



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

Monitoring novosti 51 / Monitoring Newsletter 51



OBJAVLJEN 51. MONITORING IZVEŠTAJ NA WEB SAJTU ANEMA! – MEDIJSKA SCENA SRBIJE U DECEMBRU 2013 –

KRATAK SADRŽAJ IZVEŠTAJA:

- **Sloboda izražavanja** – U delu Pritisci i pretnje obrađeni su: dva slučaja, u kojima su pretnje i napadi na novinarske ekipe bili usmereni na sprečavanje izveštavanja o stvarima od javnog interesa – o izborima u Odžacima (napad na ekipe TV B92 i TV Prva) i o ugroženoj bezbednosti prolaznika u jednoj beogradskoj ulici zbog namerno prefarbanih uličnih svetiljki (pretnje i napad na ekipu RTS-a); slučaj povlačenja vesti (o beneficijama koje uživa ćerka guvernerke NBS) sa medijskih sajtova i hakerski upadi na sajtove koji to nisu učinili ili su samo analizirali povlačenje tekstova kao pojavu; pretnje uredniku novosadskog nedeljnika „NS reporter” zbog serije tekstova o zloupotrebama u vojvođanskom zdravstvu. U delu Sudski postupci autori analiziraju četiri sudske odluke: oslobađajuću presudu Apelacionog suda u Kragujevcu u krivičnom postupku koji je vođen protiv državnog funkcionera Dragoljuba Zindovića, zbog krivičnih dela uvrede i ugrožavanja sigurnosti novinara TV Foruma; odluku Ustavnog suda Srbije, kojom je utvrdio da sporne odredbe Zakona o Bezbednosno-informativnoj agenciji, koje se odnose na ovlašćenje za sprovođenje određenih mera (i mera pristupa zadržanim podacima o komunikacijama), nisu u saglasnosti sa Ustavom; rešenje Ustavnog suda Srbije o pokretanju postupka za ocenu ustavnosti određenih odredaba Zakona o kinematografiji koje se odnose se na sredstva iz kojih se obezbeđuje razvoj kinematografije a zadiru u nezavisnost rada regulatornih tela u oblasti radiodifuzije; presudu Apelacionog suda u Kragujevcu, kojom je na štetu medija i novinara okončan postupak po tužbi Mirjane i Stevana Josimovića protiv „Svetlosti AD” i tadašnjeg odgovornog urednika lista „Svetlost” Miroslava Jovanovića, koji je trajao preko 19 godina.
- **Implementacija postojećih zakona** – Zakon o radiodifuziji – autori analiziraju: dve opomene, koje je RRA izrekla emiterima – Radiju B92 (zbog satiričnog priloga u emisiji „Mentalno razgibavanje”) i RTV-u (zbog načina na koji je novinar vodio intervju sa političarkom s Kosova Atifetom Jahjagom); podnošenje godišnjeg izveštaja o radu RRA za 2012. godinu nadležnom skupštinskom odboru; pitanje zaštite dece i omladine označavanjem televizijskih programa po uzrastima za koje su ti programi prikladni.
- **Usvajanje novih zakona** – autori daju prikaz informacija iz Ministarstva kulture i informisanja koje se odnose na to dokle se stiglo sa izradom novih medijskih zakona; autori ukazuju na novine koje za medije donosi novi Zakon o sedištim i područjima sudova i javnih tužilaštava.
- **Rad nadležnih organa** – regulatorna tela – autori se bave borbom protiv radiodifuzne „piraterije” i aktivnostima RRA i Ratela u toj oblasti; državni organi – autori analiziraju konkurse koje je Ministarstvo kulture i informisanja raspisalo za finansiranje projekata/programa iz oblasti javnog informisanja u 2014, kao i izmene Zakona o elektronskim komunikacijama (posebno one koje su relevantne za medije), koje je pripremila nadležno ministarstvo za trgovinu i telekomunikacije, takođe su obrađeni u ovom delu Izveštaja.
- **Proces digitalizacije** – autori se bave pitanjem državne pomoći za nabavku opreme za prijem signala digitalne televizije.
- **Proces privatizacije medija** – autori konstatuju da nije bilo pomaka u ovoj oblasti.
- **Zaključak Izveštaja** – autori ukazuju na probleme u medijskom sektoru u 2013. godini koji su uzrok smanjenog entuzijazma a povećanog opreza i rezerve medijskih profesionalaca kada su u pitanju medijske reforme.

PEDESET 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](#).

U RUBRICI [MONITORING MEDIJSKE SCENE NA WEB SAJTU ANEM-a](#) nalaze se informacije, stručne pravne analize i ocene o svim najvažnijim dešavanjima na medijskoj sceni Srbije u poslednje četiri i po godine! Pročitajte ih u [Monitoring Izveštajima \(51\)](#), [Monitoring Publikacijama \(9\)](#) i [izveštajima sa monitoring okruglih stolova \(9\)](#), koji su dostupni u toj rubrici!



