

**MEDIA SITUATION IN BOSNIA-HERZEGOVINA IN 2004:
BATTLING POLITICAL FRUSTRATION**

Radenko Udovicic

January 18, 2005

Most media analysts warn of a poor media environment in Bosnia-Herzegovina (BiH), characterized by lack of media professionalism, poverty of own produced media contents, huge politicization of certain (mostly stronger) media outlets, as well as tremendous journalistic animosities culminating in real media wars. It is interesting that the bleak media situation in Bosnia-Herzegovina developed after many years of wartime and postwar chaos, during which the media shared the fate of the country barely slapped together. The recent period was characterized by non-existence of media regulations, with the majority of newspapers and radio and television stations being used as levers to achieve government goals. In light of the nationalistic character of government, significant use of "hate speech" should not be surprising. This coined term practically does not deserve to be inside quotation marks after the latest Balkan wars. Its very mention in this region associates everyone of belittling of "others," satisfaction of one's own darkest impulses, intolerance and generation of ethnic tension. Ignorance is an important determinant of intolerance. Ignorant people are brainwashed with myths and mythology, half-truths and stereotypes, literary fictions, etc. Primitive and uneducated people are an excellent object of manipulation of all kinds. The media in Bosnia-Herzegovina behaved in this way as well, participating in a more or less organized fashion in putting pressure on local consciousness.

Fortunately, media conduct in this form has generally disappeared. The international community, playing the "carrot and stick" game, partly democratized the overall social ambiance and this was also reflected in the media field. A number of media laws were passed and the Communication Regulatory Agency (RAK) was created, imposing order

in the field of broadcasters. The press continued to use the principle of self-regulation, which proved inadequate since self-regulation in politically volatile regions has never given result; it is, therefore, not surprising that there has been no success, for now, in BiH.

Hence, hate speech in its original warmongering sense has practically disappeared from the media and this is confirmed by monitoring done by the Regulatory Agency and Press Council. However, its mutants even today emerge in the public, whether through prejudice, intolerance or political show-downs. Finally, as a sign of encouragement and optimism, it is worth mentioning that August ceremonies marking the reopening of a number of war-destroyed mosques in towns in western Bosnia were covered professionally both in the media in the Federation as in the Republika Srpska. Something that used to be ridiculed, politicized or at least neglected in the RS media was now the subject of more or less fair information, while the media in the Federation carefully portrayed the atmosphere of tolerance, which local authorities have also been contributing to after so much time.

Broadcasters: Battles for Public Broadcasting Service

According to latest Communication Regulatory Agency data, 189 electronic media outlets broadcast in Bosnia-Herzegovina. Of that, 147 are radio stations and 42 are TV stations. Divided by entity, the Republika Srpska has 14 television stations and the Federation of BiH has 28. As for radio stations, there are 54 in the Republika Srpska and 93 in the Federation of BiH. Compared to the population size in each entity, we might conclude that broadcasters are logically distributed.

Since the beginning of 2004., two radio stations shut down – Radio Buzim and Sveti Jovan, returning frequencies on their own initiative. As we found out from Dunja Mijatovic, head of the RAK broadcasting sector, the reasons for their termination of work are of a business nature rather than the result of any sanctions by this top regulatory body.

Communications Regulatory Agency (CRA) has punished several RTV stations in BiH for unprofessional and inflammatory reporting during last year. The highest was the

penalty for RTV Alfa from Sarajevo, which has to pay a 50,000 KM (25,400 euro) fine. This is the highest monetary penalty sentenced by the Agency so far. On 3 November, this RTV station aired the Ramadan sermon, 'whose contents carried a clearly provocative message, openly deprecating the religious beliefs of other peoples living in this area and wider'. The Regulatory Agency also stated that, given the fact that this RTV had already breached regulations on several occasions, it would probably have also got a temporary suspension of activities, had it not done so at its own initiative due to the movement to other premises. On 13 December 2004., the ownership over RTV Alfa was transferred to NIP Avaz, the owner of the convincingly strongest BiH daily newspaper, Dnevni Avaz.

RAK's greatest success in year 2004. is finishing so-called Phase 2 in regulation of broadcasters, thus completing the process of issuing long-term broadcast licenses. Namely, all private radio and TV stations in BiH now have licenses to operate for a period of approximately 10 years, while public stations received licenses for just two years. The reason is an intention to privatize the majority of public radio and television stations in the coming period, after which, when a particular station's new concept is assessed, RAK will issue it with a long-term license. This, of course, is not true of the national public service which will certainly not be privatized and which draws broadcast license legitimacy from the Law on Public Service. By the way, we will dedicate a considerable part of this report to the public broadcasting system of BiH as the most powerful media force, but proportionately, also to the huge number of problems that it faces.

The greatest novelty, as well as success, is that Public Television BHT, the nation-wide service, on August 13 started broadcasting all-day programming, using its own transmitters and frequencies. On this date, deliberately chosen due to the start of the Olympic Games carried by this TV station, the initial phase of development of the public broadcasting system in BiH finally ended. Up until that, BHT had been a "guest" with one news program and some sports events on the entity televisions, which gave it airtime on its frequencies. BHT programming, according to its new schedule, got three prime information programs, quite a lot of sports and entertainment contents, and it will also open its doors to independent production. Its terrestrial network consists of 142 transmitters and repeaters covering 91 percent of BiH territory. The biggest donors for

building the network are the European Commission, Government of BiH, as well as the entity televisions which ceded two transmitters. Satellite programming was launched on August 30.

