

BOSNIA & HERZEGOVINA



MEDIA SUSTAINABILITY INDEX 2018

Tracking Development
of Sustainable
Independent Media
Around the World



BOSNIA & HERZEGOVINA

AT A GLANCE

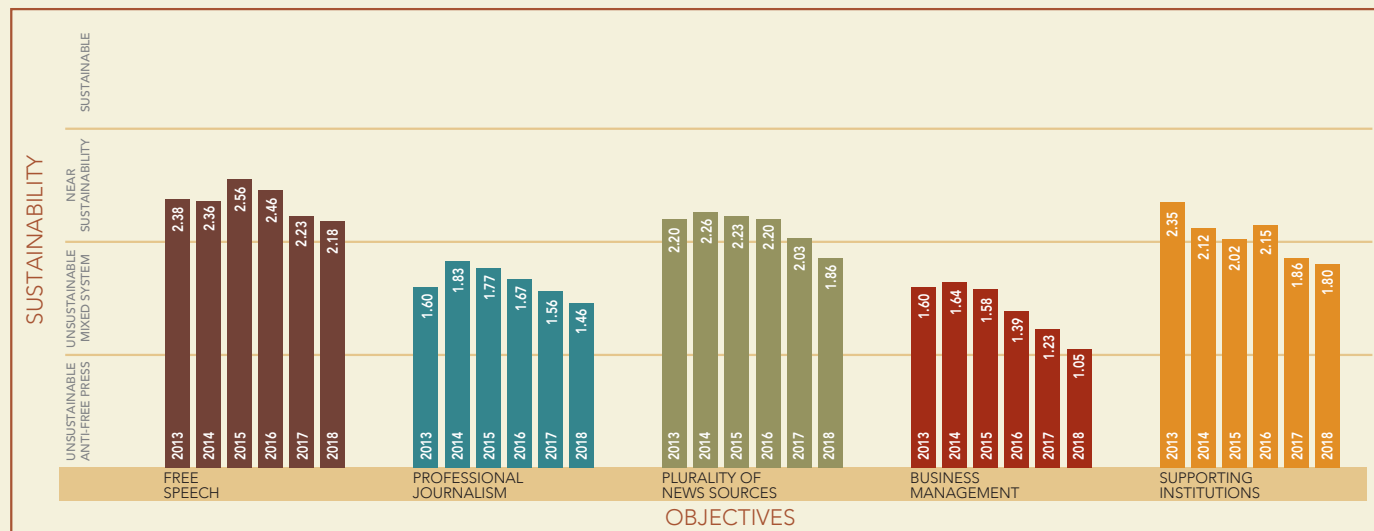
GENERAL

- **Population:** 3,531,159 (Population Census 2013)
- **Capital city:** Sarajevo
- **Ethnic groups:** Bosniaks 50.11%, Serbs 30.78%, Croats 15.43%, Others 3.68% (Population Census 2013)
- **Religions:** Muslim 50.7%, Orthodox 30.75%, Roman Catholic 15.19%, other 3.36% (Population Census 2013)
- **Languages:** Bosnian (official), Croatian (official), Serbian (official) and others (Population Census 2013)
- **GDP \$16.56 billion** (World Bank Development Indicators, 2016)
- **GNI per capita (Atlas Method):** \$4,880 (World Bank Development Indicators, 2016)
- **Literacy rate:** 97.18%; Male 99.21%, Female 95.24% (Population Census 2013)
- **President or top authority:** Members of B&H Presidency: Bakir Izetbegović (since November 10, 2010), Milorad Dodik (since November 17, 2014), Dragan Čović (since November 17, 2014)

MEDIA-SPECIFIC

- **Number of active print outlets, radio stations, television stations:** 9 daily newspapers, 189 periodicals (magazines, publications of diverse content) (Press Council of B&H, 2016), Radio stations: 141; Television stations: 41 (in terrestrial network), plus 51 broadcasters in other networks (Communications Regulatory Agency of B&H, 2017)
- **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 (owned by Turkish government), Patria (private) (Press Council of B&H 2017)
- **Annual advertising revenue in media sector:** \$23.23 million in 2017; television: 60%, print 9%, out-of-home 14%, radio 7%, online 11% (est., Agency Fabrika)
- **Internet usage:** 2,909,236 or 82.36% of population (Communications Regulatory Agency of B&H, 2016)
- **Newspaper circulation statistics:** N/A; reach of dailies between 1.4 and 8.4 %, one media outlet reached 20.5 % (IPSOS, September 2016)
- **Broadcast ratings:** Top three television stations: FTV (9.3 %), OBN (9.1%), RTRS (6.5%) (Audience share 2017, Agency Fabrika)

MEDIA SUSTAINABILITY INDEX: BOSNIA & HERZEGOVINA



SCORE KEY

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 <https://www.irex.org/msi>



Each 2018 MSI objective scored slightly lower than in the previous year, and the overall score of 1.67 indicates serious impediments to media freedom. Business operations of media in B&H again ranked the lowest, with major concerns being the decreased revenue sources, controversial television-audience measurement, problematic advertising practices, and the devastated state of public service broadcasting. A few highly publicized cases and increased attention on state institutions all point to the need for better responses to threats and attacks on journalists. Civil society organizations are advocating for the development of policies that would increase transparency in media ownership and funding.

As in 2017, the politics of Bosnia and Herzegovina (B&H)¹ continued to be marked by lack of consensus. At the end of 2016, B&H received the Questionnaire of the European Commission, which will serve as a basis to determine whether or not it will be granted the status of a European Union candidate country. In 2017, the immense B&H administration struggled to collect and harmonize responses among the members of this still deeply divided country. While some officials claimed that the questionnaire would be finalized by the end of 2017, Republika Srpska (RS) President Milorad Dodik indicated that it would not happen any time soon. Furthering the delay, the RS government has not provided consent regarding answers on several major issues the questionnaire entails, such as NATO membership and use of census data.

