



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

Monitoring novosti 63 / Monitoring Newsletter 63



## OBJAVLJEN AVGUSTOVSKI MONITORING IZVEŠTAJ (br. 63) NA WEB SAJTU ANEM-a!

U ovom izveštaju možete pročitati sledeće:

- **Sloboda izražavanja** – Napadi, pretnje i pritisci - slučajevi koji su obrađeni u Izveštaju odnose se na napade i pretnje kojima su bili izloženi: novinar Ivan Ninić iz Beograda, novinar Stefan Cvetković iz Bele Crkve, Predrag Blagojević, urednik i novinar portala *Južne vesti* iz Niša, odgovorni urednik informativnog programa B92 Veran Matić i drugi zaposleni u toj medijskoj kući; autori Izveštaja ukazuju na to koji novinari su bili najčešća meta tih napada i pretnji, i na koren tog problema, a posebno ističu različitu praksu nadležnih državnih organa kada su pretnjama izloženi političari u odnosu na slučajeve kada su pretnje upućene novinarima;
- **Implementacija postojećih propisa** – Zakon o javnom informisanju i medijima: analiza postupaka javnih nabavki u kojima se kao ponuđači javljaju mediji, i preporuke za regulaciju oglašavanja javnog sektora u medijima (povodom NSZ-ovog postupka javne nabavke usluge insertovanja publikacije „Poslovi” u dnevnom listu); pravo samo jednog medija u Srbiji da plasira svoj sadržaj putem Vajber platforme, u kontekstu zakonske odredbe o zabrani monopolizacije kanala distribucije. Zakon o elektronskim medijima: kako je regulisano prekogranično pružanje medijske usluge televizije, zbog čega je sporna praksa umetanja lokalizovanih oglasnih poruka u programe prekograničnih kanala koji se u Srbiji distribuiraju, kako na ovu nezakonitu praksu može da reaguje Regulator, a kako je moguće trajno rešiti taj problem; kako je domaćim propisima regulisano pitanje tzv. unakrsne medijske koncentracije (objedinjavanje vlasničkih ili upravljačkih prava između izdavača štampanih i elektronskog medija), u kontekstu slučaja u kome će najverovatnije po prvi put biti primenjena ta pravila u Srbiji.
- **Usvajanje novih zakona** – autori Izveštaja konstatuju da u ovom periodu nije bilo značajnih aktivnosti u ovoj oblasti;
- **Rad nadležnih organa** – Regulatorno telo za elektronske medije (REM): sažeta analiza tri podzakonska akta REM-a koja su u ovom periodu stupila na snagu, a kojima se regulišu: kriterijumi i način povećanja udela evropskih audio-vizuelnih dela; audio-vizuelne komercijalne komunikacije; način na koji Regulator primenjuje odredbe Zakona o elektronskim medijima kojima se uređuje sopstvena produkcija. Poverenik za informacije od javnog značaja i zaštitu podataka o ličnosti: koje odredbe nacрта četiri zakona Poverenik smatra spornim s aspekta snižavanja nivoa zaštite prava na pristup informacijama od javnog značaja; koje su moguće posledice usvajanja tih zakona na rad novinara i medija;
- **Proces digitalizacije** – šta je digitalna dividenda; zašto i kako bi mogao deo sredstava od njene prodaje da se iskoristi za razvoj medijskih usluga;
- **Proces privatizacije medija** – analiza rezultata privatizacije medija, zaključno sa avgustom 2015, kao i zakonskih mehanizama kojima država može da se suprotstavi „sumnjivim privatizacijama”;
- **Zaključak Izveštaja** – sumirani nalazi autora o ključnim dešavanjima na medijskoj sceni u avgustu 2015. i njihov zaključak o tome šta je potrebno medijskom sektoru.

Šezdeset treći Monitoring Izveštaj uradio je stručni monitoring tim ANEM-a iz advokatske kancelarije „Živković&Samardžić“, u saradnji sa ANEM-om. Pročitajte ga u celosti ili u delovima, [ovde](#).

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

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**THE AUGUST MONITORING REPORT (No. 63)  
IS PUBLISHED ON ANEM WEBSITE!**

**In this Report you will find the following:**

- **Freedom of expression – Attacks, threats and pressures** – the cases analyzed in the Report concern the attacks and threats against journalist Ivan Ninic from Belgrade, journalist Stefan Cvetkovic from Bela Crkva, Predrag Blagojevic, Editor and Journalist of the *Juzne vesti* news portal from Nis, Veran Matic, the Responsible Editor of the News Program of B92 and other employees of that media company; the authors of the Report reveal which journalists were most frequently targeted and point to the source of the problem, emphasizing the double standards of the competent authorities when it comes to prosecuting cases where politicians are threatened and those when the threats target journalists;
- **Implementation of existing laws – Law on Public Information and Media:** analysis of the public procurement procedures where the media appear as bidders, and suggestions for the regulation of the public sector advertising in the media (in relation to the case of the public procurement by the National Employment Service for the services of inserting the publication “Poslovi” in the daily newspaper); the right of only one media in Serbia to place its content on Viber, in the context of the legislative provision on banning monopolies on distribution channels. **The Law on Electronic Media:** how transfrontier television services are regulated, why the insertion of localized advertisements in transfrontier channels distributed in Serbia is questionable, how the Regulator may respond to this illicit practice and how the issue may be solved permanently; how national regulations deal with the issue of so-called cross-media concentration (consolidating ownership or management rights between the publishers of print and broadcast media) in the context of a case where such practice will be implemented in Serbia perhaps for the first time.
- **Adoption of new laws** – the authors of the Report concluded that there were no major activities in this area in the reporting period;
- **Activities of the competent authorities – Regulatory Body for Electronic Media (REM):** A succinct analysis of three REM bylaws that came into force during this period, regulating the: criteria and the manner of increasing the share of European audio-visual works; audio-visual commercial communications; the way in which the Regulator applies the provisions of the Law on Electronic Media governing own production. **Commissioner for Information of Public Importance and Personal Data Protection:** which provisions of the drafts of four laws the Commissioner deems questionable from the standpoint of reducing the level of protection of the right to free access to information of public importance; what are the potential consequences of the adoption of these laws on the activities of journalists and the media;
- **The digitalization process** – what is the digital dividend; why and how part the resources gained by the sale thereof could be used for developing media services;
- **Privatization of media** – an analysis of the results of the media privatization process by August 2015, as well of the legal mechanisms the state may resort to in order to crack down on “dubious privatizations”;
- **The conclusion of the Report** – sums up the findings of the authors about the key developments on the media scene in August 2015 and their conclusion as to what the media sector needs.

The Sixty-third Monitoring Report was prepared by the ANEM expert monitoring team from the law office „Živković&Samardžić“, in cooperation with ANEM.

**The Summary and Conclusion of the Report in English are available [here](#).**

**The full Report and its sections in Serbian are available for download [here](#).**

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