



Content

Events

Media on Media

Press Releases

Vacancies

Incoming Events

Free Media Help Line

Public RTV system in BiH - One step closer to collapse

By: Emir Habul

Public broadcasters in BiH: new beginning or beginning of the end?

By: Vedada Baraković

Legal framework for public broadcasters work

By: Momčilo Novaković

Old fashioned public service philosophy no match to commercial competition

By: Zvonimir Jukić

Interview with Boris Bergant

Events

5 Feb 2016

Mostar journalists club officially opens

Mostar journalists club was officially opened in front of over 30 journalists, representatives of non – governmental and international organizations and also representatives of Mostar City Administration. The club was officially opened by Anne Vibeke Lilloe, ambassador of Kingdom of Norway in BiH. She said that freedom of speech and media play an important role not only in Norway, but also in any functional democracy.

[Details](#)

Editorial

Dramatic press release by the officials of the Radio and Television of Bosnia and Herzegovina (BHRT) Board of Directors, released at the end of January 2016 did not concern BH MP's, instead of seeking urgent solution to the amendment of the Law on public radio and television service of BiH because of the creation of three ethnic channels as part of the umbrella public RTV.

Ethnic diversities of public service are priority to all political figures due to many reasons. The existence of public service also includes democratization of a society and transparency and political elite do not find these acceptable. Establishing of three ethnic channels would additionally create solid fundaments for further political manipulations and quality mental abuse of public in general and the process of territorial division would accordingly be finally completed, including natural resources. This process would also protect highly ranked political officials from all three ethnic groups.

Insisting of certain Croat politicians to establish the ethnic Croat channel in Croatian language does not create stress among the representatives of other two ethnic groups since all governing parties seriously rely on the destruction of public service and the creation of false and small public broadcasters. Because of this, BiH political officials have no shame as BiH crossed the deadline for digitalization process on 17 June 2015 and due to the fact that after the passing of the Law on Public RTV System of BiH in 2005, the Corporation of Public Services had not yet been established. The consequence of such conduct towards the RTV system is indeed its present but most serious crisis since its creation.

*The solution to financing the public system requires the solution as soon as possible. The issues on different financing models, experiences in other countries, political pressures imposed against public services, management responsibilities of public broadcasters and journalist shall be covered in this edition of E-Journalists by **Emir Habul**, Secretary of the BHRT Steering Board, **Vedada Baraković**, a university professor at the Faculty of Philosophy (University of Tuzla), **Momčilo Novaković**, Head of Transport and Communication Commission in the House of Representatives of BiH, **Zvonimir Jukić**, Executive Director for FTV Programmes, and we had done the interview with **Boris Bergant**, the expert from the European Broadcasting Union (EBU).*

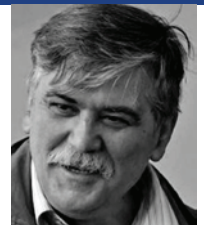
Adis Šušnjar, BH Journalists Association

Public RTV system in BiH - One step closer to collapse

By: Emir Habul

Radio and Television of Bosnia and Herzegovina (BHRT) Board of Directors, after holding a meeting session on last Friday in January 2016, sent a strong and dramatic warning message to all governing authorities and general public: BHRT has entered a dramatic crisis period that may lead to the termination of broadcasting signal! This estimate cannot be abated by the fact that the Council of Ministers of BiH has extended the validation of present model of collection of RTV tax fees until the end of June 2016.

For regular and standard monthly operations (and this relates to the maintenance of minimal operational functions), BHRT requires and lacks around half a million BAM. This resembles the situation when a person driving a car with an empty fuel tank (emergency fuel quantity) drives his car downhill and he would turn the engine off, thus avoiding fuel wasting and this would eventually enable him to pass few extra meters due to inertia, rather than driving the car itself. Continuing the collection of RTV tax fees, as the amount attached



Events

19 Nov 2016

The Netherlands students visit BH Journalists Association

Group of students, attending master studies "Conflict, territories and identities", from the Radboud University, the Netherlands, visited Association of BiH Journalists. Rose van der Kloet, a professor from the Netherlands, organized this visit, so the students could, 20 years after the Dayton Agreement, become familiar with media, cultural and political affairs in Bosnia, but also so they could do research assignments during their stay in BiH.

[Details](#)

Press Releases

11 Feb 2016

Request to Council of Ministers of BiH and Ministry of Communications and Transport

Board of Directors of the Association of BiH journalists demanded the Council of Ministers and amenable Ministry of Communications and Transport officials to make clear distinction between the issue of collection of RTV fees and ensuring stable and long-term financing of public services in Bosnia and Herzegovina from long – lasting political discussion on forming ethnic channels within the public information providing system.

BHJA BoD considers unacceptable fast and easy encroaching of amendments of the Law on Public RTV service in BiH because of forming the three ethnic channels within the umbrella of public RTV based on the "thesis" by the minister of communications deputy. These "thesis" are not only in contrast with the European practice of public media operating, but they also contain no expert, technical or financial conditions in terms of the implementation of this political experiment whatsoever. Particular concern represented the fact that the highest body of executive governing authorities – the Council of Ministers succumb to political requests by the HDZ BiH and accepted the amendments of this Law, without previous fulfillment of "European Agenda" and one of the fundamental conditions for BiH to join the European Union and that is the development of the hypothesis for the functioning of politically independent, professional and financially stable system of public broadcasting.

