



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

Monitoring novosti 44 / Monitoring Newsletter 44



NAJNOVIJE NA WEB SAJTU ANEM-a :

MONITORING IZVEŠTAJ 44 – ZA MAJ 2013. i ANEM MONITORING PUBLIKACIJA VIII !

1. U MAJSKOM MONITORING IZVEŠTAJU (BR.44) PROČITAJTE:

- **Sloboda izražavanja** – dva slučaja obrađena u delu *pritisци i pretnje* govore o tome kako se neki političari i nosioci javnih funkcija ponašaju kada su nezadovoljni izveštavanjem pojedinih novinara i medija o njima – 1. narodni poslanik Cvijan vs. direktor i urednik „Naših novina“; 2. Prokuplje – predsednik lokalnog SNS-a vs. dopisnica *Južnih vesti*; reakcija nadležnih organa u ovim slučajevima i posledice takvog ponašanja na novinare i medije; u delu *sudski postupci* analizirane su dve interesantne presude – 1. presuda Višeg suda u Beogradu u slučaju Vukadinović vs. Basara – odstupanja srpske sudske prakse od evropske prakse i standarda u pogledu tretiranja vrednosnih sudova; 2. presuda Apelacionog suda u Novom Sadu u slučaju Kovačević vs. B92, urednik i novinar B92 – primer dobre sudske prakse koja se odnosi na pravo novinara na grešku;
- **Implementacija postojećih zakona** – *Zakon o radiodifuziji*: analiza Izveštaja RRA o ostvarivanju zakonskih i programskih obaveza RTS-a za 2012. godinu; preporuke za unapređenje regulative u pogledu vršenja nadzora RRA nad radom javnog servisa;
- **Usvajanje novih zakona** – zbog čega je došlo do zastoja u usvajanju novih medijskih zakona; analiza najavljenog ukidanja pretplate i budžetskog finansiranja javnih servisa;
- **Rad nadležnih organa** – *regulatorna tela*: kako RRA ispunjava svoje obaveze u procesu sprovođenja javnog konkursa za izdavanje dozvola za emitovanje programa a kako u pogledu zaštite autorskog i srodnih prava i kako se to odražava na emitere; *državni organi*: optužnica Tužilaštva za organizovani kriminal protiv velikog broja lica zbog osnovane sumnje da su organizovanjem telefonskih kvizova i astroloških emisija oštetili veliki broj ljudi i time sebi pribavili značajnu protivpravnu imovinsku korist; s tim u vezi, preporuke za otklanjanje uočenih nedostataka regulative u pogledu nadležnosti RRA u slučaju satelitskog emitovanja programa;
- **Proces digitalizacije** – šta je u ovom periodu urađeno i šta predstoji;
- **Proces privatizacije medija** – uticaj kašnjenja u usvajanju Zakona o javnom informisanju i medijima na sprovodivost zakonskih rešenja koja se odnose na privatizaciju medija;
- **Zaključak Izveštaja** – važnost nastavka medijske reforme i uzroci i posledice njenog zastoja na medijski sektor.

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

2. a. ANEM MONITORING PUBLIKACIJA VIII

2.b. POZIV NA JAVNU PREZENTACIJU PUBLIKACIJE!

U OSMOJ Monitoring Publikaciji pročitajte:

- [Uvod](#)
- [Zašto još nema medijske reforme u Srbiji](#) – *autorka: Kruna Savović, advokat* ;
- [Kontrola državne pomoći i medijske reforme u Srbiji](#) – *autor: Slobodan Kremenjak, advokat*;
- [Sloboda izražavanja](#) – *autor: Saša Janković, Zaštitnik građana Republike Srbije*;
- [Medijska pismenost kao društvena strategija](#) – *autor: Doc. dr Boban Tomić*;

- [Evropski sud za ljudska prava, Informatori o praksi Suda](#) – 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 *povredu slobode širenja informacija*, a druga, na *povredu slobode izražavanja*.

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

Štampano izdanje ove Publikacije će biti prezentovano na okruglom stolu u organizaciji ANEM-a, u sredu, 10. jula 2013, u UNS Press centru, Beograd, Knez Mihailova 6, III sprat, u vremenu od 11h do 14h! Pozivamo Vas da nam se pridružite!

Publikaciju će predstaviti autori tekstova! Nakon toga je predviđena diskusija o temama koje su obrađene u Publikaciji, kao i o aktuelnoj medijskoj situaciji u Srbiji.

