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Editorial

Public media credibility is interrelated to the transparency of funding

A comprehensive research of public money flows in the media, relations between public authorities and the media, as well as spotting the clientelist and political approaches in the process of allocating resources from public budgets to media seems like a mission impossible, considering the complex administrative and constitutional order of Bosnia and Herzegovina. In this country there are 14 governments, 143 municipalities with local governance, and numerous institutions, agencies, public companies and institutes which provide grants to media and/or directly finance media.

Bulky state apparatus and state administration enable (1) more diverse opportunities and sources for media funding – which is very good for strengthening financial sustainability of the media, however it can be an (2) opportunity to secure hidden (“gray”) cash flows that will put one media into a privileged position over another. In this case another will be discriminated in terms of (un) equal access to funding sources in a fair, transparent and socially responsible manner.

As a result of the long-term decline in the value of the media market in BiH and its other specificities, including a number of media, media influence and influence of marketing agencies from neighboring countries on financial flows in BiH, etc., few media outlets manage to provide funding for their everyday functioning. Their survival and work often depend on the will of local officials and decision makers who decide on direct funding of media or on giving grants to media. The position of financial dependence, which always includes requirements of political loyalty and service to certain political, national, economic or other lobby - rather than the public, challenges the public reputation of the media, their credibility and the confidence of citizens in its coverage.

Budget allocations for the media, including advertising funds and grants or subsidies are a common way of financing the media throughout the world, especially when it comes to media coverage of public importance. Democratic principles and European standards require that data on the allocated funds should be publicly available. If these transactions are not completely transparent, ie if there are no clearly defined criteria for the allocation of public funds to the media, the adverse consequences will reflect on media professionals and objective reporting, as well as on the society as a whole.

Within the project “Media and Public Credibility” (origin. “Mediji i javni ugled”), BH Journalists, together with other members of the Consortium¹, conducted extensive research on the issue of financing the media from public budgets. The results of this research will be published in early November 2017, as part of a comprehensive study of transparency in media ownership and media financing. Research has shown that there are no publicly available and clear criteria for allocating media resources from public budgets in BiH, nor is reliably possible to determine how much money individual media outlets get.

47th edition of E-Journalist will examine the consequences of non-transparent spending of public budget resources on local media in BiH on professional journalism, the relations between politicians and the media, clientelism and existing mechanisms for protection of media from political influence. The authors of the texts are journalists **Mirna Stankovic** from Sarajevo, **Berislav Juric** from Mostar and **Dragiša Sikimic** from Ljubinje, as well as Professor at the Faculty of Political Science in Sarajevo **Nermina Mujagic**; Head of Division for Licensing, Digitalization and Coordination in Broadcasting of the CRA **Emir Povolakic**; and President of the Partnership for Social Development **Munir Podumljak** from Zagreb.

Arman Fazlic, E-Journalist editor

¹ The Consortium on the project “Media and Public Credibility” consists of: BH Journalists Association, Press Council of BiH, Media Centre and JaBiHEU.

Events

30 Sep 2017

Journalists should avoid black chronicle cliché in terms of gender – based violence

29 Sep 2017

Women being violated exposed to additional victimizing as a result of unprofessional reporting

28 Sep 2017

Sarajevo, project presentation „Isključimo nasilje – Mediji protiv nasilja nad ženama“ (“Against the violence – Media against violence against women”)

20 Sep 2017

Supporting Vukašin Obradovic

17 Sep 2017

Journalists expected to cooperate mutually because they can solve their own problems together

15 Sep 2017

Goran Simic: The truth represents the only foundation upon which post – conflict society can be built

Press releases

27 Sep 2017

Vahidin Duric fine strongly condemned

23 Sep 2017

Protest against the Federal Police because of threats against RFE journalists – TV Liberty

21 Sep 2017

Regional Association of Journalists demand response regarding Vranjske, a weekly magazine

14 Sep 2017

Public burning “Novosti”, a Croatian weekly magazine: doers must be brought to justice

13 Sep 2017

Protest against three assaults against Banja Luka journalists

9 Sep 2017

Who is threatening the Maglocistaci editing office?

8 Sep 2017

Protest against High Judiciary and Prosecutorial Council (VSTV), Prosecutors office of BiH and Ministry of security of BiH

7 Sep 2017

Protest against the Federal Government because of illegal appointing of members of Fena Agency Board of Directors

The problem on non – transparent spending, dispersing and wasting of public budget money for local media houses in BiH

By: Mirna Stanković

Business earnings of small, local and public media houses, deriving from commercial marketing sector incomes could hardly be considered sufficient, regarding the gap between the amount these media houses receive from the budget (public money distribution) and the amount required for regular work and operation of any media house in BiH.

For the long period of time, many assumed that biggest media advertiser in Bosnia and Herzegovina was actually the state itself. This served as some kind of presumption, based on estimates conducted by media analysts, but it was only until the survey and research in 2015, conducted the Media Development Center and analysis from Sarajevo gave first concrete information, regarding the amount of public budget money, (at different governing levels) confirming that this money has actually been transferred to bank accounts of numerous BiH media houses.

