



OFFICE OF THE HEAD OF MISSION

Press and Public Information Unit

Nedeljni Telegraph weekly, 2 September 2009

Interview with Ambassador Hans Ola Urstad, Head of the OSCE Mission to Serbia

It is not true that we kept quiet on amendments to the Public Information Law, rather the time was very limited and did not allow for a fully open and proper public debate states for *Nedeljni Telegraph*, Head of the OSCE Mission to Serbia Hans Ola Urstad

We were not asked whether the law was in line with the EU standards

Media must learn to behave responsibly

Q: The Media debate on controversial amendments on media law is lasting for almost two months, and yet you made no comments (except for a short press release of OSCE at the end of July), until OSCE was publicly paged because of “loud silence” (as Ljiljana Smajlovic, Head of UNS said). Why didn’t your react right away when the amendments were first publically presented?

A: Let us stick to the facts.

We have actually been behind and supported directly the working group of experts that has worked for a long time on the updating of media legislation for instance on broadcasting law and the draft law on media concentration. The amendments to the Information Law, however, the Working Group was not involved in, neither was the Mission. However, we did react by expressing concern and caution regarding the amendments, although time was very limited and did not allow for a fully open and proper public debate. After the second set of amendments were presented, we issued a formal press statement, as well as had discussions with Ministry of Culture, Journalist Associations, media experts, international community and several politicians both inside and outside government.

Q: Did anyone from Serbian government asked for professional opinion of OSCE regarding the problem of its accordance with European laws in this field?

A: If you refer to the amendments to the Law on Public Information, I have already answered this. We were not, we did not see the amendments before anyone else.

Q: Is it possible to read in European newspapers that some politicians said for somebody that he is a liar or a bluffer, although that wasn't proven in any court?

A: (Laughing)...Well, I believe standards vary a lot from country to country, with different practices in different countries and regions. The level of tolerance and court practice is hardly the same everywhere. Media carries a great responsibility to the public, and we have been very clear that owners, distributors as well as editors all must be held accountable and not allow slander or false information to be spread. The OSCE strongly underlines and supports seriousness and truthfulness in media in general, as well as responsibility for owners, distributors and not least editors and journalists, as I already mentioned.

Q: Cedomir Cupic, President of Anti-corruption Agency Board and Radoslav Sretenovic, State Reviser, asked government to withdraw the new secret information law, saying it is jeopardizing their work. Do you agree with their critique?

A: It is important that such a law fully incorporates the needs of such important institutions to have access to relevant information, as well as the needs of the Protector of the Citizens (Ombudsman) and the Protector of Public Access to Information (Commissioner for Information of Public Importance and Personal Data Protection). However, I believe every country has certain areas that are protected from insight by outsiders, like in the defense sector, regarding some issues of public safety or national intelligence for example. To find the right balance here can, of course, be very complicated. Since I do not know the details of the two gentlemen's critique, I will be careful and announce neither agreement nor non-agreement. But it is certainly positive that they are strongly engaged, and fighting for their views and convictions.

Q: Is it in accordance with European practice that a journalist who publishes information labeled "state secret" goes to prison for up to 15 years, and on the other hand a official who labels without a proper reason an information as "secret" pays only a small fine between 5.000 and 50.000 dinars?

A: Obviously, punishment in each and every case when the law is broken must be reasonable and related to the severity of the crime. Laws can always be improved, amended or changed. Should there be a huge discrepancy, like the one you describe, this should be rectified.