



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

Monitoring novosti 34 / Monitoring Newsletter 34



**TRIDESET ČETVRTI MONITORING IZVEŠTAJ O MEDIJSKOJ SCENI SRBIJE
NA WEB SAJTU ANEM-a!**

U Trideset četvrtom Monitoring Izveštaju o medijskoj sceni Srbije za jun 2012, saznaćete, između ostalog:

- **Sloboda izražavanja** – *pritisci i pretnje*: kako neki naši političari reaguju na kritičke tekstove u medijima; kako neki pojedinci izražavaju svoje nezadovoljstvo pisanjem novinara; *sudski postupci*: kako sudovi tumače pretnje novinarki zbog kojih je ona onemogućena da nesmetano obavlja svoj posao i pod stalnom je policijskom zaštitom već više od dve i po godine – kao ozbiljnu pretnju ili običnu uvredu; zašto je praksa naših sudova – da medij odgovara za naknadu štete zbog netačnih informacija u prenetom policijskom saopštenju, pitanje po kome praksa srpskih sudova danas najviše odudara od onoga što predstavlja evropski standard slobode izražavanja; zbog čega bi moguće pokretanje postupka protiv novinara zbog navodnog širenja lažnih vesti predstavljalo ozbiljan udar na slobodu izražavanja u Srbiji;
- **Implementacija postojećih propisa** – *Zakon o radiodifuziji* – zašto je važna TV pretplata kao izvor finansiranja javnog servisa, a šta je još potrebno da bi javni servis obavljao svoje funkcije na kvalitetan način i u javnom interesu; *Zakon o kontroli državne pomoći* – šta je dozvoljena, a šta nedozvoljena državna pomoć, ko i kako vrši kontrolu te pomoći, protiv koga je podnet zahtev za pokretanje postupka naknadne kontrole državne pomoći u medijskom sektoru i zašto;
- **Usvajanje novih zakona** – da li je srpskom medijskom sektoru potrebna potpuna deregulacija ili sveobuhvatna i suštinska reforma regulatornog okvira;
- **Rad nadležnih organa** – da li je dovoljno jasna regulacija oglašavanja na televiziji, posebno kada je reč o oceni pristojnosti, odnosno nepristojnosti oglasne poruke, a povodom postupaka koje je RRA pokrenula protiv dva nacionalna emitera; zašto Komisija za žalbe Saveta za štampu postaje neuporedivo povoljnija opcija onima koji traže moralnu satisfakciju, u odnosu na redovni sud; zbog čega je nadzor Poverenika za informacije od javnog značaja i zaštitu podataka o ličnosti nad primenom Zakona o zaštiti podataka o ličnosti kod operatora mobilne telefonije u Srbiji čiji je predmet – pristup zadržanim podacima o komunikaciji, tzv. logovima poziva, od značaja za novinare i medije; zašto je sporna tarifa Sokoja za emitere;
- **Proces digitalizacije** – šta je novo doneo Pravilnik o prelasku sa analognog na digitalno emitovanje televizijskog programa i pristupu multipleksu i šta dalje predstoji u procesu digitalizacije;
- **Privatizacija medija** – zašto i rezultati istraživanja portala „Južne vesti“ o finansiranju niških medija iz javnih sredstava ukazuju da je privatizacija medija važna i kako ona treba da se odvija;
- **Zaključak** – šta treba da bude prioritet nove vlade kada je reč o medijskom sektoru.

Trideset četvrti Monitoring Izveštaj uradio je stručni tim advokatske kancelarije "Živković&Samardžić", u saradnji sa ANEM-om. Pročitajte ga u celosti ili u delovima, [ovde](#).

NA WEB SAJTU ANEM-a PROČITAJTE I IZVEŠTAJ SA JULSKOG MONITORING OKRUGLOG STOLA

ANEM je na okruglom stolu, održanom 6. jula 2012. u Beogradu, predstavio štampano izdanje svoje Šeste Monitoring Publikacije, za koju su pisali: advokati – Slobodan Kremenjak i Kruna Savović, prof. dr Rade Veljanovski i dr Jovanka Matić, o tome kako su i u kojim uslovima mediji pratili izbore; da li se i kako implementira Medijska strategija 9 meseci nakon njenog donošenja; o Prednacrtu Zakona o elektronskim medijima; i o medijima i medijskim reformama u post-komunističkim društvima. U izveštaju pročitajte šta su autori tekstova kazali o važnim medijskim pitanjima o kojima su pisali, kao i šta je rečeno u diskusiji nakon prezentacije Publikacije. I [Šestu Monitoring Publikaciju](#) i [izveštaj sa ovog okruglog stola](#), možete naći na web sajtu ANEM-a.

