, they fall short of providing a comprehensive solution to the challenges posed by AI-generated content (The Regulatory Authority for Electronic Media (REM) refers to the Law on Electronic Media, while the court refers to the Law on the Protection of Personal Data). The absence of tailored regulations leaves the Serbian political and social environment vulnerable to manipulation, where public figures can be subjected to humiliation, defamation, and disinformation campaigns through AI technologies. This regulatory vacuum creates an imbalance in the media ecosystem, where powerful media owners, such as Željko Mitrović, are able to weaponize AI tools for political or personal retaliation, with little to no accountability. The unchecked power of media owners, especially those with strong ties to political elites, further complicates the issue, as the lines between legitimate news content, satire, and outright disinformation become increasingly blurred.

Moreover, the lack of specific AI regulation in the Serbian media sphere is exacerbated by the country's polarized media environment. Media outlets aligned with the government, such as *TV Pink*, frequently operate with impunity, leveraging their platforms to attack political opponents without regard for journalistic ethics. This creates a dual problem: the absence of regulatory mechanisms to control AI misuse and the reluctance of certain influential media outlets to adhere to ethical standards in content production. While Serbia has implemented some strategic initiatives to foster AI development, such as the *Strategy for the Development of Artificial Intelligence* and the associated *Ethical Standards for Responsible AI Use*, these frameworks primarily address the technological aspects of AI rather than its social, political, or ethical implications, particularly in the media content production.

The court's ruling that the AI-generated video did not qualify as satire, despite being presented as such, further underscores the complexities surrounding AI's role in the media. Satire, by its very nature, blurs the line between reality and fiction; however, AI-generated content, particularly deepfakes, introduces a new dimension of complexity. The court's decision, which was based on laws unrelated to media regulation, reveals the inadequacy of existing legal frameworks to address the nuanced challenges of AI in the media, particularly when it comes to distinguishing between legitimate satire and disinformation. The ruling points to a pressing need for legal reform that explicitly addresses the use of AI in the media production,

ensuring that both traditional and digital media are held accountable for their use of AI technologies.

In conclusion, the legal proceedings involving the use of AI-generated content in Serbia reveal significant deficiencies in the current regulatory landscape. The lack of specific legal frameworks for AI in the media, combined with the polarized and ethically compromised media environment, creates a situation where AI can be misused with little to no consequences. As AI technologies continue to advance and become more integrated into media production, the need for comprehensive legal frameworks that address the ethical, political, and social implications of AI-generated content becomes increasingly urgent. Without such frameworks, the potential for AI to be used as a tool for manipulation, disinformation, and political retaliation remains a serious threat to both media integrity and democratic governance.

Conclusion

Although the Serbian government is explicit in its intention to align with European regulations and even to lead in the regulation of artificial intelligence (AI), recognizing the Fifth Industrial Revolution as both a goal and an opportunity, the regulation of AI in the media does not align with these objectives. The case analyzed demonstrates that the regulation of AI in the media is not a defined goal; there is no clear legislation applicable in this area to address harm caused by malicious intent, or to prevent individuals from creating deepfake or other misleading content.

The lawsuit filed by Dragan Djilas against Željko Mitrović not only highlights the absence of legislation and strategies in the field of AI but also exposes the extent of abuses and the antagonism towards political opponents in this domain when clear regulations are lacking. It should be noted that the Regulatory Authority for Electronic Media (REM) has commented on the controversial case, but without any effect on the media mogul's actions. This case exemplifies not only the regulatory void in the application of AI in the media but also the broader disarray in the media sector, which is highly politicized, polarized, and beyond the reach of controls and professional standards.

Self-regulation in this area also appears almost impossible—media organizations can internally establish their own regulations and align them with the Code of Journalists of Serbia. However, self-regulation in terms of professional solidarity and adherence to shared principles is also unfeasible, as it turns out that the very media organizations that do not recognize the Code are routinely violating it, thus evading other forms of regulation and remaining unpunished.

The aforementioned case indicates that despite the state's official commitment to follow the development of AI, individuals who become subjects of media abuse remain unprotected in this struggle. The individual analyzed carries symbolic significance and, as an opposition representative, has a specific manifestation and public profile, which renders the case symbolic. However, the extent of abuses in this area is incalculable, affecting not only citizens perceived as opponents or unsuitable

in any way but also any individual who could be a victim of deepfake media content. The absence of clear legal regulations renders the media landscape distinctly polluted and hazardous for all participants, whether willingly or unwillingly involved.

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Veštačka inteligencija u medijima u Srbiji: kada satira nije smešna

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Apstrakt

Upotreba veštačke inteligencije (AI) postaje svakodnevica u profesionalnoj rutini novinara. AI postaje alatka za brži rad, automatsko generisanje tekstova, kao i pomoć za sve radnje koje su repetitivne. Međutim, upotreba AI u medijima nalazi plodno tle za najrazličitije vrste zloupotreba, obračun sa neistomišljenicima i klevetu (weaponized defamation).

Vlada Srbije je opredeljena da uhvati korak u razvoju i primeni veštačke inteligencije u raznim oblastima, međutim, opredeljenje Vlade ne prati adekvatna zakonska politika kada je reč o medijima. Trenutno ne postoji zakon koji reguliše ovu oblast, pa se svi oni koji su ugroženi postojećom praksom pozivaju na srodne ili krovne zakone koji ne obuhvataju sve potencijalne prekršaje u ovoj oblasti niti sprečavaju dalje manipulacije. U ovom radu analizira se pravni okvir za regulisanje veštačke inteligencije u medijima, kao i mogućnost samoregulacije. Rad se bazira na studiji slučaja u kojoj je medijski tajkun Željko Mitrović na svojoj X platformi, a zatim i u informativnim programima Televizije Pink, emitovao takozvani satirični video, a u stvari deepfake video generisan pomoću veštačke inteligencije, u kojem se sramote opozicioni predstavnici. Rad analizira i prvu tužbu i presudu koju je opozicioni predstavnik Dragan Đilas dobio protiv Željka Mitrovića i Televizije Pink, na osnovu video sadržaja koji je generisan putem AI i emitovan u televizijskom programu. Dometi ove presude ukazuju na mogućnosti i nedostatke pravnog okvira u ovoj oblasti, u medijima u Srbiji.