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**Local Media in BiH: How to reclaim the right to freedom of
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Censorship and auto censorship, political pressures directed against journalists and media editors, illegal appointing to specific posts, mobbing and violation of human and social rights are just some of many problems that media staff in Bosnia and Herzegovina have to face on daily basis.

Colleagues that have been working in local and, to some extent, "smaller" media houses, would often say that they have been exposed to every single cause or factor listed above in more significant form and shape, than their colleagues, that is, media workers that work for state – level, Entity level or bigger media houses. This could be yet another subject to thorough discussion, but the fact is that journalist being engaged in bigger cities and towns have limited or in many cases absolutely no conception about journalists working in smaller areas where everyone knows each other and where one "inappropriate" article or post, including radio and/or TV report, could put you to black list of local powerful figures that would never forget what you had done.

Recently, clips from information and news programs broadcasted at RTV Zenica have been shared around throughout social media sources, where editors were announcing how „nice the flower on bridge was”. Most viewers at first believed that this was merely a joke, until the real and true reason emerged in public; the reason that had actually made all those editors to announce this sentence in public: „flowers on the bridge,, actually represented the project launched by Fuad Kasumovic (Zenica mayor), including other City Council members, where journalists and editors were given task to promote this particular project during the broadcasting of local public service program.

In June this year, Association of BiH Journalists and Association of Electronic Media in BiH launched the following project: „Free Media, free society” aimed to direct public attention to political, financial and institutional pressures directed against media that resulted in serious violation of rights to freedom of informing and freedom of information in local communities. This specific political strategies and cunning manipulations have resulted in a decline of the quality of media programs and contents, including the objectiveness of media sources in local communities, which is directly opposite to EU standards that relate to media work based on public interest and media work aimed to benefit general public society.



Events

25.September 2019

Transparency of media ownership in BiH: The absence of laws as a space for abuse

21.September 2019

Journalists should not violate the rights of free speech on social networks

12.September 2019

Avdo Avdić: How I get over the fear of "untouchables" Platforms

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Female Journalists in BiH: Fighting the system and prejudice

6.September 2019

UO BHN: Harsh condemnations of the political pressures on RTV Zenica

Media on media

20.September 2019

A large number of attacks on journalists in Serbia are unreported

18.September 2019

Journalist Amarildo Gutic wins first EU Investigative Reporting Award

18.September 2019

RSF: Progress, but also concern for media freedom in the new European Commission

17.September 2019

BiH counterpart support for Croatian journalist Gordan Duhacek

Vacancies

Ministry of Europe and foreign affairs announces a prize competition applications for human rights. Candidates and non-governmental organizations, from all over the world, can apply for the competition. Winners will share a prize of € 70,000

Application deadline: 14/10/2019.

“Journalists and editors of local media houses have not gained enough strength to confront the above mentioned trends and legal regulations have been widely set and could not guarantee the prevention of political and other influences and impacts imposed against local media houses This is exactly why we, (along with financial supported provided by the EU), tend to gather local media community throughout BiH and by netting them into a powerful and professional group; strengthen and reinforce investigative journalism in local media houses, including the advancement of the quality and diversity of media programs and contents, claimed Borka Rudic, BH Journalists Association general secretary.

As far as pressures directed against the employees, including media entrepreneurs, is concerned, by imposing the violation of labor rights, blackmailing, threats, sacking, depriving of supported by commercial advertisers and other aspects that illustrate current situation in local media houses in Bosnia and Herzegovina, this E – Bulletin edition shall post article and texts provided by Sanela Kapetanović, Mersiha Drinjaković, Adnan Jašarspahić, Nikolija Bjelica, Andrijana Pisarević and Njegoš Petrović

We would particularly like to thank our authors – journalists for cooperation for this special edition, since one “sentence” could result in losing their jobs especially during this particular period where one should have courage, be brave and have outlined professional integrity to speak out openly about “the enslaving” of local media houses, as one of the authors had referred to.

Maja Radević, E-bulletin editor



A journalist in small community: Daily fight with local powerful figures that aim your financial collapse

By: Adnan Jašarspahić

Journalism should, by its nature, provide general public with, true and correct information about wrong people. However, when we talk about journalists, about their work and rights in small communities, the ontological question is how to sustain as journalist during this messy period. Political pressures, threats and physical assaults/attacks directed against journalists have become “a daily routine” and very little is known about this because of the simple reason: namely, journalists in small communities, where the powerful figures enforce the law, do not even dare to report these obstructions to official authorities; on the contrary, journalists are often being sued by those that usually direct threats against the same journalists.

Scared and frightened commercial advertisers and long – lasting court procedures

Some time ago, there used to be local newspapers in small communities, including radio stations, television channels and similar media sources and their work used to be financed by the Municipal budget sources, so the editing policy was just a reflection of those that had been financing the work of the above mentioned media sources. However, with the emerging of new media and social media sources whose strength has been rapidly growing and sources that were often used to launch affairs of public importance, the so called traditional media sources somehow lost the race with them and lost priority in media field, as web sites and internet sources have consequently become a problem to those that used to control media field and those that used to provide general public (citizens) with their own version of truth.

It was courtesy of the impact of new media sources and the emerging of an increasing number of local web sites, many topics and affairs have become notably important in small communities and these topics used to be controlled by local governing authorities that would refused to provide media space to new and uprising media sources. It is interesting that topics that general public were mostly interested in, including bribe, corruption and nepotism issues, managed to find their space in new media sources, rather than in public service media that were and still are directly financed by the same general public (through tax payments).

This is where we get to the question and issue of journalists’ rights in local media houses. Local web site owned by me, that is, Visoko.co.ba, was established in 1998 and it can accordingly be considered as one of the oldest internet source in Bosnia and Herzegovina. As pioneer of what many today refer to as “news portal”, it has gone through all developing stages, covering numerus issues and questions concerning journalists’ rights in small communities, including a significant number of law suits, dunning letters and threats as well, that is, physical assaults/attacks against our journalists and attempts of discrediting by all means necessary.

During these turbulent times, we had absolutely no one to provide us with proper protection (from outer perpetrators), including local police authorities and judicial officials since they have always been in close connections and tied with local governing politicians. Along with all of this, independent media houses in small communities lose market battle regardless to impact they have and regardless to trust they have by their viewers. In simple terms, no one dares to invest in commercial marketing because local sheriffs immediately affect their business by depriving them of urbanism, construction and any other required licenses and send all kinds of inspections to the sites and premises of those that “dare” to pay for commercial advertising in the above described media houses. Unlike such media houses (including independent media houses, honest and cor-

“Being a journalist in small community is much harder than being a journalist in for instance, Sarajevo, Banjaluka, Tuzla and Mostar. The reason for this is the fact that small communities are packed with local powerful figures that are ready to take things into their own hands. They also have unlimited influence within police official authorities, including judiciary system and public sector”

rect journalists) there are media houses and mediocrities that de facto act as PR services of particular groups, including both political and business groups that are also politically biased. The first ones always represent media minority, which resembles mountain peaks that can also, metaphorically speaking, be described as “minority”, yet they can still be seen from distance



