



Freedom of the Press 2013 - Bosnia and Herzegovina

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2013 Scores

Press Status: Partly Free

Press Freedom Score: 49

Legal Environment: 9

Political Environment: 23

Economic Environment: 17

The constitution of Bosnia and Herzegovina (BiH) guarantees freedom of the press, but politicians exert considerable pressure on journalists, and media outlets tend to be aligned with political parties. Since the signing of the 1995 Dayton Accords, which ended the country's civil war, BiH has been split into two semi-independent constituent entities: the Federation of BiH, populated mostly by Bosnian Muslims (Bosniaks) and Croats, and the Republika Srpska, whose population consists mostly of Serbs. Each entity has its own public broadcaster, private media, and political parties. Intimidation of the press is especially common in the Republika Srpska.

Libel was decriminalized in 2003, but journalists can face civil penalties over libel complaints, and the burden of proof in such cases is placed on defendants. Municipal courts are often biased, and suits can drag on for years. The process for obtaining information through the country's freedom of information law can be cumbersome, and the law is not always heeded by government bodies. These complications discourage journalists from requesting official information.

Under the 2003 Law on Communications, broadcast media are licensed and monitored by the Communications Regulatory Agency (CRA), which has executive powers to enforce regulations. Although it is often exposed to political pressure, the agency is financially independent, and its licensing decisions are generally seen as fair and impartial. However, since the government is ultimately responsible for approving the appointment of the CRA's director general and council

members, political interference in this process is not uncommon. The print media and internet media outlets are self-regulated by the Press Council of BiH, which handles complaints about the press from the public, but has no power to fine, suspend, or close down media outlets. Instead, it mediates between the complainant and the outlet, often resulting in a retraction or the publication of a response or denial from the complainant. The Press Council is one of only a few centralized institutions in BiH that serve both the Federation and the Republika Srpska.

Journalists and media outlets frequently face pressure from political parties in both constituent entities. Their respective public broadcasters, Federation Television and Radio-Television of Republika Srpska, the largest public broadcasters in the country, tend to behave as rivals and are generally organized along ethnic lines. In June 2012, in a clear display of political interference, the House of Representatives of the Federation appointed three individuals to a "provisional steering board" at Federation Television, despite the fact that no provisional board is established by law and only one member of the public broadcaster's steering board is supposed to be appointed annually. The countrywide public broadcasting service, Radio-Television of Bosnia and Herzegovina (BHRT), also faces considerable pressure from political parties and leaders across BiH, and recent internal changes have greatly undermined its editorial independence. In 2011, its statute was amended to give its steering committee, comprising four appointed members, full editorial and managerial control, including the authority to appoint editors and approve programming.

The Free Media Helpline, a program run by the Bosnia and Herzegovina Journalists' Association, recorded 39 violations of journalists' rights between January 1 and September 10, 2012, and noted an increase since 2011 in threats and pressure by politicians against journalists. In June, Republika Srpska president Milorad Dodik demanded that Ljiljana Kovačević, a correspondent for Serbia's Beta News Agency, leave a press conference, calling her a liar and using other disrespectful language. Two days later, Dodik publicly asserted that press freedom was guaranteed in the Republika Srpska. Journalists in BiH also remain susceptible to physical attacks. In July, Štefica Galić, a filmmaker and editor of the web portal Tacno.net, was beaten by a group of people in the southwestern town of Ljubuški. The attack took place two days after the debut of her documentary film, *Neđo of Ljubuški*, about her late husband's efforts to help Bosnian Muslims escape Ljubuški during the civil war. Despite appeals from the Organization for Security and Cooperation in Europe's representative on freedom of the media, the United States, and the European Union to thoroughly investigate the beating, local police deemed the incident a minor offense against peace and order, and said the media had exaggerated its severity.

According to IREX's Media Sustainability Index, BiH has 9 daily newspapers (most of which are privately owned), 101 weekly and monthly newspapers and periodical magazines, 147 radio stations, 48 television stations, and 6 news agencies, of which 2 are state owned and 4 are privately owned. The public television and radio stations in the two constituent entities are the most influential broadcasters in the country, although there are also several private television stations with near-national reach. BiH's media outlets are strongly divided along ethnic lines and many are openly affiliated with political parties. The difficult economic situation faced by the sector, made worse by recent withdrawals of international funding for media outlets, has resulted in diminished independence of the media from political and commercial influences. Due to shrinking advertising revenue and major advertisers' affiliations with political parties, many media outlets practice self-censorship to protect the commercial and political interests of their advertisers, upon whom they are financially dependent.

Corruption and the use of subsidies also influence media content. In March 2012, the Center for Humane Politics, a Bosnian watchdog group, reported the Republika Srpska prime minister and several members of his cabinet to the public prosecutor's office, claiming that they had approved the payment of several million convertible marks, BiH's currency, from the state budget to media outlets in return for favorable coverage. In November, Croatian journalist Domagoj Margetić, who authored a series of articles on a Croatian corruption case involving Austria's Hypo Alpe-Adria-Bank, claimed that Dodik had threatened him and offered him money not to link him and his son to controversies at the bank.

The internet is unrestricted, and 65 percent of the population had access in 2012.

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