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## **PRAVNI MONITORING MEDIJSKE SCENE U SRBIJI**

### **LEGAL MONITORING OF SERBIAN MEDIA SCENE**

Monitoring Novosti 13 / Monitoring News Letter 13

Ovo su **Trinaeste Monitoring Novosti** ANEMa, u kojima vam predstavljamo najvažnije monitoring i prateće aktivnosti:

**1. Pročitajte Trinaesti Monitoring Izveštaj!** – Ovaj Izveštaj se odnosi na **jul 2010**, a iz njega proizilazi da je medijsku scenu Srbije u tom periodu obeležilo sledeće:

Brutalni napad na Teofila Pančića, kolumnistu nedeljnika „Vreme“, pretnje i napadi na novinare zbog sadržaja njihovih blogova, koje koriste da bi objavili ono za šta, zbog narasle autocenzure, nije ostalo mnogo mesta u tradicionalnim medijima, pokazuju da je sloboda izražavanja u Srbiji i dalje ozbiljno ugrožena, čemu doprinosi i sporo menjanje sudske prakse u medijskim slučajevima. Medijski regulatorni okvir je i dalje nepovoljan, kako zbog nedostatka nekih zakona – npr. Zakona o medijskoj koncentraciji, tako i zbog loše primene pojedinih propisa – npr. Zakona o radiodifuziji, što je vidljivo i u slučaju netransparentnog izbora generalnog direktora Radiodifuzne ustanove Srbije i u činjenici da je i dalje visok iznos viška od naknada koje emiteri plaćaju regulatornoj radiodifuznoj agenciji. Ustavni sud je konačno odlučio da je sporni Zakon o izmenama i dopunama Zakona o javnom informisanju neustavan u svom pretežnom delu, ali je on do sada već ostavio ozbiljne posledice po slobodu medija – naraslu autocenzuru u strahu od njegove eventualne primene i u nepovrat izgubljenu godinu za srpsku medijsku scenu. Tranzicioni procesi i dalje nemaju dovoljnu pažnju vlasti, mada je u oblasti digitalizacije napravljen mali pomak imenovanjem direktora preduzeća, koje treba da bude glavni operator mreže i multipleksa. Ali privatizacija medija i dalje ostaje bez konkretnih i sistemskih rešenja. Nadležni organi do sada očigledno nisu uspeli da stvore povoljno medijsko okruženje, niti da reše mnoge probleme koje pritiskaju medije, ili zato što nisu mogli, ili zato što to nisu hteli. Zato je za medijski sektor jedan od najvažnijih predstojećih zadataka aktivno učešće u formulisanju Medijske strategije, za koju bi kao osnov, ali ne jedini, trebalo da posluži Medijska studija i njene preporuke. Ali, da bi dugo očekivana Medijska Strategija bila korak napred, potrebno je i da nadležno ministarstvo i sama vlast, u predstojećoj javnoj raspravi ima sluha za primedbe koje se na Medijsku studiju već iznose, ali i za neke alternativne predloge i sugestije koji se mogu očekivati od strane medijskih profesionalaca i predstavnika samih medija, o čijem opstanku i budućnosti je reč.

**Trinaesti Monitoring Izveštaj** za Jul 2010, dostupan je na ANEMovom web sajtu, a možete mu pristupiti i [ovde](#).

**2. Posetite Monitoring strane ANEMovog web sajta!** – Na ANEMovom web sajtu, u rubrici [Monitoring medijske scene](#) možete pročitati:

- **13 Izveštaja o pravnom monitoringu medijske scene u Srbiji**, koje je izradio stručni tim advokatske kancelarije „Živković&Samardžić“, u saradnji sa ANEMom, koji obuhvataju kontinuirani period od Maja 2009. do Jula 2010;
- **3 Monitoring Publikacije**, koje su nadgradnja prethodno sprovedenog pravnog monitoringa medijske scene; sve sadrže stručne autorske tekstove koji pružaju dodatne informacije i ekspertska mišljenja o važnim medijskim pitanjima i omogućavaju bolje razumevanje medijske situacije u Srbiji;
- **Ostale članke** o monitoring i pratećim aktivnostima

## Očekujemo vaše komentare i pitanja na našim Monitoring stranama!

Unapređenje ANEMovog web sajta omogućili su USAID i IREX Srbija.

**3. Pravni monitoring medijske scene se kontinuirano sprovodi i u avgustu** – Kao rezultat tog monitoringa, stručni tim će kroz svoj Izveštaj upoznati javnost sa svim najvažnijim dešavanjima u medijskom sektoru i dati svoja stručna mišljenja, analize i ocene o svemu što je obeležilo medijsku scenu u tom periodu. Avgustovski Monitoring Izveštaj će biti dostupan na ANEMovom sajtu sredinom septembra.