Parallel to getting its own frequencies, a new BHT director was chosen. His name is Milan Trivic, formerly a journalist of TV Sarajevo and Yutel and during the past years an independent producer from London. It is interesting that BHT did not get an editor-in-chief; only an information program editor. His name is Amir Zukic, former journalist of Radio Free Europe and TV Liberty. BHT's both new top staff members are considered to be professional and ethnically impassionate journalists, certainly a requirement for managing a multi-ethnic public TV system for the whole country.

Early this year, the public broadcasting service managed to partly solve its economic existence. At the beginning of February, after a several-month-long tug-of-war, an agreement was signed on collection of compulsory RTV subscription fee by way of telephone bills. Signatures on the document were placed by the directors of the two telecom operators in the Federation of BiH and the directors of the federal and state broadcasting services. As of that time, six marks (3 EUR) for RTV tax has been added to the telephone bill and, at least as it was envisioned then, this amount is not supposed to be paid separately.

A similar agreement in the Republika Srpska between the local telecom operator and RTV Republika Srpska was signed 2003. However, in the Federation of BiH, due to a more complex political situation, as well as constant accusations from the ruling parties that the public service favors the opposition, there had been no agreement. Many believe that the authorities wanted to use the telecom operators to force public radio and television to change its editorial concept. However, due to pressure from the international community, the Government of the Federation of BiH made the operators sign the agreement.

Public RTV believed that collection of subscription fee using this concept would rise from 23 percent, as it had been until then, to over 80 percent. However, we can conclude now that this did not happen because the operators, due to political pressure, as well as citizens' pressure, allowed telephone bills to be paid separately. It is interesting that

collection of this compulsory tax is now better in the Republika Srpska – around 60 percent, while in the Federation of BiH it is barely 50 percent.

In late July, the Bosnian political and media public was thrown into turmoil by a request made by delegates of the Croat Democratic Union (HDZ), the strongest Croat party in BiH, and its coalition partner, the Croat Demo-Christians, to separate the public broadcasting service into three channels – one each in the Bosnian, Serbian and Croatian languages. The request was made in the form of an amendment at a BiH Parliament session, during discussion on a new Law on the Broadcasting System, but was rejected by delegates of all other parties.

The public broadcasting system consists of three televisions – RTV Republika Srpska (RTVRS), RTV Federation (RTVF) and RTV BiH, the all-BiH channel. Most Croats are dissatisfied with the RTV system as it is because they believe the two entity televisions are essentially a Serb and a Bosniak channel, while the joint RTV BiH is Serb-Bosniak. Therefore, the vast majority of Croats do not pay the compulsory RTV tax.

Figuratively speaking, the difference between the three languages in Bosnia is like the difference between British, American and Australian English. It is, therefore, clear that everyone in BiH absolutely understands all three languages. The request for a channel in the Croatian language is therefore more of a political nature as the HDZ believes that, in addition to pure Croat language, the channel would also express Croat political interests, which the HDZ believes are now on the margins in the media. By the way, on Federal RTV and RTV BiH, which are multi-ethnic, each journalist speaks whatever language he or she pleases.

HDZ's amendment on the creation of three channels in three languages did not pass so-called first reading. The amendment phase was supposed to last until September 10, by when the amendments voted on were supposed to be built into the law or rejected. The deadline was moved to the end of October.

Finally, BiH Parliament House of Representatives delegates, at a session on October 12, did not accept a draft law on the public broadcasting system in BiH. The law was proposed by the BiH Council of Ministers, with strong support of the international

community. The essential point of the law is to join the three present public broadcasters – RTV Republika Srpska, RTV Federation BiH and the nation-wide RTV BiH – into a single legal entity through a single steering board. Up to now, the three entities have been completely separate .

The law was rejected by close majority – 13 against and 11 in favor. However, opposition to the law is even bigger since Croat delegates in the parliament had walked out of the session before the vote. The head of the HDZ caucus has already announced that Croat delegates in the House of Peoples will veto the law.

The passing of the law is one of the European Union requirements for starting the process of negotiations on stabilization and association. The BiH Parliament was supposed to pass the law by September 15. Therefore, even if the law had been passed, it would have been one month late. However, in the present situation there is practically no chance that the law will be passed. Croat political representatives have been emphasizing every day that they will invoke vital national interest and put a veto in the House of Peoples. Until this moment this has not been done, but if it is done (and it probably will be), the political and legal tug-of-war will last for months. Croat representatives in the BiH Parliament have also announced, if their proposal is ignored, that they will complain to the Human Rights Court in Strasbourg, alleging that their rights to cultural and language diversity, as well as ethnic identity, are violated.

The question that comes to mind is whether Croats truly have reason for dissatisfaction with the present public broadcasting service solutions. Partly, they do. Still, the HDZ's political assessments that BHT is a Serb-Bosniak television, and FTV a Bosniak television, lack sufficient arguments and are exaggerated. The only thing that is true is that TVRS is Serb – and this is a problem, particularly from the standpoint of balancing ethnic interests, which is a political constant in BiH. Anyhow, the HDZ is exaggerating, but this does not diminish the fact that there are a lot more Bosniaks and Serbs on BHT, and even on Federal TV which, by the logic of the population structure in the Federation, should have a dominant Bosniak-Croat component. There are a number of reasons for this. First, Croats are the least populous people in BiH. Next, the Croat majority in BiH is relatively far from Sarajevo, where there are almost none. If someone wants to work in the central newsroom, they must move to Sarajevo. This is an expensive, and

sometimes from a psychological aspect a complex operation for an individual. But, the biggest problem is Croat journalists' refusal to accept the public service as it is. Many of them believe that they would drown into some sort of a Bosniak environment and that they would not be able to articulate themselves enough professionally and politically.