Visoko.co.ba was exactly what we have just described; long – lasting court battles, out - court settlements that only served to weaken us financially and an attempt of permanent destruction of local media house with a precedent as the outcome which finally emerged unexpectedly. After receiving hundreds of threats even after the reaction of BiH Journalists and Journalists Association of BiH, the OSCE decided to respond and reply. In February this year, Harlem Désir, and OSCE Representative for Media Freedoms, along with Bruce G. Berton, OSCE Head of Mission to Bosnia and Herzegovina, strongly condemned the threats that were directed against journalists in Visoko. I personally, as the owner and entrepreneur of Visoko.co.ba pressed charges against two persons linked and tied with local powerful and highly ranked officials, because these persons had been threatening me via social media sources. These cases are at present with the Prosecutor's Office of Zenica – Doboj Canton. Also, Dario Bozic, a local journalist filed in a law suit against Amra Babic, Visoko city mayor who had, on her official Face book profile and face book page posted photo – shop photo of Dario Bozic with *sajkaca* (Serb traditional chetnik hat) and *kokarda* (chetnik official emblem) along with associated insulting and offensive defamation status insinuating that the targeted journalist was chetnik, which also represented some kind of brutal pressure directed against Bozic and his family, taking into consideration that ethnic Croats represent a minority group in Visoko. After seeing these photos, Dario's parents ended up in the hospital and to make this more absurd, the defamation, being even more brutal and irresponsible, came from the executive governing official. Dario Bozic was between 1992 and 1995 a member of the Army of Bosnia and Herzegovina and was defending Visoko and his country with honor.

In the meantime, the pressures continued so we concluded with the most recent indictment following the series of texts we had posted covering the issue on nepotism occurring in Visoko. However, the verdict passed by the Municipal Court of Visoko completely rejected the claim filed in by Amra Babic Visoko city mayor against journalist and editor of Visoko.co.ba, that is, against Adnan Jasarspahic for alleged “disturbance caused by the defamation”. Amra Babic Visoko city mayor demanded from me

Free Media Help Line

Actual cases:

1. Dragan Bursać, freelance, Threats / Pressures, 06/14/2019:

-Person under the alias Šarenac: "When the situation go bad Dragan Bursać will be the first". The Free Media Help Line sent a letter to the Banja Luka Police Directory to investigate the threat case. Police have identified the disputed tweets and if the District Public Prosecutor's Office of Banja Luka declares itself to be a criminal offense, a high-tech crime inspector will be involved in the case.

2. BiH Prosecutor's Office and the Media in BiH, Public Response to the Event, 19.06.2019:

-The BiH Prosecutor's Office announced that it will investigate persons who, through the media, give "negative messages about the work of the judiciary with the aim of destabilizing the judicial system". The Steering Board of the BH Journalists Association has issued a press release.

3. Vanja Stokić, e-Trafik journalist, Banja Luka, Other cases, 20.06.2019:

- Police officers legitimize Vanja Stokić and her e-Trafik counterpart for standing in a public area near the Christ the Savior Temple in Banja Luka. The cops justified legitimizing them because they were members of the Group for David. The Free Media Help Line for journalists sent a letter to the Banja Luka Police Department to declare the incident. The Police Department Banja Luka informed us that Vanja Stokić and her colleague did not have clearly identified press cards when legitimizing and that they were therefore legitimized (05.07.2019). The Free Media Help Line for journalists again sent a letter-reply to the Ministry of Internal Affairs of the Republic of Srpska (11.07.2019.)

4. Husein Oručević, journalist and activist, Verbal Threats, 06/20/2019:

- Husein Oručević was attacked by one person shouting derogatory words. When a journalist approached and asked him to repeat it all to a recorder, an unknown person poured the recorder with water and destroyed it. The Free Media Help Line for journalists sent a letter to the Mostar Police Directorate to investigate the case and to sanction the perpetrators of this act. We also contacted the Cantonal Prosecutor's Office of Mostar to investigate the case.

the amount of BAM 10.100.00 for an insult of her honor and reputation, in regard with texts discovering nepotism related to employing certain persons within public sector and instead of getting money as she had hoped for, she will now have to pay and cover all court expenses that emerged from this case.

It is crucial to emphasize here that Avdića Avdic, the judge in this case, had referred to the practice of European Court for Human Rights and in his exposition he claimed that the "duty of media was to provide and give information and idea about all questions and issue of general public importance, including the information regarding the conduct by the official governing authorities". In this particular case, the female plaintiff was a city mayor and according to European Court for Human Rights practice, there was a very limited space, in respect with Article 10, Item 2 for limiting political speech or a debate about general public interest, said Mr. Avdića Avdic in his exposition.

Since 2003, when the protection from defamation/libel in Bosnia and Herzegovina was legally regulated by appropriate laws, according to many investigations, defamation charges had transformed into a direct pressure against journalists and media, that is, they emerged into a violation of rights to free expression and speech of journalists, including the right to free work for media representatives and journalists" reporting.

Encouraging Initiatives

I also personally consider as very important the facts that, after the cases in Visoko, the officials at the Federal Parliament decided to respond and reply, including Senaid Begić and Damir Arnaut, members of the State parliament. Senaid Begić launched an initiative that all assaults/attacks on journalists should be legally treated as assaults/attacks directed against official figures and demanded prison sentence for perpetrators from three to five years in prison. The initiative was passed in February 2019, before controversial "assault on camera" in Sarajevo (instead of being treated as the assault directed against cameraman), which, once again, only displayed the justification of such initiative in the first place.

"Soon after the collective public summer holidays, I shall initiate the launching of parliamentary procedure demanding the amendments of the Criminal Law of Bosnia and Herzegovina, where any assault/attack against journalists would hereinafter be treated as the assault/attack directed against official authority. My recommendation shall propose that perpetrators of such assaults/attacks should be fined and sanctioned with three to five years in prison, depending on the scope of the deed itself", stated Mr. Begić during the interview for "Oslobodjenje", a local daily newspaper.

Damir Arnaut outlined that there are over 1000 lawsuits against journalists. Media houses have been fearing and are scared most of the time (this particularly concerns smaller media houses), since their journalists spent most of their time at court trials, instead doing their work. Mr. Arnaut reckons that anyone that deliberately, intentionally and consciously put her or himself in public space, automatically become a public figure and she / he as such cannot expect from media houses to promote their work all the time. "It is important to amend the Law that defines that there shall be higher standards in terms of politicians' special standards. Since 1964, when the Supreme Court of the USA had developed this particular law, it has ever been very clear. This initiative should be accepted and passed at state parliament level and I personally believe that this law will work as soon as possible", Damir Arnaut said for N1 interview.

However, regardless to these initiatives, there are many problems in small communities as far as local media houses are concerned. Those that manage public money that should be directed to support serious and professional media houses in small communities (that is media houses that had been primarily established to provide general public with correct information, covering the important issues about life in their community), often demonstrate and display a complete neglecting and ignorance of general public, by sudden financial support to two of three other "instant media

houses”” that suddenly receive financial grants from two or three most powerful political parties in their community. Their primary goal is to discredit all those that work in media houses that tend to position itself in the market, by providing general public with serious issues and the truth that has been happening in their local communities.

Being a journalist in small community is much harder than being a journalist in for instance, Sarajevo, Banjaluka, Tuzla and Mostar. The reason for this is the fact that small communities are packed with local powerful figures that are ready to take things into their own hands. They also have unlimited influence within police official authorities, including judiciary system and public sector. Therefore, it takes a lot of courage to be a journalist in small community, whereas there are always mechanisms in large communities that to some extent protect journalists working in large communities.



