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Introduction

The mapping of attacks - an important step towards more effective protection of journalists

More than 30 physical and verbal attacks and threats against journalists and media outlets in Bosnia and Herzegovina were registered during 2022 by the BH Journalists Association. The Free Media Help Line (FMHL), which operates within BH Journalists Association, is currently the only service that keeps comprehensive records of attacks on journalists and violations of their rights throughout the country. However, that work is made much more difficult by the fact that the institutions still refuse to establish separate registers of cases concerning journalists and the media.

Among the rare institutions that have recognized the importance of mapping attacks on journalists are the Ministry of Internal Affairs of the Republic of Srpska, which has been keeping records of these cases for the past several years, and the Sarajevo Cantonal Prosecutor's Office, which has appointed a contact person - the prosecutor for communication and coordination with journalist associations and agencies for enforcement of laws that work to detect and prosecute perpetrators of criminal acts committed to the detriment of those performing tasks of public importance in the field of information. In the last four years, the Sarajevo Cantonal Prosecutor's Office filed four indictments for threats to journalists - two of which resulted in guilty verdicts, one ended in an acquittal, while one trial is ongoing.

"The appointed prosecutor will go through additional education in the field of human rights protection, which will certainly contribute to a greater degree of institutional awareness and the creation of a professional environment, additionally motivated to improve work according to international standards in this area", the Prosecutor's Office explains.

Events

03.11.2022.

BH Journalists supported the adoption of the IFJ Convention on the Safety and Independence of Journalists

08.11.2022.

Judiciary and the media: Through continuous dialogue to better inform citizens

29.11.2022.

Debate of BH Journalists: How to jointly strengthen the professional integrity of the media and the judiciary

01.12. 2022.

Training of BH journalists: What we have learned so far from the implementation of the Law on Freedom of Access to Information

About mapping attacks on journalists within institutions, as well as why it is important to report every attack and threat, for the 80th edition of the E-Journalist newsletter write **Sabina Sarajlija**, chief prosecutor of the Cantonal Prosecutor's Office of Sarajevo Canton and **Darko Martinčević**, contact person for journalists on behalf of the Prosecutor's Office, **Biljana Radulović**, lawyer and associate of the Free Media Help Line and female journalists **Andrijana Pisarević** and **Ljiljana Smiljanić**.



Maja Radević, E-Journalist editor

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Press releases

24.11.2022.

BH Journalists: Dodik is preparing the ground for the abolition of freedom of expression in RS

02.12.2022.

SafeJournalists: Terrible Threats to Journalist Jelena Obucina in Serbia

06.12.2022.

BH Journalists: MUP RS must urgently investigate the attack on the BN Television crew

10.12.2022.

SafeJournalists: Journalists as Defenders of Human Rights Still under Threat

15.12.2022.

BH Journalists: The increase in violence against journalists requires effective action by the police and the judiciary

Journalists as assault and attack targets: Sarajevo Canton Prosecutors' Office identifies and recognizes the importance of journalists' protection reinforcing and strengthening

By: Sabina Sarajlija i Darko Martinčević



Cases of violations of media freedoms and liberties, assaults and attacks on journalists have mostly been displayed through various views and one of the most frequent ways here include violence against journalists in public media and online field. Numerous international documents, recommendations and guidelines, as well as court practice by the European Court for Human Rights has labelled and designated journalists as “public guiding dogs”, thus imposing official authorities with certain duties and obliging them to protect media staff with additional caution, in order to enable notable contributions to public debates and discussions.

Article 10 of the European Convention for the Human Rights and Fundamental Freedoms, guarantees freedom of expression, including the possibility to have access to information; rights to public supervised journalists' role and other media entities, as well as rights to open and energetic public discussions which altogether represent core importance in any democratic society. International community has several times outlined the necessity for more effective implementation of the existing international and regional standards and better conformance with the existing mechanisms and following initiatives. Therefore, the Recommendation CM/Rec (2016)4 by the Council of Europe Committee of Ministers, (regarding the protection of journalists and journalists' safety and other media staff) defines a whole line of required measures that relate to criminal prosecution, that is, the duty by the governing officials to implement more effective murder investigations, assaults, attacks and harassments of journalists. The governing officials are expected to take all reasonable steps and collect required evidence concerning particular accidents, to confirm the facts, identify the perpetrators and finally (if appropriate) fine and punish those responsible. The Recommendation also defines that investigations should be conducted by governing officials having adequate, appropriate and required special trainings completed within the field of international norms and protection of human rights.