Maybe to someone outside Bosnia-Herzegovina, so much insistence on the ethnic origin of journalists seems unusual. However, the generally accepted professional logic that programming should be produced by those who know how to do it has not been accepted yet by a considerable number of people. The multiethnic Bosnia-Herzegovina functions according to the principle of ethnic quotas and the effort to hand over the program to those with know-how, regardless of their ethnicity and other characteristics, has not been accepted, at least not by Croats. However, on the other hand, jobs at the public broadcasting services have not been given just to those who know something; there are also some people there who do not meet even the basic professional criteria. But this is a result of the war and a situation of many years in which the journalist staffing structure was ruined. Some of the journalists have left BiH for good; some are not doing this work because of low salaries, instead they work for international employers; while new people with relevant qualities rarely appear.

A couple of months ago, Federal Television filed a request with the Communication Regulatory Agency to prevent the broadcasting of terrestrial television programs from neighboring countries via the cable network. Federal Television, namely, maintains that TV stations from other countries have bought rights to movies and sport events only for their own territories, but they are also airing them in BiH via cable operators.

'We gave money to buy TV rights, and then viewers can watch the same thing on other televisions,' said the Federal Television director in a letter. In his opinion, this creates a feeling among viewers that they do not have to pay TV tax since they have the same, or even better, programming offer on other TV stations. According to the Federal TV director, carrying these television stations' satellite programs is not disputable; what is disputable is that cable operators carry their entire terrestrial programs. On this note, on Sarajevo's cable network one can watch two Croatian Television channels, TV Nova, TV BK and satellite programs of TV Serbia and Montenegro.

Croats in BiH were particularly irritated by the Federal TV move, believing that behind it lies a request to remove the programs of Croatian Television and TV Nova from Zagreb, which would prevent Croats from watching quality programs in their own language, thus creating lingual and political majoritarianism.

The Association of Cable Operators of BiH rejected the Federal TV accusations, announcing that they have legal contracts to transmit these TVs on their networks. Dunja Mijatovic, head of the RAK broadcasting sector, told us that although cable operators fall under RAK regulation, the institution will not examine contracts possessed by operators. She said that potential complaints should be filed by damaged parties if they believe their copyrights or intellectual property rights have been violated.

One of RAK's most interesting decisions is changing the ethnic names of broadcasters. Namely, public radio and television stations complied with an Agency decision and stopped using on air ethnic prefixes in their names. Up until then, 11 broadcasters in BiH had carried the prefix Serb or Croat.

The Communication Regulatory Agency (RAK), back in September 2003, passed a decision that no public radio or television station may contain in its official name any prefix, determinant, symbol or sign that might lead to the station being viewed as an exclusive domain of one ethnic group. The decision was passed bearing in mind the role of public broadcasters to provide programming for the entire population covered by its signal, not just for members of one ethnic group, and the fact that these broadcasters are financed from public funds.

Most stations, right after the decision was announced, changed their names, but a small number, mostly Croat ones, maintained that this jeopardizes the rights of the Croat people in BiH. However, after additional consultations with RAK, they too complied with the request.

Punishment for the “Unsuitable”

Several days before the greatest Muslim holiday, the Ramadam Bairam, the Islamic Religious Community forbade the Public Broadcasting Service to broadcast the central

Bairam celebration from Bey's Mosque in Sarajevo, something that state television, and after it public television, had traditionally broadcast for 15 years, from the collapse of communism. Also, it forbade direct broadcasts from any other mosque in BiH and emphasized that the ban is also in effect for Federal TV, an entity public service. The highest Muslim institution explains that the reason is "discrimination exercised by these TV companies against Muslims and the traditional values of the Islamic Community in BiH." The concrete reason for the ban is the fact that neither public nor federal TV had produced a so-called *iftar* program, i.e. they had not appropriately indicated on television the end of fasting, prayer and beginning of *iftar*, the sunset meal.

The Islamic Community solved the problem of direct broadcast of the central ceremony by giving exclusive broadcast rights to a commercial television, Hayat from Sarajevo, whose signal covers a considerable part of the BiH Federation, but not the Republika Srpska. Although only some five percent Muslims currently live in the Republika Srpska, the fact remains that they were deprived of watching the religious ceremony from the largest mosque in BiH.

The Public Broadcasting System Steering Board criticized the decision, explaining that public TV is the service of the multi-ethnic BiH, which is composed of three peoples. Public service representatives rejected objections that they are not giving enough airtime to religious issues, but they did underline that their programs cannot have everyday exclusively religious contents. In reaction, the Islamic Community stated that it respects the fact that three peoples aspire to the public service, but "Bosniaks (Muslims) are the ones the majority of whom pay the compulsory RTV tax." This is true, but only in the framework of the BiH Federation. Croats there really do not pay TV tax and the "burden" is borne by Bosniaks. However, with regard to the Republika Srpska, the degree of collection of tax is good, and part of these resources goes to the nation-wide public RTV system.

However, this problem should not be viewed only through the prism of the latest dispute. For a long time, the strongest Bosniak political party SDA and the Islamic Religious Community have been dissatisfied with public service programming. Throughout the years of war and until the start of the new millennium, the predecessor of the public service, TV BiH, was one of the symbols of BiH statehood, at least by standards

imposed by the ruling political party. Many editors and journalists equalized so-called Bosniak interest with Bosnian interest. Although there was no open cheering for the SDA, moves taken by the party and its representatives were emphasized, while all opposing views, whether coming from the opposition or from representatives of the other two peoples, were criticized. Sure, Serb and Croat representatives' moves were often on the verge of open separatism, but they were still the moves of legitimately elected representatives of a part of the BiH population. On the other hand, the programming was never religious nor did it question the existence of a secular state, but the Islamic Religious Community was satisfied with the fact that public appearances of its senior representatives were strongly emphasized and that during religious holidays more than half of the news program (at the very beginning) was dedicated to this.

