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**PRAVNI MONITORING  
MEDIJSKE SCENE U SRBIJI  
LEGAL MONITORING OF THE  
SERBIAN MEDIA SCENE**

Monitoring novosti 30 / Monitoring Newsletter 30



*ANEM, u saradnji sa svojim dugogodišnjim partnerom, advokatskom kancelarijom „Živković&Samardžić“, nastavlja da sprovodi pravni monitoring medijske scene u Srbiji i u 2012. godini. Planirano je da u ovoj godini bude proizvedeno 11 Monitoring Izveštaja (prvi, za period januar – februar i 10 mesečnih, za period od marta do decembra 2012) i 2 Monitoring Publikacije, čija će štampana izdanja, uz rezultate pravnog monitoringa, biti javno prezentovana na 2 okrugla stola u Beogradu, u organizaciji ANEM-a. O svim ovim aktivnostima, zainteresovani će blagovremeno biti obaveštavani ANEM Monitoring Novostima, kao i na sajtu ANEM-a [www.anem.org.rs](http://www.anem.org.rs), gde će svi Monitoring Izveštaji, Publikacije, Monitoring Novosti i izveštaji sa okruglih stolova biti dostupni u rubrici [Monitoring medijske scene](#).*

**U Monitoring Novostima br.30 predstavljamo**

**TRIDESETI MONITORING IZVEŠTAJ ANEM-a  
O MEDIJSKOJ SCENI SRBIJE  
za januar – februar 2012.**

Najvažnije iz sadržaja:

- Koji su uzroci nepovoljne situacije **u oblasti slobode izražavanja**; analizirani slučajevi pretnji sportskom novinaru i nasilničkog ponašanja i napada na TV ekipu; sudska praksa u slučajevima napada na novinare – analiza sudskih postupaka, od kojih jedan ukazuje na razloge zbog kojih se praksa sudova u ovakvim slučajevima smatra jednim od glavnih uzroka problema u ostvarivanju slobode izražavanja, a drugi je primer pomaka u radu pojedinih sudova i njihove pooštrene kaznene politike prema učiniocima napada na novinare i snimatelje
- **Implementacija postojećih propisa** – *Zakon o javnom informisanju* – koje su nedoumice vezane za primenu člana 82. Zakona o javnom informisanju u praksi srpskih sudova (oslobađanje novinara, urednika i osnivača javnih glasila od odgovornosti za štetu), posebno u slučajevima vernog prenošenja policijskih saopštenja; *Zakon o radiodifuziji* – pitanje kriterijuma po kojima je Republička radiodifuzna agencija izdavala dozvole za emitovanje nacionalnim emiterima, kao i smisao izdavanja saglasnosti za promene vlasničke strukture emiterima sa izdatim dozvolama; regulisanje kablovskog emitovanja programa
- **Rad nadležnih organa** – *regulatorna tela* – analiza i objašnjenje „must carry“ obaveze koju Ratel, na zahtev RRA, pod određenim uslovima može nametnuti dominantnom operatoru elektronske komunikacione mreže za distribuciju i emitovanje medijskih sadržaja; *državni organi* – aktivnosti Ministarstva kulture, informisanja i informacionog društva na izradi novih zakona predviđenih Akcionim planom Medijske strategije; rad Komisije za autorsko i srodna prava u vezi sa stupanjem na snagu nove nepovoljne i nezakonite tarife Sokoja za emitere
- **Proces digitalizacije** – izmene Strategije digitalizacije i odgovarajućeg Pravilnika i ključni rizici u ovom procesu;

- **Proces privatizacije medija** – analiza trenutne situacije u ovoj oblasti, rešenja Medijske strategije i značaja završetka ovog procesa za medije

*Trideseti Monitoring Izveštaj sadrži pravnu analizu i ocenu najvažnijih zbivanja u medijskom sektoru Srbije u periodu januar – februar 2012. Izveštaj je objavljen na web sajtu ANEM-a, a možete mu pristupiti i [ovde!](#)*

***U pripremi je i Trideset prvi Monitoring Izveštaj, u kojem će monitoring tim stručno analizirati i objasniti uzroke i posledice najvažnijih zbivanja na medijskoj sceni u martu 2012, dobre i loše strane medijske regulative i prakse i dati svoju stručnu ocenu medijske situacije u Srbiji u tom periodu. Objavljivanje ovog Izveštaja na web sajtu ANEM-a je planirano do kraja aprila 2012, o čemu ćemo sve zainteresovane obavestiti sledećim Monitoring Novostima.***

Podsećamo da ANEM, u saradnji sa advokatskom kancelarijom “Živković&Samardžić”, počev od maja 2009, u svojim Monitoring Izveštajima, kontinuirano prati, analizira i objašnjava ono što se dešava na medijskoj sceni Srbije, ukazuje na dobre i loše strane medijske regulative i prakse, ali i predlaže konkretne načine za njihovo poboljšanje. Pročitajte na sajtu ANEM-a, u rubrici [Monitoring medijske scene](#), svih 30 do sada objavljenih Monitoring Izveštaja, 5 Monitoring Publikacija i izveštaje sa 5 monitoring okruglih stolova, da biste bolje razumeli medijsku situaciju u Srbiji!



