

BOSNIA & HERZEGOVINA



MEDIA SUSTAINABILITY INDEX 2019

Tracking Development
of Sustainable
Independent Media
Around the World



BOSNIA & HERZEGOVINA

AT A GLANCE

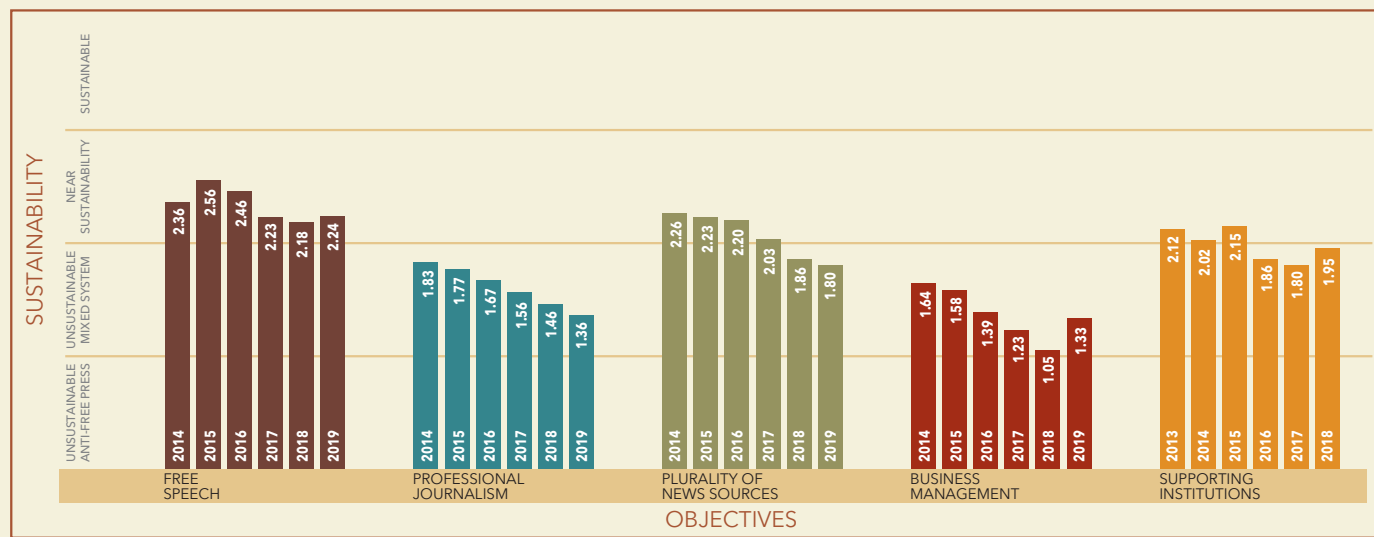
GENERAL

- **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, Croatian, Serbian, and others (Population Census 2013)
- **GDP \$18.17 billion** (World Bank Development Indicators, 2017)
- **GNI per capita (Atlas Method):** \$4,940 (World Bank Development Indicators, 2017)
- **Literacy rate:** 97.18%, Male 99.21%, Female 95.24% (Population Census 2013)
- **President or top authority:** Members of B&H presidency: Milorad Dodik (since November 20, 2018), Željko Komšić (since November 20, 2018), and Šefik Džaferović (since November 20, 2018)

MEDIA-SPECIFIC

- **Number of active print outlets:** Print: 8 daily newspapers, 181 periodicals (magazines, publications of diverse content) (Press Council of B&H, 2018); radio stations: 140; television stations: 41 (in terrestrial network), plus 51 broadcasters in other networks (CRA of B&H, 2018)
- **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 (10.35%), Nova BH (6.85%), OBN (6.72%) (audience share 2017, Fabrika)
- **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, 2018)
- **Annual advertising revenue in media sector:** 22.09 million Euro in 2018; television: 60%, print 7%, out-of-home 14%, radio 7%, online 12% (est., Fabrika)
- **Internet usage:** 3,064,072 or 86.77% of population (CRA of B&H, 2017)
- **Mobile subscriptions:** 3,404,085, i.e. 97.42 % of population (CRA, 2017)
- **Social media users:** 1,500,000 or 42.8 % percent of Facebook users (Internet World Stats, 2017). Facebook is by far the most used social network, but Instagram is increasingly used among younger citizens.

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>



B&H's media sector struggles to thrive, with main impediments to progress centering around a weak economic environment for media, a lack of quality and diversity in media content, political interference in editorial policies, and impunity for pressure and attacks on journalists. Of the five objectives studied in the MSI, professional journalism and business management were the lowest scored, and B&H's overall score of 1.74 places it in the "unsustainable mixed system" classification.

Bosnia and Herzegovina (B&H) remains, besides Albania, the only country in the region without European Union (EU) candidate-country status. In February 2018, B&H finally submitted answers to the European Commission's questionnaire. However, it needs to submit answers to an additional 655 new questions aimed at clarifying some issues in the questionnaire.

Leading political party representatives' discussions over amendments to the election law have failed, even though in 2016 the Constitutional Court deemed parts of it unconstitutional because of unequal representation in the House of Peoples of the Federation of B&H.