Local media – between the challenge and problems

By: Nikolija Bjelica

Almost every single local community in BiH has its own media house, whether a public service or some other private platform that deals with local affairs. According to survey and research conducted by the Center for Civil Cooperation and Center for Media Development and Analysis, which was released last year, local media houses make up more than a third of total media scene in BiH. It is the internet that make local media houses what they are today, including the program and content they release and program which relates to local affairs, while their coverage can almost be considered as global one. The existence of local media houses is very important for every community and they can significantly contribute in democracy development. In this sense, media houses should serve as crucial tie and link between the governing official authorities and public, that is, they should serve as global platform where citizens could point out the problems of local community they live in. Local media houses should also serve as informatory sources covering the most important events, affairs, venues and events in all fields and should also serve as corrective tool as far as decision makers are concerned. Therefore, local media houses have many tasks and assignments to accomplish, although this includes many problems and challenges as well.

Political and economy dependence

Due to nature of issues they cover, local media houses in BiH are, to some extent, superb, because the general view is that the issue that may seem interesting to a certain group or party, may not necessarily be considered interesting to another local community. However, the power of local media houses lies exactly in covering the issues they analyze because they thus easier identify and recognize local problems and find easier to target persons that should be responsible in solving and sorting out these problems. Let use the situation where media source indicates that someone from a local community had broken the law as an example from one hand, and, someone who had done something useful on the other hand. Public perception could appear different and perhaps media could have full comprehension of such events instead of, for instance, writing about something that a president of some country had also done. This does not necessarily mean that local media houses should not deal with topics and issues that overcome local boundaries; instead, if there are resources for that, they should do this by all means.

Enthusiasm itself is insufficient for proper media sustainability; instead, fully functional media require financial means and human resources as well. The problem of media financing, including local media houses, have been misused by local political officials and powerful businessmen that managed, through different methods, to buy out the affection of large

number of media in local communities, thus making them dependent.



They have been doing this by direct financing from budget sources, by appointing biased officials to crucial positions and managing position or by involving influential businessmen with local political authorities, where these businessmen invest their money for marketing purposes, which really is a smoked screen for completely different goals. Therefore, local media houses, with very few exceptions, mostly serve as extra pair of hands of local governing authority officials or they in some cases operate as merely entertaining media source and thus avoid covering and dealing with important local community issues. Under such circumstances, it is rather difficult to sustain and survive, particularly for media houses that do not want to compromise their work as far as their professional and ethical principles are concerned, and also media houses that cherish the principles of investigative reporting and critical approach to reality. "Direkt", a local web site has, since its establishing in March 2018, been financed strictly and mostly from projects and in that sense, it has managed to sustain and survive in media field. They also managed to keep distant and independent from political and economic powerful centers and their influences and impacts. This is why we can afford to have the liberty in investigating and criticizing everything that we believe should be criticized.

Many media, limited attitudes and stands

A number of local media houses has emerged in East Herzegovina region during the period of last couple of years, because online field, unsettled as it is, has provided everyone with an opportunity and with minimum technical preconditions to establish a platform that can serve as local media source. There are over 20 local media sources in the town of Trebinje alone and these are mostly local web sites and this number has a tendency of increasing, taking into consideration that this kind of media source requires minimum resources. Most local media houses, we should say, should result in creating more liberty – based attitudes, views and stands, which at the end should contribute in better democracy establishment. But, in this case, more media houses does not necessarily mean more ideas and issue views. Media houses mostly, unless they practice the old fashioned "copy – paste" principle, release their own content which in most cases is not different from previously released content. The problem is that some of them operate without clearly visible information about ownership structure, including full names of their editors and journalists (impresso), so there are many contents and posts without the names of their authors shown anywhere. On the other hand, these local web sites have properly set banners on their web pages with information of many Herzegovina based companies, which actually means that they do manage to make some profit from outer marketing sources. Bearing in mind that many private companies in Herzegovina have connections with local governing authorities, these media houses are biased towards local governing officials which they confirm by posting their politically biased contents.

"It is rather difficult to sustain and survive, particularly for media houses that do not want to compromise their work as far as their professional and ethical principles are concerned, and also media houses that cherish the principles of investigative reporting"

As a result of all of this, local media houses unfortunately follow local political conflicts, so local community viewers often refer to them as to “governing” or “opposition” media sources.

Local media houses are still not fully used as far as their potential is concerned, at least when it comes to public usage of their capacity. Accordingly, the mission should include finding a model required for their strengthening so the influence and impact imposed by local politics would be reduced to a minimum level, and so media houses could serve the public. However, the concept of such model is simply not feasible and it would be difficult to expect that this could emerge overnight.



Between journalists' ethics and local politics: When minister demands recording of a dredge

By: Sanela Kapetanović

My first deep professional disappointment happened at the beginning of my career. I began with my work experience at the local television station (while still being an undergraduate journalism student) and during my first work experience year and later during the traineeship period; during one of many discussions held regarding the posting of public interest based information, my (more experienced) senior workmate, told me (while expressing her personal view) about the responsibility of reporting, by stating the following: “Tie your horse where the master tells you”. In the following years there were more of such mantras that were often used as ultimate argument or in simple journalists' words – blackmailing or subliminal threat.

Simultaneously, nothing better than this sentence demystified the position of local media houses in BiH society.

Bizarre misuses of public money

Scope of problems that journalists have been facing, including editors of local media houses, overcome the boundaries of few journalists' cards, and therefore this particular text may serve merely as desperate cry to scientific and expert community for academic and expert intervention in this specific field of business. Individuals, journalists and editors that have been forced to protect their own personal integrity, even within closest environment of their editing offices, including desks and media houses, shall be subject of this specific text, bearing in mind that “maladjusted” professionals have been exposed in confronting professional occupation and localism – based propaganda.

The idea of public money media financing theoretically includes professionalism and independence from commercial advertisers, political establishment and other interest – based groups that may, on behalf of their own personal interests, neglect general public interest. Practically, this idea has been transformed into personal antagonism where public money is defined as election prey, that is, marked as personal property owned by the leading political groups and parties, and public interest, on the other hand is treated as political establishment interest that marks the dispersing and distribution of Entity, cantonal and municipal budget means on the other hand. When certain media house is forced to operate in accordance with interest – based priorities of governing politics, it becomes clear the public interest becomes a common venue which again becomes subject to various discussions and concerns, because it genuinely does not even exist as such; it is quite opposite.

The procedure of politically – based appointing to managerial positions represents aggravating circumstances, which structurally suffocate the principles of professional occupation in all spheres of media operating field. Personal interests suppress public interests and greatest danger is

hidden in practice – playing of interest – based spheres and also in shaping of suitable environment, so the entire public media could eventually be transformed into a PR agency. That is how political structures appoint managers that in return, create “adequate” and “acceptable” program agenda in public media they run. This mutual relationship puts individuals that tend to remain professional and sustain their integrity into most difficult position, because during the process between the recommendation until releasing, journalists’ stories naturally go through the path of selection at program collegium, via editing and monitoring until journalists’ releasing and broadcasting.



