



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

Monitoring novosti 53 / Monitoring Newsletter 53



MEDIJSKA SCENA SRBIJE U JUNU 2014. U MONITORING IZVEŠTAJU br. 53 KOJI JE NA SAJTU ANEMA-a

Kratak sadržaj Izveštaja:

- **Sloboda izražavanja** u ovom periodu susretala se sa ozbiljnim izazovima – od rušenja portala hakerskim napadima i fizičkih napada na novinare, preko diskriminacije i ograničavanja prava pristupa za pojedine redakcije i novinare javnim sednicama tela organa lokalne samouprave, ili čak i zgradama lokalnih samouprava, do sprečavanja rasturanja štampe i poziva novinara na informativne razgovore u policiji. Autori analiziraju 5 slučajeva koji su primeri takvih kršenja slobode izražavanja. U sudskim postupcima, autori se bave dvema presudama – presudom Višeg suda u Beogradu po tužbi za naknadu štete rektora Univerziteta Megatrend Miće Jovanovića protiv izdavača, glavnog urednika i novinara lista „Svedok“, zbog povrede časti i ugleda do koje je došlo tekstem u kojem se analizira Jovanovićeva zvanična biografija i izvrgavaju ruglu pojedina međunarodna priznanja i počasna zvanja; druga presuda je presuda Osnovnog suda u Nišu, kojom je taj sud bivšeg direktora Toplane, njegovog saradnika i telohranitelja oslobodio od optužbi da su pretili novinaru i uredniku „Južnih vesti“ i time mu ugrozili sigurnost; obe presude su na štetu novinara i medija.
- **Implementacija postojećih zakona** – Zakon o radiodifuziji: nov konkurs za dodelu lokalnih i regionalnih dozvola za emitovanje radio programa i nerešeno pitanje upražnjene nacionalne frekvencije za emitovanje TV programa;
- **Usvajanje novih zakona** – ima li pomaka u procesu usvajanja medijskih zakona; koje i kakve novine za medijski sektor donose izmene Zakona o elektronskim komunikacijama;
- **Rad nadležnih organa** – Republička radiodifuzna agencija (RRA) usvojila je izmene Kodeksa emitera i objavila nekoliko izveštaja u ovom periodu, a iz analize tih dokumenata možete saznati sledeće: koje i kakve promene za emitere donose izmene Kodeksa emitera, koje se odnose na informisanje o kriminalitetu i toku krivičnog postupka, kao i na tretman religije i verske programe; kako javni servisi a kako nacionalni komercijalni TV emiteri ispunjavaju svoje programske i zakonske obaveze; da li se vodi računa o rodnoj ravnopravnosti, ima li polnih stereotipa i koliko i kako su žene predstavljene u programskim sadržajima RTS-a 1; koliko su programi javnih servisa a koliko nacionalnih komercijalnih TV emitera pristupačni osobama sa invaliditetom, u kojoj meri su te osobe zastupljene i kako su predstavljene u programima navedenih emitera; Savet za štampu – Komisija za žalbe odbila je obe žalbe predsednika Republike podnete protiv listova „Blic“ i „Alo“, ali te žalbe imaju i posredan rezultat na koji monitoring tim ukazuje; Sokoj – šta je pokazala kontrola košuljica (evidencija o emitovanim muzičkim delima koju emiteri dostavljaju Sokoj) i kako je rešen problem s netačnim košuljicama;
- **Proces digitalizacije** – kako je izmenama i dopunama Zakona o elektronskim komunikacijama rešeno pitanje podrške za pribavljanje uređaja za prijem digitalnog TV signala (set-top-box) i koji su nedostaci tog rešenja;
- **Proces privatizacije medija** – zašto izmene Zakona o privatizaciji mogu da budu dodatni problem za privatizaciju medija i šta je potrebno preduzeti da bi se taj problem izbegao;
- **Zaključak Izveštaja** sadrži sumirane nalaze monitoring tima o najvažnijim dešavanjima u medijskom sektoru u ovom periodu i zaključak o tome šta je za medijske slobode osim pravnog okvira potrebno još izgraditi.

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SERBIAN MEDIA SCENE IN JUNE 2014 IN MONITORING REPORT No. 53 ON THE ANEM WEBSITE

Summary of the Report:

- **Freedom of expression** in Serbia encountered serious challenges in June 2014 -from the shutting down of web portals in hacking attacks and physical assaults on journalists, to discrimination and restricting access to specific media and journalists to public sessions of local government bodies or even to local government buildings and prevention of dissemination of newspapers and summoning journalists for interrogations in the police. The authors analyse 5 cases which are examples of such freedom of expression violations. Analysing court proceedings, the authors deal with two verdicts - the verdict of the Higher Court in Belgrade on the action for compensation of damages lodged by the rector of the Megatrend University Mica Jovanovic against the editor, journalist and publisher of the magazine "Svedok" for tarnished reputation and honour, caused by the text analysing Jovanovic's official biography and mocking certain international acknowledgments and honorary titles he has obtained; the second verdict is that of the the Basic Court in Nis acquitting the former Director of the Municipal Heating Plant in Nis, his associate and body guard from the allegations that they had threatened journalist and editor of "Juzne Vesti" thus undermining his personal security; both verdicts were passed to the detriment of journalists and media.
- **Implementation of existing laws** - The Law on Broadcasting: new competition for the issuance of local and regional radio broadcasting licenses and the unsolved issue of the vacant national frequency for broadcasting of TV program;
- **Adoption of new laws** - are there moves forward in the process of adopting new media laws; what novelties for the media sector are brought by the amendments to the Law on Electronic Communications;
- **The work of responsible bodies** - The Republic Broadcasting Agency (RBA) adopted amendments to the Broadcasters Code of Conduct and publicized several reports in June. From the analysis of the documents you can find out the following: what changes for broadcasters are brought by the amendments to the Broadcasters Code of Conduct pertaining to imparting of information about crime and the course of criminal proceedings, as well as to dealing with religion and religious programs; how the public service broadcasters and national commercial TV broadcasters fulfil their programmatic and legal obligations; is gender equality being respected, are there gender stereotypes and how are and to what extent women represented in the programs of RTS 1; what is the availability of PSBs and national commercial TV broadcasters' programmes to disabled persons, to what extent are these persons represented and how they are represented in the programmes of the said broadcasters; The Press Council - the Complaints Commission rejected both complaints of the President of the Republic against the daily newspapers "Blic" and "Alo" - however, the complaints have an indirect result pointed out by the monitoring team; Sokoj - what the control of the records of broadcasted musical works that broadcasters submit to Sokoj showed and how the problem with inaccurate records was solved;
- **The digitalization process** - how the amendments to the Law on Electronic Communications regulate the state assistance in purchasing devices for receiving digital TV signal (set-top-box) and what the shortcomings are of this legal solution;
- **The media privatization process** - why the amendments to the Privatization Law could present an additional problem for the media privatization and what steps need to be taken to avoid the problem;
- **The Report conclusion** features a summary of findings of the monitoring team on the most important developments in the media sector in the period covered by the Report and the conclusion on what needs to be developed for the benefit of media freedoms besides the legal framework.

The Summary and conclusion of the ANEM Legal Monitoring Report no. 53 on Serbian media scene in June 2014 , which was prepared by the expert team of ANEM Legal Department, law office „Živković&Samardžić“, in cooperation with ANEM, is available in English [here](#). The full Report no.53 is available in Serbian [here](#)

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The contents of the Report are the sole responsibility of the authors and do not necessarily reflect the views of the Civil Rights Defenders.*



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