Government officials lack agreement on major issues, and progress is limited on all administrative levels. The RS government continues to follow a secessionist policy and challenges the authority of state-level institutions. In 2017, a proposed increase in excise taxes caused the biggest disagreement in the state Parliament—some members of parliament (MPs) claimed it was necessary for economic growth, while others claimed it put an unacceptable financial burden on citizens. The changes were adopted in mid-December 2017,

despite accusations from opposition parties on procedural irregularities. The tax passed under considerable pressure from the international community, which conditioned release of the country's IMF and EU funds on the adoption of the law. Moreover, the town of Mostar has remained under a political blockade since 2016, when the ruling parties failed to reform the electoral statute necessary to enable democratic local elections that year.

The end of 2017 was marked by two rulings by the International Criminal Tribunal for the former Yugoslavia (ICTY), a United Nations humanitarian court of law in operation from 1993 to 2017. The cases brought long-awaited judicial closure but accentuated the ethnic tensions.

In a first-degree ruling, Ratko Mladić was found guilty of genocide, war crimes, and crimes against humanity, and sentenced to life in prison. The ruling was accepted with partial satisfaction by some of the public, including the families of victims. However, Serbian politicians denounced the sentence, with Dodik praising Mladić as a hero and promising that the RS will support Mladić's appeal. The other case, announced on November 29, is a second-degree ruling against six Croat leaders, including Jadranko Prlić. All were found guilty of international armed conflict, occupation, and organized crime. Media coverage of these events demonstrated once again the strong ethno-political divide.

With the ICTY closure, the International Residual Mechanism for Criminal Tribunals is finalizing the second-degree war crimes trials, including those of Radovan Karadžić and Ratko Mladić.

¹ Bosnia and Herzegovina consists of two entities, Federation of B&H and Republika Srpska; as well as Brčko District, an administrative unit.

**OBJECTIVE 1:
FREEDOM OF
SPEECH**

2.18

Constitutional guarantees and laws supporting freedom of speech are in place in B&H; however, implementation of them remains limited, and lawmakers are not introducing legislative improvements.

Existing media laws and regulations are in line with international standards, but B&H still has no legislative solutions for priority issues such as transparency of media ownership and funding. The Ministry of Communication and Transport of B&H is currently drafting an electronic media law, which should address some of the most pressing issues. However, according to Helena Mandić, the head of the broadcasting sector of the Communications Regulatory Agency (CRA), the agency has strong concerns about the new legislation. It might limit or eliminate the existing functional regulation and restrict CRA authority.

In 2016, after eight years of stalling, CRA appointed its council and director general. Despite the agency's politicized process, media experts still consider the licensing procedures for radio and television broadcasters to be legitimate and non-discriminatory. Terrestrial broadcast licenses are issued based on public demand, while permits for broadcasting via other electronic communication networks (cable, satellite, Internet protocol television (IPTV), and Internet) are issued to every company that meets the prescribed requirements. No licensing is required for print or online media; they all operate under a self-regulatory system monitored by the Press Council of B&H.

The government provides no tax relief for media. While some panelists expressed the belief

that a reduced value-added tax would help preserve print media, they questioned whether it would also promote good journalism. "B&H is perhaps among the lowest-ranked countries in Europe by the quality of print media... in every technical, editorial and journalistic [regard]," said Senad Zaimović, director of the advertising agency Fabrika.

Crimes against media members continue to affect the B&H sector. As of November 2017, the Association of BH Journalists registered five death threats to journalists, 26 other pressures and threats, two libel charges, and 16 other cases of possible violations of labor rights and problematic treatment of journalists. According to Borka Rudić, the secretary general of the Association of BH Journalists, statistics on judicial proceedings are not promising. "Out of the 91 criminal cases that we registered from 2006 to date, 24 were resolved in favor of journalists, 37 have not been resolved, nor have there been good investigations, and 14 cases are still active," she said.

However, the issue of journalist safety and protection received more attention in 2017, as shown in the Special Report on the Status and Cases of Threats to Journalists in Bosnia and Herzegovina, published by the Institution of the Ombudsman. The Council of Ministers concluded that the Ministry of Justice should consider the possibility of amending criminal law or public order law. With such amendments, attacks on journalists would be treated as attacks on officials and likely penalized more strictly. Suggestions along these lines were not accepted as part of draft amendments to the Criminal Code of Republika Srpska at the end of 2016. However, the mood seems to be shifting, according to Rudić. "The Ministry of Justice has started working on creating changes to the Criminal Code in order to better protect journalists," she noted.

Panelists pointed to several incidents in 2017

that illustrate the intolerance for opinions contrary to dominant ethno-national ideologies. In one case, buka.com journalist Dragan Bursać received death threats in response to two articles he wrote. The first was titled "Is Banja Luka Celebrating the Srebrenica Genocide?" and criticized demonstrations of support for accused war criminal Ratko Mladić. The second, "I was Silent While Bihać was Shelled," criticized those who still do not acknowledge the war crimes committed in the name of their nation. In an interview, Bursać said that police gave him the necessary protection and that the person that threatened him was soon arrested.

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 of broadcast media is fair, competitive, and apolitical.
- ▶ Market entry and tax structure for media are fair and comparable to other industries.
- ▶ Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- ▶ State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
- ▶ 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 accessible; right of access to information is equally enforced for all media and journalists.
- ▶ Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- ▶ Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

Journalists from N1, a 24-hour news channel, also faced death threats following a report on an event for iftar, an evening meal during Ramadan. The story showed an iftar for 7,100 people in Konjević Polje, in east Bosnia, included a photo of boy who was asking for food, and claimed he was denied access to the iftar. Many viewers said that it was offensive to some ethno-national sentiments.

Amir Purić, a freelance journalist and editor of *Karike* magazine, named other targeted media members and placed the attacks in context. "Society's witch hunts on journalists, from the cases of Vuk Bačanović and Lejla Čolak to the latest one of Dragan Bursać, demonstrate that this society actually subordinates freedom of speech to certain religious or ethnic 'values,'" he said. Panelists also said that journalists and media experts from both B&H and Croatia have received threats for reporting on the latest ICTY ruling against former Croat officials.

State authorities have demonstrated some problematic behavior vis-à-vis the media. For example, State Security Minister Dragan Mektić responded to a critical article on *dnevno.ba* by publicly posting the medical records of writer Josip Šimić. Mektić claimed the reporter had "serious psychological disorders" and accused him of tendentiously constructing the critique "in cooperation with the Prosecutor's Office of B&H." In another case, police prevented journalists from Radio Slobodna Evropa from recording a war veterans' protest in front of the B&H Parliament building in September 2017. Later that month, an employee of B&H railroad authority Željeznice RS took microphones from Radio Televizija Republike Srpske (RTRS) journalists.

