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

Monitoring novosti 38 / Monitoring Newsletter 38



**TRIDESET OSMI MONITORING IZVEŠTAJ  
NA WEB SAJTU ANEMA!**

**TRIDESET OSMI MONITORING IZVEŠTAJ ANEMA, kao rezultat pravnog monitoringa medijske scene Srbije u oktobru 2012, sadrži:**

- **Sloboda izražavanja** – *pretnje i pritisci*: slučajevi zastrašivanja novinara; diskriminacija novinarske ekipe; pritisak na novinare da otkriju izvor informacije – o kojim povredama prava i propisa je reč i koje su njihove posledice; *sudski postupci*: pokretanje postupka protiv države Srbije pred Evropskim sudom za ljudska prava, od strane nezadovoljnog srpskog medija; višegodišnji spor jednog medija protiv regulatornih tela – kratka pravna analiza;
- **Implementacija postojećih zakona** – *Zakon o radiodifuziji*: problem finansiranja javnog servisa iz pretplate; pitanje promene vlasništva medija, i distinkcije između promene vlasništva i preprodaje frekvencija, ili otuđenja dozvole; *Zakon o tajnosti podataka*: kakav efekat je ovaj zakon ostvario u pogledu očekivanja koja su imali novinari i mediji od njega;
- **Usvajanje novih zakona** – kako teče implementacija Medijske strategije;
- **Rad nadležnih organa**: *izdvajamo rad regulatornih tela* – zašto je oduzeta dozvola *TV Avali*, nacionalnom emiteru; zašto raste broj radio i televizijskih stanica kojima preči oduzimanje dozvole, a ne smanjuje se broj nelegalnih emitera; obaveze emitera i nadzor nad njihovim radom – nalozi RRA izdati trima nacionalnim TV stanicama; *Savet za štampu* i njegov odnos prema pravu medija/novinaru da iznosi vrednosne sudove, kao i da komentariše i kritički se odnosi prema temama o kojima piše;
- **Proces digitalizacije** – šta je važno urađeno u ovom periodu;
- **Proces privatizacije medija** – slučaj „Politika“ i odnos novih vlasti prema izlasku države iz vlasništva u medijima;
- **Zaključak Izveštaja** – zašto dešavanja na medijskoj sceni u oktobru nisu dobra.

*Trideset osmi Monitoring Izveštaj uradio je stručni tim Pravne službe ANEM-a, advokatske kancelarije „Živković&Samardžić“, u saradnji sa ANEM-om. Pročitajte ga u celosti ili u delovima, [ovde](#).*

**SEDMA MONITORING PUBLIKACIJA  
OBJAVLJENA NA WEB SAJTU ANEMA, A USKORO I NJENA JAVNA PREZENTACIJA!**

**U SEDMOJ MONITORING PUBLIKACIJI ANEMA možete pročitati sledeće:**

- **4 autorska teksta** o medijskim pitanjima koja su bila važna u prethodnih šest meseci, kao i o onim koja su uvek značajna i aktuelna:
  1. **Razlozi za i protiv osnivanja regionalnih javnih servisa**  
*Autorka: Kruna Savović, advokat*
  2. **Neophodnost regulacije kablovske distribucije i emitovanja TV programa**  
*Autor: Slobodan Kremenjak, advokat*

### **3. Država i mediji u funkciji ostvarivanja prava građana na informisanje**

**Autor: Rodoljub Šabić, Poverenik za informacije od javnog značaja i zaštitu podataka o ličnosti**

### **4. Pristup informacijama u evropskom pravu ljudskih prava**

**Autor: Dragoljub Popović, sudija Evropskog suda za ljudska prava**

- i kao dodatak, **peti tekst: Evropski sud za ljudska prava, Informatori o sudskoj praksi** – kratak prikaz dve presude ovog Suda koje se odnose na primenu člana 10. Evropske konvencije za zaštitu ljudskih prava i osnovnih sloboda – **prva** se odnosi na slobodu širenja informacija, a **druga**, na slobodu izražavanja

Elektronska verzija Publikacije je dostupna na sajtu ANEM-a [ovde](#).