CRMA discovered that the above mentioned amounts equaled nearly BAM 30.0 million per year. The survey and research showed that public budget funding money has been used to purchase and buy programs and equipment for public media houses; it has been used to pay for commercial advertisements, holiday greetings, finance particular shows, including promotion of texts/articles, videos and music video spots etc. We found out specific and interesting information like, “Herceg Bosna” radio station has been financed from at least eight (8) different public budget sources, including the public budget money from Hercegovacko – neretvanska zupanija (Canton of Herzegovina and Neretva), it has been financed from Stolac Municipality public budget money, including the municipalities of Citluk, Tomislavgrad, Livno, Capljina, Kiseljak and Ljubuski. We also got to know that TVSA has been charging Sarajevo City Council, and charging 6 other municipalities for their “current affairs program” (broadcasted on TVSA every day), also charging individuals for taking part in live TV shows and broadcasting of celebrating sessions of various kinds. Simultaneously, this was the least known amount in this particular research. Due to certain limitations of permanent projects, (where this survey and research have been conducted), the research about this particular topic and issue did not comprehend and comprise the information regarding courts and prosecutors’ offices, miscellaneous foundations, agencies, institutes, institutions, public institutions. During the period of around four months, the period for the collection of information and data applicable, all reports have been inspected and thoroughly overlooked (regarding the implementation of budget procedure for 2013 and 2014) at the state level, Entity levels and Brcko District level, including municipalities, cities and towns throughout BiH. Along with these reports, available audit reports and official gazette have also been overlooked, analyzed and examined.

More than half of this amount (BAM 30.0 million), that is, the sum distributed to media houses on annual basis, was actually dispersed to local public media houses such as: 12 local TV stations and 61 radio station. Cantons, municipalities and cities / towns in Federation in 47 local public media houses, operating in this particular Entity alone, invest, through their regular annual financing programs, around BAM 12.5 million. There were also 23 similar media houses in Republic of Srpska and their work and operations were financed and funded by some BAM 4.0 million per year.

In their establishing acts it is often indicated and highlighted that most of these media houses should mainly finance

The question is actually, how necessary the imposing media with an open pressure actually is. Journalists often prefer self and auto censorship by themselves. Open pressures are not very obvious and do not often take place. Journalists that used to be or still are under pressure imposed against them, rarely decide to speak in public about this particular problem. Pressures are, quoting our colleagues, conducted in very subtle manner and sometimes the pressure can hardly be identified either.

Media on media

26 Sep 2017

[BHRT Union \(Syndicate\): Financial situation described as disastrous; employees received no money in September](#)

22.09.2017.

[Milan Racic wins first prize of "Srdjan Aleksic"](#)

19 Sep 2017

[Recommendation on the Law on RTV System removed](#)

8 Sep 2017

[New International Coalition for media freedom established](#)

6 Sep 2017

[Council of Ministers of BiH condemn all threats and assaults against journalists](#)

Vacancies

Awards for the best original stories for journalists and bloggers

With the support of the UN Women Office in Bosnia and Herzegovina and the Swedish International Development Cooperation Agency (SIDA), within the project "Stop Violence-Media Against Violence against Women", the BH Journalists Association and Association XY organize a competition aiming promotion of the rights and interests of victims through the contextualization of the gender-based violence issues. Deadline for submitting applications is November 20.

[Details](#)

Federal TV invites all interested to take part in audition for journalists, reporters and TV and Radio hosts. **Deadline for application is 13 Oct 2017.**

[Details](#)



themselves and derive money from their own sources and incomes. In most cases this is the case; however, Business earnings of small, local and public media houses, deriving from commercial marketing sector incomes could hardly be considered sufficient, regarding the gap between the amount these media houses receive from the budget (public money distribution) and the amount required for regular work and operation of any media house in BiH. Besides, members of the management of these media houses are appointed by local governing official authorities.

We could then easily assume that such situations put journalists of these media houses into adverse and unfavorable positions, bearing in mind that their existence would consequently depend on the will of local political officials, that is, it would depend on the will (and mood) by municipal and city mayors. Journalists, facing this situation, tend to avoid asking and rising "unpleasant and tricky questions" and try not to "wave around" with their personal opinions and attitude, accepting (voluntarily) to be referred to as, (in words of Professor Lejla Turcilo), "official microphone holders".

"If you choose, select and appoint members of the management, if you give money to them, then the power and control are on your side too. This initial and starting stage puts journalist in unfavorable and unjust position in the first place. It is hard to believe that the entity, whose manager has been appointed by the local governing officials, and the person that received or in fact has not received his wages, (depending on whether the budget is full or empty for this field), would dare to ask and raise unpleasant questions addressed to persons giving them all that money and appointing the management members as well", claimed professor Lejla Turcilo during the interview regarding this rather sensitive issue in December 2016. She also added that we quite often have situations where the knowledge about journalism of management members in such local media houses, in is in general very limited so they are capable of "buying silence" or they indeed know how to "buy affection".

"These are two crucial problems – "buying the silence and buying the affection" through the appointing of biased officers on both, managing level and on lower levels as well, all the way down to appointing very subordinate and biased journalists too. We have the selection of biased people, as well as financing, since the disciplinary methods thus force media houses to become subordinate subjects and remain under control", said professor Turcilo of the Faculty of Political Sciences in Sarajevo

Having all of this in mind, the question is actually, how necessary the imposing media with an open pressure actually is. Journalists often prefer self and auto censorship by themselves. Open pressures are not very obvious and do not often take place. Journalists that used to be or still are under pressure imposed against them, rarely decide to speak in public about this particular problem. Pressures are, quoting our colleagues, conducted in very subtle manner and sometimes the pressure can hardly be identified either.