What is taken as a premise in this constellation is undoubtedly professional and ethic responsibility of all precipitants in the process, with the scope of responsibility equal to hierarchical positions. Therefore, if the premises are wrong, then the conclusion must be wrong too, which according to practices and experiences by journalists was often confirmed. Local media journalists often encountered direct attempts by local politicians (of local governing official authority representatives) to interfere into media and program content and program, including the interference into journalists’ reporting, they also often try to impose their suggestions during local community venues and even try to problematize questions they are asked to reply. It is not uncommon that daily editor, editor – in – chief or certain manager receive information from the field before their journalist even return to the office. There were situations where politicians or local governing representatives would threaten journalists that they would call their bosses (editors or managers) and they often did call them. Such experiences, although present in local media houses, unfortunately, are rarely subject to public problems or official lawsuits. I shall refer to one case in the following chapter of this text.

TVSA female journalist was working this particular day and was a journalist on – duty. This shift should follow extraordinary and special affairs and venues and also events organized during the afternoon hours. On this particular day, there were two venues that were to be followed and covered, with less than 60 minutes of time lap between them. First event was signing the contract between the Labor Union (Syndicate) representatives and Prime Minister of Sarajevo Canton, and this was followed by another venue in the National Museum of Bosnia and Herzegovina. Tens of journalist had been waiting in the cantonal government premises for the beginning of the above mentioned contract signing procedure. Prime Minister and cantonal ministers were late and did not arrive to the government building at the time. According to the press office spokespersons, they said that they would be 30 minutes late. They had to attend the meeting in one of the municipal buildings outside Sarajevo. Journalists were nervous since they had been waiting for over 30 minutes.

“We shall begin in a minute”, Press officer tried to calm down the journalists, while he approached the TVSA female journalist. He asked her if he could have a word with her alone. Minister of Traffic and Communications had called and said that construction works were to commence the following day at the First Transversal Road and he was on his way with the Prime minister from the municipality. He had seen that the dredge was already on site so he phoned her demanding that she went there immediately, record the site and make a report. TVSA female journalists tried to hide the uncomfortable position that she was in by expressing humor and said that she was surprised with minister’s demand, because she did know that the minister was at the same the editor at the TVSA and that she did not see his name in the editing office, that is, on the time schedule. Government Press Officer was not even listening to what she had said and continued by stating that the minister said that other journalists were not important in this story, but he insisted that Cantonal TV journalist (reporter) must record the beginning of the above mentioned construction with camera, because the dredge had already been on the site marking the commencement of construction works that were to begin the next day. She expressed her gratitude and rejoined her colleagues in the hall.

90 minutes after that, she returned to the Desk without requested video report and without camera footage from cultural venue the she was supposed to cover (by the way cultural venues hardly get the chance to be broadcasted because the daily politics is always considered a top priority) and she reported her superior about the discomfort that she had experienced.



“I know about this, they phoned here and said that you were very rude to them”, said her editor. Minister’s mandate was over one month before the beginning of construction work in the Transversal.

Irrationality and disrespecting the specificity of professional journalism and the truth as the sole imperative, including public interest and corrective nature, could perhaps best be seen from the relationship between local governing authorities and local media houses. This is particularly outlined in cases of various contracts regarding the covering of local community affairs where, for instance, municipalities disperse financial grants, and media houses should, in return, follow and cover the activities of local community managing structures. Although by nature, the primary activity of local media houses is reporting about local communities, their developing stages, problems, issues, challenges, projects etc. It is con-

“Responsibility of fight for professional and independent public local media houses at the end is not just a responsibility of BiH media houses, because the managing figures in those houses are appointed so they could deliberately prevent this and obstruct the above outlined fight from happening. Local governing officials cannot be held responsible either, despite the fact that, on one hand it is their legal duty; however, it obviously does not represent their political interest on the other hand”

tracts which can make such relationships formal and in reality the most bizarre misuse of public money does occur as a result. Local televisions which, by their establishing acts are targeted towards local issues get finances (again) from public money deriving from lower governing levels, in order to make more thorough reports about local activities and affairs in every local community. It is the public that suffers the most in this market process due to the fact that, instead of having right to double – paid information that they should receive, they (public) are only left to witness the activity promotion displayed by local governing authorities that once again is paid with public money. Taking into consideration that this is about the promotion of public institutions, these kinds of contents are not even marked that they had already been paid for.

There are many cases where local media houses received calls and were requested to follow and cover daily affairs, such as for instance, municipal mayors addressing the pupils at the beginning of new school year, including the distribution of presents for kids; visiting construction sites at certain locations, ceremonial presentations of new public rubbish bins, all the way to most bizarre cases where journalists’ team was called to cover the event where municipal mayor was watching and visiting the cleaning and purifying of Miljacka River hutch. The cleaning was financed by City Council official authorities. Therefore, it is important to be more precise in writing about this issue. Namely, city council officials organized the cleaning and purifying of Miljacka River hutch, through four city based municipalities. One of these municipalities called the TV team to come and record (at specific time) how municipal mayor visits the site and witnesses the cleaning and purification process. This indeed happened. The worst thing was that this was not the worst thing that happened that day. Additionally, the TV female editor suggested to female journalist (site reporter) to record a stand up report and thus “enrich” this story, bearing in mind that the scene of the dredge cleaning the river hutch behind the camera was rather “televised” (not exciting). Luckily, this stand – up report never occurred, because the female journalist reporter refused to do such thing. In order to obtain a complete authenticity it is important to outline and highlight that this particular local media house had previously and in several occasions broadcasted relevant information (with all details included) in regard with the above outlined Miljacka river cleaning event.

Perhaps it would be possible to find a minimum of mutual understanding for municipal mayors or their press office spokespersons that may consider a morning walk of their boss as crucial and necessary for the headline being considered as general public interest. However, the journalist that fulfils and obeys such request does, in terms of contents, belong to municipal press office. The problem of this society is that the agitators in press offices of almost every single public service or public institutions get paid more than journalists and editors of public media houses.

Auto censorship or profession sacrifice

Once I decided to ask my female colleague (from other local media house) if she had ever had experience with auto censorship and imposed political pressures and I was petrified by her instant response. She told me that no one was imposing them with censorship, because they had been working long enough so they learnt what they should report about and what they should remain silent about. She seemed very proud when she said this, just like when an experienced editor explains to a beginner how, after having posted hundreds and thousands of posts and texts, the news on professional’s keyboard somehow gets assorted by itself. It is difficult to say whether censorship derives only as a consequence of local media oligarchy treatment or whether it provides space for censorship, but it is certainly more problematic than censorship itself. Auto censorship eliminates fundamental imperatives of professional journalism, natural journalists’ curiosity and possibility of building empathy with audience. Selective reporting transforms into a legitimate program policy and turns media into a single – path communication channel.

Auto censors use all available professional rhetoric, in order to justify non-reporting about certain issues, such as live reporting from protests

or rallies, because there is a possibility that collocutors may mention the names of persons that are not present at the moment since their answers cannot be recorded alive on spot, so auto censure users accordingly define that as lack or absence of the other side of the story.