With regard to three public broadcasters (Radio-Televizija Bosne i Hercegovine, Radio-Televizija Republike Srpske, and Radio-Televizija Federacije Bosne i Hercegovine) freedom from government interference is not

ensured. Managerial position appointments are highly politicized. Moreover, license fees are a problematic main source of financing for the three broadcasters, as the collection process is inefficient, and the state broadcaster, Radio-Television of Bosnia and Herzegovina (RTVFBiH), in particular does not receive its entire share.

BHRT continued broadcasting in 2017, despite earlier announcements of a possible shutdown and even though its employees have long reported that their salaries and contributions are not paid regularly.² The B&H Parliament has still neglected to appoint a steering board and a new director general for RTVFBiH, after several years.

Existing media laws and regulations are in line with international standards, but B&H still has no legislative solutions for priority issues such as transparency of media ownership and funding.

While RTRS does not have such procedural difficulties, it is under political control, like most public service broadcasters (PSBs). In addition, 12 television stations, 62 radio stations in terrestrial broadcasting, and seven broadcasters in other distribution networks were founded and are financially completely dependent on local and cantonal governments. In one example, regular funding from the town budget for local station RTV Zenica was denied for three months because the mayor did not agree with the re-election of the station's director. After that, the budget was reduced; ultimately, RTRS appointed a new director.

2 *Klix.ba*, 22 September 2017. <https://www.klix.ba/vijesti/bih/sindikalna-organizacija-bhrt-radnici-su-na-ivici-egzistencije-ne-mogu-ovjeriti-knjizice-ni-na-dan/170922044>.

SRNA and FENA, two public news agencies that are financed from the entity budgets, are in a similar position. In 2017, the appointed editor-in-chief of FENA was a member of FENA's steering board, prompting accusations of a conflict of interest.

Defamation was decriminalized more than a decade ago, and panelists said that B&H has examples of good and bad civil claims outcomes. The fact remains that lawsuits are burdening media to the extent that they discourage journalistic critique. Journalists face frequent defamation lawsuits — as many as 300 per year, according to a report from the Ombudsman³ — that are worsened by lengthy court proceedings. In mid-2017, 173 defamation cases were active.

FENA editor Dejan Jazvić said that mediation before going to court is possible, but in practice it is bypassed. Nataša Tešanović, director of ATV, added that often media outlets are not given the opportunity to retract pieces before court cases are initiated. The Proposal of the Law on Changes and Amendments to the Criminal Law of B&H from mid-2017 envisages an increased sentence of a minimum of one year in jail for the criminal offense of incitement to hatred. It also proposes penalties against the denial of war crimes and genocide, including a sentence of one to 10 years in jail. However, due to the highly politicized nature of this proposal, lawmakers have never reached a consensus.

Media observers consider B&H's Law on Freedom of Access to Information (LFAI) to be well developed and one of the best in the region. Nonetheless, in the panelists' experience government bodies often fail to act in line with the

3 *Special Report on the Status and Cases of Threats to Journalists in Bosnia and Herzegovina*. Ombudsman of B&H 2017, p. 43. http://ombudsmen.gov.ba/documents/obudsmen_doc2017082415202346bos.pdf.

law. "I myself have never received a complete and timely response to a request," said Purić.

Burdensome and unreliable complaint procedures discourage media and journalists from persistently pursuing information. Merima Hrnjica from the Center for Investigative Journalism (CIN) reported that the Administrative Inspection of the Ministry of Justice, which should respond when an institution fails to provide public information, in practice denies its authority over institutions in the Republika Srpska. Hrnjica said she has seen how courts generally rule in favor of delivering information, but that delivery is easily postponed for years. "What's devastating when this happens is that we had to pay for the costs of the proceeding even though we won the case," she added.

However, the public does have some influence on policy, according to Mehmed Halilović, a media law expert. He said that certain changes to LFAI proposed in 2016 were retracted in 2017 after negative comments from civil society. Halilović said that he considers this positive. "This is the second attempt in the last three years and both were unsuccessful," he explained.

The government imposes no restrictions on media or citizen access to or use of news sources, whether domestic or foreign. However, copyrights are violated regularly — particularly in the online sector. Laws are in place, but they are not enforced uniformly.

B&H has no official requirements or licensing procedures for journalists, but access to events at the Presidential Palace of the RS is still restricted for some. In one example from 2017, journalists from N1 were initially denied access to a Milorad Dodik press conference on 18 January, but by the end of the month they were issued accreditations. Other journalists, including BN television reporters and writer Ljiljana Kovačević of Beta news agency, have

been denied accreditation to palace events for years. Panelists said that this practice clearly can be used against media critical of the RS president's work.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

1.46

Professional journalism has been slowly but steadily decreasing, dropping to 1.46 this year — the lowest since 2006. Reporting in Bosnia and Herzegovina is generally superficial, often biased, and divided along political and ethno-national lines; moreover, the sector has seen a growing trend of fake news. Causes include a worsening economic environment combined with the media's excessive political and monetary dependence on few major centers of power such as political parties and a few major advertisers (some of which are closely affiliated with political parties, as well as journalists' deteriorating financial positions.

Media reports in general are imbalanced and lack relevant sources. "Sensationalism, incomplete information, one-sidedness — these are all characteristics of the news profession in B&H," Purić said. The media were largely subjective when covering this year's rulings of the ICTY against former Bosnian-Serb General Ratko Mladić and six Croat leaders. Some media did not criticize the glorification of war criminals by the public and politicians. Many aired sensationalist coverage of Bosnian-Croat war criminal Slobodan Praljak's suicide, giving no in-depth analysis or reports on the war crimes he committed.

The spread of fake news on Internet portals and social networks gained more attention this

year. In particular, media ran stories on the alleged harms of vaccination and disinformation on politicians and war criminals. The country's first Internet fact-checking platform, raskrinkavanje, was established in December 2017 and provides lists of fake news portals and exposes their false content.

