

**NATIONAL ASSEMBLY OF
REPUBLIC OF SERBIA**

To President of National Assembly,
Slavica Djukic Dejanovic

To Presidents of Parliamentary groups:

- SUZANA GRUBJESIC, President of the Parliamentary group of G17 Plus
- MILOS ALIGRUDIC, President of the Parliamentary group of DSS- VOJISLAV KOSTUNICA
- NADA KOLUNDZIJA, President of the Parliamentary group of FOR EUROPEAN SERBIA
- CEDOMIR JOVANOVIC, President of the Parliamentary group of LDP
- BALINT PASTOR, President of the Parliamentary group of MINORITIES
- TOMISLAV NIKOLIC, President of the Parliamentary group of FORWARD SERBIA!
- VELIMIR ILIC, President of the Parliamentary group of NEW SERBIA
- MOMO COLAKOVIC, President of the Parliamentary group of PUPS
- BRANKO RUZIC, President of the Parliamentary group of SPS-JS
- DRAGAN TODOROVIC, President of the Parliamentary group of SRS

To President of Parliamentary Committee of Culture and Information,
Vesna Marjanovic

***ON THE OCCASION OF PROPOSED LAW AMENDING THE BROADCASTING
LAW***

Dear Sirs/Madams,

We demand of you to, in the continuance of the proceeding on the proposed Law Amending the Broadcasting Law, to ***immediately*** READ TO ALL PARLIAMENTARY DEPUTIES this Official letter and introduce them to the following standings of ASSOCIATION OF INDEPENDENT ELECTRONIC MEDIA (ANEM), INDEPENDENT JOURNALISTS' ASSOCIATION OF SERBIA (NUNS) and INDEPENDENT JOURNALISTS' SOCIETY OF VOJVODINA (NDNV):

The proposed amendments would authorize the Parliamentary Committee for Culture and Information in the cases when there are more lists than necessary submitted by non-governmental organizations, and lists submitted by the authorized proposers according to the Article 23, paragraph 2, point 4 of the Broadcasting Law (broadcasters, journalists, film and drama artists and composers), as well as in the case when there are more than two candidates on a list, to preselect candidates. At their present form, the Committee for Culture and Information would not be restricted by any preselecting criteria. The proposed amendments even revoke the current Broadcasting Law's provision stipulating that, in the case when there are several lists with candidates offered by non-governmental organizations, the valid list will be the one signed by more organizations which have had more implemented actions, initiatives and publications during the previous period.

In this way, the proposed changes would create a possibility for various centers of political and financial power to instruct a non-governmental organization or a professional association. This is additionally made easier by the fact that such organization or association would not be required to have many members, or be active at all, but only to be formally registered, to propose its candidates and obstruct the agreement. In such situation, if the amendments now proposed by the group of 121 members of the Parliament are adopted, the Committee for Culture and Information would be able to select candidates nominated by virtual, non-active organizations, ignoring the authentic candidates proposed by the civil sector and professionals.

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It is especially worrying that these changes have been proposed without any consultations with the authorized proposers. ANEM, NUNS and NDNV reminds that, at the session of the Parliamentary Committee for Culture and Information held on March 18 this year, the **representatives** of professional media associations and non-governmental organizations have **unanimously opposed the Committee's conclusion that it was necessary to change the provisions regulating the election of the members of the Council of the Republic Broadcasting Agency at the moment when this election was ongoing.**

The proposed modifications of the law would make meaningless the role of the authorized proposers in the procedure of nomination for the membership in the Council, and would abolish the responsibility of the Parliament and the Parliamentary Committee to prevent illegal election of one of the already nominated candidates for membership in the Council of the Republic Broadcasting Agency!

Here, we especially point out the following facts:

1. There are no grounds for passing the proposed Law on the emergent procedure, as there is no danger that that the work of RBA Council would be blocked, considering that the election of the Council member from Kosovo provides Council with seven members, which allows them to pass legitimate decisions, as long as the quorum of five members exists.

2. Future termination of the mandate of some Council members is not solved by the proposed amendments of the Law, as these members are not proposed by the authorized proposers from the Article 23, paragraph 2, points 4 and 5, whose authorities to offer and have their representative in the RBA Council, the suggested amendments make pointless.

3. We especially emphasize that the candidate list of the authorized proposers - broadcasters, journalists, film and drama artists and composers, which was proclaimed unlawful by the proposer of the suggested amendments - was submitted on January 8th, 2009, at the time when the mandate of two Council members were not yet vacant, as their mandate expired on February 17th 2009. Parliamentary Committee had enough time to facilitate the election of Council members, but it failed to do so, although it was stated in the Article 24, section 7 of the Law - it did not return the list to the authorized proposer to be harmonized with the Law and it did not pass it to the Assembly for further proceedings.

4. Solution of the situation where the authorized proposer failed to harmonize the list with the Broadcasting Law is already predicted by the present text of the named Law, specifically at the Article 24, section 7, which makes the proclaimed reason for passing the proposed arguable Law amendments baseless.

Based on all the arguments mentioned above, we point out that suggested amendments of the Broadcasting Law do not solve the situation which is not already predicted by same Law, but instead, it creates the unacceptable mechanism of control of nomination proceeding, that is, exclude the possibility to nominate the candidates of civil sector and profession who are not favored by the authorities.

Therefore, we ask of the Parliamentary deputies ***not to adopt*** the proposed Law Amending the Broadcasting Law, ***but to provide the continuance of the already started proceedings for the election of the members of the RBA Council!*** We especially emphasize that the Ministry of Culture has already began to work on changes of the Broadcasting Law, and any partial solutions, such as this one, would only create even the bigger chaos in the media sector.

Belgrade, May 22nd, 2009.

For ANEM, NUNS and NDNV

Authorized representative,



Sasa Mirkovic

Sasa Mirkovic,

President of the ANEM Managing Board