The general elections in October 2018 consolidated the position of the Alliance of Independent Social Democrats (SNSD) in the Republika Srpska (RS), while the Party of Democratic Action (SDA) remained in power in B&H. Željko Komšić of the Democratic Front Party won the election for the Croat representative in the presidency of B&H, which consists of one Bosniak, one Croat, and one Serb. Komšić defeated Dragan Čović of the Croatian Democratic Union of Bosnia and Herzegovina (HDZ) with the majority of Bosniak votes, prompting Croats to accuse Bosniaks of marginalizing Croats, furthering calls for the creation of a third entity. (B&H has two administrative units called entities: Federation of B&H and RS. Croatian leaders advocate for a third entity, which they claim would guarantee better protection for the rights of Croats in B&H.) Both before and after the elections, the

political and media landscapes were full of divisive rhetoric, accusations, and nationalistic narratives. The often tense talks with representatives of neighboring countries and allegations of influence from Russia and Turkey within B&H have aggravated this behavior. Things culminated with media reports on the activities of paramilitary pro-Russian groups in the RS and a May visit from Turkish President Recep Tayyip Erdogan for a pre-election rally held in Sarajevo.

Milorad Dodik, president of the SNSD party, was elected as the Serbian member of the B&H presidency. Since his inauguration, he has continued with inflammatory and secessionist rhetoric, claiming to represent the interests of the RS primarily.

Since March 2018, protestors have gathered daily in Banja Luka to demand that police and prosecutors disclose information about the death of 21-year-old David Dragičević. Police in RS initially deemed his death an accident, but Dragičević's parents insist he was killed and that the police covered up the case. The Pravda za Davida (Justice for David) movement has brought together thousands of people from all over B&H and morphed into protests against corruption and the ruling parties in RS and B&H.

In 2018, the country became an important transit route for migrants from the Middle East, Asia, and Africa attempting to reach the EU. The number of migrants and the lack of logistical and financial support from higher administrative levels prompted protests in the Krajina region.

**OBJECTIVE 1:
FREEDOM OF
SPEECH**
2.24

There are fairly good formal guarantees of freedom of speech in B&H, and the score for freedom of speech remains highest among all five objectives. The country registered some improvements, primarily regarding demands for legislation to increase transparency of media, in addition to aligning court practice in libel cases with international standards.

Laws in B&H guarantee media freedoms and include freedom of information legislation, defamation, and communications laws. However, legislation on the transparency of media ownership and advertising is still lacking. Civil society organizations drafted laws on the transparency of media ownership and advertising at the end of 2018, but these drafts still need to go through parliamentary procedures. The Criminal Law of RS from 2017 envisages punishment for those who “order or conduct censorship, deprive or limit the access to information or the freedom of informing” (Article 161). Last year, there were concerns that the law on electronic media, which B&H needed to adopt in 2016 in accordance with the Stabilization and Association Agreement that regulates relations with the EU, might limit the Communications Regulatory Agency’s (CRA) authority. The law is still being drafted, and this year, the Ministry of Communications and Transport and CRA made progress in their negotiations. “There is a working group that includes representatives of ministries and the CRA, and so far, we have not encountered any problems [...] Our suggestions are accepted,” said Helena Mandić, the assistant director of the broadcasting sector of CRA. “For now, it is a small

step forward.” She is, however, suspicious of what will happen once the adoption of the law proceeds beyond the engagement of the working group.

The selection process for the members of the CRA Council, which leads the CRA in strategic issues, has been politicized. The CRA Council members’ mandate expired at the end of 2017, and the council has not yet appointed new members. The ad hoc commission that should conduct the appointment procedure and shortlist the candidates has yet to be confirmed, and proposed members might change with the newly established government. The previously proposed members of the ad hoc commission included three representatives of associations (and three representatives of relevant authorities, in accordance with the law), but the panelists argued that there was a conflict of interest. “One of them is a representative of the Association of Radio Stations of RS, which is a clear conflict of interest. The other is a representative of telecom operators,” explained Borka Rudić, secretary general of the Association of BH Journalists.

“There are a lot of cases in which the courts are using the practice of the European court and citing its rulings,” Mehmed Halilović explained, “Rulings against journalists are fewer than before.”

The professional public views the licensing of radio and television stations, led by the CRA, as nondiscriminatory and legitimate. The CRA does not use licensing as a means of limiting media pluralism or criticism of those in power. The government does not require licensing for other media sectors.

The media environment, however, makes it possible for certain platforms to operate without minimum transparency and accountability. For

example, numerous news portals appeared during the 2018 election campaign, many with clearly biased reporting. Some of these platforms do not adhere to the self-regulatory norms, which is overseen by the Press Council of B&H. Media do not receive tax breaks, although some panelists believe that with print media struggling with sustainability, they should receive some state support.

In the past year, journalists have been exposed to harsh attacks and were poorly protected. According to data from the Association of BH Journalists, there were 55 registered instances of attacks and pressure against journalists, including 11 verbal threats and political pressure, seven physical attacks, and 22 labor disputes and workplace harassment. Some examples include the verbal attacks and threats to journalist Marko Divković and cameraman Enes Muratović of Sarajevo-based BHT1, as well as a physical attack on Nedžad Latić, the editor-in-chief of the *Bosnia Times* (also based in Sarajevo), in February 2018. In April, Asim Kamber, an SDA delegate in the House of Peoples, verbally attacked Aida Štilić, a correspondent of FTV from Bihać. Later, in July, reporter Kemal Softić of Klix.ba in Sarajevo and Al Jazeera cameraman Mirsad Bukvić were physically attacked while covering a protest.

