

III MONITORING OF THE PROCESS OF ADOPTION OF NEW LAWS

In the period covered by this Report, the Parliament has not adopted any laws with implications for the media sector. However, the public debate about the Draft Law on Public Information and Media was held.

1. *The Law on Public Information and Media*

Meetings discussing the Draft Law on Public Information and Media were held in Novi Sad, Novi Pazar, Nis and Belgrade. It was announced that the Draft Law on Electronic Media would also be publicly debated soon. The public discussions that were held have revealed several things. First, the dominant topic of discussions concerned the existence of the so-called regional public service broadcasters, although, formally speaking, the Draft Law on Public Information and Media does not tackle that issue, but merely provides for the obligation to privatize the existing public media at the level of municipalities and cities. The debates were marked by conflicting positions of media representatives about some form of public ownership and privately owned media. Special emphasis was put on the question of survival of public media after the mandatory privatization. The debate was often marred with tension and the one in Nis was constantly on the verge of degenerating into an incident. In addition, there were no concrete proposals that would improve the text of the Law and the speakers (especially those from state-owned media), insisted on the issue of privatization, which was already dealt with in the Public Information System Development Strategy and not by this Draft. Based on the Strategy, the Draft has instituted and defined the principle of withdrawal of the state from ownership in media, with few exceptions, as mentioned above. Unfortunately, the concept of the so-called regional public service broadcasters in the Strategy was poor. Although the Strategy has not envisaged that the existing media at the level of municipalities and cities would be automatically transformed in regional public service broadcasters, their representatives have persistently attacked the Draft as an attempt to stifle their media companies.

Unfortunately, the debate about the Draft Law on Public Information and Media actually turned out to be a discussion about the business model. The opponents of the Draft advocated for direct budget financing of the media, as the only sustainable model in the Serbian media scene. The mere attempt of the Draft to make the mechanism through which the state intervenes on the media scene more transparent and prevent the continuing undermining of competition by subsidizing cumbersome, economically inefficient and often obedient media, was dismissed as

an attack of the right of citizens in small communities to be informed about matters of regional and local interest. A relatively small group of media, consisting of a couple of dozen non-privatized public radio and TV stations at the level of municipalities and cities and their particular interest to have access to secure financing (regardless of the quality of the services they provide and the rational use of the funds they receive) hijacked the public discussion and prevented any other topics to be debated. With their alleged concern for the right of local and regional communities to receive information, they actually attempted to conceal the fact that the state was spending millions for information and that 80% of these funds were allocated to a privileged circle of less than 10% of media in Serbia. What is more, these funds are allocated without a clearly defined mandate of these media and without adequate control of their expenditures. Allowing a small group of media to hijack the public debate added to the sad impression that the debate failed to realize its purpose and that it was devoid of constructive proposals that could improve the text of the Draft.