



safejournalists.net

The Western Balkans Journalists' Safety Index

2022 Narrative Report for Bosnia and
Herzegovina

CONTENTS

LEGAL AND ORGANIZATIONAL ENVIRONMENT

9

DUE PREVENTION

20

DUE PROCESS

30

ACTUAL SAFETY

41

Introduction

The Western Balkans Journalists' Safety Index (WB-JSI) is a research-grounded tool designed to measure and monitor the changes in the respective social and political environments of the Western Balkan countries, that have a direct or indirect impact on the safety of journalists and media professionals while practicing their profession. The Western Balkans Journalists' Safety Index primarily relies on research evidence collected and analyzed by partners in the [SafeJournalists.net](https://www.safejournalists.net) u skladu sa rigoroznom istraživačkom procedurom. Prikupljeni platform who follow a rigorous research procedure. Collected data on various dimensions of the complex "journalist safety" concept were quantified and grouped into a composite indicator, the Journalist Safety Index, to monitor changes in the seven countries of the Western Balkans over time. Based on the research material, nine members of the Advisory Panel from each of the countries¹ assessed the situation and assigned points for each of the 19 indicators within the following dimensions:

- (1) **Legal and organizational environment** – the existence and implementation of legal safeguards relevant to the safety of journalists;
- (2) **Prevention** – the existence and implementation of a range of preventive measures that have direct effects on journalists' protection and safety;
- (3) **Process** – the behavior of state institutions and public officials towards journalists and the efficiency of the criminal and civil justice system concerning the investigations of threats and acts of violence against journalists;
- (4) **Actual security** – incidents and instances of various forms of threats and acts of violence against journalists and media.

WB-JSI was jointly developed by researchers from the RESIS Institute² from Skopje and partners from the Safejournalists.

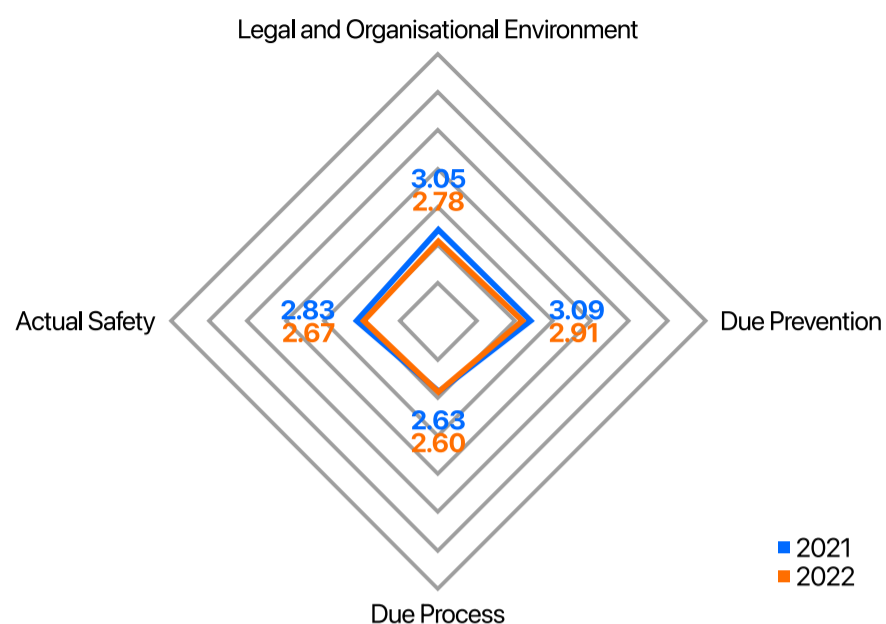
¹ Members of the Advisory Panel in Bosnia and Herzegovina were Bojan Trgić, Ljiljana Smiljanić, Merima Kurtović – Pašalić, Rubina Čengić, Vera Soldo, Željka Mihaljević, Hasan Gabela, Nikola Vučić and Velida Kulenović.
² Researchers from the RESIS Institute (www.resis.mk), Snežana Trpevska, Igor Micevski and Ljubinka Popovska Toševa developed a conceptual framework for the Index and a model for its aggregation, weighting and calculation.

net platform: The Independent Journalists Association of Serbia, The Journalists' Association BH Journalists, The Trade Union of Media of Montenegro, The Association of Journalists of Macedonia, The Association of Journalists of Kosovo, Croatian Journalists' Association, and an independent researcher from Albania³. As such, the Index is the result of a joint effort of the Safejournalists.net platform and covers all specific issues identified by local partners as relevant to their country.

