
Negative trends associated with the media sphere in previous years persist, such as the media's low level of professionalism, poor protection and conditions for journalists, a weak and oversaturated media market, an unsustainable public media service, a fragmented media scene, and political influence.



BOSNIA & HERZEGOVINA

Bosnia and Herzegovina (B&H) did not show signs of political or economic stabilization in 2013. The governing political parties avoided focusing on substantive reforms and implementing international standards. In April, a new political party launched—the Democratic Front, led by Željko Komšić, the Croat member of the B&H tripartite presidency. In the same month, the president of the Federation of B&H, Živko Budimir, was arrested on the accusation of taking bribes to approve amnesties but was released in May due to lack of evidence.

In June 2013, public protests in front of Sarajevo's parliament building and in other cities in B&H highlighted the lack of regulation of citizen IDs for newborns. The citizen initiative across B&H, although holding a promise of revolutionary change, ended as an unsuccessful bid to change politicians' corruption, inequality, and incompetence. Finally, at the beginning of November, the B&H House of Peoples, in an emergency session and without debate, adopted the proposed amendments and changes to the law on ID numbers. The fact that the protests were organized through online platforms and social media illustrated new media's growing influence in socially mobilizing the country. However, Serb and Croat parliamentarians framed the protests as an ethnically driven threat to their security and refused to attend parliamentary sessions for several weeks.

The first census of the B&H population since its independence took place in October 2013, with EU support. The results indicated that there are 3,791,622 people living in this country—585,411 fewer than 22 years ago, before the war. Statistics related to the ethnic composition of the B&H population, which sparked heated and politically motivated debates and clashes long before the census took place, will not be released until July 2014.

Negative trends associated with the media sphere in previous years persist, such as the media's low level of professionalism, poor protection and conditions for journalists, a weak and oversaturated media market, an unsustainable public media service, a fragmented media scene, and political influence.

Still, a notable improvement to the Objective 2 (professional journalism) score helped keep the score for 2014 consistent with last year (2.04 in 2014 compared with 2.03 last year). This could be explained by the fact that the past year was not an election year, which lessened the media's exposure to political and economic pressure. In addition, Al Jazeera Balkans and Anadolu press agency, as new media actors, are raising the bar for the country's journalistic practices. The lowest score, for Objective 4 (business management), highlights some of the biggest challenges: the oversaturated and poor media market and an industry that is losing its ground without proper institutional support and with unfair competition for advertising revenues. A moderate drop was noticed with regard to Objective 5 (supporting institutions).

BOSNIA & HERZEGOVINA at a glance

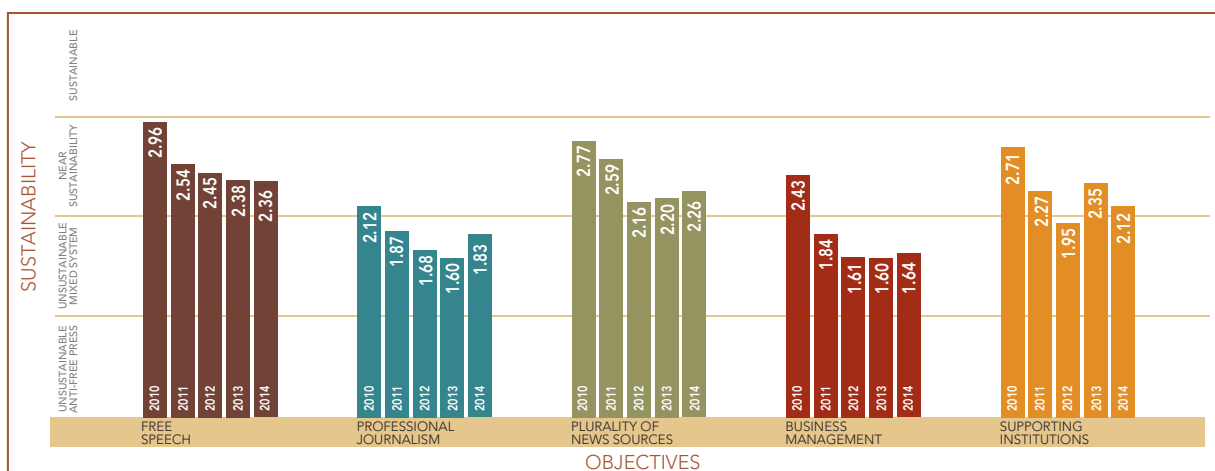
GENERAL

- > Population: 3,875,723 (July 2013 est. *CIA World Factbook*)
- > Capital city: Sarajevo
- > Ethnic groups (% of population): Bosniaks 48%, Serbs 37.1%, Croats 14.3%, others 0.6% (2000 est., *CIA World Factbook*)
- > Religions (% of population): Muslim 40%, Orthodox 31%, Roman Catholic 15%, other 14% (*CIA World Factbook*)
- > Languages: Bosnian, Croatian, Serbian
- > GNI (2012-Atlas): \$18.20 billion (World Bank Development Indicators, 2013)
- > GNI per capita (2012-PPP): \$9,650 (World Bank Development Indicators, 2013)
- > Literacy rate: 98%; male 99.5%, female 96.7% (2011 est., *CIA World Factbook*)
- > Next scheduled presidential elections: 2014
- > President or top authority: Members of BiH Presidency, Nebojša Radmanović, Željko Komšić, Bakir Izetbegović (2010–2014)

MEDIA-SPECIFIC

- > Number of active print outlets, radio stations, television stations: Print: 9 daily newspapers, 189 periodicals (magazines, publications, of diverse content) (The Press Council of BiH); Radio Stations: 142; Television Stations: 43 (Communications Regulatory Agency)
- > Newspaper circulation statistics: N/A
- > Broadcast ratings: Top three television stations: Pink BiH (14.34%), Federal TV (13.02%), OBN (10.1%) (Mareco Index Bosnia, 2013)
- > News agencies: FENA (state-owned), SRNA (state-owned), ONASA (private), NINA (private), MINA (Islamic Community in B&H), KTA BK B&H (Conference of Bishops of B&H), Anadolu Agency
- > Annual advertising revenue in media sector: \$42 million in 2013; Television: \$27.6 million; Outdoor: \$8.2 million; Radio: \$3 million; Print: \$2.5 million; Internet: \$1.7 million (Fabrika advertising agency, 2013)
- > Internet usage: 2,184,500 or 57% of the population (Communications Regulatory Agency, 2012)

MEDIA SUSTAINABILITY INDEX: BOSNIA & HERZEGOVINA



MEDIA SUSTAINABILITY INDEX 2014: OVERALL AVERAGE SCORES



CHANGE SINCE 2013

▲ (increase greater than .10) □ (little or no change) ▼ (.10)

Unsustainable, Anti-Free Press (0–1): Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1–2): Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2–3): Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3–4): Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

Scores for all years may be found online at http://www.irex.org/system/files/EE_msiscorers.xls

OBJECTIVE 1: FREEDOM OF SPEECH

Bosnia Objective Score: 2.36

The Objective 1 score did not change perceptibly. However, panelists did give improved scores for indicators 4 (crimes against journalists), 5 (guarantees of independence for public media), and 7 (access to information). The improvement was offset by lower evaluations of indicator 2 (licensing and registration of media) and indicator 9 (free entry in the journalism profession).

The main concerns that panelists expressed include the lack of enforcement of current laws and the apparent amendment of some laws to better serve politicians' interests. The courts lack the standards and expertise called for to process cases dealing with journalism, and the police are often unwilling to get involved. Overall, a culture of impunity prevails for those who violate the freedom of speech and rights of journalists.

The existing constitutional framework, which stipulates that "the rights and freedoms set forth in the European Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols shall apply directly in BiH," guarantees basic human rights and freedom of expression. The criminal codes of the Federation of B&H, Republika Srpska (RS), and Brčko District do limit freedom of expression in cases of speech involving information and

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing or registration of media protects a public interest and is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against media professionals, citizen reporters, and media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > The law protects the editorial independence of state of public media.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily available; right of access to information is equally enforced for all media, journalists, and citizens.
- > Media outlets' access to and use of local and international news and news sources is not restricted by law.
- > Entry into the journalism profession is free and government imposes no licensing, restrictions, or special rights for journalists.