[Details](#)

03 Feb 2016

Protest against the Council of Ministers of BiH and Ministry of Communication and Transport

By repeated postponing of the amendments of the Law of PBS along with different political and procedural excuses. Council of Ministers proved incompetent in solving the problems the PBS have been facing for years. BiH Journalists BoD reminds Council of Ministers and Members of State BiH House of Representatives Parliament that stable public service and formation of the Corporation of Public Broadcasters is one of the conditions the state must fulfill in order to be eligible to apply for European Union membership. European Commission has never officially desisted from this particular condition and BiH MPs and public officials, instead of being focused on this conditions requirement, debased the functioning of public broadcasters to daily political calculations, cheap market – based trading or work to the benefit of selected political parties instead.

[Details](#)

to telephone (landline) bills is certainly not a solution; instead it only exceeds the agony so "the head could sustain a little bit more above the water, before it drowns". Due to massive subscriber's contract cancelling with telephone operator, the number of subscribers was reduced by half of what it had been and is still decreasing.

All of this sounds rather complicated. In order to understand the issue it would be necessary to explain how the public TV financing works, why the BHRT has found itself in most difficult situation, how I perceive the public broadcasting system and why the Corporation has not been established yet and what are the options for public broadcasting system in order to survive and sustain. I shall try to explain all of this and outline those responsible for this situation.

System blockage

Law on Public RTV System in BiH was passed at the end of 2005. It was based on the following idea: three broadcasters with a single logistics. Logistics was supposed to be a famous corporation that should have been established by the broadcasters within 60 days from the law passing and as we know, it has not been established yet.

By establishing the Corporation public services would have been disengaged with any additional technical support issues, cameras and studios, signal transmission (relays), technology development (digitalization process).

Corporation would coordinate operations regarding collection of RTV tax fees, marketing operations, purchasing programs on behalf of public services, represent broadcasters and system in international radio – diffusion organizations etc. Entity radio television would, in terms of program, cover the Entity territory and BHRT would create the program and the signal would cover the entire country. This was the idea and also drafted in the Law. However, this, rather ambitious project Paddy Ashdown pushed by force, gave birth to a dead baby child.

During the late spring 2005, it was possible to establish the system and form the Corporation. However, a common sense demonstrated by the international community, OHR to be precise proved different: system was to be established by local forces after the Entities pass their own laws on public services! And this is the reason why we wasted two following years and enable the dissolution: the Republic of Srpska passed its own law and the Federation followed two years after that and both laws were in collision with the Law on Public RTV System of BiH. When RTRS buried the fundamentals of its own building it actually lost the interest for the Corporation in terms of capacities defined by the Law. It was certainly a farewell to the Corporation. The trend of strengthening and reinforcing the BiH state institution was still well alive by until 2006.

At the end of 2006 Paddy Ashdown had left and the story on establishing the system had neither future nor someone to push it. OHR abolished media department, public services were no longer as priority tasks by the international community - although the public service was clearly outlined as the 16th condition in the document on stabilization and admission – and the system of public broadcasting was consequently left on a thin ice. All attempts of establishing the corporation had been unsuccessful. Frankly speaking, the desire vanished after this. RTRS, assisted by the RS Government got its own building and in political sense, the process of RTRS independence as entity television had begun. Banjaluka political view was that the establishing the Corporation was out of the question. There was no will to establish the Corporation with even minimum functions, not even the Corporation that would serve as network operator managing the future developed digital channels (so called MUKS –A and MUKS – B) with significant incomes deriving out of this function. No, Dodik said NO!

Press Releases

25 Jan 2016

Protest against the Prosecutors Office in BiH and State Investigation and Protection Agency

Board of Directors of the Association of BiH Journalists hereby directs a public protest against the Prosecutors Office in BiH and State Investigation and Protection Agency (SIPA) as a result of burst by the gun – armed and masked persons into the „Dnevni avaz“ premises, thus creating fear amongst the staff and interrogating the journalists and editors of this daily newspaper.

BoD of BiH Journalists supports the activities conducted by the judiciary officials and security agencies aimed towards the detection of criminal deeds and actions and also arresting the persons that had been violating the law. At the same time, in this specific case, we consider the demonstration of power towards the “Dnevni avaz” and its journalists completely intolerable, also including the degradation of media integrity and limitations of rights to free expressing as a result of bursting of armed police officers into the editorial office of this particular media house.

[Details](#)

21 Jan 2016

Regarding the tax fee collection and both failure to fulfill and the fulfillment of duties and obligations towards the PBS by the official authorities

The Board of Directors of the Association of BiH Journalists demanded the Federal Government of Bosnia and Herzegovina and the Government of Brcko District to make urgent approval regarding the amendments of the Law on Public RTV system and collection of fees through telephone bills until 30 June 2016, in order to avoid financial collapse of PBS. Refusal by these two governments to pass adequate approval regarding the amendments of the Law on Public RTV system, would represent a direct assault against the freedom of speech and the public right to be provided information through public information system, which is in contrast with the Constitution and valid legal prescriptions in BiH, including numerous international documents.

[Details](#)

a problem? It is because the RTV system should represent BiH institution, and Serb politics simply opposes this idea on one hand, and on the other hand, Croat politics demands their own national and ethnic channel and the problem is also because the Parliamentary Assembly of BiH and Council of Ministers do not implement the law; the problem is because the international community (OHR) from 2006 gave up the Law and concept that it had previously imposed and enforced. The financing problem is only the expressions of these factors.

