



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

Monitoring novosti 41 / Monitoring Newsletter 41



Pravni monitoring medijske scene u Srbiji se nastavlja i u 2013. godini!
Očekuje vas novih 11 Monitoring Izveštaja (1 dvomesečni i 10 mesečnih), 2 Monitoring Publikacije i 2 okrugla stola.
O svemu ćete biti blagovremeno obaveštavani Monitoring Novostima.

**Na sajtu ANEM-a je objavljen
ČETRDESET PRVI MONITORING IZVEŠTAJ (za period januar – februar 2013.)!**

Kratak sadržaj:

- **Sloboda izražavanja – pretnje i pritisci:** analiza 3 slučaja - nova agresivna kampanja jedne desničarske organizacije protiv određenih medija i predstavnika civilnog sektora koje smatra „stranim agentima“, serija tekstova u jednom nedeljniku koji su bili usmereni protiv rukovodilaca i novinara RTV-a i predsednika NDNV-a, pretnje smrću i zastrašivanja novinara; *sudski postupci:* 3 tužbe jednog političkog i javnog funkcionera protiv istog dnevnog lista; pozitivan primer sudske prakse u slučaju napada na novinare; tužba glavnog i odgovornog urednika jednog magazina protiv NUNS-a;
- **Implementacija postojećih zakona – Zakon o radiodifuziji:** analiza odredaba Zakona i Kodeksa ponašanja emitera koje se tiču zaštite prava maloletnika i tome odgovarajućih obaveza emitera, povodom mere upozorenja koju je RRA izrekla jednom nacionalnom emiteru; *Zakon o nacionalnim savetima nacionalnih manjina:* koje odredbe tog zakona su predmet postupka ocene ustavnosti pred Ustavnim sudom Srbije i zašto; *Krivični zakonik:* pravne i praktične posledice nedavnih izmena zakona – dekriminalizacije klevete, uz istovremeni opstanak uvrede u krivičnom zakonodavstvu;
- **Usvajanje novih zakona** – koji su nedostaci, a koje su dobre strane *Nacrta zakona o javnom informisanju i medijima*, koja rešenja ovaj Nacrt nudi za pojedina važna medijska pitanja; zašto su pojedine odredbe *Nacrta zakona o naknadama za korišćenje javnih dobara*, koje se odnose na naknade regulatornim telima i naknade za javni radiodifuzni servis, neprihvatljive za medijska udruženja;
- **Rad nadležnih organa** – zbog čega je jedna preporuka Saveta RRA emiterima da se uzdrže od emitovanja određenog programa diskutabilna; šta sadrži i šta pokazuje drugi Izveštaj Ratela o analizi maloprodajnog tržišta distribucije medijskih sadržaja; šta je obeležilo diskusiju na prvom javnom slušanju na temu medijskih sloboda u Narodnoj skupštini; kakav je epilog postupka Komisije za zaštitu konkurencije protiv SBB-a povodom događaja iz 2006. godine; šta omogućava emiterima novi Protokol o saradnji ANEM-a i Sokoja;
- **Proces digitalizacije** – šta je aktuelno i koji su uočeni problemi u procesu sprovođenja digitalne tranzicije televizije;
- **Proces privatizacije medija** – šta predviđa Nacrt zakona o javnom informisanju i medijima kada je reč o izlasku države iz vlasništva u medijima;
- **Zaključak Izveštaja** – šta je i kako obeležilo medijsku scenu Srbije u ovom periodu.

Četrdeset prvi 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](#)

**Na web sajtu ANEM-a, u rubrici [Monitoring medijske scene](#),
potražite i ostale Monitoring Izveštaje, Publikacije i izveštaje sa monitoring okruglih stolova!**



Kingdom of the Netherlands

Realizaciju ovog projekta, finansijski je podržala Ambasada Kraljevine Holandije
Izneti stavovi pripadaju isključivo autorima i ne moraju predstavljati zvaničan stav
Ambasade Kraljevine Holandije

<http://serbia.nlembassy.org/>



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***Legal monitoring of the Serbian media scene continues in 2013 as well!
You can expect 11 new Monitoring Reports in this year (one two-monthly and 10 monthly reports),
as well as 2 Monitoring Publications and 2 round tables
You will be timely informed on all these activities in the upcoming Monitoring Newsletters.***

**FORTY-FIRST MONITORING REPORT (for January-February 2013)
is now available on ANEM website!**

Brief summary:

- **Freedom of expression – threats and pressures:** analysis of 3 cases – a new aggressive campaign of a right-wing organization against some media and representatives of civil sector labeled as “foreign agents”, a series of articles in one weekly directed against chief managers and journalists of RTV and NDNV President, death threats and intimidation of journalists; *court proceedings:* 3 lawsuits of a politician and public official against the one daily; positive example of case law in the event of attack on journalists; legal claim by a chief-editor of one magazine against NUNS;
- **Implementation of existing laws – the Broadcasting Law:** analysis of provisions of the Law and Broadcasters’ Code of Conduct pertaining to the protection of rights of minors and related obligations of broadcasters, regarding the measure - warning the RBA has pronounced to a national broadcaster; *the Law on National Councils of National Minorities:* which provisions of this law have been the subject of assessment of constitutionality before the Serbian Constitutional Court and why; *the Criminal Code:* legal and practical effects of recent amendments to the Code – decriminalization of defamation, with concurrent “survival” of insult in the criminal law;
- **Adoption of new laws** – shortcomings and good aspects of the *Draft Law on Public Information and Media*, as well as solutions provided for by the Draft Law for certain key media issues; why some provisions of the *Draft Law on Fees for Use of Public Goods*, pertaining to fees paid to regulators and subscription fees for public service broadcasting, are unacceptable to media associations;
- **The work of competent authorities** – why a recommendation of the RBA Council to broadcasters to refrain from airing a candid camera show is disputable; what is contained and indicated in the second RATEL Report on the analysis of retail market of distribution of media content; what has marked the first public hearing on media freedoms in the Serbian Parliament; what is the epilogue of the proceedings against SBB initiated by the Commission for Protection of Competition for the events in 2006; what does new Protocol on Cooperation signed between ANEM and SOKOJ provides for broadcasters;
- **Process of digitalization** – what are the current events and problems identified in the process of implementation of digital transition of television;
- **Process of privatization of media** – what does the Draft Law on Public Information and Media provide for when it comes to the withdrawal of the state from ownership in media;
- **Conclusion of the Report** – what has marked the media scene in Serbia in this period and how.

The Forty-first Monitoring Report was prepared by the expert team of ANEM Legal Department, law office „Živković&Samardžić“, in cooperation with ANEM. Read it whole, or in parts, [here](#)

Look for other Monitoring Reports, Publications and reports from monitoring round tables on ANEM website, in the section [Monitoring of the Media Scene!](#)



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