During the last four years period, Prosecutor's Office of Sarajevo Canton pressed four legal charges due to threats imposed against journalists, with two of them being completed with criminal convictions; one case was completed with a verdict of release while the remaining case was still under legal procedure. In at least two cases with journalists being damaged parties, the order brought by the official judicial authorities demanded the termination of investigation because of lack of required evidence and one of these cases was forwarded to further processing based on criminal responsibility.

Media on Media

11.11.2022.

Dodik's proposed laws: Say anything and you will go to prison!

17.11.2022.

Discussion on the new set of laws: Tegeltija told the journalists not to resist

28.11.2022.

EU Court of Justice decision to "invalidate" transparency in beneficial ownership is a blow to the right to know

05.12.2022.

A step towards more efficient processing of reports of attacks on journalists in KS



Therefore, there were not any cases with homicides involved, including serious injuries; instead, the cases mostly related to threats or criminal deeds of safety endangering and criminal deeds of violent behavior and conduct. There were several cases regarding IT assaults whose investigation was more complex due to the way of evidence collecting.

As far as process of proving itself is concerned, in practice of criminal deed of safety endangering, it is important to outline that this process does exist in reality when a perpetrator endangers and jeopardizes safety of any person by directing and addressing a serious threat, threatening that she/he will assault or attack the life or body part of a victim, thus causing disturbance of citizens and the law defines that this particular criminal deed shall be fined and punished with up to six months of imprisonment. How are these threats crucial for the existence of the above-described criminal offences, the question is what does the threat actually represent and mean in reality? Taking into consideration that concrete answer to this question is not defined by the Criminal Law, courts (during their practical procedures) use most acceptable definition from the legislative theory field and that is that threat actually displays an appearance of causing certain evil deed. Words are mostly used to impose threats by taking, for instance, an object with hands by which one can cause harm and injury to other party (entity) and these could include arms, certain tools or similar objects. Evil described above may be of a different nature. As far as safety endangering is concerned, it relates to assaults (physical attacks) imposed against life or body parts of the other party (entity) which means that, in terms of protected goods, this regards to life and body parts only. Since criminal offence defined as "Endangering/jeopardizing safety", relates to safety endangering/jeopardizing, that is, peace and serenity of a certain person, this practically means that the threat itself must cause particular effects against the person against whom it had been directed, that is, it must present a potential victim with a feeling of uncertainty, fear and disturbance, which again means that such threat must be serious and feasible.

Bearing in mind that seriousness of threats cannot be measured by objective criteria, courts in every concrete case assess the seriousness of threats through individual cases, taking into consideration the person against whom the threats were directed; the person who directed the threats and all other circumstances of the case, having in mind that threats may be conducted into reality, that is, evaluating their feasibility being at the same time particularly cautious as far as crucial and core emerging the incrimination consequences. Should the accused person, that is, his/her words, directed against the victim, lack the element of seriousness, this particular conduct of the accused according to court assessment and indicated in one of its verdicts, is excluded as criminal offence leaving thus, in the field of eventual criminal responsibility from the field against public safety and order.

With such criminal and legislative framework, respecting the significance of journalists' protection, Prosecutors' Office of Sarajevo Canton have decided to act proactively taking thus several concrete and organizational steps and measures.

After having consultations with key participants of journalists' protection chain, including media freedoms and liberties, BH Journalists Association, OSCE Mission to BiH, the Institution of the Ombudsman of BiH and members of police agencies, the decision was made regarding the leading of advanced evidence about the cases concerning assaults and attacks on journalists in order to have a special monitoring and supervision over them by the Office of Chief Prosecutor thus having most accurate and updated information and data regarding such cases.

Furthermore, cantonal prosecutor has been appointed and was expected to act as contact point on behalf of Prosecutors' Office in regard with communication and coordination with journalists' associations, including agencies responsible for law implementation and dealing with discovering and prosecuting criminal offence perpetrators directed against the persons performing their duties considered as public duties in the field of informing. Appointed prosecutor shall undergo additional education in the field of human rights protection which shall definitely contribute in larger level on institutional sensibility and creating professional environment, additionally motivated for advancing the work, according to international standards in this particular field.