Auto censors are harmless and at the same time, marvelous agenda interpreters. Should a journalist or editor try to problematize, professionally or based on arguments and evidence, the relationship towards certain issues, auto censors shall find appropriate excuse for that. During the process of instrumentalization of a local media house, auto censors appeared as the most wanted resources – they would make professional advancing and their affection to conformity based sacrifice would additionally be interpreted as panegyric perspicuity of understating and comprehension of program commitment. This is actually a fundamental and core danger of auto censorship occurrence; it can easily be transmitted abroad on one hand, but it is very difficult to diagnose on the other hand. In such professional ambience, junior journalists that decide to launch their careers, adopt

and accept the forms of allowed boundaries and limits, thus reducing the possibility of professional emancipation of the entire media. Aggravating circumstance is perhaps the lack of adequate and appropriate monitoring mechanisms, including sanctions, because the processes of public manipulation and tendentious reporting evolve faster than legal regulations emerge. Additionally, media, from legal and formal point of view, do not violate the rules of Communication Regulatory Agency, but through ignoring particular topics and collocutors and by neglecting their own corrective, critical, educational and ethic social role, their own actions and activities are narrowed down to subliminal and impunity propaganda, which is still disparate with fundamental principles of professional journalism.

The responsibility for this particular position between the government that, through media, would have to be held accountable to public and media that would, in return serve the public as corrective tool of lowest and closest governing level (in this specific case), should certainly be sought in media alone. However, in this case, we shall deal with consequences and responsibilities regarding the origin and causes that are certainly out of media reach and deeply buried inside BiH social and political system. Looking from legislative perspective; the perspective that enables us and even does not discourage verbal and physical assaults and attacks on journalists and media representatives, through professional disengagement to notably envious economic and social position of all journalists. This, frankly speaking, is not a problem for journalists working for local media houses, but may display the existential (un)certainty and is surely the fundamental fear drive that would, under such circumstances, easily allow the conformism to presume into professionalism. In such system of values, neither long – term experience nor salary coefficient and professional title cannot result in guaranteed quality. Professional integrity is the only confirmation to certain people that (under almost impossible circumstances) defend the dignity of professional journalism, public interest and genuine truth. Rarities like these are dedicated and devotionally do their work, though laden with clear and present professional environment where their story may not even be posted or released. They are targeted as employees of local media houses that in corporation circles do not have notable reputation and are exposed to promotional ambitions of political and ruling establishment and this is exactly why they can make significant and important changes.

What happened to solidarity?

In all, or at least in most local media houses, there are professionals that have decided not to give up on professional imperatives laid before them. There are cases where employees – media representatives initiate court processes and law suits, filed in against media houses they work for, alone or with the assistance of various associations, unions (syndicates), staff councils and they do persist in their fight against media misuse, but also in order to keep and sustain their own integrity. Also, there are cases when group of employees launch labor disputes directed against oligarchy managements, which also implies a completely unenviable position where journalists are being targeted as conflictual and destructive factors within media houses, which often results in imposing of direct mobbing, disciplinary sanctions, fines, warnings and in most extreme situations results in dismissing and sacking. Lack of solidarity of professional journalists' community and complete absence of reinforced and strengthened community (in form of union (syndicate) of media staff, excludes the possibility that this kind of cases could become more visible, and process outcomes they lead, could become more notable and important for entire media community, especially in the field of emancipations of social role and significance of local media houses as part of global democratization process.

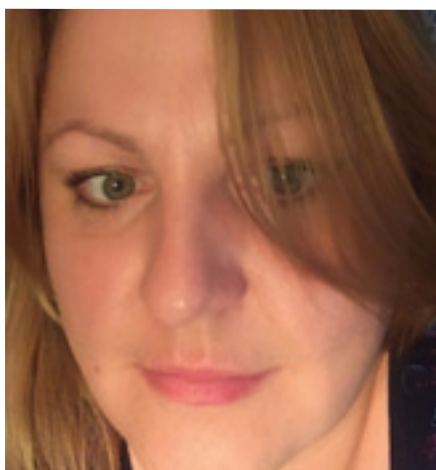


Active solidarity of professional community is indeed a necessity in order to preserve fundamental professional values, integrity and autonomy of journalists. Additionally, I find important to emphasize that professional journalism in its core prefers ethics rather than exclusiveness. The case of malicious comment that local media male journalist, while making a report, received from his female colleague, when she said: „You will surely write your report as ordered”, illustrated a complete lack of ethics and professionalism. In doing so, I shall highlight that this case was about colleague who, in her entire journalism career had insisted on personal credibility and professional principles, since she did have situations where her reports were not allowed to be broadcasted or posted, despite the fact that she had refused any kind of censorship and political biasing in her stories and reports. Genuine empathy and common interest of professional reinforcement of the entire journalists' community, which is required for BiH society, along with legislation, represents and displays a precondition for emancipation and democratization of our society. Otherwise, the fight for professional journalism, principles of public interest and the truth shall remain a legacy of every single journalist and editor, including individual fight, personal devotion and commitment.

Responsibility of fight for professional and independent public local media houses at the end is not just a responsibility of BiH media houses, because the managing figures in those houses are appointed so they could deliberately prevent this and obstruct the above outlined fight from happening. Local governing officials cannot be held responsible either, despite the fact that, on one hand it is their legal duty; however, it obviously does not represent their political interest on the other hand. The only left entity is the public that finances public media houses that in return, should serve the public in the first place and provide them with reports. Unfortunately, public cannot neither be considered nor treated as amphora's mass, symbol or journalism stereotype.

Public includes every entity that pays taxes and enables the existence of public media houses, thus financing the work of institutions responsible for media monitoring, as well as politicians and governing officials. Political intervening cannot be considered normal, including their comments and suggestions in regard with the work of media houses, program schemes, contents or questions addressed to them and accordingly questions they are expected to answer. It is particularly inadmissible that a politician demands the dismissing of director or editor of any media house, without the response by adequate institutions that should determine any discrepancy in the work of such media house in the first place.

Political insulting and offending, theatrical emotions and provincial aggressiveness in BiH society have the capacity of forging most directed political and political party imposed pressures and turning them into public interest concern. Therefore, this text is some kind of an appeal to all my colleagues, professionals, journalists, editors, professional academic community members, urging them for solidarity, reinforcement and strengthening of professional journalism and its fundamental principles. Otherwise, we won't even need ever popular stereotype "the time will show", since it will be useless. Enslaving of public media has been paving the path to enslavement of the entire society and we, that decided to be professional journalists, should be aware of this in the first place or in words Ozren Kebo, our popular colleague, in his work "Advices to junior journalist", we should be aware before even the time shows us that.



Who needs local journalist – everyone or no one?

By: Andrijana Pisarević

Journalists' bread has never been easy to earn, nor was easy to have a bite of it, but the bread that our colleagues earn "locally", can be considered as raw sample of seven – crust bread, that is, true hard-earned bread.

For citizens at municipalities and towns, local television stations, radio stations, newspapers and local web sites represent the only source of information from their surrounding environment. These media houses are irreplaceable when it comes to stories that directly concern citizens at local communities, and local media houses that "big" editing offices have neither time nor space for, because big editing offices have to deal with "high level politics".

Journalists – reporters and their struggles

Unfortunately, employees at local media houses are put on an edgy grey zone and we have only some limited and unconfirmed information as far as their statuses are concerned in companies they are engaged with, which by default means that these people have been subjects to most severe media exploitations, apart from recent university graduates who seek any kind of work experience and they often agree to work on voluntary basis, just so they could be provided with an opportunity to gain some experience.