Ethical norms are in place, but panelists noted that they are not followed regularly in practice. The majority of media adhere to the political, ideological, ethno-national, and even private agenda of political parties, and/or the commercial interests of their owners and main funders. Panelists mentioned examples of political influence between the daily Dnevni avaz and the political party SBB; the private newspaper Večernji list and the Croat party HDZ; the private journals Stav and Faktor and the Bosniak party SDA; BN television and the opposition coalition Savez za promjene; and particularly between the public broadcaster RTRS and the ruling party SNSD.

The Complaints Commission of the Press Council in B&H is a self-regulatory body that receives citizens' complaints over possible breaches of the press code. The commission discussed 62 complaints in May 2017 alone. While important for the promotion of ethical norms, the reach of the commission is limited, given that the press council does not have the authority to impose sanctions on media or journalists that fail to follow its decisions. For example, many complaints concern Internet users' comments, which often are spreading hate speech — but numerous online portals still have not joined the press council.

Television and radio broadcasters are mandated to follow CRA standards on hate speech, fairness, impartiality, violence and privacy. Even though it can impose sanctions, CRA responds only to complaints and has no regular monitoring procedures. In 2016, CRA issued 41 fines, 20 written warnings, nine verbal warnings, and eight suspensions. In July 2017, CRA

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.
- ▶ 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 exists (investigative, economics/business, local, political).

fined RTRS for violation of Article 5 on Fairness and Impartiality of the Code on Audiovisual Media Services and Radio Media Services. CRA's statement on the case charged that many central news programs had focused on the opinions or activities of RS President Dodik, or his political party SNSD, without any critical distance. CRA specified that RTRS was minimizing the opposition coalition Savez za promjene by referring to it as "so-called."

Rudić noted that recent research conducted by the BH Journalists Association shows that 79.6 percent of journalists in Bosnia and Herzegovina self-censor. Purić echoed this claim. "As a local journalist, I have often encountered pressure from editors and owners to practice self-censorship, as well as well-meaning warnings from family, friends, and acquaintances, that [say] it's not wise to write or report on certain problems or people," he said.

The case of Sunčiča Šehić, a journalist from the Sarajevo Canton⁴ television station TVSA, illustrates the more direct pressures. Her Internet connection was disabled to prevent her from working, after she refused to delete details in an online article about water-supply shortages in Sarajevo. Some media outlets have reported that the director of TVSA is closely connected to the SDA party and the cantonal prime minister.

Panelists said that reporting in general is selective and one-sided, lacking background information or in-depth analysis. Zaimović said that consumers need to consult several news sources to obtain the full picture. Journalists do mostly cover key events and issues in the country; however, Rudić noted that the 2016 elections had dramatically less coverage than the elections in 2010.

The average salary of journalists in Bosnia and Herzegovina is EUR 340 (\$420) per month — among the lowest pay rates in the country. Monthly salaries at local public media range from EUR 200 to EUR 500 (\$247 to \$620), while at public service broadcasters they reach up to EUR 700 (\$867). At larger, private media outlets, pay rates can be higher. "Most colleagues I know either work for such a meager salary or they work for several media organizations in order to raise that average," Purić said. Seventy-four percent of journalists claim their economic positions have deteriorated, and around 35 to 40 percent work without signed contracts and do not have health insurance.⁵ The worsening financial situation with PSBs resulted in unpaid salaries and contributions, in particular at BHRT. In

July 2017, BHRT's debt amounted to 7 million Bosnian marks (BAM, or approximately \$4.2 million) for unpaid taxes and contributions for retirement and health insurance; while RTRS owed BAM 5.8 million (approximately \$3.5 million) in June 2017 for unpaid taxes and contributions. Similar problems appear at many local public media. For example, employees from the radio station RTV Bihać protested for almost two months over the non-payment of five months' worth of salaries.

Ilma Islambegović, the director of the community radio station Active Zenica, said low compensation causes young journalists to leave the field or to limit their personal investment. "It stops being a profession and becomes more of a part-time job," she said. Unemployment among journalism professionals is also high; in 2017 B&H employment bureaus registered 1,128 unemployed journalists. In many cantons, journalism is among the professions with the highest number of unemployed workers.

"Sensationalism, incomplete information, one-sidedness — these are all characteristics of the news profession in B&H," Purić said.

News and entertainment content is generally well balanced. "News programming is not eclipsed by entertainment programming in the slightest. However, neither the entertainment nor the news is good," according to Boro Kontić, director of the non-governmental organization Mediacentar Sarajevo. Other panelists pointed out unclear boundaries between news and entertainment.

The quality of news production facilities and equipment differs between public and private media. While bigger, private media outlets such as OBN and Hayat have relatively good equipment,

⁴ There are ten cantons in the Federation of B&H.

⁵ Adilagić, R. *Udruženje/udruga BH Novinari*. 2016. "Indikatori nivoa medijskih sloboda i sigurnosti novinara (Bosna i Hercegovina)", p. 17-18. <http://safejournalists.net/wp-content/uploads/2016/12/Full-BiH-BiH-Digital.pdf>.

public broadcasters-- particularly local public media--do not.

Media that foster specialized reporting exist, but are funded mostly by international donors. CIN, Žurnal, and BIRN have been the leading outlets for investigative journalism. Other web portals specialize in certain fields, such as capital.ba in the field of economics or media.ba and analiziraj.ba in the field of media. In general, panelists noted that many outlets are not interested in or cannot afford to invest in specialized reporting.

OBJECTIVE 3: PLURALITY OF NEWS

1.86

The abundance of media sources and increasing distribution of information through social networks do not ensure a pluralism of information and viewpoints in B&H. The majority of media fail to present independent sources or varied opinions, either because of political influence, increasing commercialization, or simply limited resources.

The total number of media outlets enables some diversity overall, with three public broadcast stations, three non-profit radio stations, 41 television stations and 138 radio stations in terrestrial broadcasting, 51 broadcasters in other distribution networks, nine daily newspapers, 189 periodicals, and hundreds of online media available. However, variety is rarely encouraged in individual outlets.

A multitude of media sources, both private and public, are available to citizens, but it is difficult to obtain pluralistic and balanced views. Media companies increasingly use mobile resources for news distribution, and information is distributed

regularly through social networks, mainly Facebook. The reach of bloggers has also been increasing, but B&H still has only a few blogs (Frontal.ba, news.net, etc.) that substantially address political issues.