A brutal physical attack in August, linked to RTV BN journalist Vladimir Kovačević’s reporting on protests over the mysterious death of David Dragičević in Banja Luka, qualified as attempted murder. The Banja Luka protests have morphed into demonstrations against the government in RS. While one of the accused assailants remains on the run, the second attacker, Marko Čolić, was arrested in September and remained in detention in the following months.

Perpetrators are, however, rarely punished. Rudić indicated this is mainly because of a lack of

engagement from the Prosecutor's Office. While the Ministry of Justice of B&H has been considering amending the Criminal Law to ensure better protection for journalists, so far, there have been no concrete steps taken. The panelists, however, noted that public debate became more vibrant in the past year and that the public's awareness over attacks against journalists, as well as solidarity among media workers, has been rising. In a number of towns across the country, people held protests after the attack on Kovačević. But Rudić noted that the protests also show a strong polarization within the journalism community based on political affiliations.

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.

The financial situation of the three public broadcasters Radio-Television of Bosnia and Herzegovina - (BHRT, based in Sarajevo), Radio-Television of the Federation of Bosnia and Herzegovina - (RTVFBiH, based in Sarajevo), and Radio-Television of Republika Srpska (RTRS, located in Banja Luka) has not been resolved and, in fact, is still deteriorating. "The situation has never been more difficult financially. The system of financing the public broadcasting system is completely shattered," Rudić said. "RTRS is financed in one way, and FTV and BHRT are financed in a completely different way." Licensing fees for BHRT and FTV are supposed to be collected through electricity bills, but many citizens refuse to pay them. In RS, fees are still collected through landline telephone bills. The RS government increasingly allocates more funds to the entity's broadcaster. RTRS is becoming more dependent on the RS government, and poor distribution of fees between the three broadcasters has brought BHRT to its worst financial crisis so far.

The appointments of directors, editors in chief, and members of managing boards for the public broadcasters are highly politicized. For example, the strong political ties of the director of RTRS are well-known. Meanwhile, the appointments of the new director and members of the managing board of FTV have been blocked for years, while the appointment of the new editor-in-chief of BHRT faced strong criticism for being based on political, rather than professional, rationale. Furthermore, when Marko Radoja, editor of information programs at BHRT, asked the presenters of this channel not to wear the symbolic flower that memorializes the Srebrenica genocide, which he said was an attempt to preserve neutrality, he faced criticism, requests for his dismissal, and 200 threats via e-mail and social media. Local public media are also under political control through direct funding from public budgets

along with politicized appointments and pressures. Panelist Irma Jusufbegović, formerly of RTV Visoko, admitted, "We [RTV Visoko] have indeed been under different pressures and directives in the last several years."

B&H was one of the first countries in the region to decriminalize defamation, and defamation laws are considered well defined. However, defamation lawsuits are frequently misused as a way of pressuring or intimidating journalists. Media expert Mehmed Halilović believes some progress has been made in judicial practice, however. "There are a lot of cases in which the courts are using the practice of the European court and citing its rulings," he explained, "Rulings against journalists are fewer than before." He noted that while certain politicians, such as Milorad Dodik and Nikola Špirić, always used to win defamation cases against journalists, this is no longer the case. In January 2018, the Constitutional Court of B&H overruled previous court decisions against the Banja Luka daily *Press*, helping to establish that the burden of proof for defamation should be on the prosecutor, that when disclosing information the public's interest should be considered on a case-by-case basis, and that public figures should be more tolerant to criticism than private citizens. In mid-2018, the Center for Investigative Reporting in Sarajevo and journalist Selma Učanbarlić won a lawsuit against medical doctor Emir Talirević after he insulted and defamed them on Facebook. The Sarajevo Municipal Court's first-degree decision is a precedent and could be a warning to those who increasingly insult and threaten journalists on the Internet and social networks.

While freedom of information laws in B&H are well defined, their implementation is flawed and inconsistent. Public data "are not proactively published, and they neither exist in

machine-readable formats nor are published on websites and are not available upon request,” said Leila Bičakčić, director of the Center of Investigative Reporting (CIN) in Sarajevo. She also added that public bodies do not provide information on a nondiscriminatory basis and that CIN is one of the media outlets to which public bodies are inclined to provide less information. Some panelists also fear that the Agency for the Protection of Private Data, in line with the EU’s General Data Protection Regulation, might trend more toward restricting data of public relevance.

The media in B&H do not have any government restrictions concerning access to and the use of media sources. Copyrights are poorly protected, and the practice of republishing without citing the original news source is widespread, particularly in the online sphere. Despite this, journalists rarely resort to the Law on Authorship and Related Rights, in part because “the expenses are larger than you could expect to gain,” explained Dejan Jazvić, editor-in-chief of the Federal News Agency (FENA, based in Sarajevo).

The government of B&H does not impose any official requirements or licensing procedures on journalists. This year, journalists from N1 TV and BNTV received accreditation to enter the palace of the president of RS, which they had been denied since 2012. Still, some journalists were banned from attending certain events—for example, Balkan Investigative Reporting Network (BIRN) journalists could not attend Turkish President Erdogan’s rally held in Sarajevo in May 2018.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

1.36

The quality and credibility of journalism in B&H have been judged to be consistently poor over recent years. Political interference in media content is generally high, and media continue to be divided along ethnonational and political party lines. This political bias was particularly apparent during the election campaign and citizen protests in 2018.

