

očito nezakoniti komentari bez odgađanja, čak i bez obavijesti navodne žrtve ili trećih strana«. No, neovisno o rečenom, mišljenja smo da *mens legislatoris* čl. 94. ZEM prema kojem *“odgovornost pružatelja elektroničkih publikacija za cjelokupni sadržaj, uključujući i onaj koji je generirao korisnik”* ne treba miješati sa cenzurom sadržaja, autocenzurom profesionalaca ili drugih sudionika u *on line* domeni jer se zagovara potreba reguliranja tog i takvog sadržaja, kao manje bolne alternative postojećeg stanja koje obilježava neprimjenjivanje i nedorečenost legislative.

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ANALYSIS OF THE CROATIAN ELECTRONIC MEDIA ACT WITH EMPHASIS ON THE RESPONSIBILITY OF ELECTRONIC COMMUNICATIONS PROVIDERS

Summary: The protection of freedom of speech is part of the constitutional matter, international conventions, as well as specific laws and media regulations. But as new technologies have radically reshaped the media space, traditional regulatory assumptions have been called into question and, in many cases, existing rules have become counterproductive. Therefore, in order to understand in detail, the systemic nature of the challenge facing freedom of expression in the field of electronic media, the Croatian Parliament, in response to this challenge, on October 1, 2021 by a majority vote voted / adopted a new Electronic Media Act setting new goals and standards. which define the structure and operation of electronic media systems? Bearing in mind that the protection of human rights in the digital age is an emerging topic that has not yet received its precise framework at the international, regional and national levels, as well as the fact that there is no developed practice of international bodies or national institutions, the author specifically analyses how to restrict hate speech on the Internet without negative consequences for the right to freedom of expression. Below is a brief overview of the key findings of the paper, which is not exhaustive, and which analyses the new legislation related to the field of electronic media, emphasizing the major challenges in selected areas of electronic media. It is important to emphasize that this paper does not have the ambition to offer definitive answers to extremely complex questions that arise in the context of electronic media regulation. Its basic ambition is to elaborate key arguments, i.e. criteria that should be kept in mind when regulating this issue, and thus improve the current discussion on important issues that may affect the future development of the electronic media market.

Key words: electronic media, new arrangement, hate speech, responsibility.