B&H has no government-imposed limitations for access to local and international news; limitations are mainly economic in nature. "In B&H, around 600,000 people live in poverty, on BAM 3 to 5 (approximately \$1.80-\$3.05) a day. It's logical to assume that most of them can't afford to buy dailies, magazines, Internet access, and cable TV," Purić explained. Some rural areas still lag behind in access to media and "sources of information are often just local media. Residents rarely have an opportunity to get diverse information," Mandić said.

Despite the low socio-economic status of some citizens, Internet penetration has been growing continuously. According to CRA, in 2016 an estimated 82 percent of citizens were Internet users. The use of online sources continues to trend upwards, and Internet World Stats reports that in 2017, roughly 39.5 percent of the country used Facebook.

While consumption of print media has declined, B&H citizens still look to TV broadcasters as their primary sources of information. Klix.ba and Dnevni Avaz news websites remain among the most visited in the country, and Dnevni avaz has one of the largest Facebook audiences among media outlets.

Political interference in public service broadcasting continues to plague B&H. After longstanding critiques concerning the political bias of RTRS, recent monitoring by the CRA confirmed favoritism towards the ruling party SNSD and the president of the Republika Srpska. Public broadcasters generally fulfill the minimum programming requirements — 40 percent informational and educational; however, according to the panelists, the quality of this programming is often questionable.

Panelists said the financial crunch made

BHRT, previously the most balanced of the three public broadcasters, more susceptible to political interference in 2017. In one such case, a recorded interview with the director of the Clinical Center of Sarajevo, Sebiha Izetbegović (also the wife of the Bosniak member of the tripartite presidency of B&H), was suddenly canceled by BHRT without explanation. It was finally broadcast nine days later with additional recorded segments, but the delay raised questions about BHRT's lack of transparency. The director of BHRT later explained that the delay was due to technical difficulties, while other sources claimed it was simply because Izetbegović did not authorize the edited interview to be broadcasted. The incident brought accusations that BHRT had succumbed to censorship and political pressure, which undoubtedly damaged its public image.

Additionally, local public media — 12 TV stations and 62 radio stations which still broadcast terrestrially, and seven broadcasters in other networks — are directly funded by local governments, putting critical journalists in a vulnerable position.

B&H has eight news agencies. Two are financed by entity-level governments, two are affiliated with religious communities, one is owned by the Turkish government, and three are private. One of the privately owned agencies is viewed as closely affiliated with a leading political party. Major media subscribe to local news agencies, but subscriptions to foreign agencies are rare.

Jazvić noted that FENA, the news agency where he serves as editor-in-chief, reduced its price to BAM 200 (\$120) per month for written content, which is affordable for most outlets. He said it has a significant pool of users; he added, however, that an even higher number of media carry its content but do not subscribe or even cite FENA as the source.

Smaller media, in particular online media outlets, rarely produce original content. Often

Multiple news sources provide citizens with reliable and objective news.

PLURALITY OF NEWS SOURCES INDICATORS

- ▶ A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- ▶ Citizens' access to domestic or international media is not restricted.
- ▶ State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- ▶ Independent news agencies gather and distribute news for print and broadcast media.
- ▶ Independent broadcast media produce their own news programs.
- ▶ Transparency of media ownership allows consumers to judge 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.
- ▶ Broadcast ratings, circulation figures, and Internet statistics are reliable.

they opt not to subscribe to a news agency but rather to publish news carried by other outlets. Private broadcasters, including more locally based outlets, mostly produce their own news and other programming. With limited resources and a general trend of commercialization, these programs can be of low quality. A few bloggers offer alternative views of socio-political events, but B&H's blogging culture is still underdeveloped.

Court-registry information on media owners is not readily available and pertains to nominal owners only. Information on indirect owners is hard to obtain. The transparency and accountability of online media can be particularly problematic; many online outlets are not even registered as businesses and

often do not publish contact information.

CRA regulates broadcast content and imposes penalties (including fines and suspension of licenses) for violations of CRA ethics and rules. However, it conducts no regular monitoring of radio and TV programs, and mainly just responds to the complaints it receives. Recent monitoring has focused on the three PSBs, and Mandić said that CRA will continue to work as its capacities allow. "We don't have enough people to do it constantly and to really devote ourselves to that," she said. "What we are planning for the upcoming period is to carry out monitoring of TVSA."

The general Law on Competition of B&H prohibits a concentration of media that overly distorts competition or that creates or strengthens the dominant position of a company or individuals. However, it contains no particular regulation of the transparency of media ownership. Currently, B&H has no obvious cases of media ownership concentration, but possible hidden influences on media content, through ownership and funding, remain a major concern.

Civil society organizations advocate for improvements in transparency, but media practices and the legislative and regulatory framework all remain unchanged. In November 2016, the state Parliament required the Council of Ministers of B&H to submit, within 120 days, a proposal for a law on transparency and concentration of media ownership. This has yet to occur. Moreover, in 2017, the Agency for Personal Data Protection prevented CRA from publishing information on direct and indirect ownership of broadcasters in B&H, claiming it would be contrary to the Personal Data Protection Law.

Public broadcasters are obligated to dedicate 10 percent of their informational and educational programs to minorities and vulnerable groups, and to provide content in the languages of

national minorities. Panelists noted, however, that PSBs currently offer no programs on or for minority groups. Once a week, BHT1 broadcasts *Govor tišine*, a compilation of weekly news with gestural interpretation into sign language for persons with hearing and speaking difficulties. Media dedicated to minority groups—including the websites *Diskriminacija.ba*, *LGBTI.ba*, *manjine.ba*, and others—are funded by foreign donors, and their sustainability is uncertain. Media coverage of issues relevant for these groups has improved somewhat, but media are not strategically oriented toward a pluralism of voices in their everyday reporting or toward special-interest programming.

Some rural areas still lag behind in access to media and "sources of information are often just local media. Residents rarely have an opportunity to get diverse information," Mandić said.