"People that are considered as those that would not take this pressure seriously and personally (same way as the media owner / entrepreneurs would select and appoint their editors), are selected and appointed for work. This is therefore a chained process. "Disputable and litigious" issues usually undergo very strict editing controls, described as serious information or situation. They don't even hesitate from writing complete texts with only a formal mere signature (beneath) the text/article of the person recording the interview. Years ago these texts would have been given to speakers so they could read them and only journalist's initials would then appear in newspapers, underneath the text. I am afraid that things have gone too far nowadays as they reached the stage where people literally accept to put their signature (beneath the text / article) without even inserting quotation marks (" where required", claimed my collocutor (anonymous source) who emerged after the CRMA media financing text had been released in public. This person (my source) told me that pressure against journalists would usually (and mostly) go through editors,

"It is certainly more sad and tragic that "editors" remain intact in their dedicated work and their works reach the stage where their hidden and unexposed employers would remain surprised with the amount of the submergence present amongst their inferiors that had, on the other hand, been appointed to perform assignments and duties for their above mentioned superiors.

These editors, with all their enthusiasm, but also with significant privileges they are provided with, (with very few exceptions), would become subordinate sub-

Forthcoming events

- Series of workshops covering the following subject “**Against the violence - Media against the violence on women**”, are taking place in Srebrenica (19 Oct), Brcko (20 Oct), Bijeljina (21 Oct), Travnik (27 Oct), Banjaluka (28 Oct) and Mostar (31 Oct).

Free Media Help Line

Actual Cases::

1. Bruno Saric – political pressures – Ljubuski Municipal Court officials, pursuant to decree ordered by Lena Raspudic, a municipal female judge, conducted the search of the apartment unit and car owned by Bruno Saric, a local journalist. Association of BH Journalists and Free Media Help Line sent an urgent notice letter to Ljubuski Municipal Court authorities requesting official explanation for such actions. The Court officials replied by stating that their actions were completely in accordance with the Law on Criminal Procedures. The case is yet to be completed.

2. JU RTV Zivinice staff (employees) – mobbing - JU RTV Zivinice staff (employees) reported the mobbing to Free Media Help Line, by their executive, Meliha Alicic, JU RTV Zivinice general manager. Association of BH Journalists and Free Media Help Line sent a notice letter to Municipal Mayor and President of Municipal Council in Zivinice, including the general manager and chief – in – editor of JU RTV Zivinice.

3. Vahidin Duric - political pressures – The Police of Una – Sana Canton issued a misdemeanor against the owner and chief – in – editor of bisce.ba, a local web site from Bihac, due to posted comment on the above mentioned web site www.bisce.ba. The comment had apparently disturbed Farko Hodzic, Democratic Front (political party), and political representative with the assembly of Una Sana Canton.

jects to many powerful individuals, groups etc. Unfortunately, they get public respect because every political party would usually support such “editing “or “journalistic” profile”, said my source.

All my collocutors in survey and research covering this media financing issue, agreed that particular political powerful persons consider public local media their own and personal property, quoting certain cases, where local politicians would select and appoint cameramen that would record them (politicians). They often misuse their liberty to that level and allow themselves to call journalists on the phone early in the morning shouting at them and asking:”Why did you insert and posted my photo?”

My collocutors also agreed that non-transparency in spending public budget money on media houses represents a general cancerous problem in this particular field in BiH. Media financing from the budget sources does not cease with certain subventions or grants for certain media houses, instead it continues through commercial advertisements, including trading posts, greetings etc.

“On one hand, a lot of money is spent throughout the area, and there is no positive feedback and effect deriving from this, (in terms of information sense), as far as the general public in BiH is concerned. On the other hand, there is shortage of money for other projects that are considered more vital and important for the public in BiH. This only confirms that the politics of creating the budget and the politics supporting the investing in municipalities, are founded and based on obviously different principles and parameters, instead of being purely based on genuine public interests”, claimed Lejla Turcilo during the interview in 2016.

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Ties between politicians and media: Those indecisive shall bear the burden

By: Berislav Jurič

Many congratulating messages (coming from political offices and cabinets) emerged on the Day of Media Freedoms just in the period of vast hypocrisy in Bosna and Herzegovina, at the beginning of May 2017, followed by hypocritical congratulating messages for the Labor Day as well. It has become clear to everyone familiar with (BH) politicians and their deeds that those blank and rather empty congratulating messages, derived from the pens of those working in public relations offices, were tailored in accordance with mere schedule framed in certain wishes that had vanished years ago.

There were even brassy ones that, in their attempt to appear somehow differently, sent messages to journalists that “without responsibility, freedom / liberty may become anarchy”. This statement, as part of congratulating or greeting message, unintentionally and unconditionally, hidden the true message that many journalists in BiH (at least those that cared about journalism and society in general) had been forwarding to Bosnian political leaders and that should serve as general warning for the entire society. Freedom / liberty of those having contact with governing authorities and thrones, and to be clear there are many of those in BiH, is indeed equal to anarchy, since they bear no responsibility whatsoever nor they feel obliged in reporting to general public and during this rather imperious freedom, they often tend to oppress other forms of freedoms / liberties as well. Media freedom / liberty, being subject to many public congratulations and greeting are no exception in this particular “process”.

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It's no secret that politics and politicians lead the role in guiding this particular branch in Bosnia and Herzegovina, including internet-based journalism as its disordered area, As a result, and as in many countless and disordered and unsettled fields, lawmakers prefer to keep these fields disordered and unsettled since it would allow them to manipulate and expose their mantras and finally, but equally important, it would provide them with the possibility of disposing of public money.

