



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

Monitoring novosti 60 / Monitoring Newsletter 60



**Pravni monitoring medijske scene u Srbiji nastavlja se i u 2015. godini!  
Očekuje vas 8 mesečnih Monitoring Izveštaja, kao i Monitoring Publikacija i 2 okrugla stola.  
O svemu ćete biti blagovremeno obavestavani Monitoring Novostima.**

## ŠEZDESETI MONITORING IZVEŠTAJ NA SAJTU ANEM-a! (za period januar - maj 2015)

### KRATAK SADRŽAJ

- **Sloboda izražavanja** – obrađeno je 8 slučajeva napada i pretnji na novinare, 5 slučajeva pritisaka, kao i 7 slučajeva hakerskih napada na informativne portale – autori analiziraju uzroke i posledice, i ukazuju na mere za njihovo otklanjanje; sudski postupci: analiza 2 slučaja – *Srdan Škoro protiv „Večernjih novosti”* i *Jasminka Kocijan protiv agencije Tanjug*, na kojima će se graditi praksa u primeni odredaba Zakona o javnom informisanju i medijima (pravo novinara da u mediju objavi istinitu tvrdnju ili iznese mišljenje, i da van medija iznese svoje mišljenje kao lični stav), kao i u primeni odredaba Zakona o sprečavanju diskriminacije i zlostavljanja na radu; analiza trećeg slučaja – *Emir Kusturica protiv E-novina* – odgovara na pitanje kakav je stav srpskih sudova kada je reč o obavezi medija da proveri istinitost informacije koju objavljuje, u slučaju kada tu informaciju samo prenosi iz nekog drugog medija;
- **Implementacija postojećih zakona** – Zakon o javnom informisanju i medijima: kako teče sprovođenje procedure projektnog sufinansiranja putem javnih konkursa i koji su problemi u praksi; Zakon o elektronskim medijima: koje podzakonske akte Regulatorno telo za elektronske medije može doneti radi efikasnijeg sprovođenja tog zakona; kratka analiza 6 pravilnika čije je predloge Regulator u ovom periodu utvrdio;
- **Usvajanje novih zakona** – analiza Nacrta zakona o oglašavanju i njegovih nedostataka;
- **Rad nadležnih organa** – Regulatorno telo za elektronske medije: koje mere je Regulator u ovom periodu izrekao pružaocima medijskih usluga i zbog čega; samoregulatorno telo Savet za štampu: da li je bilo povrede odredaba Kodeksa novinara o poštovanju autorskih prava u slučaju *„Politika” protiv „Blica”* (preuzimanje četiri „Politikina” teksta bez saglasnosti tog medija); kakav je ishod postupka po žalbi *Bebe Kanački, portparolke psihijatrijske bolnice u Vranju, protiv „Kurira”*, zbog neovlašćenog korišćenja snimka sa društvenih mreža, nastalog u vreme dok je bila novinarka TV Fokus; rad državnih organa: Zaštitnik građana – šta u svom Redovnom godišnjem izveštaju za 2014. godinu piše Zaštitnik građana o stanju medijskih sloboda i medijskoj situaciji; medijska hajka protiv Saše Jankovića, Zaštitnika građana; Poverenik za informacije od javnog značaja i zaštitu podataka o ličnosti – Redovan godišnji izveštaj Poverenika o sprovođenju oba zakona iz njegove nadležnosti - šta su osnovne tendencije i izazovi u implementaciji Zakona o pristupu informacijama od javnog značaja;
- **Proces digitalizacije** – završna faza procesa digitalizacije i najveći izazov za medije posle njenog okončanja;
- **Proces privatizacije medija** – zašto kasni proces privatizacije medija;
- **Zaključak Izveštaja** – kakva je bila medijska situacija u prvih pet meseci 2015. i šta je karakteriše.

Šezdeseti 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](#).

**Na web sajtu ANEM-a, u rubrici [Monitoring medijske scene](#),  
potražite i ostale Monitoring Izveštaje, Publikacije i izveštaje sa monitoring okruglih stolova!**



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**Legal monitoring of the Serbian media scene has been continued in 2015 as well! You may expect 8 Monitoring Reports in this year, as well as the Monitoring Publication and 2 round tables. You will be timely informed on all these activities in the upcoming Monitoring Newsletters.**

**SIXTIETH MONITORING REPORT IS AVAILABLE ON ANEM WEBSITE!  
(for the period January - May 2015)**

## BRIEF SUMMARY

- **Freedom of expression** – 8 cases of attacks and threats against journalists were analyzed, 5 cases of pressure against them, as well as 7 cases of cyber-attacks on web portals – the authors have analyzed the causes and consequences and pointed to possible corrective and preventive measures; legal proceedings: the analysis of two cases: *Srdjan Skoro vs. "Vecernje Novosti"* and *Jasminka Kocijan vs. the Tanjug News Agency*, which will serve as a basis for jurisprudence in the implementation of the provision of the Law on Public Information and Media (the right of journalists to publish their truthful statements or to present their opinion in the media, as well as to voice their opinion outside of the media as a personal position), as well as in the application of the provisions of the provisions of the Anti-Discrimination Act and Anti-Mobbing Act. The third analyzed process – *Emir Kusturica vs. E-novine* – answers the question as to what position Serbian courts take concerning the obligations of the media to check the accuracy of information they publish, if they are passing on information originally released by other media;
- **Implementation of existing laws** – The Law on Public Information and the Media: the state of play concerning the procedure of project co-financing through open competitions and the problems emerging in practice; the Law on Electronic Media: which bylaws the Regulatory Body for Electronic Media may adopt in order to contribute to more effective implementation of the said Law; a short analysis of the six rulebooks the drafts of which have been laid down by the Regulator in the reporting period;
- **Adoption of new laws** – an analysis of the Draft Advertising Law and its shortcomings;
- **Work of the competent bodies** – Regulatory Body for Electronic Media: what measures were pronounced by the Regulator in the reporting period against media service providers and why; self-regulatory body – the Press Council: have there been any violations of the provisions of the Journalist Code of Ethics regarding the respect of copyright in the case *"Politika" vs. "Blic"* (publishing four texts originally released by "Politika" without the consent of the latter); what is the outcome of the procedure upon the complaint by *Beba Kanacki, the Spokesperson of the Psychiatric Hospital in Vranje against the daily "Kurir"* over the unauthorized use of a video from social networks, created while she was a reporter of TV Fokus; the work of public authorities: *The Ombudsman* – what has Sasa Jankovic written in his Annual Report for 2014 on the state of play of media freedoms and the media situation); the smear campaign in the media against the Ombudsman Sasa Jankovic; *the Commissioner for Information of Public Importance and Personal Data Protection* – the Annual Report of the Commissioner on the implementation of both laws from his area of competence – what are the main tendencies and challenges in the implementation of the Law on Free Access to Information of Public Interest;
- **The digital switchover** – the final phase of the digitalization process and the biggest challenge for the media that will emerge after its completion;
- **Media privatization** – why has the media privatization process been delayed;
- **Conclusion of the report** – what was the media scene in Serbia like in the first five months of 2015 and what were its characteristics.

The Sixtieth 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](#).**

**Look for other Monitoring Reports, Publications and reports on the monitoring round tables on ANEM website, in the section [Monitoring of the Media Scene!](#)**