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**PRAVNI MONITORING MEDIJSKE SCENE U SRBIJI**

**LEGAL MONITORING OF SERBIAN MEDIA SCENE**

**ANEM Monitoring Novosti 28 / ANEM Monitoring Newsletter 28**

**DVADESET OSMI MONITORING IZVEŠTAJ ANEM-a  
- Medijska scena Srbije u NOVEMBRU 2011.-**

*Kratak prikaz nalaza monitoring tima datih u Dvadeset osmom Monitoring Izveštaju:*

Prema rezultatima pravnog monitoringa sprovedenog u novembru 2011, medijski sektor Srbije je bio obeležen pritiscima, fizičkim napadima i pretnjama novinarima i članovima njihovih ekipa, ali i dvema presudama Apelacionog suda, koje ukazuju na moguću pozitivnu promenu sudske prakse u slučajevima napada na novinare, na koju medijski sektor čeka odavno. Činjenica da mediji imaju problem, ne samo sa neadekvatnim pravnim okvirom, nego i sa implementacijom postojećih zakona, ponovo je bila očigledna i u ovom periodu. Krovni medijski zakon, Zakon o javnom informisanju, najčešće krše pojedinci i grupe, nepoštovanjem prava i sloboda medija i novinara, ali i svojih obaveza u procesu javnog informisanja. Međutim, ima slučajeva da i novinari/mediji ne umeju da koriste svoje slobode ili ispunjavaju svoje zakonske obaveze. Nacionalni saveti nacionalnih manjina i dalje daju argumente onima koji se protive zakonskom rešenju, zadržanom i u Medijskoj strategiji, a kojim je predviđeno pravo ovih Saveta da budu osnivači medija na manjinskim jezicima. Protivljenju takvom rešenju posebno doprinose odluke jednog Nacionalnog saveta u protekloj godini, koje su ocenjene kao neprihvatljivo mešanje u medijske slobode. Medijski regulatorni okvir ni u ovom periodu nije poboljšán, jer nisu doneti novi zakoni od značaja za medije koji bi tome doprineli, a pojedini zakoni koji bi mogli u određenoj meri da olakšaju položaj medija i dalje su u proceduri za usvajanje. Monitoring tim se bavi Zakonom o izmenama i dopunama Zakona o autorskom i srodnim pravima, na čije usvajanje se čeka od avgusta. Nadležni organi ni u ovom periodu ničim nisu doprineli poboljšanju položaja i medija, ali su pojedine aktivnosti nekih od njih bile zapažene (npr. reakcija RRA na izveštaj Saveta za borbu protiv korupcije o pritiscima i kontroli medija u Srbiji; predlog Ratela i RTS-a Vladi o otpisu duga RTS-a, nastalog zbog neplaćanja korišćenja radio frekvencija; naknadna kontrola Komisije za zaštitu konkurencije u jednom slučaju dodele državne pomoći medijima u AP Vojvodini). Procesi digitalizacije i privatizacije medija u Srbiji i dalje nisu završeni, a ne zna se ni kada će biti, imajući u vidu izmene u procesu prelaska na digitalno emitovanje TV programa, koje su sada već izvesne, kao i nova rešenja Medijske strategije koja mogu dovesti do daljeg komplikovanja situacije u pogledu privatizacije medija.

*Dvadeset osmi Monitoring Izveštaj daje kompletnu sliku zbivanja u medijskom sektoru Srbije u novembru 2011. Izveštaj je objavljen na web sajtu ANEM-a, a možete mu pristupiti [i ovde!](#)*

*[Decembar 2011. je bio pun interesantnih događaja na medijskoj sceni, koji će se naći u sledećem, Dvadeset devetom Monitoring Izveštaju. Taj Izveštaj će biti dostupan u januaru 2012, na web sajtu ANEM-a.](#)*

**Ukoliko želite da znate šta se sve događalo na medijskoj sceni Srbije u proteklih dve i po godine, važnost i posledice tih dešavanja po medijski sektor, web sajt ANEMA Vam pruža sve te informacije na jednom mestu, u rubrici [Monitoring medijske scene](#) na naslovnoj strani.** Na monitoring stranama možete ostaviti i svoj komentar, pitanje i sugestiju!

*Unapređenje ANEMovog web sajta, omogućili su USAID i IREX Srbija*

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**TWENTY-EIGHTH MONITORING REPORT  
- Serbian Media Scene in NOVEMBER 2011 -**

*Short overview of the findings of the monitoring team presented in the Twenty-Eighth Monitoring Report:*

According to the results of the legal monitoring performed in November 2011, media sector in Serbia were marked by pressure, physical attacks and threats against journalists and members of their teams, but also by two verdicts passed by the Appellate Court that indicate a possible positive change in the court practice related to attacks on journalists – a change that has been eagerly awaited by the media scene for a long time. The fact that the media suffers not only due to the inadequate legal framework, but also because of issues related to implementation of existing laws, has again been evident in this period. The primary media law – the Law on Public Information – has been most frequently violated by individuals and groups which failed to respect the rights and freedom of the media and journalists, or failed to fulfill their own obligations in the process of public information. However, in some cases, journalists/the media did not recognize how to exercise their freedom or how to fulfill their legal obligations. National councils of national minorities are giving arguments to those who opposed the legal provisions – retained in the Media Strategy – which stipulate that these Councils have a right to establish media in languages of national minorities. Opposition to this legal solution has been especially strengthened by the decisions of one of the National Councils in the last year that was perceived as an unacceptable interference in the freedom of the media. The media regulatory framework was not improved in this period since no new media-related laws have been adopted. Certain laws that could contribute to improved position of the media are still waiting for adoption. The monitoring team is focused on the Law on Amendments to the Law on Copyright and Related Rights, whose adoption has been awaited since August. In this period, the authorities have not done anything to improve the position of the media, but some of their activities were noted (for example, the reaction of the Republic Broadcasting Agency/RRA to the Report on Pressure and Control Over the Media in Serbia prepared by the Anti-Corruption Council; the proposal made by the Republic Agency for Telecommunication/RATEL and Radio-Television Serbia/RTS to the Government asking that the debt incurred by RTS due to its failure to pay radio frequency usage fees be written off; additional control by the Committee for Protection of Competition in a case of allocation of state aid to the media in the Autonomous Province of Vojvodina). The processes of digitalization and privatization of the media in Serbia have not been completed and it is still uncertain when that might happen, taking into account the changes related to the process of transition to digital broadcasting of TV program, as well as the new solutions imposed by the Media Strategy that could result in further complications of the media privatization.

*The Twenty Eighth Monitoring Report offers a complete picture of occurrences in the Serbian media sector in November 2011. The Report has been published on the website of ANEM and is available [here!](#)*

*December 2011 was full of interesting happenings on the media scene which will be described in the next, Twenty-Ninth Monitoring Report. The Report will be available in January 2012 on the website of ANEM.*

**If you want to know everything about the developments in the Serbian media sector in the last two and a half years, the consequences and significance of these events for the media scene, the ANEM website offers all the information you need in one place within the section [Monitoring of the Media Scene](#), which is accessible from the home page of the website. You can leave your comments, questions and proposals on the monitoring web pages!**

*Improvement of the ANEM website has been made possible by USAID and IREX Serbia.*