However, with the left opposition victory in the BiH Federation in 2000 and the creation of a multi-ethnic public service, this practice stopped. Public service programming became more balanced. But, the question is whether its quality improved. Namely, precisely in order not to hurt the feelings of any people, it stayed away from sensitive or intriguing issues, often resulting in boring news programs.

Additional dissatisfaction of the party SDA and the religious institution may be sought in the existence of a program called "60 Minutes," which many assess as being very partial in favor of the opposition, whose investigative items are often aggressive without factual arguments. The program is the reason why the SDA constantly accuses Federal TV of bias. Because of this kind of work, FTV and the program host Bakir Hadziomerovic are constantly pressured by defamation lawsuits. In early November, both the media outlet and the editor lost a lawsuit against a senior politician from Mostar and must pay him 2,600 euros. But, it would be good if it stops at this sentence. According to FTV sources, lawsuits filed against it weigh 100,000 euros, and against Hadziomerovic himself twice as much.

Deserving for intensifying problems related to the public broadcasting system is Amila Alikadic, SDA delegate in the federal parliament, who told the Dnevni Avaz paper after the "Bairam scandal" that a call from her party to refuse to pay obligatory TV tax is a "very realistic option." "Bosniaks will not allow anyone to rape them intellectually or impede them religiously," said the delegate. No politician will probably publicly call for a

boycott of paying TV tax because it would constitute an evident call for disrespecting the law. The High Representative, who has unlimited powers in BiH, would probably immediately remove the politician from his or her politician, which would be the definite end of their political career. Still, we mention this statement as a paradox and an illustration of how official politics gets furious when it cannot influence the media.

However, in early 2005 Islamic Community has changed its stance regarding direct broadcast of Ramadan, allowing this time public BHT direct broadcast of Kurban Ramadan. This shift is probably result of understanding that TV Hayat cannot cover entire country.

Print Media – Mutual Animosities, Deep Politicization, Strengthening of Press Council

In 2004, no significant media editions were launched. Seven dailies continue to publish. Four are based in Sarajevo – Dnevni Avaz, Jutarnje Novine, Oslobodjenje and San. Glas Srpske and Nezavisne Novine are published in Banja Luka. Dnevni List is published in Mostar. It is interesting to mention that Glas Srpske is the only daily paper owned by the state. Of all dailies, Dnevni Avaz has the highest circulation by far (between 35,000 and 100,000 on Fridays when it brings a special TV supplement). If one is to believe the Nezavisne Novine newsroom, this paper's circulation, compared to last year, has doubled and is now approximately 25,000 copies. This is the only paper with large newsrooms both in Banja Luka and Sarajevo, whose content tries to make it a truly Bosnian-Herzegovinian paper. Over the past years, this idea had not been supported by readers, but this year, with somewhat better distribution, more and more citizens give recognition to this paper. Therefore, the rise in circulation should not be surprising. But, large numbers of Serb and Croat readers continue to be drawn away by Vecernje Novine and Blic from Belgrade and Vecernji List from Zagreb, which have editions for BiH. According to market research agency Prism data, the two Belgrade papers are more popular in the Republika Srpska than the two local daily papers.

As far as weekly and periodical news and political papers are concerned, the most important and highest circulation ones are Slobodna Bosna, Dani and Start BiH from Sarajevo and Novi Reporter from Banja Luka which, along with Patriot, is the only

political magazine in this entity. Two aggressive Bosniak papers, Ljiljan and Valter, do not enjoy much purchase support from readers, although they are often in the limelight because of their articles. The paper Ljiljan had announced in the first half of the year that it would have to shut down for financial reasons, denying its own claims of having a satisfactory circulation. But, the paper continued to come out and the unofficial reason is that it received considerable financial support from Fahrudin Radoncic, owner of Dnevni Avaz.

Animosities among papers in Sarajevo continued to rage unabated this year. The main protagonists are Slobodna Bosna and Oslobodjenje on one side and Dnevni Avaz and Valter on the other. Generally speaking, looking from a political point of view, this is a clash between the left and the right. However, it primarily concerns personal animosities with economic and political background. Since the press uses the famous principle of self-regulation, newspapers in their reports (settling of accounts) use very tasteless attributes and hate speech towards holders of different opinions. Ethics is entirely degraded. The most illustrative example is Slobodna Bosna's reaction to an extremely politicized item on TV Hayat from Sarajevo. A female journalist from this television station (a person who graduated from a religious school) slammed BiH movie director Ahmed Imamovic for having two homosexuals as the heroes of his latest movie. One of the points of her item is that there are no homosexuals and there can be no homosexuals among Muslims. The editor-in-chief of Slobodna Bosna, Senad Avdic, criticizes her stand ("NTV Hayat's small-town fascism"), which, of course, is entirely legitimate, but he also makes a number of insulting comments regarding the mentioned journalist. He calls her a pit bull, alluding to the dangerous pit bull dogs. Perhaps the allusion is partly in order (even witty), but what is certainly not witty is that the journalist's married surname is mentioned several times – Kuric – alluding to the male sex organ. The paper provoked an even worse reaction from the paper Valter, which entitled an article attacking homosexuality and Slobodna Bosna with "Everything is full of drugged faggots – why is Senad Avdic's mouth deformed." This tasteless article was eagerly carried by Dnevni Avaz, making it available to a larger number of readers.

The Press Council reacted, saying that the above articles displayed a high degree of intolerance of the other and the different and that journalistic language is full of indecencies and insults of the worst kind. The BiH Press Council is surprised by how

certain media outlets report on different phenomena in society and by a discriminatory attitude towards minority groups in BiH.