The concept of paying the RTV tax as part of the telephone landline bill has been overrun after the subscribers have been provided with an opportunity to change their operators and phone service providers or simply use IPTV services (such as Moja TV, Trio and Open IPTV). While regulators imposed the rule that dominating operators must charge their subscribers for landline phone bills with the amount exceeding BAM 10, 00 private operators advertise their landline charges for BAM 0, 00! At the same time, cable operators refuse to charge RTV tax fees although pursuant to Article 42 of the Law on System they are obliged to do so.

Now, let us see what actions have the public services taken?

Technology exterminating the model

Let us go back to financing and BHRT position in this process. The Law prescribed that all incomes by public television houses, RTV tax fees and marketing incomes, dispersed (pursuant to formulae) as per following: one half to BHRT and the remaining half shall be dispersed equally between the RTRS and Federal TV. Now, why does the BHRT receive half the total income? This is because BHRT has international duties to fulfill, including memberships in Euro song contest and other international associations (this debt has already exceeded the amount of BAM 8.0 million). It also includes the transmission of international competition events (Olympic Games competitions, world championship competitions, national squads' competitions etc), signal coverage throughout BiH and maintenance of technical equipment and logistics that should have been maintained by the above mentioned Corporation. This why the large number of employees engaged with the BHRT exceeded the number of 900 until recently.

Marketing incomes had never been dispersed and this occurrence violated the Law in the first place. Federal TV, supported by the Entity Parliament, was advised to keep the marketing incomes to itself. Incomes collected by the dominant telecom operators are directed to mutual / joint account and this amount is dispersed according to the Law. However, all these years, incomes collected by the collector services, FTV and RTRS kept for themselves.

According to this and this information is still incomplete and unofficial, BHRT was deprived of around BAM 5.0 million in 2015 only.

But, the key problem is the existing model of collection of RTV tax fee, its unsustainability, and new model is still to emerge. Number of subscribers in BiH, counting from 2009 with over 902 000 subscribers, almost reduced to half of this number in 2015, as a result of cancelling the landline telephone contracts with phone operators in households. If you multiply the difference by BAM 7.50 you could easy come up with the deficit in all three public services accordingly. This trend was even fastened last year, and it preserves this year as well. According to the information provided by the Communication Regulatory Agency (origin. RAK), during December 2015, over 690 000 people were watching TV program via cable operators or Moja TV programs, Open.iptv or Tria. RTV tax fee is not listed on cable operator bills. Again, if we multiply this number by BAM 7.50 we shall estimate the deficit with three public broadcasts.



Financing: public or budget

In April 2015, legislative and executive government received the proposal for model on the collection of RTV tax fee attached to the electricity bills. The proposal was based on the assumption that in BiH there are over 1.1 million households which enables efficient and comprehensive payment collection system. Neither the Parliament nor Council Of Ministers have expressed their thoughts about this idea yet. In the meantime, RTRS suggested that the tax fee should be paid as part of income tax and means would then be collected and transferred into Entity funds and managed by RTRS and RTV FTV. This proposal, still to be analyzed in details, was considered rather with a certain amount of skepticism since it would additionally burden the employees and introduce misbalanced ballast within a single household; it would mean that more persons within a single household would have to pay this tax fee. It would also additionally complicate legal changes because it would require and adjust at least 6 – 8 laws which, from this perspective, do not seem feasible.

Several proposals emerged along with these ones, especially in Federation. Bakir Izetbegovic, during an interview, mentioned budget funding but this idea was also not elaborated to details. Mladen Bosic, head of SDS (Serb Democratic Party) also advocated similar model: funding BHRT from state budget and accordingly, fund RTRS and FTV from entity budget. With the existing and overloaded budgets, it is unlikely to believe that certain funds could be directed from these budgets in order to finance public services. Besides, it would also allow political parties to have a complete control over public services. Budget funding is not European standard.

Novalic's office recommended that cable operators should be in charge with RTV tax collection, since the number of subscribers could finance public services. Federal government addressed the initiative to the Council of Ministers. This model could easily be operated and maintained because the RTV tax fee would thus be listed on a single cable operator's bills / invoices and this would require minimum legal interventions.

Most interesting suggested model however, was the proposal by Mario Karamatic, an MP at the House of People, who recommended three ethnic channels. Although Karamatic represent the HSP formation, HDZ representatives also found this idea rather acceptable, because this party has been advocating and initiating the idea of newly formed Croatia's TV channel. It is surprising that according to announcements by proponents; it is actually about the idea of that was directed to parliamentary procedure although this certain document was still to be released. Regardless to the fact that all ethnic groups are entitled to their own ethnic channels, in BiH case it would certainly create a complete dissolution of public RTV system and complete ethnic division of public space. Karamatic and other proposers of the idea of having this ethnic channel formed promised that ethnic Croats in BiH will be willing to pay RTV tax fess if the above mentioned Croatia's channel is established.

Does Bosnia and Herzegovina really need public service and what does this service have to be? This is crucial issue and in this context it is also political issue. BHRT is scheduled as public service that would integrate BiH public space, develop political and cultural pluralism, and take questions that all citizens are concerned about into serious consideration. This kind of program is expensive and every state with minimum integrity and pride has one. The answer to the question of who would fund public services in BiH; citizens (via RTV tax fee) or government (via budget) depends on the question of who would be in control of three radio television houses.