Reporting in B&H is largely incomplete and one-sided, often lacking multiple and diverse sources of information. Coverage of the 2018 election campaign often showed favoritism toward certain political parties (particularly those in power), while marginalizing the opposition. The following was said during the results presentation of the media monitoring study conducted by the Association of BH Journalists, Boram (a public relations company), and Coalition Pod Lupom (a group of six NGOs organized for independently monitor election processes): “The three most frequently presented political subjects in the analyzed media content are the SDA, SNSD, and HDZ political parties, while the new subjects in the political scene in B&H have considerably fewer opportunities and appearances in the media. Large and established parties already in power have had the largest media coverage, which is also explained by the fact that their members are holders of public office.”

Inflammatory speech was also a feature in media coverage during the election season, and Pod Lupom recorded a total of 58 cases of media coverage involving potential hate speech; incitement toward ethnic, religious, racial, or other intolerances;

the use of inappropriate symbols; or calls for violence.¹

The watchdog platform analiziraj.ba points to media bias in reporting about the Pravda za Davida movement, noting that some media in RS, including the public broadcaster RTRS, have consistently tried to discredit the movement and portray its members as destructive to RS. Coverage of migrants was equally unprofessional and hostile, and spread false news about migrants’ attacks on citizens and the alleged deaths of people after conflicts with migrants. Smaller local web portals in particular engaged in such reporting, but this type of unprofessional reporting on refugees and migrants was also seen, for example, in an article on migrants in Sarajevo published May 6 by the news site Dnevni avaz (Daily Voice, based in Sarajevo). The Press Council of B&H reacted by reminding journalists of their obligation to report professionally and in accordance with the Press and Online Media Code of B&H.

Professional standards in B&H are long established, but their implementation is limited. The Press and Online Media Code sets professional norms for print and online media, but the reach of the council is limited since it does not have the authority to impose sanctions. Some media do not endorse self-regulatory principles or even publish basic contact information that would allow the Press Council to mediate. However, the CRA can impose sanctions if its established ethical norms are violated. For example, during the election campaign in 2018, CRA fined Alternativna televizija (Alternative Television, based in Banja Luka) for violating the Code on Audiovisual Media

¹ “Report of the Coalition,” Pod Lupom. 2018, p. 24. <http://podlupom.org/v2/bs/dokument/drugi-preliminarni-izvjestaj-o-dugorocnom-posmatranju-izbora-2018-i-posmatranju-izborne-kampanje/276>.

Services and Radio Media Services, as well as the Election Law of B&H, and it issued warnings to Sarajevo-based Hayat TV and BHRT for violating the election law and regulations on paid advertisement. In 2017, the CRA registered 73 violations of rules and procedures. Still, the CRA responds mainly to complaints it receives and does not regularly monitor broadcasted material.

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).

Self-censorship and censorship are generally believed to be widespread. In 2018, the management and governing board of the cantonal television station Television Sarajevo (TVSA), forced the editor to apologize publicly to the Izetbegović family after publishing animations that were allegedly offensive toward the country's first president, Alija Izetbegović. The fact that the management of the station investigated the editor's

actions demonstrates the influence the SDA party wields over the governing board of the station. Employees from the public broadcaster of the Una-Sana Canton (RTV USK, based in Bihać) also experienced political pressures. Prime Minister Husein Rošić directly threatened RTV USK journalist Melita Mujadžić after she reported about the illegal dismissal of the director of the broadcaster. At RTV Visoko, years of financial pressures culminated with the bankruptcy of the broadcaster. The company laid off six employees under reportedly questionable circumstances. Pod Lupom recorded 10 cases of pressures on the media from political actors during the election campaign. The political party HDZ established a website for "garbage news," where they highlighted what they considered inadequate reporting.

While information provided by media might be incomplete, poorly researched, and sometimes tendentious, most major events receive at least some coverage, and some bloggers contribute to the diversity of presented views. Concerns were raised by some civil society actors, including Association BH Journalists, over a September 2018 statement by the Court of B&H that criticized some media reporting on criminal cases, in particular war crimes, as often unprofessional and inaccurate. The statement urged relevant institutions to "regulate the rules on media reporting in relation to criminal proceedings with a legal text." Critics fear that such regulation could be misused to limit media freedoms and are in favor of improving journalism education instead of imposing new regulations.

The majority of journalists in B&H are underpaid, and their social status is far from prestigious. The average salary of journalists is very low and amounts to \$420 per month. Monthly salaries at local public media range from \$247 to \$620 per month, while those at public service

broadcasters command salaries up to \$867. Journalists are often under direct political and financial pressures, particularly at public media outlets that are directly financed by public budgets, where they are told who they can and cannot report critically about as well as funding pressures resulting from local governments dissatisfied about outlets' reporting or management. News and entertainment content are balanced, but there is still a tendency toward infotainment and a lack of specialized reporting—for example, on health and science issues. "It happens often, even on some of the public broadcasters, that politics is served in entertainment packages, and politicians are presented as the stars of reality programs that fight and argue," said Vuk Vučetić, an assistant professor at the University of East Sarajevo. As in previous years, the panelists question the depth and quality of news content.

The quality of equipment for the production and distribution of news varies from the high-quality equipment of leading private media outlets to the largely outdated equipment at the public broadcasters and the majority of the small and financially weak media outlets.