Who and how one shall sail

Every time when younger colleagues, that is, those willing to hear what we “more experienced” would have to say, but also those (more experienced) willing to hear what “less experienced,, colleagues would also have to say, raise a question if independent journalism does exist in reality, I often reply by pointing out that independent journalism does not exist in reality, however, an independent journalist does exist. Let us stop pretending and glorifying journalism as an occupation, bearing in mind that almost everything in the world has been devalued and degraded, and journalism is no exception here. However, a complete independence in journalism has vanished.

Media shall always appear as a raft floating in unstable wavy water in order to prevail and survive, thus keeping alive people working on it as well. This should therefore display a mutual sustainability process and according to these rules, as long as there are no “weltering and rippling” journalists, the floating of the raft shall be more simple and stable.

While the fact that marketing vastly “controls the float” and it defines the stories that shall be subject to posting, can be justified on one hand, particularly on internet web sites where fast –growing and everlasting updating and speed; on the other hand, the congratulating mass from the beginning of this story determine who shall float and as they control the guiding of the float as well.

It's no secret that politics and politicians lead the role in guiding this particular branch in Bosnia and Herzegovina, including internet-based journalism as its disordered area, As a result, and as in many countless and disordered and unsettled fields, lawmakers prefer to keep these fields disordered and unsettled since it would allow them to manipulate and expose their mantras and finally, but equally important, it would provide them with the possibility of disposing of public money. In other words, they would proceed with money laundry through ads on internet web sites.

Laundry Platform

Today in BiH most municipalities have, more or less, their own internet web sites. Besides, every municipality has at least two web sites posting local news of various qualities. This represents a Laundry Platform. Namely, no one can make such internet web site to post information regarding the ownership, names being involved in editing office operations or associated details. Everyone knows that, in most cases, local political party activists or merely someone unable to exist in a different manner, have been assigned to perform certain duties for some salary or monthly wages, edit and manage the page that may benefit the governing authority officials. Simultaneously, governing official authorities shall make sure that marketing is being provided on such web site and this shall fulfill the needs of those that “fill in” the site, while others should be satisfied with what is left.

No one is quite certain why and how such prosperous and wealthy public enterprises ended with banners posted on two sites only with almost no visitors there. No one has, unfortunately, taken this issue into serious consideration although it was clear that political party links and ties with the ministry that was in charge with this particular company have been more important than the quality and visiting figures on these web sites. No one even dared to ask (and is not likely to do so) how much money ended up in pockets of people working with the ministry.



Public enterprises once again, seek their loyal men, but also seek those that eventually may become biased and take sides based on six – months of annual contracts as a reward. Finally, those that do not deserve to be selected, in terms of quality contents and number of visits, do get selected instead.

Stories about responsibilities, fines and money returning indeed seemed as fairy tales.

Local web sites certainly find easier to float in such sea, because local governing authorities de jure remain in power several consecutive mandates. Consequently, local municipal budget disposal of money includes money allocation to local media houses and it often concludes with certain local media house receiving municipal budget – based funds and financial means, without prior checking or control of this media house and this amount increases accordingly, following the official commencement of election campaign.

Undefined and indecisive web sites may consider themselves lucky only while the big fishes sit in big armchairs thus creating a situation where everybody is cheering up during public and religious holidays and when enormous amount of money is spent on greeting cards. As a result, certain journalists feel satisfaction by being involved in particular projects (if they could even be considered as professional journalists in the first place), but this occurrence also “withdraws” the money through overestimated adds. Public enterprises once again, seek their loyal men, but also seek those that eventually may become biased and take sides based on six – months of annual contracts as a reward. Finally, those that do not deserve to be selected, in terms of quality contents and number of visits, do get selected instead.

Politics always requires couriers

Ties between the politicians and media houses are not specific for BiH market only. Political brainwashing in the world is based on this ties and the thing is that this washing is more transparent if it occurred outside BiH. Politics always requires its couriers and it shall continue seeking and recruiting them. It is the very same message that has been floating over Bosnian public heads for decades which allows media houses to play media games, just as politics often plays the game of politics,

Anyone supporting eulogies about powerful persons can be found almost anywhere and can be bought off for certain amount of money. It then becomes clear that a powerful person by having this kind of support, gains yet another link in his / her chain of power, since he / she may turn the water tap off, that is cut off money payments for some journalism projects at any time he / she wants.

However, on the other hand, one should be aware that there are other samples and cases as well regarding this issue. There are media houses that do not want to release and publicly reveal details regarding the ownership structure in their houses, which consequently provides them with some kind of protection from outer political influences. Anyone following the media situation in BiH should be aware that one could find out and discover, even with no impressum, who is hiding behind whose butt and whose wallet and also, who is capable of breaking stereotypes highlighting the fact that no success can be achieved unless one is someone’s puppet.

When money, not deriving from a political party funds is being dispersed, there are however clear rules about its “distribution”. Namely, the money shall be distributed to those that most deserve it according to their numbers, work and actualities, including marketing people and more intelligent brain washers from wannabe politicians on the other hand. They simply want their advertisements to be shown to largest number of people. If you can manage to attract largest number of people by your work; then there shall be no problem regarding this issue.

If not, you shall be lying to yourself and lying to them that you indeed have been on the right path and would thus have to wait for mercy by money givers. They prefer that the advertisement they manage to “handle” is less seen which would additionally allow them to take the money and hold a platform through which they perform with the money laundry process. Finally, they would feel more relaxed bearing in mind that those on the float shall not “vibrate” and would appear stable as well.