The first (pilot) year for development of the conceptual framework and methodology for scoring, aggregating, and calculating the Index was 2020. This report refers to the situation in Bosnia and Herzegovina in 2021 and presents the improvements or deterioration of the situation related to the four dimensions by taking into consideration the assessment for 2020 as the reference year. For more details about the theoretical framework and the process of creating and calculating the Western Balkan Journalist Safety Index and all country reports see: (<https://safejournalists.net/safety-index/>).

³ Blerjana Bino, an independent researcher from Albania for the Safejournalists.net platform.

JOURNALISTS' SAFETY INDEX



	2021	2022		Main new developments in each dimension
1. Legal and Organisational Environment	3.05	2.78	↓	Media legislation has not only not been improved, but the criminalization of defamation has been initiated as an additional legal instrument to restrict freedom of expression, and politicians and representatives of the judiciary continue to put pressure on journalists. The working conditions of journalists are getting worse.
2. Due Prevention	3.09	2.91	↓	Violations of media freedoms and security risks for journalists have been increased by 137%, and political influences and direct interference in the work of the media in Bosnia and Herzegovina are increasingly pronounced.
3. Due Process	2.63	2.60	↓	The number of cases resolved in courts in favor of journalists has increased, although investigations into attacks on journalists are still unlawfully long and ineffective, and the final verdicts have no real, positive effects on the victims and the rule of law in Bosnia and Herzegovina.
4. Actual Safety	2.83	2.67	↓	During 2022, 22 cases of threats and pressure on journalists were recorded, and 7 threats and attacks on media houses. There has been a significant increase in political pressure in general and hate speech in the online sphere, which has affected the decline of Bosnia and Herzegovina by 9 places in the world rankings of media freedom.
Journalists' Safety Index	2.86	2.71	↓	

— SUMMARY

I. LEGAL AND ORGANIZATIONAL ENVIRONMENT

- An increase of this risk within this indicator is noticeable in comparison to previous two years. The commitment of the authorities in Republika Srpska to criminalise defamation has caused stormy reactions within the media community, which has characterised these actions as the suffocation of freedom of expression and attempts to silence the independent media. An increase in number of defamation lawsuits has been notified, thereof a large part of media is not financially capable to cover. Politicians continue to use defamation lawsuits in order to exert pressure upon certain media and journalists, while judiciary in most cases is sided with politicians.
- Laws protecting confidentiality of journalists' sources remained unchanged in 2022. The Prosecutor's

Office of BiH is still carrying out an investigation based on indications that the Intelligence-Security Agency of BiH unlawfully intercepted telephone communications of certain journalists.

- Authorities in Republika Srpska have announced, apart from the criminalisation of defamation, that they will enact laws on protection of dissemination of fake news and protection of hate speech. The existing laws do not contain any provisions based on which media would be protected from SLAPP lawsuits. Some politicians and public officials file tens of lawsuits against the same media. Taking into account bad economic situation of the majority of media and journalists, an initiative has been launched to establish a fund for protection of journalists before the courts. No lawsuits against journalists have been initiated based on other laws except for the Law on Protection Against Defamation.
- In 2022, there were no significant changes in relation to the establishment of journalists' trade unions and organisations. Based on the needs expressed by the members of the journalists' community the BH Journalists' Association launched activities to establish a Journalists' Trade Union at the level of BiH which would represent interests of the journalists as a partner engaged in a dialogue with the authorities. The majority of journalists in BiH are members of some of the journalists' associations, while some of them are members of the media workers' trade unions which are established within the public broadcasters. In the previous year there were no attempts notified in relation to introducing licences for the work of journalists.
- The majority of journalists are still working in unfavourable economic and working conditions. Although they have signed employment contracts, employers often violate their labour rights, particularly in privately owned media. In press media more than 50% of journalists have salaries lower than the average salary. In 2022, there were 11 cases related to labour disputes or mobbing reported to the Free Media Help Line including political pressures and censorship attempts. Gender-based violence and online violence targeting female journalists has increased. In 2022, the Free Media Help Line registered 31 cases concerning female journalists. The position of freelancers and their labour rights is still poorly defined.