The Press Code of Bosnia-Herzegovina, voluntarily accepted by journalists, whose provisions they are supposed to adhere to in everyday work, emphasizes that journalists shall “abide by generally accepted social standards of decency” and that they have an “obligation to the public to maintain high ethical standards at all times and under all circumstances.” Also, the Code prescribes that “newspapers and periodical editions must avoid prejudiced and insulting allusions to someone’s ethnic group, nationality, race, religion, sex, sexual orientation...”

The Press Council ordered Valter to publish an apology to Senad Avdic for the grave insults. The paper did not do that. This is the ailment of self-regulation. There are no sanctions for newspapers that turn a deaf ear to journalistic ethics. A press release that will probably be issued by the Council stressing that Valter is an unprofessional paper will not reach many people and will only confirm what is already known and what does not particularly pain Valter.

The Press Council has stepped up activities since the beginning of last year. It is trying to impose itself as a relevant organization for the BiH press and to make the self-regulation system more efficient and generally accepted. A number of public appearances and interviews with the media have given result. Since the start of the year, the Press Council received 19 complaints from individuals, legal subjects and media outlets regarding reports in certain editions. The Council passed a number of decisions on these complaints and they were partly complied with. Namely, some media outlets did not want to carry denials or apologies; however, reactions and condemnation were carried by other papers. This is partial success, but success nevertheless, since a year or two ago the Press Council existed only formally, without authority in the media community. The president of the Press Council is a foreigner, Robert Pinker from England, commissioner of the Press Council of Great Britain. This is the price of receiving foreign financial assistance for the Press Council. He who gives the money is the boss.

The Press Council in the first half of December suffered a serious blow dealt by the highest circulation paper Dnevni Avaz. Namely, earlier that month, the son of a public figure was kidnapped and ransom of one million euros was demanded for his return. All newsrooms in Sarajevo had information on the kidnapping, but were warned by the police, and also asked by the parents, not to print or broadcast anything about the kidnapping so as not to hamper the boy's rescue operation and, even worse, put his life in danger. Three media outlets, however, did not abide by the agreement and the one that acted the worst was Dnevni Avaz. On the front page it brought a photograph of the child with his first and last name and details of the kidnapping. Even if we disregard the jeopardizing of the rescue operation, the fact remains that the public now knows that "this is the million euro child." Rights from the Code on the Protection of Minors were gravely violated.

Avaz reacted fiercely and announced that it no longer recognizes the Press Council, calling it an incompetent and politicized organization. This is actually the gist of the problem – politics. In Bosnia-Herzegovina, media self-regulation, in addition to application of journalistic and ethical standards, has an additional requirement – to balance among deeply opposed political options. This is why journalists close to national or nationalistic options do not sit on the Press Council Board. There is a hypothesis in BiH, although it is not always founded, that nationally passionate individuals cannot be journalistically impartial. This is precisely what bothers Dnevni Avaz, which often makes accusations that Bosniak interests are not represented enough in state-level organizations.

Dnevni Avaz announced that it will create a new Press Council and says that it enjoys the support of numerous media outlets. If this is done, it is clear that the new Council will not get any support from the international community, but this should not concern Avaz too much. The paper does not depend on international donations and will probably take the Council's funding upon itself. This, of course, removes any presumption of necessary independence.

Association of journalists at whole-state level

Perhaps the most significant media event in Bosnia-Herzegovina occurred on the 11th of December. Three journalist associations – Independent Union of Professional Journalists from Sarajevo, Independent Association of Journalists of the Republika Srpska from Banja Luka, and Association of Journalists Appeal from Mostar formed in Sarajevo the Association BH Journalists. This is the first journalist association after the war that will operate at the level of the whole BiH, something that is characterized as an important professional and political success. There are three other journalist associations operating in BiH.

The joint organization stemmed from what used to be the Coordination of Journalist Associations, whose member was also the Society of Journalists of BiH, but it did not want to enter the joint organization. The Coordination of Journalist Associations has truly presented a united front past year, reacting on time to attacks on journalists and violations of their rights, organizing a number of seminars and education projects and, what is especially important, reactivating the Journalist Help Line, which now operates as a wing of the Coordination.

The three organizations that merged are considered to be the so-called liberal political stream in BiH and their members are mostly individuals without national passions or even close to the opposition.

In 2005, the new association will try to impose itself as the most relevant media factor in BiH. Its main goals are fighting for professional dignity of journalists and adherence to professional principles of journalism. The association expects to be the only one to remain a member of IFJ, but it now truly represents a part of journalists from all of BiH. Amela Rebac, Editor-in-Chief of Radio Studio 88 from Mostar, was elected association president.

Pre-Election Dive Bombing of Media

Bosnia-Herzegovina's media landscape was thrown into even more turmoil by local elections. The election campaign stirred a number of negative emotions, logically

reflected through media contents or, better put, through content intonation in the media. Mutual accusations among political candidates and political parties came to the foreground and were stressed even more by the media which used them as a tool to achieve their own political as well as economic aims. Unlike broadcasters, the press portrays all conflict situations in social reality in a more aggressive and ruthless fashion, turning a deaf ear to journalistic ethics and professional codes. Based on Media Plan's earlier monitoring projects and overall impression from talking to media analysts, impartial journalists and intellectuals, even the common people, we can conclude that the majority of papers clearly took a political side. The generally accepted stand is that probably still the highest circulation BiH weekly Slobodna Bosna is the aggressive wing of the opposition Social-Democratic Party (SDP), while the magazines Dani and Start and the daily Oslobodjenje are more moderate wings of the left option, primarily the SDP. On the other hand, the highest circulation daily Dnevni Avaz is politically clearly close to the ruling Bosniak parties SDA and Party for BiH, while the paper Valter is a distinctly aggressive Bosniak-Muslim paper, less aggressive towards other ethnic groups, and more aggressive towards the left wing, in particular the SDP. In the Republika Srpska, Nezavisne Novine is close to Milorad Dodik's Independent Social-Democrats, while other more important media outlets do not express themselves very much, but are, nevertheless, closer to government than opposition.