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CRA Rules: Do we have mechanisms to protect media from political impacts through financing or through interfering with editing policies?

By: Emir Povelakic

The question of media protection from outer political influences has, above all, been part of regulatory principles included in the Law on Communication of Bosnia and Herzegovina and these included the separation of broadcasters from political control and manipulation with the purpose of strengthening the democracy principles and establishing market economy on fair basis. Consequently, rules and regulations imposed by the Communication Regulatory Agency of BiH (hereinafter Agency) are heading into this direction in order to provide undisturbed work of electronic media houses in Bosnia and Herzegovina.

Namely, according to Agency Rules No. 76/2016 on audiovisual media services and Rules No 77/2016 on Radio media services which regulate the scope of work on RTV Stations in Bosnia and Herzegovina, there are provisions, primarily those concerning public stations (those established and founded by the State or Entity, including Brcko District and Canton or Municipalities, their organizations or institutions, that is, those with over 51% in ownership or financing which is altogether in accordance with Agency rules. These stations, having considered their statutes and financial funding, have been most vulnerable in terms of having their professional independence being exposed to the risk of being influenced by outer factors. In order to protect the independence of public RTV Stations, the Agency determined that anyone being responsible for advocating and anyone being engaged as chief – in – editor and main editor of any public RTV Station, cannot perform any public function, nor he / she can be a member of any political party body which, according to the definition, also includes political party involvement, including independent candidates, coalition or list of independent candidates confirmed and verified prior to elections and also organizations eventually organized by the above mentioned political subjects. Also, persons authorized to advocate and represent and entities in charge with editing policies at highest level (chief – in – editor and main editor) at Public RTV service are legally obliged to provide the Agency with the statements confirming that they do fulfill this particular condition.

Besides, during the appointing of members for Editing Council of Public RTV Services (counselling body of public RTV stations covering the issues of program contents and program schedules). Agency defined that appointed public duty officer cannot be a member of Editing Council.

As far as the Public RTV Service is concerned, reference Laws, on both (Entity and State) levels clearly define that the members of Supervising Board, members of Program Council, where the Law defined their functions, cannot be at the same time members of political parties and their associates bodies. The same provision was included by the Agency as part of the Public RTV Service Permit Common Provisions. Also, the Law and conditions of the System Permit, define that the program of public RTV Services shall produce and manage the system independently from the attitudes of state bodies, political parties and other interest – based groups.

Agency has, through the Code on Audiovisual media services and to some extent, provided the protection to RTV Stations by establishing the standards, as far as the program producing and broadcasting is concerned, with all due respect to fundamental rights and freedoms / liberties. Apart from the fact than every program broadcasted by any RTV Station should be based on the respect of professional and commonly – accepted values and ethic standards righteous and unbiased, he, above all, cannot tendentiously promote interests of a single political party or any group or an individual.

All of the above mentioned represents exactly what the Agency had to do in order to ensure independent work by RTV Stations in terms of broadcasting and program production and that is to define principles and norms that may be used to protect the above mentioned entities. What the Agency cannot have impact on and cannot influence and what represent possible influence to media independence is actually financing. We witness very difficult and hard financial position the RTV Services had been in (particularly BRHT) as they may experience a complete financial decline and may even be switched off due to unstable and insufficient financing. Other RTV Stations are in not better position either; bearing in mind that our media market is spaciously small, rather insignificant and quite poor, comparing to neighboring or European countries.

In we take into consideration the fact that financing of certain media house is one of the most fundamental criteria according to which media liberties can be determined, the report made by Reporters with no Borders for 2017, which placed Bosnia and Herzegovina into 65th position out of 185 countries being analyzed, comes as no surprises whatsoever.

Apart from the fact than every program broadcasted by any RTV Station should be based on the respect of professional and commonly – accepted values and ethic standards righteous and unbiased, he, above all, cannot tendentiously promote interests of a single political party or any group or an individual.



Ties and connections between the politicians and media owners: legal boundaries and progress recommendations

By: Nermina Mujagic

The question of transparency ownership over media houses is always somehow tied with freedom of speech and media pluralism. Today, this question represents a priority in BiH and its path to European integration process. Digital era requires information and availability, so citizens, as end users of services and contents, would be entitled to know who shall be held responsible for information providing. There is no special Registry in BiH through which the public could be provided with information regarding the ownership structure in media houses and how they shall operate, particularly in terms of financing by third parties.

Public Services – through the institutions of managing boards are governed and managed by the people who consider ethnic or political background (or even personal interest) more important than common and general public interests. Normative regulation of transparency of media ownership would allow public to become more familiar in terms of media and political issues, in order to be able to identify and outline hidden ties and connections between media and particular political centers, also including the manner of its expression and consequences of broadcasted program contents, provided information, selection of editing and journalism personnel/staff, TV and radio show timing announcements etc.