II. DUE PREVENTION

- No results concerning the establishment of mechanisms by institutions for reporting hate speech and death threats were made. Journalists most often report threats and hate speech to the Free Media Help Line and then to the police. In the majority of cases the police react in a timely manner,

although in many cases the dissemination of hate speech online and hacking attacks on media remain unsanctioned. There were three cases reported last year for which investigative activities were suspended by the Prosecutor's Office with an explanation provided that there were no elements of a criminal offence found in those cases.

- In 2022, there was one case notified when a temporary police protection was provided to the Sarajevo outlet of the Centre for Investigative Journalism, and this came into force after a CIN female journalist was threatened by a high-ranking police official. Otherwise, decisions on such measures are made by relevant state bodies based on their estimations, but criteria for granting police protection are not clearly defined. There is not any specific mechanism at the state level for providing physical protection to journalists and other citizens. After Bosnia and Herzegovina was granted a candidacy status by the EU some mechanisms providing support and protection within the EU institutions and organizations have become available to journalists in BiH since 2022.
- Although female journalists are less exposed to physical attacks compared to male journalists, they are more and more often becoming the victims of online threats and harassment. Every fifth female journalist in BiH has experienced gender-based discrimination, and in the majority of cases it is about sexual harassment and sexist comments. In 2022, the total of 31 cases was registered in relation to female journalists. There are no clear gender-based policies about professional advancement of female journalists, nor are there any protocols on respecting gender equality in media. Due to the lack of confidence in the work of institutions the majority of women do not report on receiving online threats and being harassed online. In addition to this, many female journalists claim that in such situations they do not receive any support by their respective newsrooms' staff.
- Politicians rarely and sporadically condemn attacks on media professionals. At the same time there is a growing number of attacks and pressures exerted on journalists by politicians and public officials – there were 14 of such cases registered in 2022. As of today, no single politician has been sanctioned because of their verbal attacks, insults and pressures exerted on journalists and media.
- The cooperation between police and media community is mainly satisfactory, and police officers are generally well aware of the rights of journalists. Within police institutions there are still no specific protocols prohibiting harassment and attacks on male/female journalists. Police officers regularly cooperate with journalists' organisations and associations.

III. DUE PROCESS

- In 2022, there were no significant changes. In most institutions, there are still no special investigative teams for cases of attacks on journalists, and journalists are dissatisfied with the effectiveness of conducting investigations. In 2022, the Prosecutor's Office of Sarajevo Canton appointed a prosecutor specifically in charge of crimes committed against journalists, and those cases were given priority status. Prosecutor's offices are still generally ineffective when it comes to dealing with attacks on journalists, and investigations drag on for months, even years.
- The effectiveness of institutions in investigating attacks on journalists and other media professionals remains unsatisfactory. Those who order attacks mostly remain unidentified, and in a large number of reported cases, the competent prosecutor's offices make decisions to suspend investigations. Despite the order given by the BiH Parliamentary Assembly to the Council of Ministers by the end of 2022, no amendments to the Criminal Code were adopted that would treat the attack on journalists as a separate criminal offence.
- The number of cases of hate speech against journalists is increasing year by year, especially through social networks. Hate speech is still insufficiently clearly defined by law. Existing laws recognize only the criminal offence of inciting national, racial and religious hatred, and online harassment is also treated within that framework. During 2022, numerous journalists were the target of orchestrated online campaigns aimed at inciting hate speech against them and their families. Competent institutions, primarily prosecutor's offices, did not react effectively in cases of online harassment and threats to journalists.
- With the intention of advancing and improving transparency, the High Judicial and Prosecutorial Council of BiH adopted a four-year action plan – Communication Strategy, as an umbrella strategy for courts and prosecutions at all levels, but the document is not binding for institutions. Nevertheless, judicial institutions are still the target of criticism from journalists and the media due to non-transparent work and closedness to the public when it comes to access to certain information. Reporters and victims of attacks do not have adequate access to the investigative procedure.
- No progress was made in 2022 with regard to the systematic monitoring and recording of attacks on journalists. The HJPC instruction ordering courts, prosecutor's offices and registries to record lawsuits and court proceedings against journalists and the media has not yet been implemented. Records of