Borka Rudić, secretary general of BH Journalists, said that getting the police to testify that a journalist was beaten up is a serious challenge: "The key problem is getting proof ... We manage to win some of these cases thanks to good lawyers, but basically the problem is that the judiciary does not recognize this as a criminal act."

opinion that instigate discrimination, hatred, or violence against persons or groups of persons because of their religion, ethnic group, sex, or sexual orientation.

The legal framework to promote and protect the freedom of expression is sound, but it lacks the mechanisms and supporting institutions required to ensure they are enforced. A study led by Analitika suggests that the countries of the Western Balkans, including B&H, suffer from a "transplant effect." Namely, the international community imposed nearly all of the most important laws regulating the media sphere in B&H; the laws were borrowed from another context that has not always fit.¹

In 2013, several important laws were drafted and discussed. Asja Rokša-Zupčević, assistant director for broadcasting at the Communications Regulatory Agency (CRA), mentioned the proposed Law on Electronic Communication, which raises the issue of authority over the broadcasting sector, and had moved into parliamentary procedure at the time this study was being prepared. Recently, Dunja Mijatović, the Organization for Security and Co-operation in Europe (OSCE) representative on freedom of the media, expressed concern that the draft law could seriously affect the independence of the regulator, CRA.

The Association of Journalists of the Republika Srpska prepared a draft media law in this entity in July 2013, and the panelists expressed concern that some of the proposed elements would constitute a step backward. As media law expert Mehmed Halilović cautioned, it does not mention the regulatory (CRA) or self-regulatory (Press Council of B&H) body, and it collides with the Law on Freedom of Access to Information and laws regulating defamation.²

¹ "Development of Functional Media Institutions in the Western Balkans—A Comparative Study." Analitika, Centre for Social Research. For more see: <http://www.analitika.ba/bs/vijesti/istrazivacki-serijal-o-medunarodnoj-podrsici-medijima-u-zemljama-zapadnog-balkana>

² Halilović, Mehmed, "Analiza Nacrta zakona o medijima RS: Nedostaci i prednosti," Internews, 21 October 2013, available online: <http://www.internews.ba/aktivnost/analiza-nacrta-zakona-o-medijima-rs-nedostaci-i-prednosti>

In the RS, the Law on Radio-Television of Bosnia-Herzegovina (RTRS) was amended in October 2013, changing the procedure for selecting RTRS steering board members. With these changes, RTRS co-financing from the RS government budget was made possible.

The CRA regulates the broadcasting sector and has executive powers to enforce existing rules and regulations, including the Law on Communications. As Rokša-Zupčević explained, the Council “adopts rules related to everything from the field of telecommunication broadcasting, including licensing rules.” Thus, it may negatively influence the process of licensing, although it is not directly involved in the licensing process, unless a station that did not receive a license lodges a complaint.

In previous years, licensing procedures were seen as impartial, transparent, and apolitical. However, the panelists considered the November 2013 appointments of seven members of the CRA Council to be politicized. The association BH Journalists labeled the appointment procedure illegitimate, ignoring articles in the Law on Communications that describe requirements for CRA members in terms of experience and gender balance. Many other organizations and individuals also raised objections regarding the process. To complete the procedure, the list must be confirmed by the House of Peoples of the Parliamentary Assembly of B&H, still pending at the point this MSI study was prepared.

Once elected, the CRA Council has authority over the process of appointing the agency’s director general, whom the Council of Ministers must approve as well. As previous MSI reports indicated, for a period of more than six years, the CRA’s incumbent director, Kemal Huseinović, has never been officially confirmed, so he has been acting in an interim capacity for six years.

In spite of the fact that procedures for licensing community radio have existed for several years under the CRA’s authority, only three radio stations are licensed: Radio Open Network, Radio Maria from Mostar, and Radio Our Children from Zenica. The main problem lies in the fact that the law denies community media access to funding from advertisements, preventing substantial development of this media sector.

The media industry is treated the same as other industries in terms of market entry and tax structure. The government gives no tax breaks to media, nor does it differentiate value-added tax (VAT) for different industries. Some panelists considered that, in an economic downturn, any kind of tax break or financial incentive for media is welcome. Print media are in the least favorable position. Senad Zaimović, director of the marketing agency Fabrika,

said that the state is not actively trying to prevent the operation, existence, and development of media through taxes; taxes are equal to those of other businesses, but they are just not stimulating, considering the danger that the print media are in.

Crimes against journalists still occur, but the Free Media Help Line said that the number of reported cases of crimes against journalists fell just slightly—45 cases in 2013, compared with 47 in 2012. In 2013, the most serious cases included three physical assaults, one death threat, and 21 cases of other threats and pressure; the remaining cases related to other infringements of media freedom.

Several attacks on journalists and media in 2013 attracted public attention. On April 14, in Trebinje, an Orthodox bishop verbally attacked Nebojša Vukanović, a correspondent for the BN TV channel, because he was displeased by the journalist’s reporting. The OSCE representative on freedom of the media condemned an attack that set Sarajevo weekly *Slobodna Bosna’s* office door ablaze; the representative also condemned a threat written in graffiti against a journalist from Mostar, Nermin Bise. Many international organizations reacted after the journalist Predrag Lucić received death threats on various web portals in B&H. The threats appeared to be connected to a book of satirical poetry, which some groups perceived to be offensive and supportive of genocide.³

A serious hindrance is that free-speech violations happen with relative impunity. The panelists trace this to the limited capacity, inefficiency, and, in some cases, insufficient will of the police and judiciary, which are mandated to protect journalists and process attacks on media and journalists. Borka Rudić, secretary general of BH Journalists, said that getting the police to testify that a journalist was beaten up is a serious challenge: “The key problem is getting proof ... We manage to win some of these cases thanks to good lawyers, but basically the problem is that the judiciary does not recognize this as a criminal act. Most of these incidents are settled as misdemeanors, on the level of a café brawl.” Since journalists generally feel unprotected, they are often unwilling to tackle the more sensitive issues that would put them in danger, hindering reporting on issues of public relevance as a result. Branka Mrkić Radević, a journalist for the web portal Zurnal.info, expressed concern about police protection, noting that some journalists appear to enjoy privileges over others in this respect.

³ “SEEMO expresses concern at tide of South East Europe free media violations.” SEEMO Staff statement, April, 2013. Available at: <http://www.freemedia.at/home/singleview/article/seemo-expresses-concern-at-tide-of-south-east-europe-free-media-violations.html>

The Law on the Public Broadcasting System (PSB) formally guarantees the PSB's editorial independence and institutional autonomy. As a precondition for editorial independence, financial independence is stipulated through financing based on public fees, as well as advertising and various types of sponsorship (donations). The law on public broadcast stations also stipulates that editorial board members of public stations cannot be public officials or perform duties in a political party or organization with a political affiliation (Article 10). Doubts about editorial independence and performance of the public broadcasters surface frequently, most recently related to the process of electing members of the Board of Governors of the RTV FT B&H. The panelists indicated the steady influence of politics in the process of nominating and appointing members of managing and editorial structures of public media. The situation for local public media is even worse, as they are financed primarily through municipal and cantonal budgets. Although they enjoy a privileged market position, compared with private media, they endure constant pressure to support the interests of the local authorities in their reporting.

Protection against defamation is regulated by the Law on Protection against Defamation in the Federation of B&H (2002); the same laws exist in the RS (2001) and in Brčko District (2003). Subsidiary legislation applied in this field includes the Law on Civil Obligations (which regulates compensation of damage), the Law on Civil Procedure, and the Law on Enforcement Procedure, which are in force in both entities.

A big dilemma in the application of this legislation is whether a person who gives an interview or makes a statement to the media should be considered the author of that statement, and whether he/she should be held responsible for it in addition to the journalist who publishes or the editor who controls the information. The federal law clearly indicates that the person who gives a statement or interview to the media cannot be held responsible for defamation, which is contrary to European practice.⁴ One problem in the implementation of the law is that in practice, journalists sometimes must provide evidence on the accuracy of published information. Media representatives expressed doubt about the judiciary's impartiality in some of these proceedings, especially if the plaintiffs hold positions of power.