In his book “Media and Democracy”, John Kean claims that we shall enter the era of political censorship, a period of democratic Leviathan, where key segments of a life are lead and guided by irresponsible political institutions. Political repression shall thus take two ways: pre - limitations and censorship upon the publishing / posting. Pre - limitations include formal and informal procedures (chatting with government press officials, various enquiries, requests or warnings issued, discrete decrees or warrants etc). On the other hand, censorship procedure after the publishing / posting, comprise of court proceedings and charges pressed against journalists, closing down of media houses etc. If we additionally add the post – modern methods of PR – democracy to this, including the “art of political lies” and a decreasing number of critically – biased journalists, the need for free communication without censorship thus consequently gains more significance. Media houses in Bosnia and Herzegovina experience less media freedoms and liberties, that is, they do not correspond with the right of a single voice. Namely, according to the last report issued by Freedom House, all regional countries, apart from Macedonia, have been considered and marked as partially free as far as media freedoms and liberties are concerned. In 2015, Macedonia experienced a significant decline in terms of media freedoms and liberties and was consequently considered as unsafe country. Bosnia and Herzegovina was along with Macedonia on the bottom of this list. There are no information regarding the number of online media houses in Bosnia and Herzegovina and Macedonia.

The competition on media market should serve as warrant to control and supervision of democratic institutions, however, corporative media system is rather providing business empires with what they need.

Let us remind ourselves that Churchill was once disallowed from holding a speech at the beginning of World War II on British radio that was, at the time, monopoly – based supervised by the state and controlled by the British Radio Corporation as well (Friedman, 1992: 30). His attempts to counteract and parry Hitler’s threats had been considered as too conservative. There are too many reasons why there should be more restrictions as far as the regulation of media ownership is concerned. Regardless to whether owners / entrepreneurs motifs were politically or economically based, the media owner / entrepreneur would still dictate and guide these contents.

This is crucial for the survival of journalism as professional occupation. Today, we live under inconvenient and inappropriate conditions required for the existence of professional journalism. Moreover, these conditions are indeed worrying. Recently, the Survey on Media Freedoms and Liberties for 2017 was conducted and its results showed that over 12% of citizens of BiH in fact justified this and even encouraged violence imposed against journalists. General public trust that media houses relished, has significantly decreased because the public was convinced that journalists had been influenced by local politicians. There have been a significant number of obvious obstacles crucial for the development of BH media, including journalists’ freedoms and liberties, taking into consideration the amount of foreign money invested in BiH as part of media reform process. During another survey the Indicators of media freedom and liberty stages and journalists safety (2016),

Today, we live under inconvenient and inappropriate conditions required for the existence of professional journalism. Moreover, these conditions are indeed worrying. Recently, the Survey on Media Freedoms and Liberties for 2017 was conducted and its results showed that over 12% of citizens of BiH in fact justified this and even encouraged violence imposed against journalists. General public trust that media houses relished, has significantly decreased because the public was convinced that journalists had been influenced by local politicians.

Due to several emerging crisis, not only in BiH, but also throughout the world, media responsibility had been increasing, particularly in terms of creating media future period. Media market has been flooded with so called “servile journalism and journalism managed by the market demands”, where individual interests of owners and entrepreneurs, including advertisers would represent a priority comparing to general public interests. Investigative journalism and investigative and survey – based articles seem very rare at present.

Media owners and entrepreneurs would consequently treat journalists as non – crucial items in their expenses and costs business evaluation, and therefore modern technology in media business would often be followed by sacking many journalists, reducing wages / salaries, disrespecting and ignoring collective labor contract rights etc.

the surveyors concluded that there had been over 300 charges pressed against journalists (on an annual level) and these were mostly based on defamation charges. For the period of 3 (three) years only (from 2013 to 2016) there were 67 threats and 16 physical assaults / attacks against journalists. Legally, these assaults / attacks were no different to assaults / attacks against any other civilians. Therefore, censorship, physical violence and journalists threats, putting journalists names on “black lists” were easy to identify and recognize and it was important to introduce and impose guidelines and recommendations in order to eliminate the prior. However, there were unobvious (hidden) regarding the development of media freedoms and liberties. These included: social limitations such as diversity and division in a society based on ethnic background, pressures based on economic issues (lack of syndicate / union on state level and in private media houses, lack of infrastructure, lack of skills, knowledge etc). It was actually about refined and rather complex mechanisms that would deny journalism with its essence - to be free and to be liberated from all outer factors, and to be dependent on professional and ethical principles of journalism. Auto censorship took place in this field of non - descriptive obstacles which derived out of fear, but also including apparent vampirism in media vs. politics relationship. Namely, certain media houses have been financed by state institutions, cantons, municipality funds, but there was not enough information about what contents have been particularly financed. These would certainly not include programs broadcasted in languages of ethnic communities, but instead they would include programs that would glorify and publicize local powerful entities.

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Media owners and entrepreneurs would consequently treat journalists as non – crucial items in their expenses and costs business evaluation, and therefore modern technology in media business would often be followed by sacking many journalists, reducing wages / salaries, disrespecting and ignoring collective labor contract rights etc. In today’s conditions, media and journalism independence has been clearly in hands of media owners and entrepreneurs and accordingly the same case may apply to free expression of every single individual person.

Along with the ability to think, the ability to express our thoughts and pass them to others is one of the most beautiful characteristic that separates men from animals. Media freedom cannot be treated separately from freedom of speech and expression and this why society must be more determined in preventing Nazi – despots in their will to chase and prosecute those with different and diverse opinion and attitude to prosecute freedom and liberty on behalf of heavenly people or certain ruling and governing political party.

Freedom does not belong to anyone and must not be considered as personal property, especially must not be considered and treated as personal property of any political party. Therefore media and journalists have been assigned with rather difficult but strategic assignment and task which they should strike – the process of depolarization aimed to develop democratic and pluralistic society, including the strengthening and reinforcing the development of journalism as an autonomous profession.