European standard

European standard includes paying the RTV tax fee and it is considered as tax duty. In Austria it is EUR 360.00 annually, in Norway it is similar, in France it is around EUR 140.00 per year – along with local tax; in Finland it is EUR 40.00 to EUR 140.00 depending on the income value (all employees earning over EUR 8.500.00 per year are obliged to pay this); in Croatia it is HRK 80.00 per household (around EUR 11.00), in Turkey this tax is included in electricity bills so citizens cannot see it appearing separately on the electricity bill etc. In Sweden, a postman delivers bills for RTV tax fees every three months to home address of every household (around SKR 550 – BAM 125.00). In European countries it is considered a shame not to pay RTV tax fee for public television and there is also a very effective way of enforced payment imposed on those who do not make this payment.

Law amendments on RTRS

In October 2013, the RS National Assembly legalized the elimination of the CRA during the appointing of members of the RTRS Board of Directors and legalized the financing of missing funds from the RS budget. With these two interventions RTRS was formally out under the control of governing majority and the principles of the Law on Public RTV System were thus derogated. One more amendment reinforcing the RS National Assembly to dismiss the members of Board of Directors if they do not act as instructed is in process. At the same time, CRA allowed RTRS to establish another channel marked as the "additional program service" which leads to a complete emancipation from the public RTV system in BiH.

The seat of the public broadcaster RTRS in Banja Luka



Media on Media

Public broadcasters in BiH: new beginning or beginning of the end?

9 Feb 2016

RTRS Council: We shall take into consideration proposed fee collection

RTRS management proposed collection of RTV tax fees within tax system, while the government of the Federation proposed that collection of RTV tax fees should be conducted through cable TV bills. JRTS Council shall evaluate proposals and submit their opinion to the Council of Ministers after thorough analysis and elaborates. System council shall expect the authorities in Bosnia and Herzegovina and Entities to find new model of RTV tax collection of fees as soon as possible. All three broadcasting systems shall, during this process, make their staff available for the execution of this process, so the new model shall be adopted by June 2016.

[Details](#)

9 Feb 2015

New law on financing the RTV system: Third Channel is (not) a priority

During the 42nd meeting session of Council of Ministers passed the amendments of the Law on Public RTV service. According to this law, the deadline of current system of the collection of fees has been postponed until 30 June this year. At the same time, Ministry of Communication and Transport has been appointed to prepare new law that would enable sustainable the financing of public RTV systems.

As part of this legal solution, according to unofficial sources by "Oslobodjenje", the issue on formation of channel in Croatian language shall also be a subject to discussion.

[Details](#)

4 Feb 2016

International Journalists' Federation report

According to the report by the International Journalists' Federation, at least 2297 journalists and media staff were murdered in the period between 1990 and 2015.

Report on 32 murdered journalists and media staff in Bosnia and Herzegovina for this period, placed BiH on position 20 in the scale of most dangerous states for journalists and media staff.

[Details](#)

3 Feb 2016

Warning Protest of BHRT Independent Workers Union

Due to disastrous financial situation, the Impendent Workers Union of BHRT held a warning protest in front of the BHRT building. BHRT was left with no financial support as of 1 Jan 2016.

[Details](#)

29 Jan 2015

BHRT Board of Directors press release

"We have officially entered the crisis, therefore if the solution is not to be found very soon, termination of signal broadcasting is inevitable".

[Details](#)

27 Jan 2015

Tanja Fajon: Independent and Quality Media Represent the Foundation for Healthy Democratic Society

As former female journalist, since the beginning of my MP mandate, I have been warning about the problem of media liberties in the Western Balkan countries, including Bosnia and Herzegovina. Media "province" in BiH is far more complex and more sensitive due to complex state administration", stated Fajon.

According to her statement, regardless to three ethnic groups in BiH and the difference in expressing their interest regarding the information providing, it is very important that the public radio and television system of Bosnia and Herzegovina operates best since it represents the state.

[Details](#)

By: Vedada Baraković

Introduction

Unfortunately the crisis of public broadcasting in BiH operating is neither unexpected nor sudden; instead it appeared as rather well planned and remaining permanent. Ever since this broadcaster had been established, political obstruction have gradually been transferred to a legislative and executive level, so, fifteen years after the forming of media sector in BiH, instead of stabilization, it was not unexpected to discover regressive processes, similar to those that have been noted on the total field if integration of the state community. In 2007 Haraszti¹ warned about the politically biased appointing of members of executive, administrative and supervising bodies, including board of directors of public broadcaster and exclusion of independent regulatory body from these processes highlighting the important role of public broadcasters in democratic processes in BiH. Public services, according to Rumphors (2007) exist so they could serve the public, since it's the public that funds them so public should, to some extent, have control of their work and key function of public broadcaster should be social cohesion and integration, ensuring free information flow and entailing pluralism and tolerance

From the role of public broadcasters it has become notable that this role of public broadcasters is not in conformance with present / current politics of ethno – political divisions in BiH that appear as key obstacle to democratization of social community in general. They actually desire media that would provide the public with ethnic substracts and that would reinforce their powerful positions and/or media that would feed the public with reality shows, TV soap novels, death chronicles and similar programs aimed to make the public indolent and passive and dulling their critical abilities in order to make current politics sustainable and supported.

Because, how else could anyone understand the initiative for amendments of the Law on Public Broadcasters where total income should be distributed into three parts, instead of using present model whir RT-VBiH receives half the income and one quarter of total incomes would be dispersed to Entity broadcasters? Or the decision by the Council of Ministers on the other hand allowing Entity broadcasters to manage the part of infrastructure acquired during the digitalization process. Or, encouraging the public to refuse paying the RTV tax fees by certain politician and state officials? Or, skilful tactics of protraction of solving issues of public broadcasting functioning and operating, including above all, their financing and funding.

