



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

Monitoring novosti 36 / Monitoring Newsletter 36



**TRIDESET ŠESTI MONITORING IZVEŠTAJ
- MEDIJSKA SCENA SRBIJE u avgustu 2012.g. -
NA WEB SAJTU ANEM-a!**

Trideset šesti Monitoring Izveštaj odgovara na sledeća pitanja:

- **Sloboda izražavanja** – *pritisci i pretnje*: kojim vrstama pritisaka i pretnji su mediji i novinari bili izloženi u ovom periodu i kakve su njihove posledice na rad novinara i funkcionisanje medija; *sudski postupci*: zbog čega je neophodna dekriminalizacija klevete i uvrede u Srbiji; šta je dobra, a šta loša praksa srpskih sudova u medijskim slučajevima;
- **Implementacija postojećih propisa** – *Zakon o javnom informisanju* – koliko su preostale odredbe Zakona o izmenama i dopunama Zakona o javnom informisanju iz 2009.g, koje Ustavni sud nije proglasio neustavnim, doprinele rešenju problema netransparentnosti medijskog vlasništva; *Zakon o radiodifuziji* – koja ovlašćenja imaju RRA i Ratel u pogledu regulacije/sankcionisanja razlike u nivou tona između različitih delova programa; *Zakon o zaštiti podataka o ličnosti* - koja pravila iz ovog, kao i drugih relevantnih zakona, važe za obradu ličnih podataka od strane novinara i medija, posebno kada je reč o maloletnim žrtvama krivičnih dela;
- **Usvajanje novih zakona** – koja pitanja od značaja za medijski sektor i njihova buduća rešenja su bila predmet medijskog licitiranja; zbog čega to nije dobro;
- **Rad nadležnih organa** – šta je dovelo do oduzimanja dozvola i gašenja većeg broja elektronskih medija u Srbiji u poslednjih nekoliko meseci, sa tendencijom porasta tog broja, i koliko to ima veze sa nekim lošim rešenjima u Zakonu o radiodifuziji; zbog čega je imenovanje pomoćnika ministra kulture i informisanja u sektoru za medije izazvalo kontroverze; zašto OFPS i PI ponovo pregovaraju o tarifama naknada sa korisnicima predmeta njihove zaštite;
- **Proces digitalizacije** – šta kaže državni sekretar u nadležnom ministarstvu o tome šta država tek treba da uradi u ovoj oblasti i šta još nije uradila, a davno je trebalo;
- **Privatizacija medija** – zašto su zahtevi novinara i njihovih sindikata pogrešni kada je reč o privatizaciji medija i kakvi ti zahtevi treba da budu da bi doveli do poboljšanja medijske situacije;
- **Zaključak** – do koje mere je situacija u medijskom sektoru Srbije loša.

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

U oktobru će na web sajtu ANEM-a, u rubrici Monitoring medijske scene, biti objavljen i sledeći Monitoring Izveštaj – za mesec septembar 2012. Informaciju o tome, kao i kratak sadržaj tog Izveštaja, poslaćemo u narednim Monitoring Novostima.



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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**THIRTY-SIXTH MONITORING REPORT
- SERBIAN MEDIA SCENE in august 2012 -
ON ANEM WEBSITE!**

Thirty-sixth Monitoring Report brings answers to the following questions:

- **Freedom of expression** – *pressures and threats*: which forms of pressure and threats the journalists and media were exposed to in this period and what were the ill-effects on their work and functioning; *court proceedings*: why is the decriminalization of defamation and insult necessary; what is a good and what bad practice of the Serbian courts in media cases;
- **Implementation of existing laws** – *Public Information Law* – how much have the remaining provisions of the Law on Amendments to the Public Information Law from 2009, which have not been proclaimed unconstitutional by the Constitutional Court, contributed to solving the problem of lack of transparency of media ownership; *Broadcasting Law* – what are the competences of RBA and Ratel in the regulation/sanctioning of different sound levels in different parts of programs; *Law on Personal Data Protection* – which regulations of this law, as well as other relevant laws, are valid regarding using of personal data by journalists and media, particularly regarding the juvenile victims of crime;
- **Adoption of new laws** – which issues of importance for the media sector and their future solutions were the subject of bidding of media and why such bidding was bad;
- **Work of competent authorities** – what has led to revocation of licenses and closedown of a great number of electronic media in Serbia (with increasing tendency of that number) in the past few months and whether this is related to some bad solutions provided in the Broadcasting Law; why has the appointment of the new assistant minister of culture and media stirred the public; why are OFPS and PI negotiating again on the tariffs of fees with users of objects of their protection;
- **Digitalization** – what does, in the opinion of the state secretary in the competent ministry, the state need to do in this field and what it has not yet done, but should have done it long time ago;
- **Privatization of media** – why are the demands of journalists and their unions regarding the privatization of media wrong; what they should be in order to lead to improvement of the media situation;
- **Conclusion** – to what extent is the state of the Serbian media sector in Serbia really bad.

The Thirty-sixth Monitoring Report was prepared by the expert team of the law office "Zivkovic&Samardzic", in cooperation with ANEM. Read it [here](#), in whole or in parts.

The next, Thirty-seventh Monitoring Report for September 2012, will be published on ANEM website in the section [Monitoring of the Media Scene](#) in October. More information about it, together with the brief content of this Report, will be available in the next Monitoring Newsletter.



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

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