

III MONITORING OF THE PROCESS OF ADOPTION OF NEW LAWS

The new Serbian Parliament was constituted on May 31. However, it did not sit in June and hence no new regulations significant for media sector were debated. In late June, nonetheless, the Acting President of the Serbian Progressive Party (SNS) Aleksandar Vucic announced that the revoking of the restrictive Public Information Law would be one of the priorities of his political party in the new government. Vucic told the daily "Politika" that media freedoms in Serbia would be one of the key issues he would insist on. "What matters to us is to have freedom of press. This is a top-five priority for us and we will not give up on that. The remaining ones are obtaining a date for starting talks with the EU, fighting corruption, addressing budget problems both in terms of revenues and expenditures, the enforcement of the rule of law, guaranteeing ethnic minority rights, as well as enhancing agriculture," Vucic said. He stopped short of giving any details and deadlines for the changes to the media law. The Vice-President of NUNS Jelka Jovanovic said media associations had certain objections to the existing law and that NUNS had proposals as to what should be regulated and how. She added that it was not responsible to announce that the Law would be revoked, since media regulations ought to exist. In her words, the restrictive provisions of the Law are not in force anymore and hence should not be invoked (they were scrapped by the Constitutional Court). The Vice-President of UNS Petar Jeremic said that he was encouraged by Vucic's statement and that he expected the Parliament to invalidate the controversial law soon. "We were pleasantly surprised that the SNS did not vote for the unconstitutional amendments to the Public Information Law three years ago," Jeremic said, adding that UNS and the Media coalition were expecting that the new government started to implement the Action Plan accompanying the Media Strategy and amend the remaining regulations envisaged by that Plan. They also expect to be consulted, along with other media and journalists' associations, in the process of drafting the media laws.

The legend that Serbia once had a law on the press consisting of one sole article, stipulating that press shall be free and the conception according to which media laws should not go into more details than that, was the topic of Professor Vladimir Vodinelic's article "Journalist Codes and Media Law in Serbia: Insufficient Self-Definition", released in "Pravni zapisi", the review of the Faculty of Law at the University "Union" in Belgrade, no. 1/2012 (see: <http://www.pravnifakultet.rs/images/2012/Zapisi-1-2012/Vladimir.V.Vodinelic.NOVINARSKI.KODEKSI.I.PRAVO.MEDIJA.U.SRBIJI.pdf>). The fact that this legend is still popular and that some understand it as a desirable model, according to Vodinelic, "is evidence of the fact that many do not understand neither freedom of expression

nor other values, which may be in conflict with that freedom". He went on saying that the law ought to ensure and prescribe the respect of guaranteed freedoms, forbid everything that may violate that freedom, as well as provide for protective mechanisms where that freedom was breached. The Media Strategy indeed provides for laying down draft laws regulating the domain of public information, i.e. not only revoking the old law but also the adoption of a new one. That law should, first and foremost, define the public interest in the media sphere, ensure the transparency of media ownership and provide for the mechanisms for precluding illicit concentration of media ownership. Nine years after the passing of the actual Law from 2003, it should also confirm the commitment of the Republic of Serbia to achieve, in protecting freedom of expression, the standards laid down by Article 10 of the European Convention on the Protection of Human Rights and Fundamental Freedoms and the case law of the ECHR in enforcing that Article. Therefore, we believe that it would not be good that the representatives of the new ruling majority should aim at complete deregulation of the media sector (when hinting at revoking the Public Information Law), but that they should rather work on passing new regulation in a process which media and journalists' associations are fully entitled to take part in.