In 2013, an important case linked with libel was related to a Banja Luka court's decision to award damages of approximately €2,500 to the president of RS, Milorad Dodik,

⁴ "Indicator for measuring media freedoms in the countries members of the CoE: Shadow report for Bosnia and Herzegovina." Press Council and BH Journalists: 2012, p. 11.

Rudić, who has analyzed more than 700 cases of defamation lawsuits in a 10-year period, explained, "Most politicians file lawsuits to put pressure on the media, not with the intention of actually going through with a defamation proceeding."

in his lawsuit accusing the journalist Ljiljana Kovačević of defaming him. This represented a significant shift in the courts. Rudić, who has analyzed more than 700 cases of defamation lawsuits in a 10-year period, explained, "Most politicians file lawsuits to put pressure on the media, not with the intention of actually going through with a defamation proceeding. I have followed the lawsuits filed by Avaz (i.e., the former owner of Avaz); he filed 260 lawsuits in a period of five years and quickly withdrew 190 of them. Therefore, he got that first effect that he needed in the public."

Legal frameworks for free access to information exist on the state and entity levels and the level of Brčko District. The law at the state level initially was adopted in 2000 and amended in 2006, 2009, and 2011. The Agency for Protection of Personal Data in B&H initiated a new change to the law, and the Ministry of Justice of B&H published draft amendments to the Freedom of Information Act in May 2013. The most controversial provisions of the newly drafted law relate to the protection of private data, as well as limits to access to information in all cases in which the request endangers "the right to privacy and other legitimate private interests" (Article 4). Although some exceptions to the rule were also defined, under the law any kind of information related to property issues would be considered "private" and therefore could be unavailable to the public.

The new amendments essentially discredited the public-interest test—that is, the practice of making decisions on a case-by-case basis. The new draft included the principle of automatic responses to requests for public information and denial of access to information in cases that involve endangering the "right to privacy."⁵ B&H civil society groups, with backing from the Institution of Ombudsman for Human Rights in B&H, responded immediately and swiftly against the proposed changes. Experts developed a set of points

⁵ Halilović, Mehmed, "Analiza Nacrta zakona o slobodi pristupa informacijama BiH," Internews.ba, available online: <http://www.internews.ba/aktivnost/analiza-nacrta-zakona-o-slobodi-pristupa-informacijama-bih>

Boro Kontić, director of Mediacentar Sarajevo, believes that the high standards of Al-Jazeera and Anadolu news agencies positively influenced the overall score for this indicator.

that drew a large number of comments, after which the amendments were withdrawn.

In previous years, the panelists outlined the fact that only the state-level law defines sanctions for failing to provide information, while the entity laws lack this mechanism. Mirjana Popović, a journalist from the Centre for Investigative Reporting (CIN), said her organization sued three state-level institutions several years ago for withholding public information. CIN won favorable verdicts in all three cases, and the State Service Agency, the Border Police, and the Ministry of Foreign Affairs were ordered to pay court costs and provide complete responses to everything related to employment contracts that had been requested back in 2011. CIN requested the information for a series of articles on irregularities in vacancy procedures for employment at state institutions.

Access to local and international news and sources for media outlets in B&H is free and not restricted by law. Still, the lack of respect for authorship and the problems of plagiarism and lifting content from other media remain a serious concern, especially taking into account online media's growing influence.

Entry into journalism is open, and the government does not impose any restrictions in this regard. Still, there is an ongoing policy under which the RS government, led by the Alliance of Independent Social Democrats, prevents certain media outlets from covering public events or obtaining statements from entity officials. In 2013, the party instructed its members to refrain from contact with journalists from BNTV Bijeljina, prompting a statement of concern from the OSCE representative on media freedom.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Bosnia Objective Score: 1.83

The score for Objective 2 improved modestly, compared with the previous two years. The scores for all indicators climbed slightly, except for indicator 6 (entertainment vs. news and information programming), which stayed roughly the same. Despite these improvements, the overall score for

this objective still falls below the overall country average, indicating that the overall level of professionalism is still unsatisfactory.

Fairness, balance, and usage of relevant and various sources in media reporting fall short of expectations. Due to the politicization and commercialization of media content, the overall quality of reporting is unsatisfactory despite the improvement in score compared with last year. Factors influencing the score include the strong fragmentation of the journalism community based on territorial, ethnic, and political affiliations, a lack of credible sources, and reporting based on political affiliations or financial dependence on major advertisers.

Within the broadcasting sector, the Broadcast Code of Practice for Radio and Television Programs defines the standards of programming, while the Press Code defines professional standards for the print media sector. The degree to which the media and journalists follow these regulations is far from consistent.

According to the Law on Communication (Article 49), the CRA is granted executive powers to respond when electronic media violate journalistic norms. It can impose financial penalties, suspend broadcasters, and revoke licenses.

Rokša-Zupčević suggested that the number and type of complaints submitted to the CRA are for the most part related to fairness, balance, and use of relevant sources. The panelists say that thorough investigation of any questionable articles appearing in the media is rare. According to the latest available report, in 2012 the CRA director handed down 108 enforcement measures for violations of relevant CRA rules and regulations and revoked

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well-sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption and retain qualified personnel within the media profession.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exist (investigative, economics/business, local, political).

the licenses of four outlets: Independent Radio Travnik, Independent TV Travnik, Herzegovinian TV Mostar, and Herzegovinian Radio Mostar.

The Press Council of B&H promotes professional and ethical norms in print and online media. Unlike the CRA, it does not have enforcement powers, since its work relies on the principle of self-regulation and a system of voluntary compliance of print and online media with journalistic norms and Council decisions. An October 2013 EU Progress Report outlined its important role: “The Press Council has continued its cooperation with judicial institutions and journalists’ associations to improve the quality of reporting and to raise the public’s awareness of legal rights.”

The Press Council does not deal with the content of social networks, blogs, and forums. In addition, given that some websites that perform an informational role are not officially registered and do not provide contact information, citizens cannot complain about their content, and these websites cannot be part of the self-regulatory system.⁶

Boro Kontić, director of Mediacentar Sarajevo, believes that the high standards of Al Jazeera and Anadolu news agencies positively influenced the overall score for this indicator. Within this indicator, according to the panelists, the three most salient problems relate to plagiarism (due to the growing influence and exposure of online content), the blurred distinction between news reporting and advertising, and hate speech, especially online.

With reduced support from donors and meager advertising, most media in B&H operate in “survival mode.” In many cases, the economic interests of owners and the advertising power of big companies have overwhelmed media outlets’ professional goals, leading to self-censorship. Rubina Čengić, an editor for the news magazine *Start*, believes that editors often pressure journalists into censorship, although fear for their own safety and socio-economic status is undeniably a contributing factor as well.

Without relevant research and regular monitoring of media content (including programs on the PSB), it is difficult to know if media and journalists cover all relevant events. The panelists generally feel that public media overemphasize the importance of political and protocol events, such as conferences. What is lacking is more politically relevant journalism, as well as features. (Al Jazeera Balkans, which regularly broadcasts various features and stories on the

lives of ordinary people in various parts of the country, is one exception.)

Based on available research, media in B&H operate in line with their exclusive editorial policies, which promote the partial interests of political and economic actors and portray others (political, ethnic, religious, etc.) in a negative sense. In sum, they foster a situation of uncertainty and fear of others—which is especially visible when covering election campaigns and other political events.⁷

The panelists also commented that having a high number of potential sources (including online media) does not automatically ensure a better-informed public. Most media report on the same issues and even use the same sources.

The vast majority of online media and communication through social networks proved to be far more efficient when it comes to information exchange and social mobilization, mainly due to the fact that centers of (political) power do not directly control the flow of information online. An illustration of this could be found when protests were organized in Sarajevo through online platforms and social media over the lack of regulation of citizen ID numbers for newborns. On the other hand, some media—under the control of politicians representing the Serb and Croat peoples—labeled these protests as a Sarajevo-centric initiative and a threat to their security.

