

III MONITORING OF THE PROCESS OF ADOPTION OF NEW LAWS

1. Drafts of new media laws

The representatives of the Ministry of Culture and Information have voiced hope that the new media laws would be adopted by the start of the EU Screening that, relative to media laws (Chapter 10: Information Society and the Media), is planned for May and July 2014. Assistant Minister of Culture and Information Sasa Mirkovic said that the Draft Law on Public Information and Media has been tabled to the competent ministries for review and that work on the draft law on public service broadcasters and draft law on electronic media is underway. Mirkovic explained that the Ministry intends to send them by the New Year to ten different addresses for consideration, in order to receive the responses after the holidays. In the period covered by this Report, the representatives of the Ministry confirmed that Tanjug will be privatized and that the idea to transform the state news agency into the Press Office of the Government of the Republic of Serbia was abandoned.

2. Law on Seats and Territorial Jurisdiction of Courts and Public Prosecutors' Offices

December has seen the coming into force of the new Law on Seats and Territorial Jurisdiction of Courts and Public Prosecutors' Offices, which introduces significant changes concerning the jurisdiction of courts for trials in media related cases and intellectual property cases and particularly cases concerning copyright and related rights. In accordance with the new Law, which will be enforced starting from January 1, 2014, the Higher Court in Belgrade will be competent to rule in the first instance on the ban on disseminating print media and spreading information by media, as well as to rule in disputes related to the publication of the rectification of information and reply to information due to the violation of the prohibition of hate speech, protection of the right to a private life and the right to a personal records, failure to publish information and damages related to the publication of information, as well as in copyright disputes, for the entire territory of Serbia. These changes as to the jurisdiction of courts in the first instance also entail changes in the second instance. Hence, upon an appeal against the verdicts of the Higher Court of Belgrade, the deciding body will solely be the Appellate Court in Belgrade. The aim of these amendments is to harmonize the case law in media and copyright related disputes. The judges ruling in media disputes will have to undergo additional training in the domain of media law. Formerly initiated proceedings in media and copyright related disputes will be continued before the courts that have hitherto been in charge for such disputes.