Finally, we decided to go for strategic effective and efficient criminal and legal journalists' protection and other media staff and generally the protection of all other entities taking part in public debates by demanding that all criminal deeds undergoing this particular category regarding victims shall be considered and treated as priorities. Chief Prosecutor's Office shall supervise and monitor effective and legal procedures conducted by prosecutors in these specific cases.

Taking into consideration all specificities of the institution of Sarajevo Canton Prosecutor's Office through the number and cases complexities and due to our local and real competences, including recommendations that these cases shall expose and reveal the role of instigators, organizers, agitators, assistant and helpers (particularly when public figures commit assaults or attacks), we believe that these activities display reasonable measures in terms of strengthening and reinforcing our capacities and that they had already proved to be effective in reality.

Namely, we trust that these measures may have a preventive and dissuasive effect in sense of reducing assaults and attacks and that, in the forthcoming period, it shall contribute in creating better results in processing criminal offences where journalist are actually victims. Additionally, we shall attempt to make an impact in obeying and respecting criminal policies through legal charges and lawsuits.

We also find that there is enough room for advancing journalists' protection and that prosecutor's offices may make a contribution in public discussions and debates, regarding eventual amendments of criminal legislation that should treat journalists' statuses in the direction of more effective protection through either additional legal regulations of their modelling or through defining new criminal deeds or amendments of the nature of the existing criminal deeds with the purpose of attaining less complex proofs concerning those characteristics of criminal deeds that in reality proved as solid reason sufficient to terminate the investigations by passing (bringing) verdicts of release (proving the seriousness of threats above all).

We are convinced that, through the implementation of international standards of journalists' protection, including stronger cooperation of all parties involved, professional journalism shall make progress and strengthen its role in democratic societies, while, on the other hand, Prosecutors' Offices shall reinforce their resources in terms of additional education programs and trainings thus making significant contributions of transparency also strengthening and reinforcing the rule of law.

(The authors are the prosecutors of the Sarajevo Cantonal Prosecutor's Office)

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Chief Prosecutor's Office shall supervise and monitor effective and legal procedures conducted by prosecutors in these specific cases”



Violation of media freedoms within BiH state institutions

By: Biljana Radulović

Rights to press freedom, established in 1789, displayed a general and common right to freedom of expression. Article 11 of the French Declaration, regarding human and civil rights clearly stated that “every citizen is entitled to speak, write and print freely, unless these freedoms and liberties are not misused in cases clearly defined by the law”.

Rights to press freedom have represented one of the most fundamental principles of any democratic system that is in line with freedom of expression and freedom of opinions. In the society, which, until recently, had defamation and libelling legally considered as criminal offence; there have been many problems in terms of limiting press freedoms. Assaults directed against press freedom have been manifested in regard with pluralism and editing independence, particularly to media concentration by large industrial groups, fiscal, financial, but also regarding political pressures, and on the other hand, they have best been manifested through obstruction of professional journalism, including murders of journalists, imprisonment of journalists and various assaults and attacks on journalists as well.

Restrictions on freedom of expression

Number of legal charges and suits filed in against journalists (in most cases they concerned value judgements); have perhaps best illustrated the existence of limiting the freedom of expression. Pressing charges by the plaintiff most probably would not represent an outlay and expenditure, but, as far as journalists are concerned, it would certainly represent an economic turbulence, regardless to court instance outcome, because many court procedures may last up to six years and are often exhausting, in terms of finances.

During the implementation stage of the Defamation Law (Law on protection against Defamation of the Federation of Bosnia and Herzegovina), several lawsuits filed in against journalists emerged, but now, 20 years after this, no changes in public consciousness have become apparent and visible; instead, new trend of lawsuits has become even more frequent.

Defamation cases in courts are legally considered and treated as compensation cases caused by libelling and defamation. Additionally, there is no special evidence clarifying that these cases concern media branch, journalists or any other person respectively.

Along with this particular outgrowing trend, the number of assaults and attacks on journalists is still increasing. Moreover, assaults and attacks on female journalists are on an increasing level, since they (journalists), due to nature of their work, are often subjects to harassment, offending, insulting and humiliation as a result of their gender. They are often also vulgarly insulted and threatened in most brutal way.