Still, the numerousness of media outlets favoring the opposition and criticizing the government did not mean the public would be profiled differently (the recent elections proved this) since Dnevni Avaz's circulation is not much smaller than the circulations all other dailies in the country combined.

However, we must conclude that political wars in newspapers were not as fierce and unprofessional as on the eve of 2002 general elections. An argument for this opinion is data from the Communication Regulatory Agency and Press Council which said that during the campaign two years ago there had been many complaints from individuals related to insulting, unprofessional and partial reporting. On the eve of these elections, not a single individual complained, but these organizations did receive a large number of complaints against the media from political parties – as many as 30. On this note, this time around politicians were very aggressive toward the media during the election campaign. There was a large number of complaints, coming from persons on quite high

positions, against certain media outlets, with the most common accusations being that they favor the opposition or work for “foreign interests.”

The Coordination of Journalist Associations and Journalist Help-Line condemned in the strongest terms the pressure exerted by political parties and individuals on the media and journalists during the election campaign. Expressing concern by the frequency and fierceness of these attacks, they assessed in a press release in mid-September that “threats to journalists, calls for lynching certain media employees and attempts to place the media under political party control, constitute the most dangerous form of political fighting and choosing an undemocratic method to win citizens’ trust.” “We are appalled by the degree of hate and primitivism displayed by politicians toward journalists,” the press release says further and calls on the Election Commission to sanction the politicians and the parties that threaten journalists. The Election Commission sanctioned just SDS candidate Kragulj, whose case will be described later on.

Particularly attacked are Nezavisne Novine and RTV Republika Srpska from Banja Luka, whom hardline national parties allege are “not sufficiently Serb” and are “American satellites.” Federal RTV from Sarajevo is also reproached by some parties of not promoting Bosniak interests. Attacks on Federal TV were joined by Bakir Izetbegovic, vice-president of the ruling SDA and son of the first BiH president Alija Izetbegovic, who said at the height of the election campaign that “FTV should change the program, or change the people.”

Lawsuits against Journalists and Media

Two years ago, both entities of Bosnia-Herzegovina passed separate, but essential equal, laws on defamation, definitely decriminalizing this field and allowing trials of this kind only in civil suits. There are no more criminal proceedings, there are no more sentences – either fines or prison sentences – furthermore, in these laws there are also no more defamation trials. However, what followed was a real avalanche of civil lawsuits against journalists and media with high damages requested.

In 2003, 196 lawsuits involving defamation in the media were filed in the Federation of BiH, and 60 in the Republika Srpska, as we found out from Deputy Federal Ombudsmen

on Media Mehmed Halilovic. He stressed that in 2004 the number of defamation suits against the media has been declining. But, as he underlined, some cases were wrapped up and the first verdicts were passed. Halilovic said that so far, courts have not accepted the plaintiffs' enormously high requests for financial damages. He cited the case of Munir Alibabic, former secret police chief, against Dnevni Avaz, where the plaintiff requested 300,000 marks (approx. 150,000 EUR), but the court passed a decision to accept the request in the amount of 20,000 marks. However, court expenses which the plaintiff had to pay were 17,000 marks since they were based on the amount he requested. This way, Halilovic said, practice shows that damage requests for defamation should not be unrealistic.

By the end of 2003, when most suits were filed, the most sued papers were "Dnevni Avaz" and its editions (30 suits), followed by the weeklies "Slobodna Bosna" (22) and "Ljiljan" (15), the daily "Oslobodjenje" (13), Federal TV (8), the magazine "Dani" (6)... In the meantime, this year, some of them have been sued again so these figures are not final. In the majority of cases, suits were filed against publishers, editors-in-chief and, when they are known, authors of articles.

Who are the plaintiffs and what do they request? Most suits were filed by people that we might generally label as public figures. There are politicians among them (close to 40 suits, with some having two or more suits, and therefore the number of politicians in this case is smaller than the number of their suits), as well as retired police and security service employees (15 suits, some also with five or six), civil servants (8 suits), company directors (7), etc. There are no bodies of governance – no governments, or parliaments, or courts, or public institutions – because the law does not allow them to file suits.

Entirely unusual in comparison with other countries, even with practice over the past years in Bosnia-Herzegovina itself, right after politicians by the number of suits are – journalists!, said for Mediaonline Mehmed Halilovic. Journalists have filed as many as 27 suits against other journalists and media outlets. The record-holders, again, are from the "Avaz" company: the founder of the largest media company in BiH today has filed, in the name of the company and in his own name, exactly 22 suits, mostly against other media outlets, and some also against well-known public figures. "Avaz" journalists filed another three suits – two personal and one collective suit on behalf of 40 journalists.

Threats against and Attacks on Journalists and Media

From March 1, when it was reactivated after a several-month-long interruption, to October 1, 2004, the Journalist Help Line, an organization operating within the Independent Union of Journalists in Sarajevo, processed some 20 complaints by journalists and media outlets from BiH. Pressure, according to their classification, is categorized as follows: threat – 4 cases, physical assault – 1 case, seizure of equipment – 1 case, political pressure – 4 cases, employment dispute (providing legal advice on the exercise of employment rights) – 4 cases, and category other – 5 cases.