Outlets with specialized reporting exist, but mostly international donors fund them. CIN, Žurnal (based in Sarajevo), and BIRN are the leading outlets for investigative journalism. Specialized reporting is, however, scarce at the majority of other media outlets.

"It happens often, even on some of the public broadcasters, that politics is served in entertainment packages, and politicians are presented as the stars of reality programs that fight and argue," said Vuk Vučetić,

**OBJECTIVE 3:
PLURALITY
OF NEWS**

1.80

Limited resources, political affiliations, and growing commercialization of media outlets hinder media pluralism. This objective fell slightly from the 2017 MSI study, with the lowest scores assigned to representation of diverse interest, pluralism and public interest role of state or public media, and transparency of media ownership.

There are many media outlets in B&H, with three PSB radio and TV stations, three nonprofit radio stations, 38 television stations, 140 radio stations in terrestrial broadcasting, 52 broadcasters in other distribution networks,² eight daily newspapers, 181 different magazines and periodicals,³ and hundreds of online media sites. Pluralism of information and viewpoints, however, remains limited, and it is especially scarce at individual media outlets. As a result, citizens are likely to be exposed to a highly limited range of viewpoints. The panelists point to both ethnic and political party media bias. For example, Rubina Čengić, a journalist from Radio Otvorena Mreža (based in Sarajevo but available on nine frequencies across B&H), said, "You will never find anything positive about SDA in Avaz." Citizens are increasingly relying on mobile technology and online sources, most of all on Facebook, for information, which might contribute to pluralism, but with the proliferation of fake news and misinformation, this concerns panelists. Although the

2 Data of the CRA, <https://www.rak.ba/brdcst-license-holders>.

3 List of the Press Council, <https://www.vzs.ba/index.php/vijece-za-stampu/printani-mediji-u-bih>.

blogging community remains confined to just a few politically relevant blogs (Frontal.ba, news.net, etc.), their influence and reach are gradually increasing.

Financial constraints and the ethno-political fragmentation of media audiences, not government restrictions, partly limit citizens' access to the media. Print readership in particular is declining, and print outlets mainly compete for online audiences. The print daily *Dnevni avaz's* website is, for example, one of the most visited online platforms in the country.⁴ TV outlets are still the most widely consumed media sources, but Internet use is constantly growing, with an Internet penetration rate of approximately 87 percent in the country.⁵ In addition, according to Internet World Stats, in 2017, 42.8 percent of the country's population were Facebook users, with outlets 24h.ba, *Dnevni avaz*, and Al Jazeera Balkans having the largest Facebook audiences.⁶

Thanks to financial difficulties and political interference, public broadcasters also lack pluralism in content. The public service broadcaster has been long critiqued for the lack of diversity and quality (technical and in substance) of its programming, in addition to accusations of political bias. The CRA confirmed favoritism of RTRS toward the ruling party SNSD and the president of the RS after monitoring the broadcaster in 2017. Panelists cited, as an example, the lack of media coverage of the Pravda za Davida protests as an indicator of the RTRS's continued support of SNSD. The CRA has not

4 Currently first on the Alexa list of visited websites in BiH, <https://www.alexa.com/topsites/countries/BA>.

5 "CRA Annual Report 2017," April 2018. <https://docs.rak.ba/documents/868836fb-c34c-47ab-abf7-c5d875f8eeda.pdf>.

6 "Statebakers' Facebook Stats—Media in BiH," SocialBakers. <https://www.socialbakers.com/statistics/facebook/pages/total/bosnia-and-herzegovina/media/>.

monitored the content of other public broadcasters at this point.

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.
- ▶ 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.
- ▶ Citizens' access to domestic or international media is not restricted.
- ▶ A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.
- ▶ State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- ▶ Broadcast ratings, circulation figures, and Internet statistics are reliable.
- ▶ Independent news agencies gather and distribute news for print and broadcast media.

The independence of local public media, in particular the 12 TV stations and 61 radio stations in terrestrial diffusion and seven broadcasters in other networks, is limited as well. Because these outlets have nearly complete financial dependence on local governments, they cannot secure editorial independence. Media bias was particularly evident during the 2018 general election. Monitoring conducted by the Association of BH Journalists showed favoritism towards the ruling political parties along with a heightened focus on the them and their representatives while marginalizing the political opposition and experts. Rudić also believes that

political influence on the content of cantonal media, such as RTV USK, is generally increasing.

While there are eight news agencies in B&H, their pluralism is generally considered limited given that most of them are directly affiliated with particular political actors. Two news agencies are public and funded by entity governments, two are affiliated with religious communities, one is owned by the Turkish government, and three are private, one of which is also considered closely affiliated with a leading political party. Bigger media outlets usually subscribe to local agencies but not to foreign ones. As indicated in the 2018 *Media Sustainability Index*, FENA has reduced its price to approximately \$120 per month for written content, but many media outlets simply use agency news without subscribing to them or copy and paste news from other outlets without citing them as sources.

The majority of private media do not have sufficient journalistic capacities. Many online platforms produce little original content, choosing instead to simply take news from other sources. The majority of broadcasters and print media produce some original content, but the quality and political relevance remain limited. A small number of media offer quality content, and the blogging community, although still underdeveloped, continues to offer needed alternative standpoints on sociopolitical issues.