The reason for an increasing number of assaults and attacks directed against female journalists, rather than assaults or attacks against male journalists, has had deep roots in a society which still tend to believe that women should and must not do certain jobs, considering them incapable and that they, by their very nature, are weaker gender comparing to men Etc.

Free Media Help Line

Current cases:

1. Milorad Dodik/The Law on Protection Against Defamation, 01.11.2022.

The Steering Committee of the BH Journalists Association expresses its concern over the request of the president of SNSD party and member of the Presidency of Bosnia and Herzegovina, Milorad Dodik, to re-introduce defamation and insult into the criminal legislation of the Republic of Srpska, which is contrary to European standards for the protection of freedom of expression and information. Dodik wrote on Twitter that he asked the Ministry of Justice of the Republic of Srpska to prepare a new set of laws in the area of preventing the spread of fake news and hate speech, as well as the introduction of defamation and insult in the Criminal Code of the RS as a criminal offense.

The Steering Committee of the BH Journalists Association believes that such a rigid intervention into media legislation, even at the level of the initiative of the current member of the Presidency of BiH, represents an inadmissible limitation of media freedom and freedom of expression, and hints at the return of Bosnia and Herzegovina two decades ago to the period when journalists could end up in prison for their writings and their work in the public interest.

2. Online threats, Dragan Bursac, 07.11.2022.

Person registered with full name and surname sent threats to Bursac, some of which are: "I'm reconfirming my promise to you. You'll put up with a lot of s**it in your mouth, if you knew how much you'd literally go to that "Serbian" church to pray to God." "This is an open threat, you stinky scumbag, so you can report it wherever you want, we are just waiting for you anyway.", "You'll put up with s**it in your mouth some time. Very unpleasant. You will understand when we meet". The case was reported to the Police in Bosnia and Herzegovina and Serbia considering that the threats were sent from Serbia.

Taking into account a statistic conducted by "BH Journalists" from 2021 with 40 cases of gender – based assaults against female journalists between 2019 and July 2021, this particular information should not be taken into serious consideration, because these statistics concerned reported assaults and attacks only. The dark side of assaults and attacks remains unknown.

In 2/3 of the cases, the perpetrators were local politicians, with Milorad Dodik leading the way with 17 verbal assaults directed against female journalists and without a single case being legally processed and sanctioned.

Verbal assault cases against female journalists were not even officially formed (registered). Verbal assaults become official cases when they concern the case of Vladimir Kovačević.

Assaults directed against media houses, organizations, journalists' associations should not be excluded either. Assaults and attacks may emerge from public figures (mostly local politicians) and journalist are often targets by certain commentators on internet web site forum pages or insulted and offended by comments posted beneath news lines, as well as targets tagged via social media sources (Face book, Twitter Etc). Assaults and attacks may not necessarily have to be of physical nature. They may include obstructing journalists while they were performing their duties, depriving of their rights or disrespecting their official accreditations, banning access to particular places or venues Etc.

The use of inappropriate vocabulary directed against journalist is aimed for a single purpose only and that is to scare and frighten journalists, thus changing the concept of providing information to general public by the media houses that journalists work for. Consequently, this ravages the right to press freedom and accordingly it ruins the fundamental principles of democratic society.

Prosecutors' Offices keep no record and statistics regarding the occupation of entities involved in court procedures and it is therefore almost impossible to have access to correct and accurate information in terms of threats, assaults and attacks on journalists. Also, these particular cases are not designated with urgent signs attached to them, in order have easier access to information nor this is legally defined by the law.

Effectiveness of judicial protection

Law on Protection against Defamation of the Federation of Bosnia and Herzegovina, it its article 14, guarantees the efficiency of court protection, that is, it should regard and legally treat such cases as urgent cases, while, at the same time, this particular legal provision does not exist in the Law on Protection against Defamation of the Republic of Srpska. This only outline and highlights the lack of conformity, as far as legislation of this particular issue is concerned.

Due to this „urgent“ designation attached to cases, it would be much easier to have access to statistics in cases regarding the compensations, as a result of defamation and libelling occurrences; however, on the other hand, it does not make collecting information in regard with the number of journalists being legally sued for defamation and libelling any easier either.

Even during the cases of assaults and attacks against journalists, it would be required to keep evidence regarding criminal and offences due to deeds concerning jeopardizing and endangering public safety, instigating and encouraging ethnic, racial or religious hate, physical assaults and attacks, murder attempt with journalists being the damaged party in the above listed occurrences.