State PSBs cover local communities with a few programs, such as *Federacija Danas* and *Srpska Danas* on RTVFB&H and RTRS. Local public and private media offer more coverage; however, often the reporting lacks context. "There is a shortage of in-depth information, background, and analysis," said Halilović. "We have commentaries here and there, but there is no analysis. What's missing is why things are the way they are." As an example, Kontić cited the local media's lack of analysis during the coverage of Sarajevo's water supply problem and in reporting on the country's new pension law. Important issues, in particular those concerning the integrity of local governments, remain underreported or not covered at all. "In an environment in which a convicted war criminal in the position of municipality head is currently perpetrating crime ... this is left

to local media, which lack capacities to investigate such issues," Purić said. "...Similar things are happening in Cazin, Milići, Rudo. We don't actually know what's going on there and what level of crime is happening in the local government."

Panelists said that national-level issues are considered better covered, and said that information on international issues is taken mainly from international media outlets.

OBJECTIVE 4: BUSINESS MANAGEMENT

1.05

As in previous years, media business management in Bosnia and Herzegovina scored the lowest among all objectives, with the slight decrease demonstrating that financial sustainability and market conditions continue to decline. This year, the value of the advertising market also dropped, further increasing the media's reliance on public funds and, thus, exposure to political influence. The financial breakdown of Agrokor, the biggest Croatian private company whose core businesses include food production and distribution along with retail, had additional negative consequences on the B&H advertising market.

The country has only a few sustainable media enterprises, among them international broadcasters and some larger private media outlets. These entities all develop and follow elaborate business plans. Only a few web portals (klix.ba, avaz.ba, nezavisne.com, radiosarajevo.ba, and bljesak.info) operate as self-sustainable businesses.

Print media have either completely moved into the online space or have additional online versions to sustain their businesses. This year, Dani, one of

the few remaining political magazines, transitioned from a weekly publication to monthly.

Government funding sustains public broadcasters and news agencies, but many of them operate at a financial loss and have accumulated considerable debts. Politically motivated hiring practices at some publicly financed outlets has resulted in overstaffing, which has negatively impacted their financial sustainability. Alternatively, other public media are cutting costs by curtailing staff numbers, resulting in overburdened newsrooms.

Many private outlets are also in very difficult positions. Rudić said that, for example, the agency ONASA is currently in dire financial straits. Many online media, as well as the few existing community radio stations, function as non-governmental organizations and rely mostly on donor support. Panelists said that they believe that basic accounting standards are followed in the media sector, but only a few outlets invest in highly qualified managers in finance, marketing, or human resources.

Hana Kazazović, an independent blogger, said that bloggers sustain themselves either through projects funded by international donors or commercial activities, but in general only fashion and lifestyle blogs attract commercial revenues.

Under CRA regulations, community radio stations cannot earn advertising revenues — even under non-profit terms. This further hinders the development of the community media sector. In commenting on the experience of Radio Active, a community radio station in Zenica, Islambegović said, "I'm afraid that when international organizations leave, when they pull out, what then? We tried to deal with this by funding ourselves through fundraising campaigns, but for now we don't really have a lot of success with that."

The possible revenue sources for media in B&H are limited, due to the majority of media being

primarily dependent on only a few sources. For example, public media rely mainly on state funding and are not protected from possible budget cuts or political whims, limiting editorial independence and preventing strategic business planning. Some media managers are trying to find other sources of funding. For example, a local public station, RTV Jablanica, receives funds from the municipality for employing people with disabilities.

In 2017, the government determined that license fees would be collected through electricity bills, as opposed to landline phone bills, but this plan will be insufficient to solve the financial problems of the three PSBs. In Republika Srpska, fees are still collected through landline telephone bills; in mostly Croat-populated areas, where Elektroprivreda HZHB and HT Eronet provide coverage, license fees are not collected at all.

The Bosnian and Herzegovinian advertising market is dominated by international agencies, such as McCann and Direct Media, whose headquarters are in neighboring countries. Advertising agency Fabrika estimated that the overall revenues of the advertising market amounted to BAM 38 million (\$23.1 million) in 2017. TV stations still lead the way in advertising, but the online sector has been strengthening over the past few years.

Fabrika director Zaimović said the financial breakdown of Agrokor led the market value to drop in 2017 and will have lasting effects. "The Agrokor case has had a terrible impact on our media market. As far back as two months ago [late 2017], big international clients drastically reduced and ceased advertising in B&H. They are cutting advertising budgets, and I think this will continue next year." Aside from international advertisers, the major advertisers in B&H are companies largely owned by the government. They include the telecommunication companies BH Telecom and HT Eronet.

Independent media are well-managed businesses, allowing editorial independence.

BUSINESS MANAGEMENT INDICATORS

- ▶ Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
- ▶ 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 at commercial outlets.
- ▶ Independent media do not receive government subsidies.
- ▶ Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
- ▶ Broadcast ratings and circulation figures are reliably and independently produced.

Governmental bodies and public companies have questionably transparent advertising practices. Some audit reports have found irregularities in the media services' procurement procedures. While previous instances did not lead to court rulings, they pointed to possible misuse of these funds for political and financial interests.

The recent case of BH Telecom illustrates the pressure possible when the public company's advertising practices are not in line with the interests of the ruling parties. The company has been accused of supporting media that campaign against the government. The allegations were made in a December 2016 report on BH Telecom's business management, allegedly prepared by the Office of the Prime Minister of the Federation of B&H, although the Prime Minister has denied responsibility. In particular, the report accuses the

company of spending BAM 11 million (\$6.6 million) on the production or co-production of political shows that ridicule and insult members of the government, and of spending BAM 100 million (\$59 million) on non-transparent public procurement without any negotiation procedures. This report gave rise to speculation about the possible privatization of BH Telecom.

The government invests considerable funds in public media — ongoing research suggests more than 30 million BAM (\$18 million) per year. Public funds are allocated to the media through different procedures, including the regular funding of public media, grants, and advertising contracts. In many cases, the criteria are imprecise, the procedures lack transparency, and arbitrary decisions are possible.⁶ Even the state's budget reserves, intended normally for emergencies, sometimes are allocated to the media.⁷ One of the largest grants in 2017 was 2 million BAM (\$1.2 million), allocated by the government of the Republika Srpska to the public broadcaster RTRS. Public institutions also have commercial contracts with the media, which include holiday greetings, coverage of local governments' activities, and public service campaigns. Some experts question the need or public interest for many of these promotion campaigns.