Media ownership structure in B&H is diverse but often indirectly involves particular political and business affiliations. The state does not adequately promote pluralism, in part because ownership transparency is underdeveloped and there are no specific limitations regarding the concentration of media ownership. However, the Law on Competition of B&H generally prohibits concentration that overly distorts competition or creates or strengthens the dominant position of a company or individuals. So

far, no major cases of media concentration were identified. Information on nominal media owners is available for a fee in as many as 14 registries across the country (and partly on the website pravosudje.ba), but information on indirect owners and final beneficiaries is difficult to obtain. This information, as a rule, is not actively published, and citizens are likely to see only a small part of the picture. A lack of transparency is particularly severe in the online sector, with many platforms not registered as businesses and not publishing contact information or the names of people responsible for the site. These platforms are often founded with the aim of promoting a particular political agenda, and some panelists observed a ballooning of those sites in the buildup to the 2018 elections. "One owner makes one million sites, and they all transmit the same news. By the content of the news, you can see who owns it," Mandić said. By contrast, the CRA has the information on direct and indirect owners of broadcast outlets. Although it intended to publish the data at the beginning of 2017, the Agency for the Protection of Personal Data issued an opinion that this violated the Personal Data Protection Law. In November 2016, Parliament mandated the Council of Ministers of B&H to submit a proposal for a law on transparency and concentration on the ownership of media, but the council failed to do so. Civil society organizations have long been advocating for such changes, and one recent initiative involved drafting a media transparency law.

Reporting on different social groups and identities is highly limited, and this indicator is among the lowest rated in 2019. Minority media do not exist, and the community media sector, with only four nonprofit radio stations, brings little diversity. Public broadcasters are obligated to devote 10 percent of informational programming (four percent of the entire weekly program) to national minorities

and other vulnerable groups, and to provide content in the languages of national minorities. Panelists indicated this content is not broadcasted in part because of financial issues and a lack of interest. Public media content is only rarely adapted for audiences with hearing disabilities, mainly with sign language on the weekly news on BHT1 (*Govor tišine* [Language of Silence]). Panelists said that while coverage of major issues, such as lesbian, gay, bisexual, transgender, queer (LGBTQ) topics, have somewhat improved, there is a lack of constant and strategic inclusion of particular identity groups in both regular and specialized reporting. There are several media that offer content on and for minority groups, including Roma and LGBTQ (e.g. portal-udar.net, Diskriminacija.ba, and LGBTI.ba), but they are funded by foreign donors and their sustainability is uncertain.

"One owner makes one million sites, and they all transmit the same news. By the content of the news, you can see who owns it," Mandić said.

Different media cover news ranging from local to international. The larger media, including public broadcasters, however, have less reporting on local communities, and their coverage is mainly confined to political variety programs, such as Srpska Today (Srpska Danas) on RTRS, or Federation Today (Federacija Danas) on RTVFB&H. Local media focus more on local issues, but the quality and depth of information and, in particular, editorial independence when reporting on local government, is questionable. Several bigger media consider state- and entity-level issues to be covered better, while information on international issues stems from the reporting of foreign media outlets.

**OBJECTIVE 4:
BUSINESS
MANAGEMENT**

1.33

Business management in the media sector of B&H received the lowest score among the five objectives, showing that most media are in a difficult financial situation and overly dependent on a few major sources of funding. Still, the score increased by 0.28 compared to last year, which can be attributed to the increase in funding opportunities provided by some international donors.

Just a few media outlets in B&H operate as efficient companies. With the overall value of the advertising market dropping in recent years and down to \$18 million in 2018 (as estimated by the advertising agency Fabrika), the media sector is increasingly dependent on funding from public budgets and international donors. While some organizations employ highly qualified professionals in management, journalism, and other segments of their work, others do not have the resources or determination to do so and focus instead on minimizing the costs.

Only a few large private media outlets and international broadcasters have achieved a long-term sustainability. The public bodies on all administrative levels also provide considerable funding for media, including the regular funding of public media and grants for both private and public media. The criteria used in funding procedures are often imprecise, and procedures lack transparency, which makes it possible for the ruling parties to make arbitrary decisions and subsequently interfere with editorial policies. While RTV Visoko and RTV Istočno Sarajevo went bankrupt this year, many media, including the state-level public broadcaster

BHRT, are still operating, despite financial losses and considerable debts. The financing of public news agencies has been more stable, with Press Agency of Republika Srpska (SRNA) being funded via a grant from RS and FENA funded directly from the budget of the Federation of B&H.

The lack of alternative sources of revenue forces the majority of media to be overly dependent on public funds, a few donors, and several major advertisers, including local advertisers closely allied with major political parties. There are even fewer sources of revenue in local communities since major advertisers largely do not conduct business with media with smaller coverage areas. Bloggers and freelancers sustain themselves by working for a variety of media outlets. "We spend more than we earn; we can barely make ends meet; we don't have health insurance. It is a disaster," said blogger Jelena Kalinić. While some online media function as community outlets, the public policies in B&H have not been supportive of community broadcasters. Under CRA regulations, community radio stations cannot pursue advertising revenue, and over the past few years, only three such media have survived.