“The evidence covering the assaults and attacks on journalists, as well as compensational cases, should exist and must be efficient as well. This particular evidence should be useful to both judiciary institutions and journalists, but also useful to associated institutions dealing with media freedoms and liberties”

The evidence covering the assaults and attacks on journalists, as well as compensational cases, should exist and must be efficient as well.

This particular evidence should be useful to both judiciary institutions and journalists, but also useful to associated institutions dealing with media freedoms and liberties. It would especially be useful in terms of journalists’ protection, including their rights to freedom of expression and advancing legal solutions, establishing and developing plans concerning prevention with the purpose of increasing the level of journalists’ protection Etc.

One of these solutions should include the amendments of criminal laws, where provisions related to criminal deeds should be altered, including the jeopardizing and endangering the safety of journalists, defining new and recent criminal offences that would eventually prevent journalists from performing their professional duties and tasks, assaults and attacks on journalists stopping them from performing their duties and assignments, causing physical injuries or death of journalists while performing their professional duties Etc.

An online platform covering the evidence of assaults and attacks, including pressure on journalists should represent the initial and first step in order to attain this particular goal.

(The author is a lawyer and an associate of the Free Media Help Line)



Journalists are most vulnerable when grabbed by claws of judiciary system

By: *Andrijana Pisarević*

I believe that most journalists would agree that judiciary system is the weakest link in our society. It is responsible for failing to investigate all corruption cases; deliberate or unintentional assessment of criminal offences; responsible for failing to sanction; fine and punish those held responsible; conditional discharge instead of proper and regular legal imprisonment; complete political biasing and hiding cases with public figures being main suspects and protecting them as they were closest family members.

Our judiciary system, despite the fact that we have genuinely believed and made our utmost contribution in its reform, seemed to have transformed into some kind of violent entity that, instead of reducing, rather cleared the path for emerging corruption which, from the very top governing levels and in its capillary manner, has overflowed into all spheres of our society and made us to look for contacts and personal ties, even if we need a single and plain document from our local community services.

Our judiciary system has deliberately (instead of being a keeper of our society values and protects the innocent), managed to persuade us that anyone with enough money and firm contacts and ties may get away from being held responsible at any level.

Avoidance of responsibility

This kind of judiciary system does not have good opinion about journalists. It does not want to cooperate with media nor does it believe in public interest before believing into its own. Its communication with journalists does not exist at all or it is very limited, intentionally providing information with delays and limited information thus complicating the communication process with countless number of required forms and applications and all available tools and procedures are at the same time adjusted and adapted to its own policies.

Judiciary system therefore shows no interest in investigating assaults and attacks on journalists, nor it legally processes the perpetrators unless we manage to push them against the wall from all sides available. Threats and pressures the media staff are imposed with local judiciary system which does not recognize and identifies this issue as problem that would disrupt them whatsoever.

Avoiding its own responsibility and duties, judiciary system gently cherishes every single uncertainty (including media uncertainty), acknowledging openly that assaults and attacks on journalists are in fact normal occurrence (including both physical and verbal assaults). According to this, it is, to some extent, also acceptable to slap a journalist or at least insult or offend them by calling them inappropriate and bad names, discredit them based on their ethnic background or their appearance, all with a single purpose: to distract them from the right path.

3. Verbal attacks, BN Television, Banja Luka, 06.12.2022.

During the filming of the poll in the city center, the BN Television crew was approached by an unknown man and began insulting them with curses and provocations, telling them that they were "receiving American money". A BN cameraman recorded the entire incident on camera and the footage was handed over to the police, along with the report of the attack. The case was also reported to the Free Media Help Line. The Steering Committee of the BH Journalists Association and the FMHL emphasize that such verbal attacks on journalists by citizens are a direct consequence of the statements of the highest political officials in the Republika Srpska, particularly the president of that entity, Milorad Dodik, who continuously accuses media outlets of being foreign mercenaries, spies and financed by certain embassies, as well as to work on the "demolition" of the RS.



However, even this, rather dysfunctional judiciary system should, regardless to its malfunctions, provide appropriate help and protect journalists from assaults and attacks and to raise “awareness” about media importance in a society that refers to itself as “democratic society” and by their verdicts thus send clear messages to perpetrators and violators that their actions shall no longer be tolerated.