FONDACIJA ZA OTVORENO DRUŠTVO - SRBIJA  
FOUNDATION FOR AN OPEN SOCIETY - SERBIA

Realizaciju projekta „Pravni monitoring medijske scene u Srbiji“ podržala je Fondacija za otvoreno društvo.

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***ANEM, in cooperation with its long-time partner, law office “Zivkovic&Samardzic”, continues to conduct legal monitoring of the Serbian media scene in 2012. Eleven Monitoring Reports are planned to be produced in this year – the first covering the period January and February and 10 monthly reports for the period between March and December 2012. In addition, 2 Monitoring Publications will be created, whose printed editions, together with results of the legal monitoring, will be presented at 2 round tables organized by ANEM for that purpose in Belgrade. All interested will be timely informed on these activities in ANEM Monitoring Newsletters and on ANEM website [www.anem.org.rs/en](http://www.anem.org.rs/en), where Monitoring Reports, Publications, Monitoring Newsletters and reports from organized round tables will be available in the section [Monitoring of the Media Scene](#).***

In 30<sup>th</sup> Monitoring Newsletters, we present

**ANEM THIRTIETH MONITORING REPORT  
ON THE SERBIAN MEDIA SCENE  
for January-February 2012**

Here are the highlights:

- What is causing unfavorable situation in the area of **freedom of expression**; analyzed cases of threats to a sports journalist, violent behavior and attack on a TV crew: case law in cases of attacks on journalists – analysis of court proceedings, with one pointing to reasons for perceiving the court practice in such cases as one of the main causes of problems in exercising the freedom of expression, and the other as an example of an improvement in work of certain courts and their more strict penal policy for perpetrators of attacks on journalists and cameramen
- **Implementation of existing regulations** – the *Public Information Law* – what are the dilemmas in relation to the application of Article 82 of the said law in practice of Serbian courts (not holding journalists, editors and founders of media outlets liable for damages) particularly in cases of an accurate quote of police reports; *Broadcasting Law* – the issue of criteria under which the Republic Broadcasting Agency had issued broadcasting licenses to national broadcasters, as well as the point in issuing consent for changing ownership structure of broadcasters with valid licenses; regulating of cable program broadcasting
- **Work of competent authorities** – *regulatory bodies* – the analysis and explanation of “must carry” obligation that RATEL, on the RBA’s demand, may impose to dominant operator of electronic communications network for distribution and broadcasting of media content, under specific conditions; *state bodies* – activities of the Ministry of Culture, Media and Information Society related to the work on new laws foreseen by the Action Plan of the Media Strategy; the work of the Commission for Copyright and Related Rights in relation to the entering into force of the new unfavorable and illegal SOKOJ tariff of fees for broadcasters
- **Digitalization process** – amendments to the Digitalization strategy and relevant Rulebook, as well as key challenges of this process
- **Process of privatization of media** – analysis of the current situation in this area, solutions provided in the Media Strategy and importance for media of bringing this process to an end

*The Thirtieth Monitoring Report contains legal analysis and assessment of the most important events in the Serbian media sector in the period January-February 2012. The Report is available on ANEM website and may be downloaded [here](#).*

*The next, Thirty-first Monitoring Report is in preparation, and will bring the expert analysis and explanations by the monitoring team of the most important occurrences in the media scene in March 2012, good and bad sides of media regulation and practice, and expert assessment of the Serbian media situation in that period. The Report for March would be available on ANEM website by the end of April 2012, on which all interested will be timely informed in our next Monitoring Newsletter.*

*We remind you that, since May 2009, in its Monitoring Reports, ANEM, in cooperation with the law office “Zivkovic&Samardzic” has been continuously monitoring, analyzing and explaining the most important developments on the media scene of Serbia, pointing at that to good and bad sides of media regulation and practice, but also suggesting specific ways for their improvement. Read all 30 ANEM Monitoring Reports, 5 Monitoring Publications and reports from 5 monitoring round tables available on ANEM website, in the section [Monitoring of the Media Scene](#), so as to better understand the media situation in Serbia!*