Of course, an aggravating circumstance for drawing conclusions on the quality and quantity of pressure against journalists in BiH is the fact that pressure is reported to the Journalist Line at one's own will. According to the estimates of many competent people related to the media sphere, the number of cases of pressure is as much as 20 times higher, but journalists fail to report them either out of fear or because they judge they can deal with them some other way. Still, most journalist organizations in BiH believe that in 2004 there have not been any seriously fierce violations of journalistic rights in terms of destruction of equipment, physical assaults with grave consequences or rapid political pressure. Namely, we must emphasize that the great politicization and political differentiation of the BiH press is not caused by state censorship or direct pressure by political parties, but rather by individual political stands of editors and some journalists who understand the media as a tool of political and economic struggle, rather than a means of conveying objective information.

It is noticeable, however, that a large number, percentage-wise, of violations of employment rights have been reported. This is not surprising since a huge number of journalists in BiH work without social and medical insurance, for low salaries and often with pressure from bosses and editors regarding their work. Those who are well paid, due to their personal economic well-being, can hardly dare complain about this kind of attitude on the part of owners, while some, aware that they have nothing to lose, complain of their bosses' "slave-holding" attitude. As Borka Rudic, Independent Union of Journalists General Secretary, has told us, her organization is aware of the situation in BiH journalism, but unfortunately the Union is unable to fight for labor (journalist) rights.

“That is the job of syndicates, which we will fully support,” says Rudic. However, journalist syndicates in BiH are a dead letter. Unlike syndicates of metal workers, miners, teachers or doctors, journalist syndicates have not spoken up publicly a single time.

The chief reason is low support from its very foundation, which puts more effort into linking up through journalist organizations. International community support has also gone in this direction, with most resources being invested in development of professional (objective) journalism than in protecting the existential rights of journalists. In this regard, some journalist associations have received both financial and consulting assistance, while journalist syndicates have been left in the lurch.

The following is an overview of the most significant cases of pressure on media outlets and journalists in BiH (starting from September toward January). It is more than evident that most attacks and cases of pressure occurred during the election campaign in August and September.

The so-called Kragulj case enters the annals of professional dishonor. It concerns Ljubisa Kragulj, founder and owner of Banja Luka-based Radio Big, who was an SDS candidate for mayor of Banja Luka and who was disqualified by the Election Commission of BiH one day before the elections for spreading hate speech. We will only touch upon his statements from September when he was a guest on the local TV Simic. What he said constitutes, in the constellation of overall social relations in the RS, a call for lynching journalists. He fiercely lashed out at so-called independent media outlets such as Alternativna Televizija, Nezavisne Novine, even the public RTV RS, accusing them of being anti-Serb and working for the interests of the international community.

“Media outlets bought by the CIA, media outlets made by Americans, are media outlets against the Serb people. They are organized to lie against the people. Media outlets who sold their role shamefully for money, are not working for the people; they are working for their mentors,” preached Kragulj for practically an entire hour, insulting numerous journalists in the RS. Kragulj’s view of professionalism is best expressed in what he said when asked what he thinks is the role of the media: “I will send a message to all media owners, all media employees. Let’s gather around a single goal, let’s gather around our

common goal; it's called preserving the Republika Srpska." Hence, Kragulj sees the role of the media as a purely political tool. But, nothing better can be expected from a station owner who is a political party candidate. By the way, although a member of the strongest political party, he sustained a heavy defeat in elections and his disqualification primarily has a preventive purpose for others.

Darko Gunjic, reporter with Banja Luka's Radio Big, was attacked outside his house in Banja Luka. Three yet unidentified men attacked him on Wednesday evening on September 22. Gunjic sustained serious eye injuries. Fortunately, he was soon released from the Ophthalmologic Clinic to continue treatment at home.

The attackers even threatened to kill Gunjic if he continues his series, currently among the most popular, called "Blabaonica" (babbling or empty talk).

They also showered insults on Ljubisa Kragulj, owner of Radio Big and candidate for Banja Luka mayor.

The station issued a press release: "No one has ever managed to intimidate Radio Big and Banja Luka. The attack on Gunja (Gunjic's nickname) is an attack on freedom of journalism and democracy, which our station has been fighting for since its establishment (13 years ago)."

In Trebinje (southeast BiH, Republika Srpska), on October 19, RTV Republika Srpska cameraman Tihomir Stolica was physically attacked. He was beaten up and his camera was smashed and a female journalist from the same TV was verbally insulted. This occurred while they were trying to film a place where SFOR had arrested a war crimes suspect. Journalist associations in the RS strongly protested the fact that a police officer was standing five meters from where this was happening and did not react. However, unlike in some earlier cases, this time RS police reacted promptly and efficiently. One of the attackers was arrested, the police commander in Trebinje was removed, and three police officers were suspended.

Muamer Topalovic from Konjic, sentenced to 35 years in prison for the murder of three members of the Andjelic family and the wounding of one member, on September 6, 2004

made a phone call from Zenica prison to Nevres Dedic, journalist of the Mostar-based “Dnevni List,” and threatened him with death. Topalovic, according to Dedic, was reacting to an article published the same day in Dnevni List under the headline “Muamer Topalovic requests suspension of prison to visit family home.”

“Topalovic called the newsroom twice and I was not in the office. At around 3 p.m. the secretary put him through and I realized right away that it was him. After identifying himself, he requested that I publish a new article apologizing for the article on Monday. Then he started to make threats: ‘Watch what you write, because you might be killed. We will meet in a couple of years, and until then be careful, because you might be killed. You keep writing against Muslims and be very careful when you come to face God. If we don’t meet in a couple of years, we will meet before God where you will answer for all you did,’” quoted Dedic Topalovic’s words after which he says he broke off the connection.

It seems unbelievable that someone sentenced to many years in prison for multiple murders can communicate over the telephone from prison with journalists. However, it was confirmed that Topalovic did have a telephone conversation that day, but he claimed he contacted his family.