cases of attacks on journalists and other media professionals are still kept only by the BH Journalists' Association or the Helpline for Journalists.

IV. ACTUAL SAFETY

- Owing to the unfavourable political, security and economic environment in which journalists and media work, Bosnia and Herzegovina fell 9 places in 2022 compared to the previous year on the World Media Freedom Index. During 2022, 22 cases of threats and pressure on journalists and 7 threats and attacks on media houses were recorded. There is a significant increase in political pressure and verbal threats, as well as hate speech in the online sphere.
- In 2022, 7 cases of death threats and threats to the physical safety of journalists were recorded, one more than the previous year. Explicit threats to journalists were sent by a high-ranking police officer, and via phone and social networks. None of the reported cases has yet received a judicial epilogue. In one case, despite direct and unequivocal death threats, the Prosecutor's Office concluded that there were no elements of a criminal offence.
- With regard to 2 reported physical attacks on journalists, in one case the attacker(s) were not discovered, and in the other the attacker was not sanctioned. The situation has not changed compared to the previous year – institutions are still ineffective in sanctioning physical attacks on journalists.
- A total of 7 attacks and threats against media companies and organizations were recorded, and the most common ones were political pressures on the media, i.e., aggressive and offensive attitudes of politicians towards media companies. In 2022, two hacking attacks against media outlets on their Facebook pages were also registered, as well as open pressure from representatives of the regulatory body on one private media outlet.

Legal and Organizational Environment

2.78

Legal provisions related to defamation and their implementation do not produce chilling effects on journalists and media

1.98

Confidentiality of journalists' sources is guaranteed in the legislation and respected by the authorities

2.95

Other laws are implemented objectively and allow the journalists and other media actors to work freely and safely

2.14

Journalists are free to pursue their profession and to establish, join and participate in their associations

3.97

Journalists' job position is stable and protected at the workplace

2.85

1.00
2.00
3.00
4.00
5.00
6.00
7.00



By Law and in practice, there is absolutely no protection of journalists' working position, their sources and their organizations, thereby producing an extreme chilling effect.

By Law and in practice, there is a highest degree of protection of journalists' working position, their sources, and their organizations.

Legal provisions related to defamation and their implementation do not produce chilling effects on journalists and media

Score for 2021: 2,36 / Score for 2021: 1,98

An increase of this risk within this indicator is noticeable in comparison to previous two years. The commitment of the authorities in Republika Srpska to criminalise defamation has caused stormy reactions within the media community, which has characterised these actions as the suffocation of freedom of expression and attempts to silence the independent media. An increase in number of defamation lawsuits has been notified, thereof a large part of media is not financially capable to cover. Politicians continue to use defamation lawsuits in order to exert pressure upon certain media and journalists, while judiciary in most cases is sided with politicians.