**4. Uskoro javna prezentacija Treće Monitoring Publikacije** – Ova Publikacija je objavljena na ANEMovom sajtu 15. jula 2010, a njeno štampano izdanje će biti predstavljeno početkom septembra na okruglom stolu u Beogradu. Publikaciju, koja sadrži interesantne stručne tekstove o: medijskoj strategiji; napadima na novinare i autocenzuri; ulozi, mestu i odgovornosti Javnog servisa; budućnosti radija u novom medijskom okruženju i sažet prikaz dve presude Evropskog suda za ljudska prava (primena člana 10 Evropske konvencije za zaštitu ljudskih prava i osnovnih sloboda), pogledajte [ovde](#)

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This is the *Thirteenth ANEM Monitoring News Letter*, where we present the most important monitoring and related activities:

**1. Read the Thirteenth Monitoring Report!** – This Report relates to the monitoring in July 2010, from which it follows that Serbian media scene, during that period, was marked by the following:

Brutal attack on columnist of weekly "Vreme" Teofil Pancic, threats and attacks on journalists for the content of their blogs, used to publish something for which, due to increased self-censorship, there was not much space left in the traditional media, show that the freedom of expression in Serbia is still severely endangered, which the slow change of judicial practice in media cases additionally contributes to. The media regulatory framework is still unfavorable, due to the lack of some laws – for example, Law on Media Concentration – as well as poor implementation of some regulations – such as Broadcasting Law – which is evident in the case of non-transparent election of the General Manager of the Broadcasting institution of Serbia (RTS) and in the still high amount of the surplus of fees that broadcasters pay to the regulatory Republic Broadcasting Agency. The Constitutional Court has finally decided that the disputed Law on Amendments to the Law on Public Information was predominantly unconstitutional; however, the law has so far caused serious consequences for the freedom of the media – increasing self-censorship out of fear of its possible application and irretrievably lost year for the Serbian media scene. The transition processes continue to lack sufficient attention of the authorities, although a slight progress has been made in the field of digitalization with the appointment of the director of the company that should be the main network and multiplex operator. But the privatization of media still has no specific and systemic solutions. The competent authorities have obviously failed to create a

positive media environment so far, or to solve many problems that hinder the media, either because they could not, or because they did not want it. That is why an active participation in the formulation of the Media Strategy is one of the most important upcoming tasks for the media sector. The Media Study and its recommendations would serve as a basis, but not exclusively, for the development of the Strategy. However, for the long-awaited Media Strategy to be a step forward, it is also necessary that the responsible Ministry, as well as government itself, in the forthcoming public debate, acknowledge already raised complaints about the Study, but also to concede some alternative suggestions that may be expected from media professionals and representatives of the media, whose survival and the future is at stake.

The **Thirteenth** Monitoring Report for July 2010 is available on ANEM web site, and you can also access it from [here](#).

**2. Visit Monitoring pages on ANEM web site!** – In the section [Monitoring of the media scene](#) on ANEM web site you can read:

- **13 Reports on the legal monitoring of the Serbian media scene**, developed by the expert team of the law office "Zivkovic&Samardzic", in cooperation with ANEM, which cover a continuous period from May 2009 to July 2010;
- **3 Monitoring Publications**, as an upgrade of the prior legal monitoring of the media scene; all contain the authors' expert articles that provide more information and expert opinions on important media issues and provide a better understanding of the media situation in Serbia;
- **Other articles** on monitoring and related activities

**We look forward to your comments and questions to our Monitoring pages!**

*ANEM web site development was supported by USAID and IREX Serbia.*

**3. Legal monitoring of the media scene continues in August** – As a result of these monitoring activities, the expert team will present to the public the most important events in the media sector through its Report and give its expert opinion, analysis and assessment of all that has marked the media scene in that period. Monitoring Report for August 2010 will be available in mid-September on ANEM web site.

**4. The public presentation of the Third Monitoring Publication soon** – This Publication is presented on ANEM web site on July 15, 2010, whereas its print edition will be presented at the round table in September in Belgrade. The Publication, which contains interesting expert articles on: media strategy, attacks on journalists and self-censorship, role, place and responsibility of the public service broadcaster, the future of radio in the new media environment and a brief summary of the two judgments of the European Court of Human Rights (application of Article 10 of the European Convention for the Protection of Human Rights and Fundamental Freedoms) see [here](#)