Financing

Procrastination tactics of solving the problem of public broadcasters financing in BiH could from one hand be considered as discipline tactics and on the other hand, it could serve as tactics that may lead to public broadcasting weakening that may sustain. In any event, public broadcasters may no longer fulfill their tasks or they may no longer have global significance that public broadcasters have and should have.

Politics interference in solving the issues of public broadcasting in BiH has been directed to the controlling of these media houses, instead of being aimed to the core problem solving which has become more than apparent during the recent actions taken by official institutions that for



1 Haraszti, M. (2007): The State of Media Freedom in Bosnia and Herzegovina: the Public Service Broadcasting, www.osce.org/

Vacancies

Scholarship for male and female journalists

“European Journalism-Fellowships” program grants 10 – 15 scholarships on an annual basis to journalist from Eastern and Western Europe, USA and Arab countries. Applications are open for journalists with professional experience and German language knowledge. Additional information on program and all required documents can be found on www.ejf.fu-berlin.de

Application deadline is **28 Feb 2016**.

[Details](#)

Traineeship program at DW

“Deutsche Welle” encourages all candidates to apply for traineeship program in the field of journalism as part of the “Deutsche Welle’s traineeship” in Germany.

Program shall last for 18 months. Candidates are expected to have a degree in media and marketing field with both English and German knowledge.

Application deadline is **29 Feb 2016**.

[Details](#)

less than 50%. This is a classic trap of thesis spinning. RTV tax fee is a legal requirement that should be paid by any entity in possession of TV or radio receiver and not a subscription to certain programs. Also, we could say that the public is generally unsatisfied with all the money being spent by the public administration, particularly the VAT collected means, so they believe it’s them who should decide whether they should pay for this legal requirement or not.

Or, on the other hand, there is thesis that the public do not like the fact that many political parties have been funded and financially supported with public money and the citizens consequently have the right to boycott the payment by all means.

Another thing is how the parliamentary procedure decided how and who shall direct all incomes from RTV tax fees whose unobstructed collection is legal requirement of the state. The impression is that the public is not informed about this and that too much space is (deliberately) left for various interpretations, comments and even manipulation.

Changes

The public decides whether they should follow and view public broadcasting programs or commercial programs. Therefore, the battle for the survival and sustainability of public broadcasters would depend on the following questions: Why should citizens pay for RTV tax fees? What can public broadcasters offer that other media houses cannot? What programs and what ways should exist from corresponding to the public?

These questions are imposed because world’s public broadcasters have been, for the period of last decade, going through of the worst crisis from their beginning. Trends such as, decline of number of viewers, reduced incomes, severe and loud requirements for the revision of public broadcasters’ role, as well as their financing and funding, are altogether evident at present. Intercensors of these requests often refer to market laws and needs and public wishes. Most eminent broadcasters are being under great pressure, including BBC with over 308 million of people having

over a year delay the decision passing on permanent and quality based financing of public media houses. The question of public broadcasters’ financing at present actually outlines the question of their survival. The model of collection of RTV tax fees being implemented in BiH is also used with success in developed countries as well. Thus, for instance, public broadcasters in Germany are being financed from the tax based on the possession of electronic equipment / property (Rundfunkbeitrag) and is EUR 17.98 monthly fee and is one of the biggest fees of this kind in the world

This is a legal requirement for all citizens except special social categories and is also requirement for all legal entities, depending on the number of employed staff they have. Thanks to significant incomes by the public channels, ZD and Das Erste in Germany have largest share views (13 and 12.5%) in comparison with famous commercial channels RTL and SAT.1 that have 10% and 8% of viewership².

The evaluation here is pretty simple; no stable incomes no quality program which in BiH context means that it is necessary to find efficient model of financing that would enable program production that would then satisfy the taste and public demands, and would additionally and directly attract a significant number of commercial advertisers. A year ago, public broadcasting managements proposed a new way of collecting RTV tax fees that would alter the model of collecting of this kind of tax fee through telephone bills. Proposed model would provide the collection of RTV tax along with the electricity bills and according to estimates it would be sufficient enough for broadcasters’ functioning operations and restructuring processes in the near future. Official authorities delay their opinion and attitude regarding this process and public broadcasters slowly drown into more and more problems. Undoubtedly this problem could be resolved with certain political will and could start the new beginning of public broadcasters.

Public

As one of the arguments for delaying the solution to this problem, they often quote that the public / audience do not want public broadcasters, that is, the public / the audience is unhappy with the program schemes and this is why many subscribers cancel contracts with landline telephone operators and providers in order to avoid paying the RTV tax fees. Telecom operators are also losing money by this and the percentage of RTV tax fee collected amount is

access to their services. Public services are required to adjust to new market and technological conditions. Last year in Canada, an authorized parliamentary committee made a report covering the work of CBC public broadcaster, titled *Time for Changes*, and the recommendations included 22 reform items necessary in order to have this broadcaster competitive with new market terms and conditions³.

Other surveys and conclusions conducted by different commission dealing with public broadcasters operating and functioning lead to the fact that public broadcasters do have prosperous future ahead, they shall exist until dual concept of media functioning is in force, but public broadcasters require necessary changes⁴.

Proposed changes relate to use of potentials of convergent processes which conditioned, among other things, the changes of communication model, starting from linear access of push technologies based on “take what’s being offered to you” to non linear access based on “take what you want and when you want”.