U rubrici web sajta ANEM-a – [Monitoring medijske scene](#), ćete naći:

- *34 Monitoring Izveštaja,*
- *6 Monitoring Publikacija*
- *izveštaje sa 6 monitoring okruglih stolova ANEM-a,*

koji pružaju važne informacije, stručne analize i mišljenja o zbivanjima na medijskoj sceni Srbije u poslednje tri godine.



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

English version



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THIRTY-FOURTH MONITORING REPORT ON SERBIAN MEDIA SCENE ON ANEM WEBSITE!

In the Thirty-Fourth Monitoring Report on the Serbian media scene for June 2012, you will read, among other things, about the following:

- **Freedom of expression** – *the pressures and threats*: how some of our politicians reacted to critical articles in the media; how some individuals expressed their dissatisfaction with the writings of journalists; *court proceedings*: how the courts interpreted threats to a journalist due to which she had been prevented from doing her job and been under constant police protection for more than two and a half years – as a serious threat or mere insult; why is the practice of our courts – that the media is ordered to pay damages due to incorrect information from a faithfully conveyed police statement – is the issue that sets off the practice of Serbian courts today the most from the European standard of freedom of expression; why would possible initiating of proceedings against journalists for allegedly spreading false news represent a serious blow to freedom of expression in Serbia;
- **Implementation of existing laws** – *the Broadcasting Law* – why the TV subscription fee is an important source of funding for public service, and what is still needed for the public service to function in a quality manner and in the public interest; *the Law on State Aid*

Control – what is legal and what illegal state aid, who controls it and how, against whom the claim for initiating the supervisory control of state aid in the media sector is filed and why;

- **Adoption of new laws** – whether the Serbian media sector needs a complete deregulation or a comprehensive and fundamental reform of the regulatory framework;
- **The work of the authorities** – whether the regulation of advertising on TV is sufficiently clear, especially when it comes to the assessment of decency or indecency of advertisements, regarding proceedings initiated by the RBA against two national broadcasters; why the Commission for Complaints of the Press Council becomes far more favorable option than an ordinary court for those who seek moral satisfaction; why is the supervision of the Commissioner for Information of Public Importance and Personal Data Protection over the implementation of the Law on Personal Data Protection for mobile operators in Serbia, related to access to retained communication data, so called call logs, important for journalists and the media; why is the tariff of Sokoje for broadcasters problematic;
- **The process of digitalization** – what are the novelties brought by Rulebook on the Switchover from analogue to digital broadcasting of television programs and access to multiplex and what is to come in the process of digitalization;
- **Privatization of the media** – why the results of the research on the financing of Nis media from public sources, done by the portal “Juzne vesti” (the Southern News), indicate that the privatization of the media is important and how it should be carried out;
- **Conclusion** – what should be the priority of the new government when it comes to the media sector.

The Thirty-Fourth Monitoring Report was done by an expert team of the law office “Zivkovic&Samardzic”, in cooperation with ANEM. Read the Report in whole or in parts, [here](#).

ANEM WEBSITE BRINGS YOU ALSO THE REPORT ON MONITORING ROUND TABLE HELD IN JULY

At the round table, held on July 6, 2012 in Belgrade, ANEM presented the sixth print edition of its Monitoring Publication, with the authors: lawyers – Slobodan Kremenjak and Krupa Savovic, prof. Rade Veljanovski, PhD and Jovanka Matic, PhD. The authors’ texts elaborate on: how and under what conditions the media covered the elections; whether and how the Media Strategy has been implemented, nine months after its adoption; the Pre-Draft Law on Electronic Media; media and media reforms in post-communist societies. Find out in the report what these authors’ said at the round table on the important media issues they have treated in their texts, as well as what was heard during the discussion that followed the presentation of the Publication. Both the [Sixth Monitoring Publication](#) and the [report on this round table](#) are now available on ANEM website.

In the section of ANEM website – [Monitoring of the media scene](#), you will find:

- 34 Monitoring Reports,
- 6 Monitoring Publications
- reports from 6 ANEM monitoring round tables,

containing all key information, expert analysis and opinions about the events and developments on the Serbian media scene in the last three years.



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