Although defamation was decriminalized in Bosnia and Herzegovina at the beginning of the 2000s, making BiH the first country in the Western Balkans to decriminalize defamation, in 2022, at the initiative of the President of Republika Srpska, Milorad Dodik, which came via the social network Twitter, the procedure for making changes to the Criminal Code of Republika Srpska was initiated, according to which defamation and insult should become criminal offenses again. It is foreseen that the fines for the mentioned criminal acts will range from 5,000 KM to even 100,000 KM. Representatives of the authorities and their associates in the RS began to advocate strongly in public for the criminalization of defamation and insult without prior consultation with relevant and independent representatives of the media, non-governmental organizations and the legal profession. On the part of representatives of the media community, professional associations, civil society organizations and legal experts, there is a justified fear that criminal sanctions for defamation and insult will greatly affect freedom of expression and media freedom. In the existing entity laws on protection against defamation, there are sections dealing with "compensation for damages" and in which it is stated that "compensation should be proportional to the damage caused" (Article 11 ZZKRS, Article 10 ZZKFBiH, Article 10 ZZKBD). However, in practice there is a problem of

— INDICATOR 1.1

insufficient definition of certain provisions in laws, inconsistent application of European Court of Human Rights standards, in certain cases insufficient protection of freedom of expression and journalists, protection of certain high officials, as well as the absence of anti-SLAPP regulations. The initiative to amend the Law on protection against defamation, which foresees "stricter" standards of acceptability, tolerance and proof of defamation in cases of lawsuits by public figures in relation to private persons, which was adopted in 2020 in the Parliamentary Assembly of BiH, has not yet turned into a legal solution. In the course of 2022, Free Media Help Line (FMHL), which is a free of charge legal service of the BH Journalists' Association, has notified 200 active defamation lawsuits filed against male and female journalists and media. However, this number is not the final one – taking into account that there is no registry related to lawsuits filed against male and female journalists within judicial institutions, an accurate number of active defamation lawsuits is not known. In 2022, seven defamation cases against male and female journalists were registered within FMHL and they were initiated by politicians and company owners with political affiliations and links to the highest-ranking officials in RS and FBiH. Politicians very often request from journalists and editors-in-chief to delete their published articles and to remove other media contents. Different business entities or their representatives file a significant number of defamation lawsuits against journalists and through their business interests they are closely linked to certain politicians and political parties. Journalists find that courts should have better understanding of critical media reporting, in particular in cases dealing with public figures and politicians. They very often feel that defamation lawsuits are the means of political pressure exerted upon their work. Due to bad economic conditions which impact their work, numerous BiH journalists, media, and editors-in-chief often claim that financial penalties for defamation are too high. In December 2022, Basic Court in Banja Luka refused a defamation lawsuit against Milorad Dodik, current President of RS and former Chairman of the Presidency of BiH, filed by journalist and analyst Tanja Topić. Dodik publicly accused Topić of espionage, claiming that she was working for "a foreign intelligence service" and that she was "a proven Quisling" and he stated a number of insulting claims about her private life and her family. The Court found that these statements of Dodik "constituted opinions, that is value judgments, a political judgment, which means that the Court succumbed to pressures due to Dodik's political influence. Such examples cause a big distrust on the part of journalists in judiciary, and they believe that the court proceedings against politicians are lost in advance. A number of independent media outlets in the country have been forced out of business due to unbearable financial burdens resulting from dozens of defamation lawsuits filed against them. The media community continues to mention cases such as the popular weekly "Slobodna Bosna", which ceased publication in 2016, and which serves as an illustration of situations in which political pressure, caused by the filing of defamation

— INDICATOR 1.1

lawsuits, led to the shutdown of investigative journalism. Some former journalists of the mentioned media are still facing payment of compensation for lawsuits filed many years ago.

Confidentiality of journalists' sources is guaranteed in the legislation and respected by the authorities

Score for 2021: 3,14 / Score for 2021: 2,95

Laws protecting confidentiality of journalists' sources remained unchanged in 2022. The Prosecutor's Office of BiH is still carrying out an investigation based on indications that the Intelligence-Security Agency of BiH unlawfully intercepted telephone communications of certain journalists.