**Štampano izdanje ove Publikacije će biti prezentovano na okruglom stolu u organizaciji ANEM-a, u petak, 14. decembra 2012, u Medija centru, Beograd, Terazije 3, II sprat, velika sala, u vremenu od 11h do 14h!**

**Publikaciju će predstaviti autori tekstova!** Nakon toga je predviđena diskusija o temama koje su obrađene u predstavljenim tekstovima, kao i o aktuelnim temama medijske scene.

***Rubrika Monitoring medijske scene na naslovnoj strani web sajta ANEM-a sadrži sve Monitoring Izveštaje, Monitoring Publikacije i informacije o ostalim monitoring aktivnostima ANEM-a u proteklih tri i po godine***



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

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



NORWEGIAN EMBASSY

Realizaciju ovog projekta, finansijski je podržala Ambasada Kraljevine Norveške u Beogradu

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**THIRTY-EIGHTH MONITORING REPORT  
ON ANEM WEBSITE!**

**The THIRTY-EIGHTH ANEM MONITORING REPORT, as an outcome of the legal monitoring of the Serbian media scene in October 2012, contains:**

- **Freedom of expression** – *threats and pressures*: cases of intimidation of journalists; discrimination against journalist's crew; pressure on journalists to reveal sources of information – which violations of law and regulations are in question and what are their

consequences; *court proceedings*: legal action against Serbia before the European Court of Human rights, initiated by a dissatisfied Serbian media; several-years-long dispute of a media against regulatory bodies – a brief legal analysis;

- **Implementation of existing laws** – *the Broadcasting Law*: the problem of financing public service broadcasting from subscription fees; the issue of change of ownership of the media and the distinction between a change of ownership and resale of frequencies, or disposal of licenses; the *Law on Classified Data*: what effect this law has made in terms of the expectations of journalists and the media;
- The **adoption of new laws** – the current implementation of the Media Strategy;
- The **work of the authorities**: *with the emphasis on the work of regulatory bodies* – why the license of the national broadcaster TV Avala has been revoked; why is the number of radio and television stations facing the license revocation rising, but a number of illegal broadcasters is not being reduced; obligations of broadcasters and supervision of their work – the orders of the RBA issued to three national television stations; the *Press Council* and its position towards the right of the media/journalists to express value judgments, as well as to comment and critically relate to the topics they treat;
- The **process of digitalization** – the important developments in this period;
- The **process of privatization** – the case of “Politika” and the position of the new government towards the withdrawal of the state from ownership in media;
- **Conclusion of the Report** – why the events in the media in October were not good.

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

**THE SEVENTH MONITORING PUBLICATION  
PUBLISHED ON ANEM WEBSITE  
PRESENTATION OF THE PUBLICATION SOON!**

In the Seventh Monitoring Publication, you will read the following:

- 4 authors’ texts on media issues that were in the focus in the past six months, as well as the ones that are always important and present:

**1. The Reasons For and Against the Establishment of Regional Public Service Broadcasting**

*Author: Kruna Savović, attorney at law*

**2. The Necessity to Regulate Cable Distribution and Broadcasting of Television Program**

*Author: Slobodan Kremenjak, attorney at law*

**3. The State and the Media in the Function of Realizing Citizens’ Right to Information**

*Author: Rodoljub Šabić, the Commissioner for Information of Public Importance and Personal Data Protection*

**4. Access to Information in European Human Rights Law**

*Author: Dragoljub Popović, Judge at the ECHR*

- and the **fifth text: European Court of Human Rights, Information Notes on Court’s Case-Law** – a brief overview of two judgments of this Court, concerning the application of the Article 10 of the European Convention for the Protection of Human Rights and Fundamental Freedoms – the **first** pertaining to the freedom to impart information and the **second**, to the freedom of expression.

The electronic version of this Publication is available on ANEM website, [here](#).

***The printed edition of this Publication will be publicly presented at the round table, to be organized by ANEM on Friday, December 14, 2012, in the Belgrade Media Center, 3 Terazije Street, II floor, Main Hall, from 11 a.m. to 2 p.m.***

**The Publication will be presented by authors of the texts!** The presentation will be followed by a discussion on topics treated in the texts, as well current issues of the media scene.

***The section Monitoring of the Media Scene on ANEM website homepage contains all Monitoring Reports, Monitoring Publications and information on other monitoring activities of ANEM in the last three and a half years***



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*This project is financially supported by the Royal Norwegian Embassy in Belgrade*

[www.norveska.org.rs](http://www.norveska.org.rs)