This practically means the adjusting of modern 4a communication model (anyone, anything, anytime, anywhere), aimed to have access, from anytime and anywhere, to programs and contents stored in electronic memory.⁵

Another important area of recommended changes relates to habits and needs of users which include continuous survey of public, audience, market, trends etc. In this context it is particularly important that public broadcasters identify the semiotic democracy trend⁶, that is, capability and willingness of users to produce and disseminate new creations and take part in public cultural based discourse. In this way, public broadcasters should be directed towards linear programs for target audience (special programs and channels), along with traditional linear program aimed for general audience, including personalized services based on associated principles thus enabling users to create programs and contents⁷.

Changes undoubtedly include seeking the most efficient financing models and radical structural changes in terms of rational utilization of resources. The thing that has been noted as key advantage of public broadcasters in future, that is, the essence without which the content and program scheme of these broadcasters would resemble the commercial TV contents and program schemes, is professionalism which includes the compliance of professional principles of reporting, ethic codes, credibility respect of sources and above all, the public rights to true, balanced and complete information. For public broadcasters in Bosnia and Herzegovina these present the challenges that managements of these media houses must fully and necessary face and deal with as well as official authorities, also including all challenges deriving from the uniqueness of BiH society.

Day after tomorrow

Public broadcasting services in BiH have been stretched between international community, political leaders, ethnic audience, divided journalism viewers and listeners and economy powerful figures and they have been patting intact for more than 15 years. This seems reasonably short period on one hand, but on the other hand, it does appear pretty long in terms of fast technological conditions emerging, including legislative changes in EU that they tend to meet and fulfill. Unique public broadcasting service in Bosnia and Herzegovina at present is not possible and will not be possible until the moment of crucial political changes occur in terms of full integration of society based on democratic principles and exclusively based of civil orientations. Strategies or abolitions or even dissolutions of public broadcasting services shall lead to the same end: regression of a transitional process towards modern democratic systems and finally the division of social community⁸. And citizens must not allow this, if they can have say in this anyway.

The seat of the public broadcasters BHT1 and FTV in Sarajevo



3 <http://www.bbc.com/news/world-33654279>

4 Jakubowicz, K (2008): Prospects for Public Service Broadcasting in Post-Communist Countries (in Finding the Right Place on the Map, Intellect, Bristol)

5 BBC (2006) “Creative Future - BBC addresses creative challenges of on-demand”.London. http://www.bbc.co.uk/pressoffice/pressreleases/stories/2006/04_april/25/creative.shtml

6 Stark, 2006 prema Jakubowicz (2007) Public service broadcasting: a new beginning, or the beginning of the end? <http://publicmediaalliance.org/reports/public-service-broadcasting/>

7 BBC već ima MyBBCRadio s mogućnosti kreiranja personalnog sadržaja od strane korisnika.

8 Baraković, Mahmutović (2011): Javni emiteri: politike (dez)integracija u Bosni i Hercegovini, Medijski dijalozi, X, broj 4, Istraživački medijski centar, Podgorica

Legal framework for public broadcasters work

By: Momčilo Novaković

Legal framework for the work of public services is very complex because, unlike other states and countries, there are three public broadcasters operating in Bosnia and Herzegovina. Law on Public Radio and Television System of BiH (Parliamentary Assembly of BiH, 2005) governs public radio and TV system in Bosnia and Herzegovina, including the relationship between the three public RTV service providers. Also, special law has been passed for every of the three public broadcaster and this law governs their work: Law on Public Broadcasting System of Bosnia and Herzegovina (Parliamentary Assembly of BiH, 2005), Law on Radio and Television of the Republic of Srpska (National Assembly of the Republic of Srpska, 2006) and Law on Radio and Television of the Federation of Bosnia and Herzegovina (Parliament of the Federation of Bosnia and Herzegovina, 2008). Communication Regulatory Agency is in charge with the work and operations of electronic media, including public service broadcasters in BiH.



What are the key problems in public service functioning:

1. Failure to establish corporation

Law on Public Radio and Television System of BiH prescribes that three public broadcasters shall establish and mutually manage the Corporation and Corporation is mutual managing structure between public RTV services with equal rights, duties and responsibilities towards all three radio and television public services. Corporation shall be held responsible for the operation of transmitting network, its managing and maintenance, introduction of new technologies, international establishment of public radio and television services, purchasing the rights of broadcasting all foreign programs, managing the assets, properties and technical facilities, managing commercial issues to the benefit and requirements of public broadcasters, system conformance, politics, policies and procedures between three public RTV services etc.

However, the establishment of Corporation should depend on the will of all three broadcasters, and, as a result of conflict and false mutual understanding between public broadcasters. Corporation has not been established up to present day.

2. Public Broadcasters Financing

At this moment, this is the greatest problem that questions the existence and survival of all three broadcasters and particularly the survival of BHRT. Namely, the legislation planned that entity broadcasters shall implement the collection of fees on their own territory, and that 51% shall be granted to BHRT. In reality, this functions only if the payment is conducted through mobile operators, while the payment means / amounts the entity broadcasters collect thorough direct bills / collectors, they keep to themselves.

Another problem is very low level of collected amounts, particularly in areas mainly populated with ethnic Croats because of their discontent with federal radio and TV editing policy.

Third problem regarding the collection of fees are very poor and inadequate evidence, including the lack of will by cable operators to assist in solving the problem of collection of RTV tax fees.

Finally, equally important reason can be seen through the lack of mutual trust among public broadcasters.