“They are reporters, cameramen, photographers, montage men, drivers etc. Their video recording clips and photographs can be seen and in black chronicles and these are marked with water stamps at early hours, because They never refuse to get up in the middle of night and go to the filed scenes, so they could be rewarded with merely BAM 10.00 per report”

Editing journalists, cameramen or technicians, being employed in (local) media houses, have always been completely inconspicuous as the workers, since they have been working on mercy or disgrace imposed by their owners (entrepreneurs) or media managers. They have been far more indiscernible than journalists working in bigger editing offices, such as those in Banjaluka or Sarajevo. Regardless of whether this relates to private media houses, or media houses owned by local governing authorities (municipalities) that make them (local media houses) completely and utterly financially dependent on governing authorities, journalists working outside bigger media centers are presented with much bigger challenges on daily basis. They are on the other hand, also subject to pressures imposed by locally based financial powerful figures, companies or political powerful centers that do not hesitate to blackmail or threaten them in order to prevent the information flow they may dislike or to force them to release certain information that may be beneficiary to themselves only.

Local community reporters are in very similar position as those outlined above. Although, certain editing offices support and stand behind these local reporters, it is a fact that these reporters are left to perform their work on their own, far away from their head office and editors. In most cases, they do not even know what is happening in local communities and they cannot share daily problems they face with anyone. These journalists have no associates, no photo - reporters, drivers, phones or even their offices, so they must take a burden and completely do everything by themselves. All expenses and logistics required for their reports are also their responsibility, since they must organize the finances alone, hoping that daily allowances or their editing offices would cover their filed work expenses. As far as we know, both of the above-mentioned situations do occur, but in most cases financially damaging the journalists only.

The situation is already bad as it is, since their work is limited in terms of both, conditions and rights, as they fear to lose “field work” if they dare to “criticize” local powerful figures, our journalists consider these problems as merely a small part of visible struggles. On the other hand, they can see the real and huge problems, however, they find it difficult to confront and fight these problems on the other hand. If we can remember that even biggest media houses, including the state – level houses, mostly “cheat” with work contracts (so they could avoid to engage and pay their employees on fair basis and according to Law), they often decide to exploit trainees, beginners and inexperienced workers, but also even exploit more experienced staff; they blackmail their staff and threat to sack them and at the same time monthly wages they pay to their employees are often less than BAM 500, 00. Therefore, one could easily conclude that those in charge with local media houses dispose of unlimited space and time to exploit their employees as much as they like.



While talking to colleagues from local communities, we instantly found out that large part of them have been engaged without any contracts whatsoever, based on oral and mutual agreements and they have to work for irregular and mostly very low wages. They have to go to field during day

and night time, and work under all weather conditions. Considering that they often have no editing offices around, they make phone calls from their private phones, they make written reports from home, they use their own cars (if they have any), and actually, they try to work their way out best way they can, so at the end they can just complete their work and survive.

Journalists claim that their earnings are less than journalists' equally small wages; they say that their earnings are not paid in time (by their employers), they get paid in installments, they get cash in hands in closed envelopes, and they are not legally registered as workers and according to the law, so they basically work illegally. They mostly have no work and employment contracts and even if they get any, the contracts are based on temporary and part – time jobs. Journalists often work with these kinds of contracts, hoping that one day (despite the fact that they work hard and are productive) they may sign a full-time contract. They are not in editing offices, so the official inspection bodies cannot fine and sanction them (because they are, as outlined above, not legally registered within companies they are engaged with and their names do appear anywhere), despite the fact that their names regularly appear underneath the texts they post.



Taking into consideration that the earnings they get are clearly insufficient and that the living costs are what they are, it is definitely obvious that most of these journalists work on causal – based engagements; they often swap their own texts and posts with those by their workmates and colleagues, so they could just have sufficient number of working hours, thus trying to earn as much as they possibly can.

Unfortunately, considering that we do not have the information regarding the exact number of media houses operating and working throughout BiH, we cannot know the number of journalists working under the above-mentioned conditions. We shall probably never find out how many of them are forced to work two or three jobs at the same time either. We don't even know about their average monthly salaries working as freelance reporters or just as freelancers, and how many of them receive tax – free cash in hand money and how many of them have legal and valid contracts. Even if we do manage to get certain figures, these are definitely unreliable.

What we do know is that these journalists are indeed working hard. They manage to cover all areas, from local politics and sport venues to black chronicles. They are reporters, cameramen, photographers, montage men,

drivers etc. Their video recording clips and photographs can be seen and in black chronicles and these are marked with water stamps at early hours, because

They never refuse to get up in the middle of night and go to the filed scenes, so they could be rewarded with merely BAM 10.00 per report. Very few people ask themselves how do these journalists actually manage to go the field trip 20 km distance and who covers their fuel costs.

The question is what happens when they get ill? How do they get medical treatment and what happens to them if they are not able to go to filed work? Do they get sacked when they are unable to conduct their duties and tasks? What happens with female reporters that decide to give birth? Can they keep their jobs when they are on maternity leave? There was a case of our female colleague who had to go back to work only two months after she given birth to her baby so she could keep her job in future. What else we do not know? Are local media journalists victims of mobbing imposed by their editors and media entrepreneurs, how many working hours they have per week and do they get paid for overtime hours? How many journalists had to work for public holidays and did they get pay for that? How many journalists have to work as photographers at the same time? How many reports they make per month and how many days of they have?

Why don't we fight for ourselves more?

When this incomplete and rather rough list of problems that journalists are "locally" facing on daily basis, is examined, two question emerge immediately: why do they bother doing this job and if they like this job so much why don't they fight for their rights?

It is difficult to answer this question, though we could try. One possible answer would be that they are being blackmailed because deadlines for submitting new tests are getting closer, so they don't even have time to think about their own rights, considering that they have few coins in their pockets, which makes the situation even more awkward.

Another answer which may appear closer to the truth is that journalists know very little about their colleagues. I always say that presumption is biggest journalists' enemy. We keep looking at our own profession as to a trade and often consider it in divine manner; we think that a little talent we have makes us real stars. Disturbed by our star status, we keep making reports about judiciary staff, workers in textile industry or educational system and when we get home at evenings, we begin to think about if we can afford to pay the bills and desperately hope that we just may receive payment for our work that could cover our costs. We must confess, there is absolutely nothing glamorous about this.

Unfortunately, journalists have been "programed" to think about everybody's rights except about their own rights and the state (as it is) will not take care about those that don't take about themselves, especially will not take care about journalists that, looking from their own perspective, do more harm than good. It is therefore necessary to make journalists working from smaller communities to get completely familiar with their rights and to get involved into appropriate organizations in order to get something going from the dead spot – if not for us, but for those that would follow our work, if there will be any in future.





Journalists' labor rights: What do laws tell us and what do we have in the field and reality

By: Njegoš Petrović

(The author of this text is a lawyer registered into the Lawyers' Chamber Registry of the Republic of Srpska and in most cases he does apply legal regulations of the Republic of Srpska and accordingly, he provides his clients with legal advices. Taking into consideration the above mentioned, this text shall mainly be based on legal provisions and legal solutions displayed in legal regulations of the Republic of Srpska which are similar, and even identical to legal regulations of the Federation of Bosnia and Herzegovina in parts that relate to labor rights and labor and legal status of journalists during the performing of their professional duties)

Persons that are subjects to the application of the Labor Law of the Republic of Srpska (Official Gazette of the Republic of Srpska, number 01/16 and 66/18), defined by Article 2 that regulates that the provisions of this law shall be applicable to everybody working in the territory of the Republic of Srpska, including both local and foreign companies and legal entities operating in this particular territory, regardless to where they were originally registered, that is, regardless to their citizenship, including the workers that were sent by their employers to work abroad (outside the Republic of Srpska), unless the law of the country where they went to work does not define differently, by applying mutual agreement between the countries or particular international agreement. Also, the provisions of this law are applicable to workers in public bodies, local governing bodies and public services, unless it is defined differently by special laws, including the foreign workers and persons without citizenship that work in the territory of the Republic of Srpska, unless it is defined differently by special laws.