In the last five years, the advertising market has dropped by around 40 percent, and in 2018, it hit a low of \$18 million. Larger clients advertise their products and reach the country's public through television broadcasters from neighboring states and specialized channels. "A lot of money has also gone to digital media and social networks," Senad Zaimović said, director of the marketing agency Fabrika. In addition, a lack of transparency in advertising pricing and, according to Zaimović, the widespread reduction in the prices of ads, particularly by public media, weaken the market. Print media primarily depend on online platforms or the other business ventures of their owners to remain afloat. Zaimović also noted a drastic fall in the

viewership of some television stations in 2018, particularly Hayat, previously one of the most-watched stations. The online sector has been strengthening in terms of reach and revenue, but its services are low priced, and it is not in a position to compete with global and cheaper advertising services, such as Google or Facebook ads.

The media also receive revenue from public companies that are largely owned by the government, including the telecommunication companies BH Telecom and HT Eronet. BH Telecom, for example, allocated roughly BAM 10 million (\$5.8 million) for advertising in 2017. The selection of the media in which they place their advertisements has been questioned and criticized for its lack of transparency, unclear criteria, and possible political

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.

bias. The procurement of advertising services can easily be misused for particular interests. For example, one criterion for advertising procurement, newspaper circulation, is open to manipulation given that there is no actual reliable data, and no one checks the numbers submitted by outlets. Some public companies reportedly violated the Law on Public Procurement by naming in advance the media outlet that the contract should be awarded to (as was the case with the Lottery of B&H). Civil society organizations have drafted a law on advertising that addresses some of these issues, but it has yet to go through parliamentary procedures.

Finally, international donors remain an important source of revenue for many outlets in B&H. Even more financially stable outlets, such as Radio Sarajevo, battle for additional revenue from foreign grants. "If they excluded projects given by international organizations, they would be ready to shut down," Zaimović said. The panelists indicated that stronger donor support in 2018 contributed to the sustainability and diversity of B&H media.

"We spend more than we earn; we can barely make ends meet; we don't have health insurance. It is a disaster," said blogger Jelena Kalinić.

Audience research exists, but most media do not have the resources or the commitment to commission it. The use of audience data has, however, been more common in the strategic development of the TV sector, while the majority of radio stations, print, and online media use free tools and their own estimates for business planning.

Agencies such as Ipsos and the German companies GfK and ABC have conducted audience studies. Ipsos is currently providing data on radio

and print media usage but reports that interest from outlets for this data is low. Most online media rely on Alexa, Google Analytics, and internal audience measurements or estimates and do not use services such as DotMetric that provide more sophisticated demographic data. The TV measurement system suffered a series of controversies, including a ruling in 2016 from the Competition Council that showed the company Audience Measurement provided the same measurement services for different prices. Zaimović said there has been slow progress in terms of quality audience measurement.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

1.95

The score for supporting institutions increased slightly (1.95 compared to 1.80 last year), reflecting minor steps forward in the support for both journalists under attack and journalism education. However, only one journalist association remains active, and universities and informal education insufficiently teach practical journalism skills. In addition, the digitalization process has stalled.

Media associations are free to register and function without government restriction. However, panelists confirmed that the existing industry associations (the Association of Private Electronic Media, the Association of Electronic Media, and the Association of Radio Stations of RS) are largely inactive and remain fragmented, failing to promote the common interests of media owners and managers. The Association of the Media Industry, which had a key role in the previous TV measurement system, has remained mostly

inactive over the past several years. The Press Council of B&H convenes print and online media publishers, mainly for the purpose of self-regulation of content. Online media are also now establishing an association.

Among the three journalist-specific associations, two (the Association of Journalists' of B&H and an association established at the University of Mostar) are believed to be largely inactive. The Association of BH Journalists remains engaged, boasting 590 active members, with chapters in various cities.⁷ The association issues statements in defense of journalistic freedom and organizes trainings. Panelists particularly value the legal and professional assistance provided to media workers. Rudić noted that the Association of BH Journalists recently received financial support from the Independent Media Empowerment Program, funded by USAID, to help defend journalists under pressure and attacks. The Association of BH Photographers was established in December 2018 and is too new to determine its future prospects for engagement in media sector issues. There is still strong skepticism about trade unions and their credibility and efficacy. The Union of Graphic Workers, Publishers, and Media Workers of B&H was excluded from the Confederation of Independent Trade Unions of B&H, while the Trade Union of Media and Graphic Workers is one of the branch unions within the trade unions of the RS. Trade unions also operate within some of the public broadcasters. For example, the Union of Employees of the Radio and Television Service of B&H has issued statements about the difficult positions of employees, criticized the appointment of the managerial board, and identified

⁷ The members exceeded 700 last year, but the members that did not pay membership for two years were excluded. Source: E-mail communication from December 26, 2018.

recent failures of management. Local public media trade unions can also be vocal when media workers' rights are violated.

The nongovernmental sector in B&H includes numerous organizations but only a few that actively support freedom of speech. These organizations, including Your rights (Vaša prava in Zenica, Civil Society Promotion Center (Centar za promociju civilnog društva in Sarajevo, Women's Network B&H (Sarajevo), and Sarajevo Open Centar, mainly react with statements of support of media in instances of attacks and pressure against journalists. However, many local communities outside of the main towns and cities do not have similar civil society organizations to protect the local press.

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.

Some CSOs also contribute by providing media research and advocacy. For example, the consortium involving the Association of BH Journalists, Mediacentar Sarajevo, JaBiHEU, and the Press Council of B&H recently drafted laws on media ownership transparency and on advertising. Mediacentar has lately focused on policy analysis of media funding from the public sector. With these projects, there is an increased awareness of who the decision makers are and an increased involvement of CSOs in the dialogue on the needed legislative and regulative changes. Still, public policies have yet to be changed.

