

### **III MONITORING OF THE PROCESS OF ADOPTION OF NEW LAWS**

In the period covered by this Report, the Serbian parliament adopted several regulations relevant for the media.

#### **1. Law on Ministries**

The Law on Ministries was amended on March 11, in order to enable the reshuffle of PM Cvetkovic's government. The new cabinet has fewer ministers, which was achieved by merging several ministries, including some that are relevant for the media sector. The Ministry of Culture, which is competent for the public information system and overseeing the enforcement of the laws in the field of public information, was merged with the Ministry of Telecommunications and Information Society, which was, in turn, competent for information society, electronic communications, for determining the plan of use of radio frequency bands and passing of the radio frequencies allocation plan, as well as for deciding about the conditions for the issuance of individual licenses for the use of radio frequencies. In view of the importance of electronic communication networks for the distribution of media content, the merger of the aforementioned ministries could result in a more coherent media policy in Serbia.

#### **2. Law on the Amendments to the Law on the Government**

The Law on the Amendments to the Law on the Government was also adopted on March 11, before the government reshuffle. The Law stipulates that the members of the Government, state secretaries and the directors of special government organizations and departments must, in their public statements and appearances, express and endorse the positions of the Government. Moreover, the decisions of the Government must be publicly endorsed by even those members of the Government who have voted against these decisions or have abstained during the vote. Furthermore, the Law says that the ministers shall provide information about government activities solely in the manner prescribed by the rules of procedure and shall not give any information in a way that would make it impossible to determine which member of the Government is giving the information.

The amendments were sharply criticized by the experts, who pointed out to the requirement provided for by the Public Information Law under which state authorities, including the Government, must make information about their work accessible to the public and under

equal conditions for all journalists and public media. The information about the work of collective bodies would logically have to include information about disagreements in the government, as well as arguments voiced by members of government who have voted against certain government decisions or were abstained. Furthermore, the ban on anonymous insider information from the Government is a worrying message about the Government's unpreparedness to fully inform the citizens. However, certain government officials disagree with the aforementioned concerns. The Director of the Government's Media Office Milivoje Mihajlovic said that there was no censorship or restrictions in the communication between the members of the Government and employees in the Government and the media. "The Law on the Government is clear and prohibits members of the Government to give anonymous statements, they must speak under their own name and surname, which will most certainly improve the communication with the public and the credibility of information", Mihajlovic said. However, the public got the opportunity soon after the adoption of the Law to see the negative effects thereof. The daily "Danas" had to withdraw two interviews with the ministers that were in the process of being authorized. The Editor of "Danas" Zoran Panovic said the problem was that the journalists did not know who to call in order to get an interview. "They should then say that the Government is not run by its ministers and the Prime Minister, but rather by some centers of power. Let them say clearly who are these powers so that we can call them", Panovic said. He added that the withdrawal of two interviews amounted to censorship and that someone was clearly preventing the ministers from saying their opinion.