Confidentiality of journalists' sources is guaranteed by Laws on Protection Against Defamation and Criminal Procedure Laws and defined by BiH Press and Online Media Code. Criminal codes define "unlawful acquisition of confidential information" and their "unauthorised use" as a criminal offence. Although, no court proceedings against male and female journalists have been notified so far due to publishing confidential information, photos or video footage, it has happened in practice that police officers and prosecutors keep trying to find out from journalists about their sources of information. The Prosecutor's Office of BiH is still in the process of carrying out an investigation based on the indications that Intelligence Security Agency (OSA BiH) was unlawfully intercepting telephone communications of certain journalists. Such claims were announced in media in September 2021. In the course of 2022, no requests were made for, nor were any sanctions imposed upon journalists who refused to disclose their sources. No cases of attempts to compromise or uncover journalists' sources have been notified by state authorities, nor have there been any orders sent to journalists to obligatorily hand over their computers or cell phones. The majority of male and female journalists are well aware of legal provisions which allow them not to disclose the identity of their sources and they feel free to contact their sources. Some investigative media have introduced a practice of collaboration with attorneys at law when dealing with some legally "sensitive" issues, such as disclosure of protected documents or confidential unauthorised recordings for the needs of investigative stories.

Other laws are implemented objectively and allow the journalists and other media actors to work freely and safely

Score for 2021: 2,91 / Score for 2022: 2,14

Authorities in Republika Srpska have announced, apart from the criminalisation of defamation, that they will enact laws on protection of dissemination of fake news and protection of hate speech. The existing laws do not contain any provisions based on which media would be protected from SLAPP lawsuits. Some politicians and public officials file tens of lawsuits against the same media. Taking into account bad economic situation of the majority of media and journalists, an initiative has been launched to establish a fund for protection of journalists before the courts. No lawsuits against journalists have been initiated based on other laws except for the Law on Protection Against Defamation.

In 2022, no instances of the application of other laws were notified to the detriment of journalists and media, nor were there any lawsuits by politicians and other officials filed against journalists based on other laws except for the Law on Protection Against Defamation. In addition to the request to criminalise defamation, President of RS Milorad Dodik asked the Government of RS to prepare laws on the prevention of dissemination of fake news and prevention of hate speech. For the time being it is not known what provisions the said laws will contain. In the Federation of BiH and at the level of the BiH District of Brčko there are provisions which stipulate sanctioning of the dissemination of fake news under the Law on Public Order and Safety. Foreseen financial penalties range from 50 to 500 BAM. Recently no attempts to silence journalists or to restrict freedom of expression based on the legal provisions have been notified. Media community is overwhelmed with an increasing number of SLAPP (Strategic Lawsuits Against Public Participation). Currently within the legislative framework there are no provisions to protect journalists and media from SLAPP lawsuits. The BH Journalists' Association has notified more than 40 instances involving SLAPP lawsuits against BH media in last five years, where the courts have approved compensation claims in the amounts reaching E 100,000. Some media owners and editors- in-chief have faced numerous

— INDICATOR 1.3

defamation claims filed against them always by the same individuals, and in most cases those claimants are politicians or public officials. It infrequently happens that lawsuits are also filed against media due to the articles they transpose from some other media. Taking into account bad economic conditions in which the majority of media are working, in 2022 the BH Journalists' Association initiated activities to establish a fund for protection of journalists and media before the courts, in particular in the situations facing a big number of lawsuits filed against certain media and/or journalists. In 2022, no instances of endangering rights and safety of journalists reporting on protests were notified, nor were there any attempts to restrict their rights to freedom of assembly.

Journalists are free to pursue their profession and establish, join and participate in their associations

Score for 2021: 3,97 / Score for 2022: 3,97

In 2022, there were no significant changes in relation to the establishment of journalists' trade unions and organisations. Based on the needs expressed by the members of the journalists' community the BH Journalists' Association launched activities to establish a Journalists' Trade Union at the level of BiH which would represent interests of the journalists as a partner engaged in a dialogue with the authorities. The majority of journalists in BiH are members of some of the journalists' associations, while some of them are members of the media workers' trade unions which are established within the public broadcasters. In the previous year there were no attempts notified in relation to introducing licences for the work of journalists.