Ten higher education institutions offer instruction in journalism—public universities in Sarajevo, Banja Luka, Tuzla, East Sarajevo, and Mostar (two universities) and at private institutions in Travnik, Banja Luka, Međugorje, and Brčko. A few thousand young and aspiring journalists enroll each year,⁸ arguably more than the industry can absorb. Vučetić indicated, however, that interest in studying journalism is declining. The quality of education has been criticized, particularly with regard to the lack of practical courses and experience. Panelists did, however, mention important improvements. "Our university journalism program has even signed contracts with a large number of local and public broadcasters. It has a signed contract with news agency SRNA. It is also planning to establish student radio," said Vučetić. There has also been the addition, Vučetić noted, of media literacy education. The Faculty of Political Science in Banja Luka

8 Unkić, Hilma. "More than 2.500 journalism students enrolled in the last five years" ("Više od 2.500 studenata upisalo novinarstvo u proteklih pet godina"), Mediacentar, July 26, 2017. <http://www.media.ba/bs/magazin-novinarstvo/vise-od-2500-studenata-upisalo-novinarstvo-u-proteklih-pet-godina>.

recently added investigative journalism as a two-semester course.

Many of the short-term workshops and trainings provided by nongovernmental organizations are highly praised, but with the reduced support of international donors, there have been only a few such trainings per year. Mediacentar hosts several per year, which in 2018 included training on digital media production, followed by an internship at leading media outlets (CIN [Sarajevo], Radio Free Europe, Bljesak [Flare, Mostar] and Nezavisne novine [Independent Press, Banja Luka]), supported by the Civil Rights Defenders; training on the empowerment of women through media, supported by the United

"Our university journalism program has even signed contracts with a large number of local and public broadcasters. It has a signed contract with news agency SRNA. It is also planning to establish student radio," said Vučetić.

Nations Development Programme; trainings about reporting on gender-based violence, supported by UN Women; and a training for trainers on media literacy, supported by the EU. Other training included the Academy for Journalists, which focused on the role of media in promoting peace and tolerance, organized by the Association of BH Journalists. Media managers rarely promote participation in these trainings, and low salaries discourage education abroad. Some panelists also point to the lack of cooperation between CSOs, media, and journalism faculties. By the end of 2018, Mediacentar established a platform for online learning (kursevi.media.ba), with initial modules focused on mobile journalism, data verification, basic journalism

techniques, and reporting on gender-based violence.

There are no restrictions on importing and purchasing materials needed for media production. Although some printing companies have been criticized for the lack of paper quality or are believed to be politically affiliated, their services are not offered on a selective basis. Contracts are based primarily on finances, and media can choose among a multitude of printing houses.

There is no political control over the means for distributing media content, but panelists expressed concerns about the growing dominance of the United Group in both the distribution (through Telemach B&H and other companies in the region) and production of content (mainly through the regional television station N1 and the recently founded Nova BH). "All of that is under the ownership of one corporation, which has several daughter companies that do the same thing and are gaining the control over the entire market," Mandić said. "They also have an advertising agency," Zaimović added. Such a position enables an illegitimate means of attracting customers, both through favoring its own programs and applying overly high prices of its channels for other distributors. Previous decisions from the Competition Council of B&H suggest that United Media is misusing its dominant position by applying different conditions in the distribution of its sports channels.

At the end of 2017, there were 71 Internet providers, and Internet penetration reached around 87 percent, according to the annual CRA report. Seven telecommunication companies provide mobile services, with the largest being BH Telecom, Telekomunikacije Srpske, and Hrvatske Telekomunikacije. A smaller company, IZI mobile, ceased its work in 2016, claiming the larger companies prevented fair competition. Mobile penetration in B&H reached 97 percent at the end

of 2017. There is no political control over the distribution of mobile media or the choice of software and platforms.

The process of digital switchover has been blocked, despite the strategy for the switchover being adopted nearly a decade ago and most of the technical preconditions having been met. RTRS has failed to assign two members of the commission for public procurement of equipment for the next digitalization phase. CRA representatives have mentioned a possibility of establishing a new multiplex independent of the public service broadcaster, which would enable digital broadcasting for private media, but it is not certain that this will be done. Information and communication technology services have been developing across the country, even in rural areas, and include video on demand and service packages with TV, Internet, and telephony. Still, there have been some citizen complaints about the speed of mobile Internet, and a 4G network has not yet been established.

List of Panel Participants

Helena Mandić, assistant director of the broadcasting sector, CRA of B&H, Sarajevo

Senad Zaimović, director of Fabrika, Sarajevo

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

Emir Habul, journalist and editor, BHRT, Sarajevo

Mehmed Halilović, independent media law expert, Sarajevo

Boro Kontić, director of Mediacentar, Sarajevo

Leila Bičakčić, director, Center for Investigative Reporting, Sarajevo

Irma Jusufbegović, former journalist at RTV Visoko, Visoko

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

Rubina Čengić, journalist, Radio Otvorena Mreža, Sarajevo

Jelena Kalinić, blogger, Sarajevo

Vuk Vučetić, assistant professor at the Department of Journalism, University East Sarajevo, Sarajevo

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The panel discussion was convened on November 23, 2018.