Without untrammled and chainless media freedom and liberty, without free conflict of opinions, the life in a public institution would eventually vanish. If we allow few political party leaders, charged with energy and limitless necessity to conduct and govern, we then conclude wand end up with society where ties and link between media and political groups is not an issue, as a result. Their relationship often resembles some kind of official system of social relationships where things like media and politics are generally approved through certain symbiotic relationship. Let’s wake up. Robespierre, a controversial historic person stated long ago: “Media do not need benevolent guarding of government. Press represents rather strange fruit. It brings golden fruits only when it is wild that is, if it is considered completely liberated: when the state gardener begins engrafting it with the police and judge scissors, it becomes rudimentary plant and produces bitter and even poisonous fruit” (Robespierre, 1909)

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Interview

Munir Podumljak: Non-transparent links between political elites and their economic satellites lead to the state with captive societies

Interviewed by Arman Fazlić

What consequences can be expected from ties imposed by politics and media to general society and community, based on fundamental democratic values?

Non-transparent links and ties between politics and, or more precisely, between political elite and their economic puppets, lead to the state with captive societies in them, which I had basically described five years ago. Captive and enslaved societies represent the state where, despite occasional changes in construction by those performing public and official functions, there are no significant and notable changes (in these societies) as far as culture, democracy, ethics and integrity by the governing authority officials is concerned. In fact, these societies have been considered as resistant to reforms, because the potential that would generate the changes (private economic sector, civil society and media field) has been imprisoned into the networks of political and individual interests thus damaging the universal values of the society. In simple terms, changes may occur in such societies, because the majority that would eventually have the capacity and will to change this is already the constituent part of the existing system and they are satisfied and happy with it so far.

What is so specific about the regional countries regarding the regulation of transparency of ownership over media houses, including media financing, in comparison to traditional democratic countries in Western Europe?

Specificity of the region, in terms of the regulation defining and adjusting the ownership transparency issues, actually confirms the fact that it would be easier to have access to information regarding the geological chemical structure of the surface on Mars, then to get information about the real and actual media owners of media financial supporters that are in charge with the process of developing and setting up the collective consciousness amongst the public that simply follow them blindly. Although the Balkan region appeared as some kind of black hole (in relation with the media ownership transparency issues), tectonic and vast changes in this context indeed took place throughout Europe for the period of last ten years. With the increase of media influence, non-transparent capital in media has been increased accordingly, by both, political groups and (even) states (such as China and Russia), but also by organized crime groups that, (slowly but surely), comprehended the importance of influence and impact on media, all with the purpose of protecting their own criminal actions, activities and acquired powerful status in their community and even wid-

It would be easier to have access to information regarding the geological chemical structure of the surface on Mars, then to get information about the real and actual media owners of media financial supporters that are in charge with the process of developing and setting up the collective consciousness amongst the public that simply follow them blindly.

The European Commission, including other European Union based bodies, along with significant number of member countries, decided to take this issues into more serious consideration. According to this, the whole line of legal regulation was passed aimed and goaled to produce clearer picture of financial, political and ownership impact on media, also allowing organized and financially powerful groups to, (by the use of their influence), ruin and devastate the crucial foundations of democracy and the rule of law.

er society. The result of these emerging trends was best seen through the increased number of false news, appearance of extremism, nationalism, xenophobia and conspiracy theory which altogether resulted in the establishment and development of populist movements that managed to seriously disturb and shake Western civilization that we know. British UKP and referendum on leaving the EU also represented the example of the above mentioned impact on media particularly in the area of the internet, including the sharing of news and information through social media. What the consumers and users of such information failed to understand was that fact that serious amounts of money, (including serious state re and public organizations and political elites that through this way wanted to disable common sense – based and civic collective action) actually served as primary back up for the creation, production and distribution of such news.

Why the transparency of media financing is considered important for regional countries / candidates for full EU membership?

Bearing in mind the temporary crisis and destabilization of Europe, which emerged as a result of the recent Great Britain referendum, the European Commission, including other European Union based bodies, along with significant number of member countries, decided to take this issues into more serious consideration. According to this, the whole line of legal regulation was passed aimed and goaled to produce clearer picture of financial, political and ownership impact on media, also allowing organized and financially powerful groups to, (by the use of their influence), ruin and devastate the crucial foundations of democracy and the rule of law. One of the directives establishing and ascertaining the issue of the prevention of terrorism financing and money laundry should also at the same time, have impact on the issue of ownership transparency and the origin of capital appearing in media. Consequently, the rules defining the question of media ownership for countries in the process of EU admission shall significantly increase and widen.

How to measure media clientelism and how to respond to consequences deriving as a result of an unsettled media ownership?

Media clientelism as part of the MEDIA CIRCLE Project, the process of measurement in the West Balkan countries is conducted by the use of empirically ascertained information and data regarding the barriers and obstacles against non-transparent and malignant impact on media and their effectiveness in real environment where media houses operate. This is where the subtitle “measuring the reality” emerged from. Collected data and information, interpreted and analyzed by organization involved in the project are state primary information and data which, through the use of matrix are put into wider form of risk from clientelism and harmful manifests of clientelism appearing in media. Now, while the preparation for the third measuring is under procedure, we could say that we successfully mapped and located the situations in certain countries of the West Balkans and that the recommendations based on “how-to” speak for themselves since they are quite clear as anyone can see in our last year’s report.

Can transparent ownership over media be ensured and secured through a single new law or can it be guaranteed through amendments of other and existing laws setting off and regulating the issue of political party financing, conflict of interest, criteria for allocation of funds and means to media ...?