Consideration of pay levels for media professionals again drew low scores from the panelists, indicating a very poor and uncertain situation. B&H fails to comply with Resolution 1636 (2008) of the Parliamentary Assembly of the Council of Europe, which states that “journalists should have adequate working contracts with sufficient social protection, so as not to compromise their impartiality and independence.” As concluded by the Balkan Media Barometer for 2011, journalists in this country are “exploited and poorly paid, afraid of being sacked, and cannot be truly free and motivated to adhere to professional standards in their daily work.” Quite a number of media employees work for periods of more than five years without any contract, health insurance, or employer contribution to their pension or disability fund.⁸

As reported in previous MSI reports, it is estimated that average salaries for journalists vary from BAM 400 (\$278), the typical rate for those employed in small local media, to BAM 1,000 (\$696), to BAM 1,500–2,000 (\$1,044–\$1,393) for editors on the public-service or successful commercial stations. Journalists in smaller media outlets are underpaid

⁶ “Interview with Ljiljana Zurovac.” UNESCO. Available at: <http://www.unesco.org/new/en/communication-and-information/resources/news-and-in-focus-articles/in-focus-articles/2013/advancing-tolerance-and-respect-online-the-case-of-bosnia-and-herzegovina/interview-with-ljiljana-zurovac/#sthash.f59fL67m.dpuf>

⁷ See further: Udovičić, R., Marko, D., Turčilo, L., and Ljubić, T., “Elections 2010: How did media cover the election campaign?” Sarajevo: Media Plan, 2010.

⁸ Balkan Media Barometer, 2011: 61

and possibly susceptible to corruption and less motivated to produce relevant journalistic content. The media also suffer a high rate of attrition of journalists seeking better-paying, more secure professions, such as public relations.

Despite the perception that media lean heavily toward entertainment programming, news and informational programming is still not eclipsed. As Rokša-Zupčević pointed out, there are several major television outlets classified as news and informational, such as public-service broadcasters and Al Jazeera and TV1, but she added that news and informational programming in other media is limited: "When we turn to any local community, we see a four- to five-minute flash of local news and rebroadcasting of the news programs I mentioned."

Individual media outlets vary widely regarding their technical resources for production and distribution of news. While public broadcasters are still waiting for basic conditions to be fulfilled for the digital switchover (they continue to disagree on the establishment of a corporation, a prerequisite for the switch), private media (such as Al Jazeera Balkans, TV1, and FACE TV) are the real leaders in technical developments. At the same time, small and local media, due to their struggle for survival, are not in a position to purchase modern technical equipment for production and distribution.

The panelists agreed that there is a lack of specialization for certain topics and for niche programming, as well as a general lack of investigative journalism. They noted that only a few media outlets offer this content, such as the Center for Investigative Journalism, Zurnal.info, portal Buka, and news magazine *Slobodna Bosna*. Recent research studies have indicated that the most common topics in media content are related to politics, sports, and social topics, while features, culture, the international activities of B&H, science, and the economy are underrepresented.

OBJECTIVE 3: PLURALITY OF NEWS

Bosnia Objective Score: 2.26

Scores for this objective remained relatively static this year (2.26, compared with 2.20 in 2013). Indicator 2 (citizens' access to domestic and international media) scored the highest, about three-quarters of a point higher than the objective score, while the lowest scores went to Indicators 3 (state or public media serve the public interest) and 7 (representation of wider social spectrum, including national minority languages); these each lagged behind by roughly three-quarters of a point. Indicator 3, however, improved the most of any indicator in Objective 3.

Media draw from a variety of sources, but these sources do not necessarily reflect a plurality of viewpoints—and there is almost no plurality of perspectives within single media outlets. The panelists mentioned that independent experts are rarely cited as sources. Instead of representing different political viewpoints, media are often biased, and affiliations between political parties and particular outlets are sometimes obvious. An exception to this, according to the panelists, is Al Jazeera Balkans. Web portals, blogs, and forums represent an additional source of information, but their popularity and social impact are still limited. According to a CRA report, 57 percent of citizens in B&H use the Internet,⁹ but television is considered the primary source of information. For 60 percent of citizens, television is still the source of the most reliable information, the Internet is second with 27 percent, radio and daily print media share third place with 6 percent, and news magazines are last with less than 1 percent.¹⁰

Social networks are important in the country; according to the panelists, there are almost 1.7 million Facebook profiles, and the platform Blogger.ba claims more than 300,000 users. There is still no SMS news or media content offered in the country, due to the high cost of this platform.

The government does not restrict access to domestic or foreign media, but the expense is too steep for some

⁹ "Godišnja anketa korisnika RAK dozvola za pružanje Internet usluga u BiH za 2012. godinu," CRA, 30 May 2013, available online: <http://www.cra.ba/bih/index.php?uid=1272548201>

¹⁰ "Mediji u BiH 2013, medijske slobode, profesionalizam, izazovi," BH Journalists/Friedrich Ebert Stiftung, April 2013.

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE, OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > Plurality of public and private news sources (e.g., print, broadcast, Internet, mobile) exist and offer multiple viewpoints.
- > Citizens' access to domestic or international media is not restricted by law, economics, or other means.
- > State or public media reflect the views of the political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for media outlets.
- > Private media produce their own news.
- > Transparency of media ownership allows consumers to judge the objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources
- > The media provide news coverage and information about local, national, and international issues.

citizens. As Čengić said, “Laws do not stand in the way, but economic and other conditions do restrict access to media. Those who do not have money cannot pay for a cable television package or buy all the newspapers they want.”

Although several public and private broadcasters cover the entire nation, print media circulation is geographically differentiated based on the ethnic or political affiliation of their readership. When it comes to rural areas, there are some signs of improvement in both distribution of broadcasting content and Internet penetration. Rokša-Zupčević explained, “Due to the broad penetration of IPTV telephony, primarily by telecom operators, the situation in rural areas has changed drastically. People are willing to pay around 30 KM for a package that provides access to the Internet, a certain number of channels, and telephone with a certain number of free calls.”

Public media in B&H are directly dependent financially on the cantonal/city and municipal-level government budget. In addition, the process of selecting their management and steering boards is deeply influenced by politics, including not only appointments in local public media, but also the state and entity public broadcasters.¹¹ It became especially apparent during the election period that serving the public interest was not a priority for public media. In 2013, the panelists said that RS public-service reporting on the entity’s government and its leading political party (SNSD) was biased and uncritical, while FTV’s editorial policy improved slightly and is currently not influenced by a single political party, as it was after the 2010 elections.

When it comes to variety of topics, according to an analysis supported by Friedrich Ebert Foundation that studied the prime-time programming of public broadcasters BHTV1, FTV, and RTRS over a period of seven days, the most balanced is BHTV1. For BHTV1, the four dominant categories are movie and series programming (23 percent), sports (22 percent), news and information (21 percent), and magazines (21 percent). For the other two public-service broadcasters, movie and series programming dominates, especially on FTV, where it constitutes 50 percent of total programming; on RTRS, it constitutes 34 percent. News and information programming reaches 22 percent on FTV and 25 percent on RTRS. On RTRS, documentary programming is in third place, at 10 percent.¹² Rokša-Zupčević added, “Some content required by law is totally absent. Or, if it is present, in

¹¹ Hodžić, S., Flash Report: Bosnia & Herzegovina, 31 July 2013, available online: <http://mediaobservatory.net/radar/flash-report-bosniaherzegovina>

¹² Friedrich Ebert Stiftung and conducted during March, April, and May 2013 and are available online: <http://www.mediaonline.ba/ba/?ID=540>.

terms of children’s programming, it comes down to foreign cartoons.” Besides programs specialized for children, cultural and educational programs are also underrepresented.

Broadcasters are obligated to produce original content that constitutes at least 20 percent of their programming (Rule 55/2011, Article 13, paragraph 5), but it is questionable whether this provision is respected. Unlike private broadcasters, their public counterparts have regulatory requirements to produce specialized programs, and, according to Rule 57/2011, 40 percent of the program should be informational or educational (out of which 10 percent should be on refugees and displaced people, national minorities, and other vulnerable groups [Article 3, paragraph 1]).