What are the possible solutions?

Solution to collection of RTV tax fees model, which is above all the duty of the Council of System and management broadcasters. So far, there have been many dullness and sloths and sometimes a complete lack of interests for seeking best solutions. I personally prefer the collection of RTV tax fees through special payment service collectors, because this way would, on one hand, ensure biggest amount of interests, including efficiency, and on the other hand, the number of over staff (estimated to over 30% of the total number of employed people with public broadcasters) would be transferred and thus re-employed with this payment collection service mentioned above.

It would unnecessary to, within the framework of the Federation of BiH, enable the broadcasting of program in all three official languages, as the European Parliament pointed out during the Report on Progress of BiH for 2014. Disappointment of ethnic Croats must be solved and sorted out.

Finally, Council of System and management, broadcasters must advance their engagement in terms of enforced collection of RTV tax fee and BHRT must also focus on enforced collection of debts by the Federal RTV. Due to lack of engagements by the Council of System and management, a significant amount of unpaid RTV tax fees has entered so called "payment lapse". Council of System and management mostly focused on imposing pressure upon PBS BiH in order to determine a new model of collection of RTV tax fees, although Article 18 of the Law on Public Radio and Television System of BiH, clearly defines that the

Incoming Events

- BH Journalists Association **General**

Assembly

- Media Circle **project research**

collection of fees as the establishing the model is strictly under the Council's authority.

Digitalization

Due to all of the above mentioned problems in public broadcasting, Bosnia and Herzegovina failed to complete the process as previously defined (deadline was 17 June 2015) the process of conversion from analogue to digital broadcasting of public RTV services and commercial radio and television stations and for the time being, it is not possible to anticipate when would this process terminate. It is necessary that the Ministry of Transport and Communication of BiH, in cooperation with all three broadcasters and Communication Regulatory Agency find systematic solutions that would fasten the digitalization process, as well as enabling the commercial TV stations to enter the package of digital channels along with public RTV services.

Old fashioned public service philosophy no match to commercial competition

By: Zvonimir Jukić

Challenges that public services in Bosnia and Herzegovina face at present are equally complex just as challenges the entire BiH public face. At this moment, many retrograde thoughts are still alive on local political scene aimed to break financial and editing independence of public service which would eventually result in public services' complete subordination to political power centers and encourage further ethnic segregation of public media, including public space based on education segregation that has been present in this country for years through monstrous "system „called "two schools under one roof". Same faith encountered public services and new initiatives for their new system organization. Steps towards political subordination / dependence have already been taken through amendments of the law at Entities level and deliberate degrading of the law on a state level, when, at the same time, and against with the provisions of the Law on BHRT, democratic standards and structural managing bodies, the selection of three members of the Board of Directors of BHRT had been completed, although the Law strictly defines that only one member can be elected annually.



As far as the RTV of the Federation is concerned similar attempts during the recent period have been prevented, although the chances of political dependence by RTV FBiH were indeed very close from occurring. During last year, though in quite mild form, political managing structure also attempted to impose its influence on RTV FBiH by appointing its own members as the members of the Federal RTV Board of Directors. However, initiators with the House of People of the Federation of BiH were short of few supporting votes by their colleagues so this ad hoc appointing of Board of directors members failed to be implemented.

Bosniak Club and Serb Club stood against this proposition at the House of People. All these indicators outline clearly that democratic responsibility of political officials has not completely come into existence amongst all political figures, including those that in their programs strongly advocate the joining of Bosnia and Herzegovina to European Union and standards that are in force there. The only way out of this situation can be done in two ways and one of them include the return to the spirit of public service laws and/or if this fails, the structural managing changes that would, through competitive process and the election of their leaders, exclude directly any political interference or at least balance it so no political subject or world view can be predominant in creating and developing editing policies inside public services. Only by this method public service can fulfill their public role and above anything else, have control of work of all governing levels and stages which represents one of the most crucial social media roles in democratic societies. Otherwise, they may easily become "spokespersons" of governing officials or even worse, become tools to inter-ethnic conflicts in public discourse.

Significant challenge public services in Bosnia and Herzegovina and the world face, is the decline of their influence and old - fashioned philosophy of the production of program schemes and contents that usually fails to compete with commercial competition. Public services' thus in many countries purpose is to hold themselves on with no major significance in creating public opinion and in terms of providing public with educational contents. Concepts of quality evaluation of management operational work should be implemented above anything else. In BiH, Communication Regulatory Agency prescribes, in wide way and rather inaccurately minimum program quotes of certain programs and schemes for both public services and commercial houses.



It is quite similar in other countries and the work of program management is often overestimated, mostly, though fulfillment of the above mentioned quotes. This is the key problem in my opinion

since the program quote of any content is not fulfilled by mere production of that content, but its effect and fulfillment is gained when the production reaches at least the projected number of recipients. Otherwise, as I have already stated, its purpose is to hold itself on and it thus furthers itself away from the trap that many public services had fallen into turning themselves into media houses operating mainly for marginal, minor or elite groups, that is, even worse, media that produce program for “their own purposes”

Services in South - East and Eastern Europe that failed to recognize this mostly lost most of their audience and in sense of the production, they manages to produce particular aimed contents, but these contents never found their way to most recipients. For this reason, public services should make step forward towards “commercial path”, with the purpose of making program contents more viewed, while trying not to become mere commercial houses and lose their social purpose and role which can be described as potential danger of such program concept. Viewership of so called, non – commercial public service contents on Federal TV and marketing entrance that Federal RTV attain by producing and broadcasting such programs, witness that it may be possible to make god so called public service program that, at the same time, may be unique on one hand, and on the other hand, program that t may be viewed by most audience that this program is aimed to. Only by this scenario the role of public services may be fulfilled but also, in terms of market, justified.