Media market research data is not used consistently for business planning or content development. Larger media outlets mainly invest in market research and use it for their development and

pursuit of advertisers. Audience data goes primarily in favor of entertainment programming. Although news programming is not eclipsed, the quality may be neglected in part due to increasing commercialization. Many media, in particular smaller and local outlets, do not commission audience research, but instead use available data on website page visits (Alexa and Google analytics) and their internal audience measurements or estimates.

Public media rely mainly on state funding and are not protected from possible budget cuts or political whims, limiting editorial independence and preventing strategic business planning.

Professional audience research exists, but not all media wish to support it or have the resources to buy it. For example, print media have never jointly started such audience research. However, over the years, some agencies, such as French market research firm Ipsos and German companies GfK and ABC, have conducted audience studies. Ipsos currently provides data on print media consumers. Data from September 2016, for example, shows the most-read newspaper was Dnevni avaz, followed by EuroBlic and Glas Srpske. The most-watched TV stations in 2017 were FTV and Hayat, followed by Pink BH television.

Radio audience measurements are not universally commissioned by radio stations either and are limited to participants keeping diaries or logs about which stations they listen to, how often they listen, when they listen, etc.

Trust in TV audience measurement is particularly shaky, with suspicions of hidden ownership over the data providers and previous reports of false data on advertisements broadcast by TV

⁶ See, for example, Jurič, B. "Javni novac privatnim medijima." 16 November 2017. Mediacentar Online. <http://www.media.ba/bs/magazin-novinarstvo/hnz-javni-novac-u-privatnim-medijima>

⁷ Omerović, A. Žurnal. 30 May 2017. <http://www.zurnal.info/novost/20465/milion-maraka-podijeljeno-medijima-odanim-vlastima->

mreža, led by TV1. Nothing has changed since a 2016 Competition Council ruling, which fined the data provider Audience Measurement for providing the same services to outlets for different prices. Zaimović suggested that marketing agencies conduct additional research, from focus groups to computer-assisted telephone interviewing (CATI), in order to obtain reliable statistics for their clients.

Despite the market research methods available and used in B&H, panelists still expressed their belief that advertising revenues are allocated mainly based on political preferences or other advertiser interests, regardless of audience data. "A process that is gaining momentum is linking advertising investments with editorial policy," said Zaimović. "I'm afraid we are coming to a time when advertisers will say, 'Well, I don't think this host is good in the news program — replace him.'"

OBJECTIVE 5: SUPPORTING INSTITUTIONS

1.80

The score for supporting institutions has practically remained static (1.80 compared to 1.86 last year), indicating B&H has not seen any significant progress or change. Most media associations are inactive, except for the Association of BH Journalists, which has been vocal about journalists' rights. Formal education programs still lack practice-oriented courses, and the number of informal education programs is insufficient. The digitalization process is ongoing.

The government imposes no legal restrictions that prevent the registration or existence of media associations. However, in recent years, associations have been largely non-operational or fragmented

along different interest lines. One of the reasons is a lack of donor support. "The stations come to us with demands, one by one, but they would be much stronger if they came united," Mandić said.

Associations of electronic media—including the Association of Private Electronic Media, the Association of Electronic Media, and the Association of Radio Stations of RS—do not have active websites, and their representatives rarely appear in the media. The Association of the Media Industry (UMI), which previously had unified the main broadcasters and advertising companies, has remained mostly inactive. However, in 2017, UMI issued a statement demanding that authorities react to the disastrous situation regarding viewership measurement.⁸ Publishers' and online media associations still do not exist, although panelists reported that the members of the Press Council of B&H have decided to establish such an association.

Currently B&H has three journalist associations: The Association of BH Journalists; the Journalists' Association of B&H; and an association established at the University of Mostar. Panelists, however, said that the activities of the Association of BH Journalists are of most relevance. The Association of BH Journalists has 740 journalists and chapters in different cities in B&H and offers free legal and professional assistance to its members; organizes training programs and workshops; and issues statements over breaches of rights, attacks, or threats to media workers. In 2017, the association decided to establish a legal fund for the defense of journalists and media professionals and is currently collecting donations.

Trade union membership is somewhat popular.

Within the trade union of the RS there is a branch for media workers (Trade Union of Media and Graphic Workers of RS). The Union of Graphic Workers, Publishers, and Media Workers of B&H was excluded from the Trade Union of B&H, reportedly due to its complaints about financial misuse within the Union. The Union of Employees of the Radio and Television Service of Bosnia and Herzegovina, meanwhile, has been issuing statements about the disastrous financial situation of the public service broadcaster and its employees.

Many other public broadcasters also have trade unions, including the Independent Trade Union of RTRS and the various unions of local media outlets, which are sometimes vocal in demanding salary and other media workers' rights. In 2016, a memorandum on the joint actions of media trade unions was put forward, but so far it has prompted no major initiatives. Journalists are often not acquainted with the work of media trade unions, and membership is discouraged by the perceived weakness and/or lack of credibility of trade union leaders and their affiliations with particular political factions.

B&H has numerous non-governmental organizations, but only a few actively support free speech and independent media.

B&H has numerous non-governmental organizations, but only a few actively support free speech and independent media. Those include Transparency International, Women's Network BiH, the Initiative for Monitoring the European Integration of B&H, and the Network for Building Peace. Some NGOs conduct media research and advocate for better media policies. Foundation Mediacentar Sarajevo is conducting policy research on media ownership and funding, in cooperation

⁸ The statement is available at: <https://www.bljesak.info/kultura/film-tv/katastrofalno-stanje-vezano-za-mjerenje-gledanosti-u-bih/217041>

with JaBiHEU news portal, the Association of BH Journalists, and the Press Council of B&H. Their work will be the basis for drafting legislative solutions. The Center for Media Development and Analysis and Foundation Mediacentar Sarajevo, in cooperation with the Agency for the Prevention of Corruption and Coordination of the Fight Against Corruption, are implementing a project to introduce efficient non-legislative mechanisms for media finance transparency. Still, Purić said that NGOs are generally based in the main cities of B&H, “while in small and rural communities, there are virtually no CSOs that actively work on promoting and protecting freedom of the press and speech.”

Ten higher education institutions offer journalism courses. The schools include public universities in Sarajevo, Banja Luka, Tuzla, Istočno Sarajevo and Mostar and at private schools in Travnik, Banja Luka, Međugorje and Brčko. In the last five years, more than 2,500 journalists enrolled in one of these courses — a number that significantly exceeds the needs of the labor market.