The answer to question what journalists may possibly expect under such protection circumstances and judiciary system (which obviously failed to see the situation the way it should be views and seen), simply appears by default. Journalists do not recognize judiciary system as their partners; instead, they consider it as the institution with which their communication flow is rather absurd and mutual cooperation almost impossible, with very few exceptions involved.

If we look at the statistics covering the assaults and attacks on journalists, they would discourage us too. 26 assaults and attacks were reported last year, including threats and pressures directed against journalists, and only 11 cases were solved in favour of journalists. Free Media Help Line reported 71 cases of violation of journalists’ rights, media freedoms and liberties. Pandemic year was twice as bad with 69 reported cases of assaults and attacks.

This year, we have made “progress” so we stand with some 40 legal charges only. Around 300 lawsuits were listed, as favourite means and tools required for exhausting journalists and media staff, particularly as far as politicians were concerned. BiH, according to survey and research based on media freedoms and liberties index has devalued and degraded from 57th to 66th position.

This is what we registered, reported and archived within guild associations. Official information that was expected to be provided by local institutions are still missing. Judiciary system has for years been justifying their actions claiming that their system had been unable to withdraw statistics regarding cases whit all parties involved (journalists and media houses); deliberately or unintentionally concealing or dissembling the reality, thus clearly taking sides against media.

Political sallies and slurs, including their steel ducts are not the only definitions describing assaults and attacks on journalists. What about threats and calls that remain unexposed and unrevealed within editing offices? How many of these have been there? How many journalists and editors have received disturbing messages this year only, including phone calls and even “visits to their door steps” due to their reporting regarding issues and subjects that politicians and powerful figures never liked and they (journalists and editors) have never reported these threats to anyone? How many information, considered as generally interested to wide public remained unrevealed and were not posted in openly due to fear from possible and eventual consequences? The number of these unreported threats is surely much bigger that those that have been reported and we shall never find out about them.

Fighting for safer journalism

Concurrently, journalists do not appear to be helping each other either. Chronical lack of unity and division is what we have been recognized by, since we suffer from ego – based problem and display limited solidarity with a complete absence of collegial and joint efforts as we are no longer ashamed for being in subordinate positions, in regard with existing and local political structures. Furthermore, we tend to get carried away and wander that our job is (to some extent), exclusive and special one and this usually lasts until we begin to feel a back pain, scoliosis or high blood pressure only when we realize that there is absolutely nothing glamorous in the fact that contributions for years of our labour service, retirement and health care funds had not been paid for.

We also seem to have a flagging and sloppy relationship towards those that actually assault and attack, including those that direct threats against us and impose us with pressures. We often fail to understand their actions seriously and sometimes we even laugh and report threats only when our lives are jeopardized and endangered, because who would go through all that police drill, endless hearings, hostile institutional conduct, procedures and marathon court procedures?

We simply have no time for that and stories that we would in the meantime write and post cannot wait. All of this makes us more vulnerable and politicians and powerful figures do not hesitate to misuse this against us.

This is a point where certain cuts should be made and place where starting point for new fight for safer journalism should commence. All assaults and attacks simply must be reported, including threats and pressures and identities of perpetrators, assaulters and attackers must be openly revealed and released, due to the fact that they dared to jeopardize and endanger our safety at our working place. We should send the police to their door steps, press charges against them and take them to courts so they could also undergo this hearing drill.

All these reasons indicate how mapping of assaults and attacks against journalists is important as some sort of foundation required to establish particular new protecting measures for media workers. Once for all, the scope of assaults and attacks, including the safety level of journalists in BiH must become comprehensive.

Perhaps this is not the most appropriate way, but it could surely serve as solid starting point required for the development of some kind of new system where journalists would be provided with initial protecting measures.

(The author is a journalist of Capital.ba)

“All assaults and attacks simply must be reported, including threats and pressures and identities of perpetrators, assaulters and attackers must be openly revealed and released, due to the fact that they dared to jeopardize and endanger our safety at our working place.

We should send the police to their door steps, press charges against them and take them to courts so they could also undergo this hearing drill”



Mapping the assaults and attacks on journalists: Journalists, do report the problem

By: *Ljiljana Smiljanić*

4.Threats to journalists, Miralem Aščić, Sarajevo, 15.12.2022.