The question and issue of ownership and media financing must primarily be solved within the existing legal framework that regulate media functioning and operating procedures. Only after these issues are regulated as part of media legal framework we could speak about the setting of wider environment where media houses exist in order to prevent the “slipping” of harmful practice into the grey zones of aliasing and overlapping of two or more laws. Therefore, the beginning is well known. It is comprehensive law on media, followed by detailed and rigorous defining of the question of media ownership and financing, regardless to other issues.

Genuine freedom of online media does not benefit either political party in BiH

By: *Dragiša Sikimić*

Online media field in BiH, being considered as completely unsettled and messy area and branch, followed by the lack of political will by the official governing authorities, resulted in the appearance of vast number of internet media web sites emerging in public literally out of nowhere. Often, there are no details available or even basic information provided about the ownership of such media houses or even no information about journalists posting the news in these online media houses. Nowadays, almost anyone in BiH can launch a set up internet web site, design it in form of news internet web site and thus become the owner of such online media house. There is neither Law on Media Ownership Transparency nor Law on Advertising in our country so far. I haven't discovered yet how certain web sites managed to receive their ISSN numbers. Also, there is no Legal Act regarding the minimum number of employees with certain university degrees obtained, necessary to be engaged with such online media houses. Therefore, any online media web house can start with business engaging only one "journalist" and this journalist can post anything he / she likes with no legal responsibility as a consequence. All of the above mentioned additionally creates continuous degrading and devaluing of online journalism comparing to traditional journalism, such as TV and Radio and results in mistrust by general public regarding the online media news and information. No political party in BiH showed political will and desire to finally solve the above mentioned problems pursuant to EU countries and their experiences.

Local governing officials in Trebinje managed to "buy out" the existing online web sites and shall introduce new web sites soon

Largest local and, at the same time, ruling political party (SNSD), seriously took into consideration the growth of online media houses in future and they consequently decided, through indirect financial arrangements and through both public and private companies, to purchase and buy almost all local web sites in the city of Trebinje. There is whole "army" of political activists that are in charge with editing the contents of at least five (5) local web sites in Trebinje, but also in charge with launching new web sites and the founder of one of these recently emerged local web sites, following the last 2016 Local / Municipal Elections, has been awarded with a vacancy (a full time job) in City Hall. These kinds of information do make an outstanding reflection and influence, particularly in smaller regions such as East Herzegovina. Additionally, younger generation of future journalists thus receive rather highlighted and very powerful message: Do launch your own web site, since your may, through loyal "journalism" – "get a full time job" in Public Sector.

Online media houses being under pressure by political institution

City Hall, City Assembly, including highly ranked officials of Public Enterprises with head offices in Trebinje have been using all mechanisms available to disal-



Younger generation of future journalists thus receive rather highlighted and very powerful message: Do launch your own web site, since your may, through loyal “journalism” – “get a full time job” in Public Sector.

low independent journalists and deprive them of right to free and undisturbed work. Journalists working for our web site have been denied from taking part in all public venues organized by City Hall officials with an explanation and justification, issued personally by the City Mayor himself, that (quote): “He shall invite us “when something important emerges”. City’s Prime Official Authority thus allows himself to make personally based decisions on what journalists should consider as “important” information!?”

City Assembly governing body official went even further up in their rules by introducing new rules regarding report making from assembly sessions (local assembly) and these rules differ from all rules in previous period. After abjuring the initial decision to impose a complete ban for all journalists willing to participate during Assembly Hall sessions, new governing body officials decided that any journalists (willing to participate during Assembly sessions) must provide the officials with valid accreditation cards 48 hours prior to assembly session commencement. It was only after a “rebellion” raised by local journalists that the official governing authorities decided to allow journalists to get accredited via electronic sources and journalists are still unsatisfied with this improvised decision either. President of Trebinje City Assembly made a promise to all media representatives that would have a special meeting with them in March 2017; however it seems that his promise was just another lie.

From threats and ignoring to mafia – mannered arrogance

I personally witnessed the pressure imposed by local politicians against the owners and online media editors that wish to remain independent in their work regardless to eventual circumstances. Luka Petrovič, present Trebinje City Mayor and SNSD General Secretary, had during the pre – election campaign in 2016, when he won the elections by gaining trust by his voters for mandate, threatened me personally over the phone and warned me that I should stop writing articles / texts about him and he also threatened to press charges against me because of two article s/ texts written and posted by me. His threats also included discriminatory and hate speech directed against me. The entire case was posted on particular internet web sites and TV stations. OSCE BiH officials were also informed about these threats and we managed to get information about plan for charges / plaint through the BH Journalists office in Sarajevo. Unfortunately after our lawyer had evaluated the complete case and situation, we decided not to press charges in this particular case.

Currently, City Hall officials in Trebinje attempt to ignore our media house as much as possible. We have been deprived of information, we also have to wait for statements for over five (5) days and often we get no required statements or releases at all.

It is also important to emphasize the case of “Trebisnjica Hydroelectric Power Plant” whose officials have been trying to disallow us from receiving and getting appropriate information, that we believe represented general public interest, as this actually displayed the violation of the Law on Free Access to Information. At certain time, after we asked the officials of Trebisnjica Hydro - Electric Power Plant why they keep refusing to reply and answer to all our enquiries and questions which again represented clear violation of the Law, Gordana Miseljić, general manager of this Public Enterprise and also a member of ruling SNSD political party, replied to our female colleague by stating the “the law does exist so it can be violated”.

Impressum

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