[YU] Law on Information Adopted

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After more than 2 years of work on the draft Law on Public Information (Media Law) and expert work carried out by the Council of Europe and OSCE, the National Assembly has, at its session held on 22 April 2003, adopted the Law on Public Information. The name of the Law is specific for the former Yugoslavia, but in fact it is a general media act promoting freedom of expression and particularly the freedom of media, as well as their responsibilities and liabilities.

The Act contains 103 Articles divided in 11 sections. The first section is introductory, containing only one Article on the scope of the law. The second section deals with principles of public information among others, freedom of the media, a ban on censorship, due diligence in publishing information, special rights of ethnic groups and disabled persons, equal treatment of foreigners, ban on monopolies in public information and a reduced right to privacy for public officials. The third section defines and regulates media outlets, and section four the distribution of media. This fourth section contains 9 articles added to the draft immediately before its adoption, which relate to the possibility banning the distribution of information by a court decision, at the proposal of the public prosecutor, in the case of necessity in democratic society for preventing incitement to violent change of constitutional order, violating the territorial integrity of the Republic, for preventing war propaganda, incitement to direct violence or advocating racial, national or religious hatred that represents incitement to discrimination, hostility or violence, provided that serious and irreparable consequence that could not be prevented by other means shall directly follow from publishing such information. The fifth section regulates the so-called `impressum', which contains data on the owner and the responsible persons in the media company, the sixth is devoted to the rights of journalists protection of sources has been introduced into the Serbian legal system for the first time and the seventh provides for some special obligations in the activity of public information, such as a ban on `hate speech', ban on pornography, a duty to honour the presumption of innocence when reporting on criminal cases and the protection of minors. Section eight, the longest one (48 Articles), regulates the rights of the persons referred to in the disseminated information. It has 5 subsections the first is devoted to the conditions for publishing information regarding the private life of a person, the second to the right of reply and right of correction, the third to omitting the publication of information, the fourth to publication of information on the outcome of criminal prosecution, and the fifth subsection to the award of pecuniary damages (civil liability of the media). The

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ninth section contains a provision on supervision, the tenth penal, and the eleventh the transitional provisions.

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Press Release of the National Assembly of the Republic of Serbia of 15 April 2003

http://www.parlament.sr.gov.yu/content/eng/aktivnosti/skupstinske_detalji.asp?Id=60&

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Law on Information of 22 April 2003

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