Republika Srpska Chief of Police Radomir Njegus in August accused journalists of “Nezavisne Novine” and RTV RS of being part of a group that is working deliberately on discrediting him. The RS top policeman said journalists from these outlets should “end up in prisons or a madhouse.”

The Office of the High Representative (OHR) warned Njegus that he cannot use political pressure to influence the work of journalists. “If someone is displeased with media reports, they should use legal means. Generally speaking, senior officials, including police officers, should not make statements that constitute political comments regarding the work of certain media outlets,” said an OHR spokesman.

The Coordination of Journalist Associations assessed Njegus’s words as an act against media freedom, the pillar of any democratic society, and called for his removal.

A couple of days after a large journalist protest in Banja Luka, Njegus apologized to representatives of the fourth estate for his statement. The police chief expressed regret in front of numerous journalists at a press conference in Banja Luka, saying his statement was pulled out of context. He also promised to give all answers to questions regarding certain police investigations, which journalists had insisted upon at the earlier protest (which he later really did do).

Bakir Izetbegovic (son of late President Alija Izetbegovic, former leader of the Party of Democratic Action – SDA), incumbent deputy president of the SDA, the leading Bosniak/Muslim political party in Bosnia-Herzegovina, at an SDA Board session held in Sarajevo, when asked by the audience: “How do you comment on the Federal TV (FTV) editorial policy against the SDA?”, answered that very soon its (FTV) management, editors and Steering Board will be replaced!

There is no need to say that such a public stand constitutes evident pressure on public services and their independence.

The FTV Steering Board issued a press release, reminding B. Izetbegovic, as well as others with similar views and political ambitions, that FTV is a public service, which must serve the citizens who support it financially by paying TV subscription fee and that it must not be under the influence or patronage of politicians.

A yet unidentified person, or several persons, in the early morning of July 3 activated an explosive device outside the house of the publicist and journalist Seki Radoncic, in Sarajevo’s Grbavica neighborhood. Based on the information available, the device is a “kasikara” hand grenade, activated at around 5 o’clock in the morning, and the detonation shattered the window panes on Radoncic’s house. His mother was at home at the time and, fortunately, she was not injured.

Right after the explosion, Sarajevo police arrived and the on-site investigation took more than four hours. The motivation behind the attack has not been announced officially yet.

The evening before, Radoncic took part in TV Montenegro’s program “Otvoreno” (Open), where he spoke about the unlawful deportation and liquidation of Bosnian-Herzegovinian

refugees arrested in Montenegro's territory in May 1992. Citizens of Bosnia-Herzegovina were also able to watch the program on satellite and cable television. During the program, state prosecutor Vesna Medenica said she would launch an investigation and examine the entire case of unlawful deportation of refugees.

"I don't believe the grenade accidentally dropped from someone's pocket and exploded right outside my house," Radoncic commented briefly in the Montenegrin news program "Vijesti", not going into calculations concerning the motivation.

By the way, Seki Radoncic is the brother of Fahrudin Radoncic, owner of the most successful BiH paper Dnevni Avaz.

Slobodan Vaskovic, editor-in-chief of the Banja Luka weekly "Patriot," received telephone threats on May 29. An unidentified voice allegedly said: "You and your family and your paper will fly up in the air in the next 24 hours if you don't leave the Republika Srpska instantly."

Fortunately, the threat was not carried out.

The Coordination of Journalist Associations and Journalist Help Line announced that "authorities and police must not ignore such threats against journalists and media outlets who criticize the work of government institutions." It is interesting, however, that the paper Patriot supports Serb hardliners and that media outlets of this kind have not received threats very often.

In March, the Journalist Help Line and Coordination of Journalist Associations in Bosnia-Herzegovina warned of a violation of the right to freedom of expression at RTV Gorazde and drastic pressure exerted by Director Ernad Metaj on the media outlet's employees.

Director Metaj passed his own regulations on the work of journalists and guidelines for airing press releases and other contents, which station employees are obliged to adhere to. Journalists and editors were thus deprived of the right to provide free and objective information to the public, in compliance with professional journalistic standards. On the list of priorities for airing, in the case of press releases, Director Ernad Metaj placed

press releases criticizing RTV Gorazde and its journalists. This request defies all business logic. However, the request must be placed in the context in which it is made. Namely, pressure on RTV Gorazde employees comes at a time of preparations for privatization of this public media outlet and efforts by certain circles in Gorazde to take control over it and to discipline journalists and editors.

The two organizations requested the RTV Gorazde director and Steering Board members to ensure that journalists and editors work freely. They also warned that ownership changes in the media must unfold in line with legal regulations, with maximum protection for employees and respect for citizens' interest in objective and timely information.

To wrap up, something interesting. Reporters without Borders, an eminent organization dealing with the position of journalists across the world, published in October its third quarterly report, placing Bosnia-Herzegovina in terms of media freedom and position of journalists in the high 21st place, one place ahead of the United States. This makes BiH convincingly the best placed country in the region of South East Europe. Of the whole former Yugoslavia, only Slovenia, already an EU member, is higher (15th). How is this possible? To explain, we must say that Reporters without Borders ranks countries on the basis of media questionnaires filled out by experts in various fields who assess the work of the media. Formal filling out of these questionnaires really can show Bosnia as a very democratized country in media terms. Namely, BiH has by far the most modern media regulations in the region; in BiH politicians and authorities really cannot directly influence the media; in BiH there have been no murders of journalists or especially grave attacks on journalists... However, the report does not say that modern media legislation is a result of pressure from the international community, rather than local democratic consciousness; that although politicians have no direct influence, journalists themselves have very strong self-censorship and the media is deeply politicized and biased; that attacks on journalists occur every day, and that only God (or chance) is to be thanked that they have not resulted in anyone's death or invalidity...