There is no relevant research that takes into account the entire program schedule of all relevant public media. The CRA is not mandated for such monitoring, nor does it have the capacities and resources for this. In July 2013, the Media Plan Institute from Sarajevo published an analysis based on seven-day monitoring of programming on three public television stations—BHTV1, FTV, and RTRS—in the prime-time period. On BHTV1, FTV, and RTRS, news and informational programming make up 21, 22, and 25 percent, respectively, of total programming.¹³

There are two public or entity-owned news agencies, as well as four that are privately owned. The two strongest agencies, FENA (federal) and Srna (from the RS), are most likely under substantial political pressure, especially since there are no legal or regulatory guarantees of their independence. Several panelists praised Anadolu agency for elevating the standards of professionalism among news agencies on the market. The panelists also cited Onasa (from B&H) and Beta (from Serbia, with services in B&H) as relatively independent, along with international agencies, such as the Associated Press and Reuters—although not all media can afford their services.

According to Amir Zukić from Anadolu agency, major media can afford to pay for news agency services: “It is less costly to buy all agencies than to hire two people.” Media rely on these agencies in their everyday practice, and agency news is regularly published and broadcast in media without any modifications. On the other hand, as discussed in previous reports, most local media cannot afford to pay for agencies (at least, not for all of them as Zukić suggests), and their journalists are not paid the same as those working for the most prominent media.

¹³ Ibid., Friedrich Ebert Stiftung.

Zukić outlined the fact that media often do not mention agencies as sources: “Only some media cite Anadolu as a source of information.”

As for whether private media produce their own news programming, according to CRA rules, only segments of programming entirely produced by a licensed media outlet or produced by independent production exclusively and for use by a licensed media outlet can be classified as original programming. The same rule defines that a license user in its programs should contain at least 20 percent of its own productions, out of which 75 minutes must be broadcast in prime time, between 17:00 and 23:00 (Article 13).

In practice, most licensed private media outlets produce their own informational or news programs. However, according to Rokša-Zupčević, it is very difficult to observe the nature and quality of these programs in practice. In practice, broadcasters might consider a mere studio recording of a host reading agency news. “We prescribe an obligation for all license users to have a specific percentage of their own productions, but we do not assess the program in qualitative terms... there is a problem in that regard with some big stations,” Rokša-Zupčević explained.

The concentration of media ownership is unregulated, now that the Rule on Media Concentration and Cross-Ownership of Broadcast and Print Media has expired. No progress has been made in regulating these issues. With regard to transparency of ownership, data are available in court registries of business entities. The CRA currently does not release information on ownership, but Rokša-Zupčević announced, “We will soon publish in the CRA register the data from court registers on broadcast media ownership. Court registers are publicly available documents, and anyone can get information directly from users or from the court. This does not mean anything until a legal solution is created, consisting of rules related to ownership and encompassing a broader range of players, encompassing advertisers, media, bloggers—the whole industry. Only then can we perhaps start talking about possible transparency.”

When it comes to traditional media, information on their owners is accessible in court registers, but it is not displayed in their print or online editions. When it comes to web portals, due to lack of regulation in this domain, some online media are not registered as media businesses, and it is not clear who owns them. For example, the portal javno.ba does not mention the owner in the masthead, but many assume that this online media outlet is controlled by political and business affiliates of the president of the B&H Federation, Živko Budimir.

B&H media outlets have shied away from reporting on issues related to gender, religious, national, and sexual minorities,

including LGBT identities. Web portals and social media, however, are leaders in this sense.¹⁴ There are several specific portals that focus on issues important to these particular communities, such as www.diskriminacija.ba, www.manjine.ba, www.tocak.org, etc. In 2013, Sarajevo Open Center, in cooperation with Internews B&H, awarded the web portal radiosarajevo.ba, the public-service FTV, and the news magazine *Dani* for their professionalism and socially responsible reporting on LGBT-related issues.¹⁵

Analysis of media reporting on marginalized and vulnerable groups conducted in 2013 indicated that very few media reports/packages on this topic included bylines, possibly indicating lack of interests in these issues, lack of original and comprehensive content, and excessive reliance on other sources, such as press releases and agency news. The general sample consisted of 12 media outlets: four print, four television, and four web portals (Buka, Depo, Radiosarajevo, and Klix). Among those that provided bylines, the majority of the authors were female (65 percent).¹⁶

Public media do not pay enough attention to marginalized minority groups, according to the panelists. There is no regular show on PSB on minorities, and the public service in this sense does not fulfill its obligation under the law. Namely, according to the Law on the Protection of Rights of Members of National Minorities, all public media are “obligated in their program schedules to envision special shows for members of national minorities and may also provide other content in the languages of minorities. Radio and television stations as well as the public services of B&H shall at least once a week provide a special news program for members of national minorities in their language.” Recent studies indicated that there are no programs in minority languages on public media, but there are some magazine shows made regularly for and about national minorities in the majority language. These shows are “Patria mea” on BH Radio and “Korijeni” on Radio RS. Also, there are some periodical publications that cover minority topics, such as *Jevrejski glas*, the paper of the Jewish Community; *Zora Cankarjeva*, a Slovenian almanac published by the Cankar association; and *Glas Roma*, published by the Union of Roma NGOs of the RS. A magazine that promoted the Roma community, *Amarodrom*, was published by Media Initiatives until March 2013.¹⁷

¹⁴ Dardić, D., and Marko, D. “Izveštavanje o marginalizovanim i ranjivim grupama u BiH: Analiza medijskih sadržaja,” Helsinki Citizens’ Assembly BL, 2013: pp. 25–27.

¹⁵ “Nagrade za izveštavanje o LGTB temama,” Mediacentar portal, December 16, 2013. Available at: <http://www.media.ba/bs/vijesti-i-dogadaji-vijesti/nagrade-za-izvjestavanje-o-lgbt-temama-za-radio-sarajevo-dane-i-ftv>

¹⁶ Ibid., Dardić and Marko, p. 31.

¹⁷ Udovičić, R. “Media and national minorities in BiH,” in Marko, D. *Information in Minority Languages in the Western Balkans*, Sarajevo: Mediaplus Institute, 2013: pp. 128–192.

Mrkić Radević highlighted another problem with minority coverage: “In terms of minority groups, I think they are represented in media just for the sake of form; they are featured in programs on the public broadcasters at times when no one is watching or listening. I have had an opportunity to work with a lot with people who represent minorities, and that is precisely their objection. They even said ‘do not represent us at all if you are going to cover us at a totally unpopular time.’”

Coverage of local topics is compromised as well. According to the CRA Register, there are 12 public local television and 67 public radio stations (financed through the municipality, city, or cantonal budgets). They presumably cover local issues, but due to financial dependence on local governments, their editorial independence is considered jeopardized. The public-service broadcasters FTV and RTRS broadcast shows (*Federation Today* on FTV and *Srpska Today* on RTRS) on issues related to local communities in these two entities, but all of these media mostly cover national and international issues to some extent.

The CRA Registry lists 109 privately owned radio and television stations, which generally include news programming; some of the major ones are BN Bijeljina, ATV Banja Luka, and Radio Stari Grad. Some commercial media have reach in a small area. It is questionable whether private and public local media have the capacities or mission to cover local issues in a substantial way, providing a multitude of sources and some social critique. Online media also contribute to the variety of media content, although content on local communities is still scarce.

OBJECTIVE 4: BUSINESS MANAGEMENT

Bosnia Objective Score: 1.64

Business management continues to be a challenge for B&H media. The score for indicator 3 (advertising agencies and related industries support an advertising market) exceeded the objective score by half a point; otherwise all indicators scored close to the objective score. The main problems, according to the panelists, relate to a poor market’s oversaturation with media outlets, a lack of managerial competence of people heading local media, and a lack of advertising investments by local companies. In addition, currently there is irregular competition in the market for telemetric research. This competition exists between Mareco Index Bosnia, the agency that conducted research for years and whose reliability some media have questioned, and a new competitor favored by the state, Audience Measurement, which is licensed by Nielsen and whose ownership is not transparent.

