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

Monitoring novosti 42 / Monitoring Newsletter 42

ANEM

NOVI MONITORING IZVEŠTAJ – za mart 2013 – NA SAJTU ANEM-a!

ČETRDESET DRUGI MONITORING IZVEŠTAJ – ukratko:

- **Sloboda izražavanja –** *pretnje i pritisci:* analiza 5 slučajeva različitih načina ugrožavanja slobode izražavanja - od političkog pritiska na uređivačku politiku vojvođanskog javnog servisa (RTV-a), pritiska na novinara portala „Pištaljka" da otkrije izvor informacije, preko bombaškog napada na kuću privrednika i vlasnika portala (moguće, u vezi sa pisanjem portala), do pritiska, uvrede i lične diskvalifikacije novinarke „Danasa" od strane Mešihata Islamske zajednice i incidentne situacije prilikom smene direktora novopazarske TV Jedinstvo, koja je, po navodima medija, politički motivisana; *sudski postupci:* presuda Apelacionog suda u Beogradu, u slučaju Nikola Sandulović vs. izdavač, urednik i novinarka „Danasa", koja po oceni autora Izveštaja, podiže standarde zaštite slobode izražavanja u Srbiji; slučaj upućivanja novinara na izdržavanje zatvorske kazne zbog neplaćanja novčane kazne po osnovu presude kojom je bio osuđen za klevetu, iako je kleveta dekriminalizovana;
- **Implementacija postojećih zakona –** *Zakon o radiodifuziji:* analiza primene zakonskih odredaba koje se odnose na nadzor nad radom emitera i na ovlašćenja regulatora da izriče mere emiteru, a povodom emitovane sporne izjave jednog učesnika u rijaliti programu TV Pink „Farma - pregled", o njegovoj vezi sa maloletnicom, kao i povodom privremenog oduzimanja dozvole Radio Fokusu;
- **Usvajanje novih zakona –** analiza javne rasprave o Nacrtu zakona o javnom informisanju i medijima;
- **Rad nadležnih organa –** *regulatorna tela*: autori ukazuju na problematičnost jedne odluke Saveta RRA o dodeli dozvole za emitovanje programa na nedavno završenom javnom konkursu; povodom uplate Ratela dela svojih prihoda za razvoj kinematografije, autori ukazuju zbog čega je takva obaveza, nametnuta regulatornim telima i RTS-u Zakonom o kinematografiji, sporna i kakve su njene praktične posledice po medije; koje nadležnosti ima Savet za štampu nakon izmene Statuta; *državni organi:* autori analiziraju nalaze u godišnjim izveštajima Poverenika za informacije od javnog značaja i zaštitu podataka o ličnosti, Agencije za borbu protiv korupcije i Zaštitnika građana, koji su bitni za medije, a posebno se bave pitanjem (ne)transparentnosti medijskog vlasništva koje je potencirano u dva od tri pomenuta izveštaja;
- **Proces digitalizacije –** autori se bave aktivnostima nadležnih organa koje se odnose na unapređenje regulatornog okvira neophodnog za uspešno sprovođenje procesa digitalizacije;
- **Proces privatizacije medija –** autori ukazuju na loše posledice eventualnog odustanka države od završetka procesa privatizacije medija;
- **Zaključak Izveštaja** – ocena autora o tome koji su loši, a koji su dobri aspekti medijske situacije u Srbiji u ovom periodu.

Četrdeset drugi 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***

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NEW MONITORING REPORT – for March 2013 – ON ANEM WEBSITE!

FORTY-SECOND MONITORING REPORT – highlights:

- **Freedom of expression** – *pressures and threats*: analysis of five cases of various violations of freedom of expression – from political pressure on the editorial policy of the Vojvodina public service broadcaster (RTV), pressure on journalist of the portal "Pistaljka" to reveal the source of information, bomb attack on the home of the businessman and owner of internet (possibly connected to the writing of the portal) to pressures, insults and personal disqualification of journalist of the daily "Danas" by the Mesihat of the Islamic Community and an incident connected to the dismissal of the director of Novi Pazar-based TV Jedinstvo, which was, at least according to the media reports, politically motivated; *court proceedings*: the judgment of the Appellate Court in Belgrade, in the case Nikola Sandulović Vs. Publisher, editor and journalist of the daily "Danas", which, according to the authors of the Report, raises standards of freedom of expression in Serbia; analysis of the case of sentencing a journalist to imprisonment for failing to pay the fine ordered by the court for defamation, despite it has been decriminalized;
- **Implementation of existing laws** – the Broadcasting Law: analysis of the implementation of legal provisions pertaining to the supervision of work of broadcasters and the regulators' authority to sanction broadcasters, all in relation to a controversial statement made by a participant in the TV Pink reality show "Farma – Pregled" about his alleged relationship with a minor, as well as regarding the temporary revocation of broadcasting license to Radio Fokus;
- **Adoption of new laws –** analysis of the public discussion on the Draft Law on Public Information and Media;
- **The work of competent authorities** – *regulatory bodies*: authors point to a problematic decision of the RBA Council to grant the broadcasting license in the recently closed public competition; regarding Ratel's payment of a part of its revenues to a separate account of the Film Center of Serbia, the authors suggest why such an obligation, imposed to regulatory bodies and RTS by the Law on Cinematography, is disputable and what are its practical consequences on the media; what jurisdictions the Press Council has after amending the Statute; *state authorities*: authors analyze the findings of the annual reports of the Commissioner for Information of Public Importance and Personal Data Protection, the Anti-Corruption Agency and the Ombudsman, each of which contain important information for the media and about the media, and in particular, address the issue of (lack of) transparency of media ownership, which was underlined in two out of three above-mentioned reports;
- **The process of digitalization** – the authors deal with activities of competent authorities relating to the improvement of the regulatory framework necessary for the successful implementation of the digitalization process;
- **The process of privatization** – the authors point to the ill effects of possible decision of the state not to finish privatization of the media;
- **Conclusion of the Report** – authors' assessment of the rare positive and negative aspects of the media situation in Serbia in this period.

The Forty-second Monitoring Report *is done by an expert team of ANEM Legal Department, law office "Zivkovic&Samardzic", in cooperation with ANEM. Read it whole, or in parts,* ***here***

Section Monitoring of the media scene on ANEM website contains all published Monitoring Reports, Publications and reports from monitoring round tables!

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