The quality of most of these courses is considered poor, according to the panelists. “They lack everything,” Jazvić said. “There is a shortage of professional staff, programs and practical work.” Panelists indicated that students do not have sufficient opportunities to acquire practical experience within media outlets. “We are contacted by people who are studying journalism and don’t have an opportunity to do practical work at any other media outlet,” Islambegović explained. The Faculty of Political Science in Banja Luka has tried to correct this at its institution. It offers an introduction to investigative journalism as a two-semester course, with the possibility to complete a one-year internship after graduation at the Research Institute at the same facility.

Some short-term workshops and training

Supporting institutions function in the professional interests of independent media.

SUPPORTING INSTITUTIONS INDICATORS:

- ▶ Trade associations represent the interests of private media owners and provide member services.
- ▶ Professional associations work to protect journalists’ rights.
- ▶ Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- ▶ Sources of newsprint NGOs support free speech and independent media.
- ▶ Quality journalism degree programs that provide substantial practical experience exist.
- ▶ Printing facilities are in private hands, apolitical, and unrestricted.
- ▶ Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.
- ▶ Information and communication technology infrastructure sufficiently meets the needs of media and citizens.

opportunities are provided by NGOs and funded by international donors. In 2017, Mediacentar held a training and organized internships at CIN, Žurnal, and BIRN, all leading investigative journalism outlets. The offerings were held under the program “Free Voices” and supported by the Civil Rights Defenders. Mediacentar also organized a training called “Reporting Crisis” for journalists from Southeast Europe, supported by the South East European Network for Professionalization of the Media; and a training for junior researchers at local public outlets in B&H, funded by the US Embassy. “I completed a media ethics course and Mediacentar’s program of education and practical work for final-year journalism students, as well as BIRN’s summer

school of investigative reporting,” Purić said. “In these two months overall, I learned much more than in four years of university.”

Other organizations, including the Association of BH Journalists and the Center for Media Development and Analysis, offer courses and workshops. Still, a decline in donor support in recent years has led to a decrease in the number of available training opportunities. “Today, from what I can see, such programs are rare,” Hrnjica said. Due to low salaries, long working hours, and lack of interest from directors to support the education of their employees, journalists cannot afford training abroad. According to Habul, “At big organizations, like the public broadcasting services and the three print groups, there are no employee training departments.”

Panelists noted no recorded cases of restrictions on importing and purchasing materials needed for media production. “I don’t see that as a big obstacle in terms of operation and opportunities. I didn’t notice anyone being discriminated [against],” Tešanović said. Media companies can choose different printing houses and their choices are primarily financially driven. Panelists questioned the quality of print used by media in B&H. Larger print newspapers—such as Avaz, Nezavisne novine and Glas Srpske, Oslobođenje, and Start—have their own printing facilities and can provide services to others as well.

Panelists said, however, that discriminatory practices exist within the distribution system, based largely on commercial considerations. In a decision from December 2015, the Competition Council of B&H ruled that the United Media Company did not respect a decision reached in 2013 and continued to misuse its dominant position by applying different conditions in the distribution of sports channels. Tešanović said that nothing has changed

since. United Media claims that prices are the same for all operators.

Seven mobile operators offer services: BH Telecom, Telekomunikacije Srpske, Hrvatske Telekomunikacije, Logosoft, Blicnets, Telrad NetChannels and Elta-Kabel. An eighth, Izi mobil, stopped providing mobile telecommunications services in November 2016 due to, as they reported, "a complex state of the market to which distributors contribute with their actions that prevent new bidders from entering."

Purić said that NGOs are generally based in the main cities of B&H, "while in small and rural communities, there are virtually no CSOs that actively work on promoting and protecting freedom of the press and speech."

In 2016, CRA abolished national roaming as part of its efforts to lower mobile telephony prices and strengthen competition in the market. Mobile penetration in B&H at the end of 2016 reached 96.4 percent. The number of Internet providers is constantly increasing, with 71 providers in 2016, and Internet penetration reaches 82 percent of the population.⁹

Mandić said that providers are partially reducing the differences in ICT availability between urban and rural communities. She added that "on-demand audiovisual media services have started appearing, as well as audiovisual media services provided via the Internet. More and more distributors are offering service packages combining telephony, Internet, and television."

The process of digital switchover has still not

been completed and, according to Mandić, "has been blocked for years," despite a strategy for the transition being adopted in 2009. Digital signals were tested in October 2016, but only in Sarajevo, Banja Luka, and Mostar, while six other areas were left for the second phase. Officials announced that digitalization will be finalized by the end of 2017, but it has again been postponed. Panelists said that the three PSBs still have not established a body to coordinate the use and management of the multiplex, and authorities have nothing to prevent further delays.

List of Panel Participants

Helena Mandić, head of the Broadcasting Sector, Communications Regulatory Agency (CRA) of B&H, Sarajevo

Senad Zaimović, general manager of Marketing Agency Fabrika, Sarajevo

Borka Rudić, secretary general of "BH Journalists" Association, Sarajevo

Emir Habul, journalist and editor, BHRT, Sarajevo

Gordana Šarović, director of Technical Information Center of RTRS

Mehmed Halilović, independent media law expert, Sarajevo

Boro Kontić, director of Mediacentar Sarajevo

Hana Kazazović, blogger, Zenica

Nataša Tešanović, director of ATV station, Banja Luka

Merima Hrnjica, journalist, Center for Investigative Reporting (CIN), Sarajevo

Amir Purić, freelance journalist and editor of magazine Karike, Velika Kladuša

Ilma Islambegović, editor-in-chief of community Radio Active, Zenica

Dejan Jazvić, editor-in-chief of FENA, Sarajevo.

The following participant submitted a questionnaire, but did not attend the panel discussion:

Mirna Stanković-Luković, journalist, online magazine Žurnal, Sarajevo

Moderator

Sanela Hodžić, researcher of Mediacentar Sarajevo

Authors

Sanela Hodžić and Anida Sokol, researchers of Mediacentar Sarajevo

The panel discussion was convened on November 23, 2017.

⁹ Data taken from *CRA Annual Report 2016*. <http://rak.ba/bos/index.php?uid=1272548129>.