Bearing in mind the regulation of Article 2 of the Labor Law, it becomes clear that its application, unless in differently regulated cases, apply to all employees that work in the territory of the Republic of Srpska, including media staff and workers. I shall emphasize that there are different profiles (including different educational levels) of workers working in media houses, but we shall mostly focus on journalists' labor rights in this particular text. In order to personally obtain better comprehension of the labor rights issues and problems that journalists have been facing, I decided to exchange information with several reputable journalists, even before the posting of this specific text, so I could get the required information about this sensitive issue. Although being in an unusual position, where actually they had to be interviewed (instead of running the interview) journalists actually did quite well during our conversation and most importantly, provided me with very useful information and guidelines regarding my text.

According to the above mentioned, and at the same time, being guided with the specificity of journalism as professional occupation, this text shall cover certain institutes and issues that are, according to the author, display crucial importance for journalists.

No official trading hours and money received in an envelope

Although Articles 239 and 240 of the Labor Law define the possibility of signing special collective contract for specific area or field, all employees in media field do not have such collective contract which, by its nature, shall outline the act which should serve in order to advance their labor rights and responsibilities (including both employees and employers) in particular professional occupation fields. These contracts shall be signed by representative union members (syndicates) and official representatives on behalf of employers' associations, all according to valid and existing law provisions. Workers Union (Syndicate) of Media and Graphics should deal with the protection of individual and collective rights and interests of all journalists during their work performances and the Union

should serve as representative body for signing special and specific collective contracts in the media field. Unfortunately, the afore mentioned syndicate (including all Union/Syndicate organizations in our country) actions and responses are insufficient, which can be confirmed through the fact that we do not have collective contract in media field and there are no indicators that this required and necessary contract is to be signed in the near future either.



I reckon that by having collective contract, we would be able to have better quality of the legal regulations; better legal and labor status of journalists and thus define the solutions that would match the specificity of professional journalism, so the questions and issues considered as obstructions and challenges that outline the difficulties in journalists' daily tasks, could be resolved and settled as well. Labor Law has defined certain legal institutes in general and Article 9 of the same law defined the possibility of having a common act and labor contract would thus enable other, or even more acceptable labor rights and better working conditions from those defined by the already existing law, which in the end does display the legal possibility that can be implemented through special collective contract.

Every professional occupation has its advantages, disadvantages, challenges and special things that make them different from other trades. In journalism alone, one of these challenges is the fact that during the period that we live in, that is, during the time of modern technologies, journalists are not only required to provide true, correct and relevant information; they are also required to provide information timely, which in reality and practical field means the releasing and posting the information in shortest possible deadline. Also, in particular situations, we have cases where journalists are required to perform multitasks at the same time with the increased number of cases where a single journalist is required to make reports, record his report on camera and act as montage man (assembling his audio or video report and making it ready to be broadcasted) all at the same time, with the risk the same journalist may refuse to perform all of the above mentioned duties and assignments, due to inadequate knowledge and skills of newly "appointed" tasks and duties as a result.

In order to reply and respond to all requirements that are presented before them, in most cases journalists cannot be "shaped" into standard trading time, that is, 8 a.m. until 4 p.m. Consequently, they cannot complete and

finish their tasks, assignments and duties in accordance with Article 57 of the Labor Law within legally defined trading hours which is 410 hours per week.

The nature of journalists' profession makes most journalists dependent on numerous factors and these factors are actually often out of their reach, so journalists' trading hours vary from situation to situation and cannot be precisely defined and prescribed by legal acts, because the nature of business dictates them. Therefore, journalists' trading hours often exceed 40 hours per week and their work includes weekends and public holidays, which brings along the issue of overtime hours and associated problems. Although, this issue is clearly about overtime hours, during the conversation with journalists I managed to determine that their employers look at this problem from their own perspective. Namely, the timetable evidence, or so called schedule, is merely formality in media field and the evidence on it usually shows that employees work from 8 a.m. until 4 p.m. only, so employers would thus avoid facing eventual problems with official authorities, regardless to actual and true presence of their employees at work,

Because of the fact that overtime hours are not registered and written down anywhere, employers consequently have not legal duties and responsibilities in terms of paying their employees as a result. Moreover, journalists' problems are not about getting paid for overtime hours only; instead they concern their working conditions in general. Journalists' monthly salaries, as far as formally registered time period of 40 hours a week is concerned (and evidenced), are insufficient and cannot satisfy journalists needs in terms of ensuring decent living standard and other necessities that any person requires. Certain media houses in Bosnia and Herzegovina make an exception to this rule with their employees (journalists) receiving better (more righteous) monthly earnings (wages), although the number of such media houses is indeed very rare and this was confirmed to me by one of the participants during my meeting with journalists. Because of this, journalists, apart from their regular jobs, often do extra work, some remain in the field of journalism, while others seek work anywhere in order to ensure additional monthly incomes.

Apart from this, cash-in-hands method (as payment tool) where employers give cash money to their employees in envelopes, has been noted in many media houses. Employers thus avoid legal payment procedure and this method allows them to avoid tax payment and public contributions (social security, retirement funds, health and Medicare contributions etc.) they are obliged to pay and this method also lowers employees basic payment which will be taken into account one day, that is, when journalists decide to retire (if pensions still exist by then). One participant told me that he had been working as a journalist for over 15 years and was legally registered for one year only. This is also one of many serious questions and problems that must be targeted and solved as far as legal and labor status of journalists is concerned.

When we talk about situations where labor rights are obviously violated (in respect with legal Labor Law provisions), we ask ourselves whether there is a legal protection tools, as far as this particular situation and similar occurrences are concerned.

Legal protection does exist in reality, it is only a matter of how efficient it may prove to be in practice, which again can be subject to further discussions. Any employee, including journalists, whose labor rights have been violated, is legally entitled to seek his rights from his employer in the first place and eventually he can apply and additionally submit his claim to official authority body (in the Republic of Srpska this is Public Institutional Enterprise – Republic Agency for Peaceful Settlement of Labor Disputes) or he can seek his labor rights by submitting claim to official judiciary institution (court) and all pursuant to Articles 200 and 201 of the Labor Law. Also, workers always the possibility to report their employers the Work Inspection due to violation of labor rights.

Still, according to my knowledge, there are not many recommendations and lawsuits that employees file in in order to acquire their labor rights. Does this actually mean then that journalists' rights (workers' rights) are not violated or there are some completely other reasons?



“Having collective contract, we would be able to have better quality of the legal regulations; better legal and labor status of journalists and thus define the solutions that would match the specificity of professional journalism, so the questions and issues considered as obstructions and challenges that outline the difficulties in journalists’ daily tasks, could be resolved and settled as well”

Since we have already outlined and highlighted some cases where journalists’ rights have been violated, there are obviously some other reasons because of which journalists do not seek the protection of their rights based on their employment. During the conversation with journalists I was under the impression that the biggest obstacle for launching the process of protection of their rights based on their employment are actually the financial costs that such processes would actually require. These costs are indeed an obstacle, taking into consideration journalists’ wages, salaries and earnings. However, I must emphasize here that another problem is insufficient information that journalists dispose of, as far as their labor rights based on their employment, are concerned.