Journalists in BiH do not have to possess work permits issued by the state and no attempts to introduce such licenses were notified in 2022. In 2022, there were no attempts to deprive journalists of their right to report from some events due to the fact that they were not issued with a valid accreditation. Journalists have no problem to be recognized as such within the public institutions, that is the authorities. Journalists feel free to become members of trade unions and professional institutions – that right is guaranteed to them under several different laws, mainly labour laws. More than 60% of journalists are the members of some of journalists' associations and 18 % of journalists are the members of some of the trade unions operating in BiH. There is no trade union specifically dedicated to journalists either at the state level, or at the level of the entities. Unions of public broadcasters are the most numerous. By the end of 2022, the BH Journalists' Association launched an initiative to establish a working group assigned to organize and carry out activities related to the establishment of Journalists' Trade Union at the state level aimed at more efficient protecting of labour and other rights

— INDICATOR 1.4

of journalists. In 2022, there were no pressures on journalists by authorities, media owners, or high-ranking individuals to make journalists become members of their associations. No parallel or fake media associations were established being supported by politicians—representatives of the authorities.

Journalists' job position is stable and protected in the workplace

Score for 2021: 2,87 / Score for 2022: 2,85

The majority of journalists are still working in unfavourable economic and working conditions. Although they have signed employment contracts, employers often violate their labour rights, particularly in privately owned media. In press media more than 50% of journalists have salaries lower than the average salary. In 2022, there were 11 cases related to labour disputes or mobbing reported to the Free Media Help Line including political pressures and censorship attempts. Gender-based violence and online violence targeting female journalists has increased. In 2022, the Free Media Help Line registered 31 cases concerning female journalists. The position of freelancers and their labour rights is still poorly defined.

The majority of journalists have signed employment contracts. Employment contracts in privately owned media are most often interim employment contracts. Journalists' salaries mostly range from BAM 600 to BAM 1300. Journalists who are employed in public services and the media which are financed through projects and foreign funds have somewhat better salaries in comparison to others. In December 2022, the rank position of journalists was on 443rd place on the list of the best paid work positions/occupations in BiH, which is a decline for even 98 rank positions compared to 2021. The lowest salaries are in print media where more than 50% of journalists have lower salary than the average salary, while the best situation is in TV broadcasting services. During 2022, there were 11 cases reported to the Free Media Help Line and they were related to work disputes or mobbing – two more than in the previous year. Most frequently violated rights are the rights with reference to receiving regular payment, overtime work, that is number of working hours, payment of benefits, right to enjoy a severance package and violation of notice period and disciplinary procedures. Journalists also report political pressures and attempts to censorship their work. Many female journalists find that it is easier for their male colleagues to grow professionally and that their work is much more valued. Women are still insufficiently represented at the BiH media decision making positions – they hold 37% of editor-in-chief positions and around 28% of director level positions. Every fifth female journalist in BiH has experienced gender related

— INDICATOR 1.5

discrimination and in the majority of cases it is about sexual harassment and sexist comments. Gender-based violence and online violence targeting female journalists is on a rapid rise and ,in almost half of the cases, among those who attack them are politicians and other public officials. In 2022, FMHL registered 31 cases concerning female journalists. A small number of media have internal regulations that refer specifically to gender discrimination and the protection of female journalists. The position of freelancers within the legislative framework is still insufficiently defined. They have to pay high taxes to the state while the majority of them have no possibility to receive health insurance. Male and female freelance journalists feel unprotected when it comes to exercising their labour rights, and very often they do not know who to ask for assistance in this matter. Rarely do they get support from the newsrooms' staff they work with in the situations when they are exposed to attacks, pressures and threats. Some privately owned media have their unions, but journalists do not have too much confidence in the union leaders, and they are of the opinion that they do not work in their interest, but in the interest of that respective media owner. Collective contracts for protection of labour rights of male and female journalists do not exist. In the case of court proceedings initiated against male/female journalists because of their reporting, the majority of media hire attorneys at law to represent them at the expenses of that particular media service, and they share joint liability with journalists for what is publicly announced. Journalists working for privately owned media often contact the Free Media Help Line asking for free of charge legal aid when dealing with labour related disputes or defamation lawsuits.



