РЕГУЛАТОРНО
ТЕЛО ЗА
ЕЛЕКТРОНСКЕ
МЕДИЈЕ

Трг Николе Пашића 5
11103 Београд, Србија
www.rem.rs

ATTACHMENT 2

Actions of the REM Council in examination procedures and decision-making on measures

In procedures for the oversight of media service providers, the Monitoring and Analysis Service monitors programme content, establishes relevant facts, and prepares reports on possible regulatory violations. The REM Council reviews these reports and other documentation and adopts decisions within its statutory responsibilities.

The expert findings of the Service play an important role in the Council's work, but they do not oblige its members to accept every factual or legal assessment. Council members may request additional explanations, point out insufficiently clarified circumstances, or present a different interpretation of relevant regulations. This is part of their responsibility for the decisions they make and does not in itself constitute a challenge to the expertise of the Regulator's employees. Objections, however, must be reasoned and based on facts and regulations.

It is also necessary to distinguish the decision to initiate an examination procedure from the decision on its outcome. By initiating a procedure, the Council does not determine that the media service provider has violated the law, but rather that there are grounds to examine a possible violation. In the further course of the procedure, a response is obtained from the media service provider and all relevant data is considered. Following the conducted procedure, the Council decides whether a violation has been established and, if so, which measure is appropriate to its nature, severity, and the circumstances of the specific case.

The Council's mode of operation and the differences between initiating an examination procedure and deciding on its outcome can be illustrated by the decisions adopted at the sessions of 6 and 9 October 2026.

At the 1st regular session, held on 6 October 2026, the Council unanimously decided to initiate five examination procedures against four media service providers: TV Prva, regarding the Ćirilica programme; TV B92, regarding the Osvrt programme; TV K1, regarding the Mi Danas programme; and TV Informer, regarding programme content broadcast on 27 September and in the period from 28 to 30 September 2026. All Council members supported the examination of possible regulatory violations in these cases.

At the 2nd regular session, held on 9 October 2026, the reports of the Monitoring and Analysis Service, responses of the media service providers, and other documentation were considered. In the course of the debate, differing opinions were expressed regarding the severity of the established violations and the measures that should be imposed. Council members supported the proposals to impose measures for regulatory violations but differed in their assessment of their severity and the appropriate sanction. Some voted for issuing reprimands, while others supported

a temporary ban on the broadcasting of certain programme content. Due to this division, none of the proposed outcomes secured the necessary majority, and the Council thus failed to adopt decisions on the proposed measures.

The Council's work to date shows that decision outcomes have varied. In certain cases, proposed decisions did not secure the necessary majority, while in others, decisions were adopted unanimously or by a majority of votes. The differences in the Council members' positions were not limited to a single type of procedure, nor did they lead to the same outcome in all cases.

At the same time, the Council continued to consider new cases and adopt decisions within its jurisdiction. Thus, at the 4th regular session, held on 29 October 2026, decisions were made to initiate examination procedures against TV Informer and TV Prva.

The Council's task is to arrive at decisions that can secure the necessary majority through reasoned debate and mutual respect, while preserving the independence of each member in decision-making.

Note: Video recordings of REM Council sessions, as well as minutes adopted in accordance with the prescribed procedure, are available in the session archive on the official REM website. Minutes from certain sessions have not yet been considered for adoption. The available documentation allows the public to become directly acquainted with the course of debates, arguments presented, and voting results.