According to Rokša-Zupčević, the CRA Code on Commercial Communication enables various types of advertising and sets minimal rules in this regard, but she indicates that advertising practices are problematic: “What we have as a result is giving away the (advertising) space for next to nothing, and total deformation of program content.”

Generally speaking, though, weak media management skills are a persistent problem in the field. “We don’t have educated media managers. Here, journalists [rather than people formally trained in business management] usually become managers,” Zukić observed.

While most media are fighting for survival, a handful of media operate efficiently and sustainably, including the commercial television stations OBN and TV Pink, the daily *Dnevni avaz*, and Radio Stari Grad, which the panelists mentioned as examples of well-organized businesses. In general, though, sources of revenue are insufficient to sustain the media market, given the shrinking of already rare advertising revenue, compared with the high number of media, fading donor support, and poor collection rates of RTV fees.

The panelists underscored some possible missed opportunities in the pursuit of revenue; for example, media outlets rarely tap the full potential of online platforms and social media.

MEDIA ARE WELL-MANAGED ENTERPRISES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

- > Media outlets operate as efficient and self-sustaining enterprises.
- > Media receive revenue from a multitude of sources.
- > Advertising agencies and related industries support an advertising market.
- > Advertising revenue as a percentage of total revenue is in line with accepted standards.
- > Government subsidies and advertising are distributed fairly, governed by law, and neither subvert editorial independence nor distort the market.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor the product to the needs and interests of the audience.
- > Broadcast ratings, circulation figures, and Internet statistics are reliably and independently produced.

There are a few exceptions, such as the web portal www.klix.ba, which has established a sustainable model by drawing advertising revenue and reaching a huge number of users.

Media draw funding from the government (direct or indirect), other donors, advertising revenue, and subscription fees for public-service broadcasting. Overall, though, funding opportunities for media are highly limited, given the small and underdeveloped advertising market—and the crowded field of media competing for funds. Advertising revenue continues to shrink; in 2013, the total amount was around BAM 55 million, or \$39 million. In addition, the country's media industry is not competitive on the regional scene, and thus loses out on potential advertising revenue. Zaimović said, "Our space is given free of charge to our regional competitors ... at my competition in Belgrade, if you order ads through satellite programs in Serbia, you get this service in B&H for free. They don't pay taxes in Serbia, and there is no monitoring, so of course why would someone go through me and pay taxes for the audience in Bosnia if they can get it for free by ordering a satellite program." The panelists urged the Council of Ministers of B&H to discuss this issue in order to protect the local media industry and fairness on the media market.

Regarding public media funding, doubts persist over their financial transparency, despite the fact that public media are obliged to submit financial reports each year and make them available to the public. External audit reforms, such as one produced by the Audit Office of the Institutions of B&H for FTV in 2011, have indicated some problems in regard to the PSB's financial operations. However, a 2012 audit performed by Merfi, a private audit company, evaluated its financial operations positively.

Aside from formal rules and codes, such as CRA Rule 57/2011 on Public Television and Radio Stations, in practice there are no guarantees to protect media and their editorial policies. Guarantees of editorial independence are especially lacking in local public media, which local governments finance directly. However, whereas in previous years the RS government directly subsidized media outlets, no significant issues were reported in 2013, mainly due to the fact that it was not an election year.

Public-service broadcasters RTRS, RTVF B&H, and BHRT are funded primarily through RTV subscription fees. According to an analysis produced by the CRA, the levels of collection of RTV fees are decreasing and for 2012 amounted to 40.8 percent of FTV's overall income and 56.9 percent of RTRS's overall income. The total amount of non-paid RTV subscription fees for the 2009-2012 period totaled BAM 89

million (\$62.7 million).¹⁸ Refusal or reluctance to pay RTV fees is especially common among Croats, who feel that their interests are not represented in the current PBS system.

Independent media outlets are struggling to secure funding, as international donors have largely withdrawn their financial support for the media. This is especially challenging for print media, because advertising agencies work primarily with the television sector, which holds the highest advertising share and is based mostly in the larger cities. As Zaimović says, there are only a few relevant local advertisers in the media market in B&H, which is dominated by major international companies, such as Coca-Cola, Bieersdorf, and Henkel. Zaimović believes that local advertisers do not appreciate the potential benefits: "Local advertisers do not have enough knowledge. If we exclude BH Telecom and Eronet, there are not any other active local advertisers. The banks that you see advertising are all more or less foreign owned. Who has seen our local Union Bank advertising anywhere?" Other panelists pointed out that there are a few additional local advertisers, including the tobacco company Fabrika duhana Sarajevo, the electricity company Elektroprivreda, and some ministries.

The main political or business actors take advantage of the poor economic situation of media outlets to influence their work and limit their editorial independence, whether through advertising arrangements or subsidies.

According to Rokša-Zupčević, the CRA Code on Commercial Communication enables various types of advertising and sets minimal rules in this regard, but she indicates that advertising practices are problematic: "What we have as a result is giving away the (advertising) space for next to nothing, and total deformation of program content." According to Zaimović, the main advertisers on the media market have remained the same, while budgets for advertising are smaller.

The CRA has contested the commercialization of the PSB, and the CRA Council changed the Code on Commercial Communication, cutting advertising time in PSB programs from six to four minutes per hour. According to the Law on the Public RTV System in B&H, the CRA Council has the authority to determine the minimum and maximum advertising time for the broadcasting sector, in line with European standards and taking into account conditions of the local media market. CRA reported that public-service broadcasters take 35 percent of all advertising revenues

¹⁸ "Analiza finansijskih pokazatelja Javnih servisa u BiH", in "Analiza tržišta emitovanja u Bosni i Hercegovini," CRA document, available online: <http://www.media.ba/bs/magazin-medijska-politika-regulativa/argumenti-za-odluku-rak>

in the media sector, which is BAM 19.63 million, or \$13.8 million. FTV has the sector's highest advertising revenue: 39.8 percent of FTV's total income, or 22.2 percent of the entire advertising income of the television market in 2012, according to the CRA analysis. On the other hand, public-service broadcasters pay 50 percent less in fees for broadcasting licenses than commercial media. The CRA warned that public services are increasingly acting as leading commercial media, and their action was meant to block that trend. The decision was expected to create significant financial hardships for public-service broadcasters but will likely be reconsidered later in 2014.¹⁹

However, many considered the decision as a direct attack on the editorial and financial independence of the public services. As Mehmed Halilović warned, "If this policy continues, I am afraid that we will lose public services and get state services, which will even more openly serve the political elites instead of the public." Zaimović objected to the decision as well, especially since it was taken without consulting the wider media and communication community. Still, Zaimović believes the PBS practice should be challenged, since it failed to fulfill its public-service role and instead competes in commercial media territory. For example, he said, "When the public service buys a Turkish series, it jeopardizes marketing revenue for a commercial television station."

Only a handful of commercial television stations, those that enjoy the largest viewership, have no problem securing significant advertising revenues. For most local media, local governments are important sources of revenue, either through direct funding by municipal or cantonal governments or through various projects. As reported last year, the RS government provided significant support to various media outlets in this entity—\$3.3 million in 2010 and \$2.4 million in 2012. As reported in previous years, government funding of the media is problematic and is considered an attempt to secure favorable reporting.

Mareco Index Bosnia (MIB) provides data on broadcast ratings, in addition to occasional ratings on broadcast and print formats from GfK BH, a branch of an Austria-based research company. However, serious doubts have been expressed since 2010 with regard to the accuracy and impartiality of data provided by MIB. Recently, a new agency (Audience Measurement) entered the B&H market.

While some panelists, including Čengić and Rudić, do not believe that media take research results seriously, Zaimović

stressed that research results are especially relevant in the television sector. Still, only a minority of broadcasters develop their work plans and program schedules based on these data and analyses. As Reuf Herić, director of Radio Q Visoko, said, not only is there a lack of knowledge to adequately use research results, but the quality of research to begin with is insufficient—particularly for radio. In his words: "Out of 45 television stations, nine buy and use research. Extremely poor research is produced for radio stations, not only because of the researchers, but because the radio stations have no money to pay for research. Out of 144 radio stations, four or five use research, out of which only two radio stations use software. The others do not even know how to interpret the data. The problem with research lies in our lack of knowledge on media management."