Na web sajtu ANEM-a, u rubrici [Monitoring medijske scene](#), dostupni su svi do sada objavljeni Monitoring Izveštaji (44), Monitoring Publikacije(8) i izveštaji sa monitoring okruglih stolova!



Kingdom of the Netherlands

*Realizaciju ovog projekta, finansijski je podržala Ambasada Kraljevine Holandije
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[English version](#)

***THE LATEST ON ANEM WEBSITE:
MONITORING REPORT 44 – MAY 2013 AND ANEM MONITORING PUBLICATION VIII!***

1. IN MONITORING REPORT (NO. 44) FOR MAY 2013 READ ABOUT:

- **Freedom of expression** – two cases were elaborated on in the part Threats and pressures, describing how certain politicians and public officials behave when they are unhappy with how certain journalists and media report about them: – the first case (MP Cvijan vs. the Director and the Editor of “Nase Novine”); 2. Prokuplje – President of the local SNS and the journalist – local correspondent of “Juzne vesti”; reaction of competent authorities in these cases and the consequences of such behavior on journalists and media; in the *Court Proceedings* section, two interesting verdicts were analyzed – 1. the verdict of the Higher Court of Belgrade, in the case Vukadinovic vs. Basara – deviation of Serbian court practice from European practice and standards in relation to the treatment of value judgments; 2. the verdict of the Appellate Court in Novi Sad in the case Kovacevic vs. B92, editor and journalist of B92 – example of good court practice on the entitlement of journalist to make a mistake;

- **Implementation of existing legislation** – *Broadcasting Law*: analysis of RBA's Report on the compliance of RTS with its statutory and programming obligations for 2012; recommendations for regulatory changes with regards to RBA's monitoring role towards PSB;
- **Adoption of new laws** – the reasons for the delay in the adoption of new media laws; analysis of the announced revoking of the subscription fee and switching to budget financing of PSBs;
- **Work of the competent authorities** – *regulatory bodies*: the extent to which RBA complies with its obligations in conducting the public competition for the issuance of broadcasting licenses as well as in relation to the protection of copyright and related rights and the related consequences for broadcasters; *state authority*, indictment of the Prosecutor's Office for Organized Crime raised against several persons for fraud, by the means of fake telephone quizzes and astrology programs causing damages to a great amount of people and generating large illicit profits in the process. In relation to this, recommendations to remove the regulatory shortcoming from RBA's jurisdiction with regards to satellite broadcasting of the program;
- **The digitalization process** – what is current state of affairs and what are the immediate prospects;
- **The privatization of media** – consequences of the delay in the adoption of the Law on Public Information and Media on the enforceability of the legal concepts in relation to the privatization of media;
- **Conclusion of the report** – the importance of the continuation of media reform and reasons and consequences of its delay for the media sector.

The 44th Monitoring Report was produced by the expert team of ANEM's Legal Department – the „Živković&Samardžić“ Law office, in cooperation with ANEM. You may read it [here](#) entirely or in parts.

2.a. ANEM MONITORING PUBLICATION VIII

2.b. INVITATION FOR THE PUBLIC PRESENTATION OF THE PUBLICATION!

IN EIGHTH Monitoring Publication you can read about:

- [Introduction](#)
- [Why is there still no Media Reform in Serbia](#) – author: *Kruna Savovic, Attorney at Law*;
- [State Aid Control and Media Reforms in Serbia](#) – author: *Slobodan Kremenjak, Attorney at Law*;
- [Freedom of Expression](#) – author: *Saša Janković, Protector of Citizens of Republic of Serbia*;
- [Media Literacy as a Social Strategy](#) – author: *Boban Tomić, PhD*;
- [European Court of Human Rights. Information Notes on the Court's case law](#) – brief overview of two Court's judgments related to article 10 of the European Convention for the Protection of Human Rights and Fundamental Freedoms: the first one addresses *infringement of the freedom to impart information*, and the second, *violation of the freedom of expression*.

Electronic version of the Monitoring Publication VIII is available on ANEM's website [here](#).

Printed edition of the Publication will be presented at the round table organized by ANEM, on Wednesday, July 10, 2013, in UNS Press center, Belgrade, Knez Mihailova 6, III floor, from 11am to 2pm! We invite you to join us!

The Publication will be presented by the authors of the texts, followed by the discussion on the topics from the Publication, as well as on current media situation in Serbia.

On ANEM website, in the section [Monitoring of the media scene](#), there are available relevant documents that are published up till now - Monitoring Reports (44), Monitoring Publications (8) and the reports from monitoring round tables!



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*This project is financially supported by the Embassy of the Kingdom of the Netherlands
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