The Steering Committee of the BH Journalists Association welcomes the efficient and joint action of the Ministry of Internal Affairs of Sarajevo Canton and the East Sarajevo Police Station in the arrest of a person who is suspected of threatening Miralem Aščić, journalist and editor of Dnevni avaz, over the phone. The threats to Miralem Aščić followed a series of articles he published in Dnevni Avaz about the murder of two policemen from Sarajevo, as well as reporting on the course of the investigation and the indictment against the two suspects. It is assumed that the brother of Aleksandar Macan, one of the suspects in this case, is behind the

Journalists have for years been suffering and abiding from insults, offences, assaults and attacks. They often have to suffer due to their writings or asking about things that they should keep silent about. Things that media houses broadcast or post and things that journalists' associations usually react to, reply and respond, are just part of mere statistics, because many journalists fail to report assaults or attacks, or simply believe that it is unnecessary, considering reports waste of time. Even if they do decide to report assaults or attacks, many journalists wonder what is the purpose of press releases and what is the point of having "strong condemning" of assaults or attacks? We often encounter these kinds of questions and comments on social media sources.

The question is in the right place, but journalists should know that every press release is monitored and followed by international organizations and other journalists' associations. This practically means that association shall keep in touch and contact with official police authorities, including the officials from prosecutors' offices, should particular cases reach that stage. They shall require these institutions to provide them with certain and relevant information regarding the progress of such cases. They (associations and organizations) shall also provide legal aid to assaulted or attacked journalists (free of charge), including required legal advices as well.

Perhaps, this all may appear as too much work with very little results. Maybe you may not want to be a part of mere statistics; part of certain maps, however, you should know that the information is indeed considered important because of your colleagues and workmates, since they do work together with you, but also those that have just emerged on media scene.

I personally have failed to file in a report regarding certain assaults. I was in a hurry to complete the task I had previously been appointed with, thus trying to avoid making a big fuss out of it, however I was certainly wrong. The following events confirmed this and it is the fact that we often make a fuss about this issue when it comes to someone else or when other professionals face similar problems. However, as far as our own problems are concerned, we tend to remain silent and do nothing about them.



“Should public be aware of these cases (assaults and attacks) if no one keep record about these cases and would anyone know the dangers that journalists face on daily basis while performing their duties working at the same time for public interest? Talks about these problems help in seeking required solution, including proofs and information; but they also raise awareness about this particular issue”

Why is mapping important?

Over 57 cases of assaults and attacks, including threats, were registered by free Media Help Line this year. One out of ten examined persons believed that assaults and attacks are sometimes justified. This particular information was provided by “BH Journalists Association”. They used similar information when we required from local and official authorities to treat any assault or attack against journalists as an assault or attack on official authority. Furthermore, it should be treated as special criminal offence so these cases could be preceded faster on their way from prosecutors’ desk drawers to final court verdicts, including fines that should be harsher unlike nowadays. Why?

Because, severe fines and punishments for one party could mean prevention for other party involved. Your report may not particularly help you with your concrete case, because if you had already been “picked on” by someone powerful (that has already caused the damage), it should still be considered as important issue, because its core may eventually help you in the future, so similar cases would not happen again to you or some of your colleagues. Statistics itself does seem boring and not so important to many, but it does have its uses, including the respecting of professional and ethic codes.



All of these elements protect this rather suffering profession and occupation (journalism). Should public be aware of these cases (assaults and attacks) if no one keep record about these cases and would anyone know the dangers that journalists face on daily basis while performing their duties working at the same time for public interest? Talks about these problems help in seeking required solution, including proofs and information; but they also raise awareness about this particular issue.

Impressum

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The number of assaults and attacks, including threats, with court epilogues and outcomes, that is, fines and punishment for perpetrators, does appear encouraging. This basically means that the official institutions do recognize the problem. Should we repeat once again that more effective journalists’ protection outlines one of the pre – conditions that Bosnia and Herzegovina must meet and fulfil in order to attain EU Candidate Status?

Do you have a better idea how to fight against assaults, attacks and threats against journalists or how to use required information? If you do, please do share it with us. Help us make our shield more powerful and stronger. Do not let yourselves become mere statistics and part of this particular problem; become a part of solution instead.

(The author is a journalist of Al Jazeera Balkans and a member of the Steering Committee of BH Journalists)