Since 2005, the Association of Media Industry B&H (UMI), initially supported by USAID/Chemonics Inc. International, served as a platform for its members (advertising agencies, public broadcasters, and private television stations) to define aims and secure a financial basis for market research conducted by the contracted research agency (MIB). UMI's primary aim was to enable B&H media to secure financial resources for very complex, demanding, and expensive monitoring and research—an area that the MSI panelists highlighted last year, noting that the market-research prices were too high for B&H media. Due to some internal problems, however, UMI's reputation was questioned, and some members (such as OBN and the public-service BHTV) walked out. In 2012, new management was elected to empower UMI and reestablish its reputation.²⁰

In addition to MIB, a new competitor appeared on the market, Audience Measurement. It offered the same services for television stations at much lower prices, BAM 28,000 (\$19,500) annually instead of the BAM 60,000 (\$41,800) that television stations used to pay MIB. For the 2013 MSI report, the panelists commented on this as a serious threat to the poor advertising market. Having two separate providers could inject new uncertainty into the market-research results and risk both players' financial viability. Also, the lack of universally accepted research results could possibly lead to withdrawal of international clients from the advertising market.

Additionally, the UMI president, Zaimović, pointed out that ownership over one of the research agencies (Audience Measurement, tied with Nielsen) is absolutely unknown. Rokša-Zupčević said that the CRA has no power over these

¹⁹ The Commission on Information of the Federal Parliament House of Representatives supported public services, asking the CRA to reconsider its decision. Finally, the CRA Council decided at the last meeting (March 5, 2014) that the amendment will soon be opened for public consultations.

²⁰ Intervju dana, Senad Zaimović, predsjednik UMI-ja, Media Marketing, September 19, 2012, available online: <http://www.media-marketing.com/intervju/4643-senad-zaimovic-predsjednik-umi-ja.html>

KontiĆ mentioned the case of the CRA Council election, which did not respect the principle of gender balance. “We have hundreds of women’s NGOs. Of the seven people elected to the CRA Council, not a single woman was elected, although there were several female candidates. At least one should have been elected, not to say three. Not a single women’s organization said a word.”

issues and that it is in the domain of the Competition Council of B&H to check if ownership is problematic.

The Institute of Metrology of B&H introduced a practice of certification of television measurement equipment and authorized the laboratory belonging to Audience Measurement to implement the certification process, which places this research agency in a better position. Currently, only Audience Measurement equipment is certified to conduct television audience research. MIB management reacted to the irregularity in an open letter in December 2013 and filed a complaint with relevant state institutions.

There is a lack of reliable information on print media circulations, and recently only a few print media outlets (Ljepota i zdravlje, Press, Blic, Šik, and Sport Centar) allowed circulation audits.²¹ In spite of the fact that some estimates indicate that the total circulations of the leading dailies in B&H are fewer than 100,000 copies, the lack of exact data prevents allocation of advertising money in these media. As for online media, data on ratings and browsing are provided by Alexa and Google, and dozens of websites are subscribed to Gemius Audience. According to the latest research carried out by this agency, the most visited news portal in B&H is klix.ba, with 6.5 to 7 million visits per month; Sportsport.ba is second, with 3 to 3.5 million visits. The most popular web page in B&H is Pik.ba, with more than 10 million monthly visits. FB is the most popular social network, while Google was the most used research engine in 2013.²²

²¹ Available on ABC audit research: <http://www.abc.org.uk/>

²² Available online: <http://www.audienceba.gemius.com/>

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Bosnia Objective Score: 2.12

The score for Objective 5 for 2014 is 2.12, a moderate fall from last year’s score. Indicators 3 (supporting NGOs), 5 (short-term training and in-service training institutions and programs), and 6 (sources of media equipment are apolitical, not monopolized, and not restricted) experienced the steepest drops, more than a third of a point each.

There are several broadcast associations that represent media owners’ and managers’ interests, including the Association of Electronic Media, the Association of Private Broadcast Media, the Association of Broadcast Media, and the Association of Local Broadcasters of the Republika Srpska. There are no similar associations of print media owners.

UMI, gathering representatives of broadcasting media and advertising agencies, lost its initial potential and power after several founding media left the association and after the failed attempt to create a unified system of measuring media ratings. As its president, Zaimović, commented: “Unfortunately, UMI, the only organization that worked on resolving the issue of the selection of bidders and obtaining full industry buy-in, lost its authority. The UMI association was created seven years ago with a lot of support from [USAID-funded] IREX Pro Media. What is completely clear

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of media owners and managers and provide member services.
- > Professional associations work to protect journalists’ rights and promote quality journalism.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs exist providing substantial practical experience.
- > Short-term training and in-service training institutions and programs allow journalists to upgrade skills or acquire new skills.
- > Sources of media equipment, newsprint, and printing facilities are apolitical, not monopolized, and not restricted.
- > Channels of media distribution (kiosks, transmitters, cable, Internet, mobile) are apolitical, not monopolized, and not restricted.
- > Information and communication technology infrastructure sufficiently meets the needs of media and citizens.

is that institutions that were not created as a result of domestic interests and competition simply have a hard time surviving.”²³

There are currently six associations for journalists in B&H: the Association of BH Journalists, Association of Journalists of the RS, Association of Croat Journalists from B&H, Association of B&H Journalists, Association of Young Journalists of the RS, and Network of Women Journalists. The latter two are not active at all, according to the panelists. During 2013, only one journalist association, BH Journalists, remained fully active and representative when it came to protecting journalists’ rights and advocating for media freedoms. By focusing on narrow political, ethnic, and territorial principles, these associations (with the exception of BH Journalists) have missed opportunities to unite and advocate for the rights and freedoms of the entire journalist community.

BH Journalists, the panelists agreed, conducts the most frequent and diverse activities. In addition to organizing seminars and educational events, it also initiated cooperative ventures with other associations from B&H and from the region. The association conducted research related to media freedom in B&H and professional standards in journalism (for example, jointly with the Press Council of B&H, it produced a shadow report on media freedoms in B&H for 2011). BH Journalists extends support to its members and also provides journalists an opportunity to call a journalist help line if their rights and freedoms are endangered.²⁴ Rudić, BH Journalists’ secretary general, noted that its membership numbers increased after membership dues were lowered.

Journalists in B&H are free to seek protection of their rights (mainly socio-economic) through trade unions. The right to organize independent trade unions in B&H is defined and guaranteed by entity laws and constitutions. There are four trade unions in B&H, and their integral parts are branch unions of graphic, publishing, and media workers. Two of the four are located in the RS, one is in the Federation, and one is in Brčko District.

Employees of BHTV1 and FTV and of RTRS are organized into trade unions as well. For a long time, RTRS has had problems with the organization of journalists into unions, and its management has been slow to recognize the union’s representativeness as a party in negotiations. Recent surveys have shown that around only 15 percent of journalists are

members of trade unions,²⁵ and according to Rudić, only 16 percent of media outlets have internal trade unions. A survey conducted in 2012 by the Press Council of B&H and BH Journalists evaluated the work of trade unions as poor and inefficient. The survey respondents urged trade unions to play a greater role and take more initiative to protect journalists.²⁶

The panelists commented that there are only a few NGOs, such as the Helsinki Committee for Human Rights and Transparency International, which actively support journalists and media freedom. Generally, the panelists shared their dissatisfaction with the overall impact and achievements of these NGOs in 2013. The panelists also mentioned their dissatisfaction with the state Institution of the Human Rights Ombudsman of B&H, which has not issued a single thematic report on media freedoms for the past seven or eight years.

Kontić mentioned the case of the CRA Council election, which did not respect the principle of gender balance. “We have hundreds of women’s NGOs. Of the seven people elected to the CRA Council, not a single woman was elected, although there were several female candidates. At least one should have been elected, not to say three. Not a single women’s organization said a word.” Additionally, most NGOs in B&H are project-driven and donor-dependent, which may contribute to their lack of strategic orientation and more substantive work in advocating for free speech and media professionalism.