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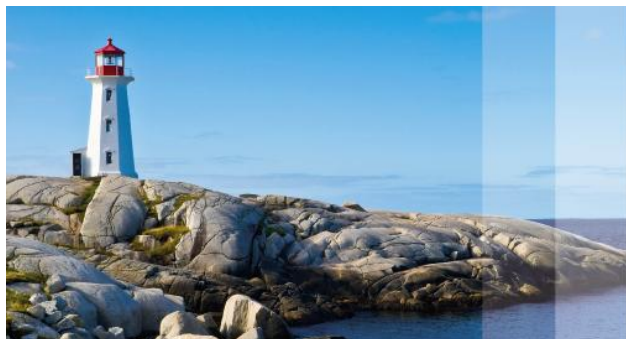
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FIFTY- FIRST ANEM MONITORING REPORT PUBLISHED ON ANEM WEBSITE! – THE SERBIAN MEDIA SCENE IN DECEMBER 2013 –

REPORT SUMMARY:

- **Freedom of expression** – In the part about threats and pressures two cases were analyzed where threats and attacks against television crews were aimed at preventing them from reporting about matters of public interest: the first case was related to the elections in Odzaci (attack on the crews of TVB92 and TV Prva), while in the second case, the passers-by security was threatened due to street lights obscured with paint in one Belgrade street (threats and attacks on the RTS crew); furthermore, the above-mentioned section of the Report contains an analysis of the case of the withdrawal of news (about the benefits enjoyed by the daughter of the Governor of the National Bank) from media websites and the hacking of the websites that didn't withdraw the said news item or have merely analyzed the withdrawal of the texts as a phenomenon as well as the case of threats against the editor-in-chief of the weekly "NS reporter" from Novi Sad over the texts about embezzlement in the healthcare system in Vojvodina. In the part about Legal proceedings, the authors have analyzed four court decisions: the judgment of acquittal passed by the Appellate Court in Kragujevac in the criminal proceedings against state official Dragoljub Zindovic for the criminal offenses of insult and endangerment of safety of the journalists of TV Forum; b) the decision of the Constitutional Court of Serbia declaring the disputed provisions of the Law on the Security Information Agency (about the authority to implement certain measures and about access to retained communication data) unconstitutional; c) the ruling of the Constitutional Court to initiate a procedure for assessing the constitutionality of certain provisions of the Law on the Film Industry concerning the funds for the development of the film industry, which provisions affect the independence of the work of regulatory bodies in the field of broadcasting; d) the verdict of the Appellate Court in Kragujevac ending, at the detriment of the defendants (media and journalist), a 19-year trial (Mirjana and Stevan Josimovic v. "Svetlost AD" and the then Editor-in-Chief Miroslav Jovanovic) for compensation of damages.
- **Implementation of existing laws** – Broadcasting Law – the authors analyze: two reprimands issued by the RBA to broadcasters – Radio B92 (over a satirical piece in the radio show "Mentalno razgibavanje") and RTV (due to the manner in which its journalist handled the interview with Kosovo politician Atifeta Jahjaga); the submission of the annual report on the activities of the RBA for the previous year to the competent parliamentary committee; the issue of protecting children and youth by labelling television programs by age group they are suitable for.
- **Adoption of new laws** – an overview of the information obtained from the Ministry of Culture and Media concerning the progress in the drafting of new media laws; the media-relevant novelties brought about by the new Law on the Seats and Territorial Jurisdiction of Courts and Public Prosecutor's Offices.
- **Work of competent bodies** – regulatory bodies – the authors treat the fight against broadcasting "piracy" and relevant activities of the RBA and RATEL in that field; the authors also analyze the activities of the state authorities – the competitions called by the Ministry of Culture and Media for the financing of projects/programs in the field of public information in 2014, as well as the amendments to the Law on Electronic Communications (especially media-relevant amendments), prepared by the Ministry of Trade and Telecommunications.
- **The digitalization process** – the authors give an analysis of the situation relative to state aid for the purchase of equipment for the reception of digital television.
- **The privatization process** – the authors found no developments in this field.
- **Conclusion of the Report** – the authors indicate the problems in the media sector in 2013 that caused the waning enthusiasm and increased caution and reservations by media professionals related to media reforms.

THE FIFTY-FIRST MONITORING REPORT is done by an expert team of ANEM Legal Department, Law office "Živkovic&Samardžić", in cooperation with ANEM. You can download it whole or in part [HERE](#).

IN THE SECTION [MONITORING OF THE MEDIA SCENE](#) ON ANEM WEBSITE you may find information, expert legal analysis and assessments of all major developments on the Serbian media scene the last 4 and a half years! [Read them in the Monitoring Reports \(51\), Monitoring Publications \(9\) and reports on the monitoring round tables \(9\), all available in that section!](#)



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