Namely, addressing the Republic Agency for Peaceful Settlement of Labor Disputes is free of charge and simple (filling in the application form and submitting required documents) and the procedure itself is run and lead by arbiters and conciliators appointed by the Agency director. Filing in a lawsuit to local court, in order to acquire employment based labor rights is free of court taxes charges and certain lawyers would, in case of prospect success work on pro bono basis during the process and would subsequently charge for their services (from employers money) thus covering procedure costs. It is important to mention that the USAID in association with Center for Promotion of Civil Society has been implementing the project of reinforcing independent media houses in Bosnia and Herzegovina that would enable BiH journalists to receive necessary and required legal and financial aid in regard with the protection of their rights.

Legislator has, based on the Labor Law, taken necessary, required steps and actions in order to provide easier access to the protection of employment based rights, so the costs of the procedure itself are definitely not the only reason why most journalists decide not to seek protection of their employment based rights. The passion that journalists demonstrate, as far as freedom of expression is concerned, should be equal to passion, their determination and will to acquire legal rights that are guaranteed by the Labor Law provisions, which most of the time is not the case. The reasons for the above outlined occurrence can mostly be seen in common lethargy and passiveness that our society is generally going through, which has (as such) transferred these anomalies amongst journalists as well, where the protection (deriving from the system) is not expected, so therefore journalists decide not to seek any system based protection either in return.

The problem is also the fact that if a journalist seek protection of his own employment based rights (which is guaranteed by labor contract or the law itself), the employer considers this employee as his enemy and opponent, which can present the employee with many problems in the future.

Mobbing and pressures

Mobbing has, pursuant to Article 24, item 5 of the Labor Law, been defined as specific form and shape of behavior and conduct at work, where one person or more persons, systematically and for a longer period of time, psychically harass or humiliate another person with the purpose of endangering her or his reputation, honor, human dignity and integrity. Concurrently, the legislator has in Item 6 of the same article defined that the employer is obliged to take all efficient and adequate actions aimed to prevent the emerging of violation at work based on gender, discrimination, disturbance, sexual harassment at work and/or related to work and mobbing and that the employer must not take any actions and measures towards the employee due to the fact that the employee had already been complaining about violence, discrimination, disturbance, sexual harassment and mobbing.

Conditio sine qua non for journalists that should correctly perform their duties means taking care and sustain their reputation and integrity. It is well known that, during present conditions, besides what certain text may contain, it is equally important to know who has written the text, that is, to know that the author himself has given additional power to the text. Therefore, a journalist, in order to earn reputation, selects specific topics that different individuals or groups tend to hide away from public eyes. Of

course, by doing this, she/he may get in conflict with groups with different interests from public ones. Ever since the beginning of journalism as professional occupation, journalists have been imposed with pressure, however, the strength and responsibility of a country is best reflected through the system that shall provide protection for journalists. Journalists, apart from state – level protection, need the protection from their employers which is clearly defined in Article 25 of the Labor Law, because journalists that consciously and most appropriately perform their duties and tasks, cannot be exposed to mobbing imposed by their employers, which again in our society has become a daily occurrence.

Quality based work must be rewarded, rather than being subject to various sanctions and penalties. This can be obtained only if we have independent and unbiased media houses that we must fight for all together as society. Leaders of this fight must be journalists themselves and journalists whose labor rights shall be protected rather than violated.



Journalist are (not) to blame for everything

By: Mersiha Drinjakovic

Journalists write absolutely everything. Well, actually all journalists lie. In fact, everyone calls herself/himself a journalist these days. Please continue this line. There are many confirmed and unconfirmed critics about journalists nowadays. We have certainly become the most criticized profession (occupation). Well yes, journalists are indeed a reflection of a transitional society. They struggle with hard times, just like everybody else, and at the same time, they must carry a burden of being marked by rather turbulent and complicated times, loaded with spins, sand being kicked in eyes, sharing these notes with general public, authentically, credibly and at the same time, obeying the rules of journalism as professional occupation. With all obstructing circumstances, such as complicated and complex public administrative system, the politics which is ... well it is what it is, and along with politicians that are ... well, there are many kinds of politicians, journalism, as professional occupation, has been devalued and degraded, with very few journalists struggling and trying hard in order to save their honor and save us from a complete doom. But, let's outline and highlight the status of forgotten workmates that may be work under more difficult and bearable circumstances than those working in the Capital of BiH and most BiH cities and towns. Both female and male journalists in smaller communities are often put under pressures imposed by local politicians or powerful public figures by all means, in comparison with journalists working in bigger communities. Their audience is often unfamiliar with the obstructions they (journalists) have to face, in order to provide their audience (including all; viewers, readers and listeners) with unbiased information, texts, articles, and radio and TV reports. Yes, there are many different journalists, just like in any other profession, that is, some are completely biased and support certain political party or parties, others have no choice; while the third group, working under unbearable conditions try hard to post and release stories that are worth of being called a journalist (both female and male journalists).

Can you at least try to imagine what this may look like: if certain media owner (entrepreneur) that you work for, fails to identify and recognize your role the way you see it, who do you think would draw a shortest straw, or, if you work in media house which is financed from particular municipal or cantonal budget, what do you think the outcome may be? This means that you shall be having an unsparing fight with your right for true story, told and posted without any interference by those that consider their involvement into your story as God given right. Actually, you only want to tell the story that general public should hear, see or read about. Naturally, I am referring to journalists that consider journalism as professional and honorable occupation.

Journalists play important role in democratization processes in every soci-

"In Sarajevo alone, or in some other equally large community, there are minor mechanisms required for the protection of journalists while their doing their work. Even if an incident does occur it soon becomes exposed and visible and cannot be forgotten unconditionally."

ety. Their freedom and non-censoring of the contents they release, as well as their responsibility to make those contents without any outer influence and impact, speaks a lot about such society in general. These societies do not include Sarajevo, Mostar or Banjaluka, regardless to what extent these cities may be taken as sample representatives, since journalists also live and work in Kakanj, Srebrenica, Bihac, Breza, Ljubuski etc. Journalists also work in Mrkonjic Grad, Jajce, Ilijas, Foca, Cazin etc. and their rights are being violated too while they try to perform their work.

Results regarding media liberties in BiH were released in May 2019 and they showed that during first four months in 2019, 27 different types and cases of violations of freedom of expression, including assaults/attacks against journalists in BiH were detected which was a lot more than the number of cases for the same period last year.

Survey and research results conducted by the Association of BH Journalists and Friedrich-Ebert Foundation in BiH showed how 27% of the examinees from the Republic of Srpska justified the assaults/attacks on journalists, while the number of examines for the same poll question was merely 17% in the Federation of Bosnia and Herzegovina.

In Sarajevo alone, or in some other equally large community, there are minor mechanisms required for the protection of journalists while their doing their work. Even if an incident does occur it soon becomes exposed and visible and cannot be forgotten unconditionally. In smaller communities, these mechanisms either do not exist at all or they are very limited, while, at the same time, the voices of brave journalists are neglected and remain ignored. Every time when we do react on certain case regarding the violation of media freedoms and liberties, we add a brick to the defense wall that tends to work on its own and that refuses to accept criticism with no “circling around” either.

Impressum

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