Six public universities provide education for journalists (Sarajevo, Istočno Sarajevo, Tuzla, Banja Luka, and two in Mostar), along with one private university (Banja Luka College of Communication). According to the panelists, the programs at these universities still do not meet high standards and generally lack practical knowledge on media production—especially new media. Additionally, these universities admit a very high number of journalism students, more than media outlets can ultimately hire.

There are a number of student media efforts, including a print magazine, *Karika*, which has been edited and produced by journalism students from all parts of B&H and administered by the Youth Journalists Association of B&H since 2008. Also, there is a web portal, novinar.me, administered and edited by journalism students from all parts of B&H, as well as e-trafika.net from Banja Luka, which was initiated as a student project.

The number of short-term training programs for journalists has dwindled, mainly due to the fact that donors seem to

²³ E-mail correspondence with Senad Zaimović, on December 2, 2013.

²⁴ Marko, Davor. “The Role of Professional Journalist Associations in Generating Professionalism and Accountability of the Media in BiH” (study), Open Society Fund BiH, 2012. Available at: http://www.osfbih.org.ba/images/Prog_docs/PDFP/pdfp_12/ENG_73_Davor_Marko.pdf

²⁵ Balkan Media Barometer, 2011: 63

²⁶ Izvještaj o stanju medijskih sloboda u BiH u 2011. godini. Sarajevo: Vijeće za štampu/Udruženje “BH novinari,” 2012.

There was no significant progress in 2013 since several tenders for purchasing adequate equipment for digitalization failed. The government lost three years doing nothing in this field, and the two final deadlines for this process are the end of 2014 (for replacement of existing transmitters) and June 17, 2015 (for completing the entire digitalization process).

be losing interest in supporting these activities. Only a few local organizations, such as Mediacentar in Sarajevo, offer journalism education programs. As Kontić stressed, the organization offers very attractive programs, but students' interest is often low. In recent years, Mediacentar has focused mostly on training programs that offer practical experience in all phases of multimedia production but cover different thematic areas. For example, Mediacentar offered a UNDP Digital Academy, providing practical working experience in digital media, and a 10-day training on reporting on diversity and marginalized identities, supported by the US Embassy.

Also active in this field, but with decreased scope, are the Press Council, BH Journalists, Sarajevo Open Center (SOC), Youth Journalist Association (ONA), and Institute for Youth Development KULT. Internews provided special courses to empower journalists to work online and to promote media law in the system of formal education.

There are no restrictions on purchasing materials or equipment necessary for media production. Sources of media equipment, newsprint, and printing facilities are apolitical; they are neither monopolized nor restricted in any way. Media can choose from among many printing houses in B&H; some media own their own printing houses and even do printing for other media outlets. On the other hand, there are no subsidies for printing houses, and the print media's generally low circulations do not motivate existing printing houses to invest in better printing equipment.

Two major telecommunications companies (BH Telecom and HT Eronet) are state-owned, while a third, Telekom Srpske, was sold to the Serbian Telecom in 2006. In previous years, these companies have displayed monopolistic behavior, despite the existing rules and legislative framework. In its December 2013 session, the CRA Council adopted the Rule on the Register of License Users and defined new

monthly subscription prices for all three operators. The Telecommunication Policy for the period 2013-2017 has not yet been adopted. Adoption of this strategic document would enable further development and improvement of the telecommunications sector, development of the next-generation network (NGN), arrival of new investments, an increased level of competitiveness, and ultimately lower prices and a wider range of services for users.²⁷

There are a number of television and radio distributors that provide their services in different parts of B&H. The CRA obliges cable distributors to rebroadcast local media programming, and although they occasionally failed to honor this commitment, the situation in this regard is satisfactory.

Online media startups, and their choice of software, are not in any way restricted by the state. Channels of distribution in the print media sector and printing houses are privately owned. In practice, distribution is limited by the ethnic fragmentation of readers, but distributors' political affiliations are not mentioned as a relevant hindering factor.

Infrastructure, availability, and offerings in terms of ICT technology are constantly improving. Broadband Internet is increasingly penetrating the market, even in rural areas. Since mid-2010, the leading operators in B&H began extensive introduction of multimedia services, including integrated IPTV and multicast Internet access. In the initial phase of IPTV, end-users of services were offered linear programmed television services and VOD services. There are four IPTV providers, and one distributes through the mobile phone network. In addition, there are more distributors of phone, Internet, and television services. Providers of Internet, mobile phones, cable television, IPTV, and similar services offer professional, efficient, and unrestricted access to all parties under standard market conditions.

The switch to digital broadcasting has been a major challenge in this country for years. The B&H Council of Ministers adopted a digitalization strategy in June 2009, but no significant progress has been made since. An expert commission working under the auspices of the CRA, formed in September 2011, prepared an action plan for digitalization in April 2012 and passed it on to parliament. Infrastructure for digital transmission has been prepared by the public services, the Council of Ministers has created all legislative and economic requirements for the process, and the CRA

²⁷ "Vijeće RAK-a usvojilo rebalans cijena telefonskih usluga," December 9, 2013, available at: <http://ekapija.ba/bs/Vijest/vijesti/vijece-rak-a-usvojilo-rebalans-cijena-telefonskih-usluga/33368>

has issued all necessary licenses.²⁸ Additionally, a tender for purchasing the necessary equipment was announced in February 2012. There was no significant progress in 2013 since several tenders for purchasing adequate equipment for digitalization failed. The government lost three years doing nothing in this field, and the two final deadlines for this process are the end of 2014 (for replacement of existing transmitters) and June 17, 2015 (for completing the entire digitalization process).²⁹ If the government does not provide the necessary structure and requirements for broadcasting digital signal, its media will not be able to broadcast programs from foreign television stations or exchange their products with them.

List of Panel Participants

Boro Kontić, director, Mediacentar Sarajevo, Sarajevo

Senad Zaimović, general manager, Fabrika Marketing Agency, Sarajevo

Asja Rokša Zupčević, assistant director for broadcasting, Communications Regulatory Agency, Sarajevo

Mirjana Popović, journalist, Center for Investigative Journalism, Sarajevo

Reuf Herić, director, Radio Q; member, Association of Private Radio and Television Stations, Visoko

Emir Habul, secretary of board of governors, BHT, Sarajevo

Rubina Čengić, editor-in-chief, *Start* magazine, Sarajevo

Branka Mrkić Radović, journalist, online magazine *Žurnal*, Sarajevo

Borka Rudić, secretary general, BH Journalists Association, Sarajevo

Nataša Tešanović, director, ATV, Banja Luka

Amir Zukić, chief of office, Anadolu press agency, Sarajevo

The following panelists submitted a questionnaire but were unable to attend the panel discussion:

Mariana Šarčević, journalist, News Agency of Republic of Srpska, Banja Luka

Bijeljina Srna, president, Branch Union of Journalists and Graphic Workers, Confederation of Trade Unions of Republika Srpska, Banja Luka

Maja Isović, journalist, online magazine *Buka*, Banja Luka

Author

Davor Marko, research fellow, Center for Social Research Analitika, Sarajevo

Moderator

Sanela Hodžić, research coordinator, Mediacentar Sarajevo, Sarajevo

Proofreading and Translation

Kanita Halilović

The Bosnia and Herzegovina study was coordinated by, and conducted in partnership with, Mediacentar Sarajevo. The panel discussion was convened on November 28, 2013.

Disclaimer: The views and opinions presented in the chapter on Bosnia and Herzegovina are those of the panel participants and do not necessarily reflect the views and opinions of Mediacentar Sarajevo or of other associated institutions.

²⁸ "Proces digitalizacije u BiH," November 8, 2013, available at: <http://www.teve.ba/tema/digitalizacija-bih>

²⁹ Zvijerac, P. "Zbog namještanja tendera BiH bi mogla ostati bez televizijskog programa," *Dnevni list*, November 4, 2013, p. 5.