Shortly, if public services are to survive and sustain, it would be required to ensure their financial independence through efficient model of collection of fees, their editing independence through legal provisions that would disable their political sub-ordinance. Program managements must change their philosophies in terms of producing program schedules, schemes and contents that would provide that informative, educational, entertainment and control role of public services indeed reaches those that should be considered as priority.

Interview with Boris Bergant

E-journalist: What is the importance of the Public Service and is it possible to have a modern state and democracy driven state with no system of public informing?

Bergant: According to all experiences this is not possible. Public service at present, (if they operate according to their primary functions and in an environment of powerful commerce market, diversities and media differences where many types of political propaganda are non-critically distributed and thus launch contradictive and particular economic and other interests), represent the only reliable fundament for unbiased and correct information providing source in order to promote cultures by all means, presentation of national creating and respect and cultivation of different identities, including both majorities and minorities. There is no alternative to public and critical dialogue in a society. So far, no better solution has been found, however, unfortunately, there have been many public services that were incapable or had no capacities to fulfill this role.



E-journalist: Different stakeholders emphasize, as basic problem of PBS BiH sustainability, the inefficiency of present model of collection of RTV tax fees. Taking into consideration the fact that, according to its system, BiH is labeled as rather complex country, including the complexity of political system that derives from this the above mentioned fact, do you believe that the solution to this problem of the sustainability of the public system is the adjusting the system of collection of RTV tax fees or do you reckon that dialogue regarding the different model of financing the public system would be more productive? Would financing through the means approved by the governing officials make more sense?

Bergant: Financing through the means approved by the governing officials has neither been proved as long – term, stable nor reliable solution to this problem. Regardless to any model being in use at present – there is always a danger of arbitrary political influences which at eh beginning limits the above mentioned functions of public service and the function itself can be implemented only with full independence and autonomy in this procedure.

The extent of the collection of RTV tax fees should in any country be analyzed according to the tradition and customs of the country and be adjusted accordingly. Universal solution and obligatory for all parties involved should be sought, thus reducing the unit costs and expenses. In many counties, new approaches to collection are leveled up, pursuant to changes occurring in an environment, both technologically and in terms of content. People get to choose and seek quality. Quality can be obtained only through stable and long – term predictable incomes. Without these quality cannot be obtained. This is a magic circle that should be cut off for good. Inadequate financing only adds oil to the fire and looking from long-term perspective it only leads to abyss – inadequate means are on the other hand, still wasted producing no results whatsoever. This resembles economic crime since the means spent in advance are wasted already. Those in charge with the regulations of this shall be held responsible.

Free Media Help Line

Actual Cases:

Senudin Safic - Journalist Safic received the Decision by the Sanski Most Third Police Station officials on 1 Feb 2016, stating that his official notice filed in on 24 Dec 2015 contained no elements of criminal deed and that this case may be solved by pressing charges on an individual basis pursuant to the Law on Protection against the Defamation.

Face TV - On 9 Feb 2016 we received a notice from Elementary Court of Banjaluka that Face TV does not appear in this court in any case as the proceeding party.

Azamina Smailbegović - Journalist Smailbegovic addressed Free Media Help Line service regarding the right to her retirement.



E-journalist: What kind of functional models, that is, what financing methods for the collection of RTV tax fees can be used as samples in terms of BIH context?

Bergant: We discussed and spoke many times about this. There is no simple and unified model in Europe regarding this issue. Most important thing is to collect fees based upon clear definition (these days anyone can follow programs and clear responsibilities through either stationary or mobile ways, or these should therefore be followed by adequate and proper sanctions accordingly). Everything must be crystal clear and brought to most simple manner, since there can be no space for doubling. Collection of fees through electricity bills is rather popular method in the region; however this includes an adequate, extended and updated data base. Collection through social fiscal tax is also feasible, but with no authority arbitrary politics. It is also possible to collect fees through taxes of telecommunication services, that is cable operators as some suggest but all of the above mentioned must ensure full transparency and long – term stability.

E-journalist: What is the role of public and how should citizens be stimulated to pay the tax fee?

Bergant: Without public understanding and support, which the public service should serve, without the creation of culture and literacy, the collection of fees should not be feasible. Public service must permanently work on its promotion, presentation and increase of its popularity. Public service needs strong support and thus it requires minimum political consensus. As long as the leading politicians keep bragging that they refuse to pay tax and as long as they keep justifying their actions with particular reasons and interests there can be no credible public service. With the stability of public service, it will have no perspective and democratic discourse shall have no perspective either for neither legal nor law abiding state nor for freedom of speech.

(Interviewed by: Arman Fazlić)

Impressum

Bulletin Board of Editors

Faruk Kajtaž
Siniša Vukelić
Borislav Vukojević
Bedrana Kaletović
Amer Tikveša

Editor

Adis Šušnjar

Art Editor

Arman Fazlić

BH Journalists Association

Kralja Tvrtka 5/5, Sarajevo, Bosnia and Herzegovina
Tel/Fax +387 33 223 818; + 387 33 443 072
e-mail: bhnovinari@bhnovinari.ba;
web: www.bhnovinari.ba



E-journalist is published with the financial support of the Norwegian Embassy