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PRAVNI MONITORING MEDIJSKE SCENE U SRBIJI

LEGAL MONITORING OF SERBIAN MEDIA SCENE

ANEM Monitoring Novosti 24 / ANEM Monitoring Newsletter 24

***DVADESET ČETVRTI MONITORING IZVEŠTAJ na web sajtu ANEM-a!
- Rezultati pravnog monitoringa srpske medijske scene u julu 2011. -***

Kratak sadržaj:

- *U oblasti slobode izražavanja* su analizirani slučajevi koji govore o lošem položaju medija i novinara, koji su i u ovom periodu bili izloženi političkim pritiscima (RTS), fizičkim napadima (snimatelji *Tanjuga*), pretnjama (novinar *Kurira*), ali i posebnom vidu uticaja na njihov rad, kroz hakerske napade na medijske sajtove (*Regionalna RTV Novi Pazar* i *City radio iz Niša*). Izveštaj sadrži i ekspertsko mišljenje zbog čega ovi slučajevi predstavljaju povredu slobode izražavanja i kakve su ili mogu biti njihove posledice po medije i medijske profesionalce. Iz analize sudskih postupaka, može se uočiti s kakvim problemima se novinari u Srbiji suočavaju usled neprimereno dugog trajanja sudskih postupaka koji se protiv njih vode (novinar M. Vasović), kako sudovi tretiraju ugrožavanje sigurnosti novinara (novinarka B. Stanković) i kako se takve sudske odluke odražavaju na rad i život novinara. Analiziran je i pozitivan slučaj ukidanja jedne presude (urednik „Čačanskih novina“), koja se odnosi na pravo političara na zaštitu od kritičkih tekstova
- *U oblasti implementacije zakona*, baveći se primenom Zakona o radiodifuziji i Zakona o elektronskim komunikacijama, autori analiziraju problem diskriminatorskog odnosa kablovskih operatora prema domaćim emiterima i mogućim načinom rešavanja tog problema, a bave se i analizom Predloga pravilnika o tehničkim zahtevima za uređaje i programsku podršku za zakonito presretanje elektronskih komunikacija i zadržavanje podataka o elektronskim komunikacijama, ukazujući na njegove ozbiljne nedostatke i moguće ugrožavanje osnovnih ljudskih prava i prava na zaštitu novinarskih izvora
- *U oblasti donošenja novih zakona*, autori analiziraju najavljenju dekriminalizaciju klevete i uvrede izmenama Krivičnog zakonika, ističući šta je još potrebno da bi ove izmene imale pravi pozitivan efekat na položaj novinara i medija
- Baveći se *monitoringom rada nadležnih organa*, autori posebno analiziraju proces donošenja Medijske strategije kroz odnos Ministarstva kulture, informacija i informacionog društva prema Nacrtu strategije i prema medijskom sektoru; bave se i odlukama RRA: jednom, o obustavljanju postupka za oduzimanje dozvole (TV Prva) i epilogom druge - o pokretanju prekršajnog postupka protiv emitera (TV Pink); kao i debatom OFPSa i Unije poslodavaca Srbije povodom različitog tumačenja zakonskih odredbi o tome da li i kada postoji osnov za neplaćanje naknade kolektivnim organizacijama
- *Digitalizacija i privatizacija* – autori analiziraju najavljene promene u sprovođenju postupka digitalizacije, kao i nepromenjeno stanje u oblasti privatizacije medija
- *Zaključak izveštaja sadrži ocenu monitoring tima o medijskoj situaciji u Srbiji u julu 2011.*

Pročitajte Dvadeset četvrti Monitoring Izveštaj!

U pripremi je novi Monitoring Izveštaj, za avgust 2011. Biće dostupan na web sajtu ANEMa u septembru 2011! O tome ćemo vas obavestiti Dvadeset petim Monitoring Novostima.

Sve što je obeležilo medijsku scenu Srbije u poslednjih 27 meseci, nalazi se u Monitoring Izveštajima i Monitoring Publikacijama, dostupnim na web sajtu ANEMa, u rubrici **Monitoring medijske scene**. **Informacije o najvažnijim dešavanjima na medijskoj sceni, analize i ekspertska pravna mišljenja monitoring tima, pružiće vam pravu sliku o zbivanjima i stanju u medijskom sektoru Srbije!**

Budite redovan posetilac naših monitoring strana!

Unapređenje ANEMovog web sajta, omogućili su USAID i IREX Srbija

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***TWENTY-FOURTH MONITORING REPORT on ANEM website!
- Results of legal monitoring of the Serbian media scene in July 2011. -***

Brief content:

- *In the area of freedom of expression*, the Report analyzes the cases that indicate the bad position of the media and journalists being, in this period too, the subject to political pressures (RTS), physical assaults (Tanjug cameramen), threats (Kurir journalist), but also to a special type of influences on their work through hackers attacks on media websites (Regional RTV Novi Pazar and City Radio from Nis). The Report also contains an expert opinion on why these cases represent violation of freedom of expression and what their consequences to the media and media professionals are or could be. From the analysis of the legal proceedings, it could be comprehended which problems Serbian journalists face as a consequence of inappropriately long duration of legal proceedings that are led against them (journalist M. Vasovic), how violation of journalists' safety is treated by the courts (journalist B. Stankovic) and how such court decisions reflect on the work and life of journalists. A positive case of revoking a verdict was also analyzed (Editor-in-Chief of "Cacanske novine"), namely the verdict related to the right of politicians to be protected from critical texts.
- *In the field of implementation of laws*, by dealing with the Broadcasting Law and the Law on Electronic Communications enforcement, the authors analyze the problem of cable operators' discriminatory treatment of domestic broadcasters as well as possible way of solving this problem. They also analyze the Draft Rulebook on Technical Requirements for Equipment and Program Support for Lawful Interception of Electronic Communications and Electronic Communications Data Retention, pointing out its serious shortcomings and possible violation of basic human rights and the right to the protection of journalists' sources.
- *In the field of adoption of new laws*, the authors analyze the announced decriminalization of libel and slander by amendments to the Criminal Code, emphasizing what else would be needed in order these changes would have a positive effect on the position of journalists and the media.
- Dealing with the *monitoring of activities of competent authorities*, authors especially analyze the process of the Media Strategy adoption through position of the Ministry of Culture, Media and Information Society toward the Draft Strategy and toward the media sector; they also deal with the decisions of RBA: one, on suspending the proceeding for revoking the license (TV Prva) and the epilogue of another one – on filing misdemeanor charge against a broadcaster (TV Pink); moreover, the authors

cope with the debate between OFPS and the Employers' Union of Serbia on different interpretations of legal provisions on whether and when there is a legal basis for not paying fees to collective organizations.

- *Digitalization and privatization* – authors analyze the announced changes in the implementation of the digitalization process, as well as unchanged situation in the field of privatization of the media.
- *The Conclusion of the Report contains the monitoring team's assessment of the media situation in Serbia in July 2011.*

We invite you to read the Twenty-Fourth Monitoring Report!

New Monitoring Report, for August 2011, is currently being prepared. It will be available on the ANEM website in September 2011! We will inform you about it in Twenty-Fifth Monitoring Newsletter.

Everything that has marked the Serbian media scene in the last 27 months could be found in the Monitoring Reports and Monitoring Publications, available on the ANEM website, in the section Monitoring of the Media Scene. **Information on the most important occurrences on the media scene, analyses and legal expert opinions of the monitoring team, will provide you with the right insight into the media situation in Serbia!**

We invite you to visit our monitoring pages regularly!

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