Due Prevention

2.91



Journalists and media actors have access to immediate and effective protective measures when they are threatened

Score for 2021: 2,98 / Score for 2022: 2,75

No results concerning the establishment of mechanisms by institutions for reporting hate speech and death threats were made. Journalists most often report threats and hate speech to the Free Media Help Line and then to the police. In the majority of cases the police react in a timely manner, although in many cases the dissemination of hate speech online and hacking attacks on media remain unsanctioned. There were three cases reported last year for which investigative activities were suspended by the Prosecutor's Office with an explanation provided that there were no elements of a criminal offence found in those cases.

In 2022, no institutional mechanisms were established to undertake emergency protection measures based on reported hate speech or death threats targeting media professionals and other citizens. The Sarajevo Canton Prosecutor's Office is an exception, and it appointed a contact person – prosecutor assigned to deal with the cases concerning journalists. Immediately after they receive threats, journalists most often contact the Free Media Help Line (FMHL), which operates within non-governmental organization BH Journalists' Association. In the course of 2022, FMHL registered a total of 79 cases involving the violation of journalists' rights and media freedoms, including labour disputes, mobbing and defamation lawsuits. An increase of hate speech targeting male/female journalists has been notified for even 137%, while the number of political pressures and verbal threats has been increased for 40% in comparison to the previous year. In the majority of cases perpetrators of hacking attacks were not sanctioned. Upon receiving claims the police react promptly and proceed in line with their responsibilities. However, journalists are dissatisfied when it comes to processing hate speech on the Internet and social networks, including hacking attacks on media, whose perpetrators most often remain unidentified. In 2022, FMHL registered 3 cases in which investigations were

— INDICATOR 2.1

suspended, that is decisions on suspension of implementation of investigative activities concerning reported attacks and threats on journalists were issued containing an explanation that there were no elements of a criminal offence found in the said cases. No results concerning the establishment of mechanisms by institutions for reporting hate speech and death threats were made. Journalists most often report threats and hate speech to the Free Media Help Line and then to the police. In the majority of cases the police react in a timely manner, although in many cases the dissemination of hate speech online and hacking attacks on media remain unsanctioned. There were three cases reported last year for which investigative activities were suspended by the Prosecutor's Office with an explanation provided that there were no elements of a criminal offence found in those cases.

Journalists and other media actors (whose lives or physical integrity are at a real and immediate risk) have access to special protection/safety mechanisms

Score for 2021: 2,99 / Score for 2022: 3,09

In 2022, there was one case notified when a temporary police protection was provided to the Sarajevo outlet of the Centre for Investigative Journalism, and this came into force after a CIN female journalist was threatened by a high-ranking police official. Otherwise, decisions on such measures are made by relevant state bodies based on their estimations, but criteria for granting police protection are not clearly defined. There is not any specific mechanism at the state level for providing physical protection to journalists and other citizens. After Bosnia and Herzegovina was granted a candidacy status by the EU some mechanisms providing support and protection within the EU institutions and organizations have become available to journalists in BiH since 2022.

Police protection is provided to journalists in the cases when the competent institutions, police and prosecutor's offices, esteem that is necessary. In October 2022, the Ministry of Interior of the Sarajevo Canton approved of providing police protection to the Centre of Investigative Journalism outlet (CIN) through providing a patrol surveillance of the said media outlet. This was done after journalists of this media were threatened by Zoran Čegara, Head of Sector of Uniformed Police of the Federal Police Administration. Laws on internal affairs prescribe that police protection is provided in cases when a person who is at risk reports on being threatened, after which the Ministry of Interior staff inform the competent Prosecutor's Office about this, which then issues a decision on imposing measures and activities in order to protect the affected person's life. Journalists can receive free legal aid while the BH Journalists' Association also provides psychological support to them upon request. After BiH was granted a

— INDICATOR 2.2

candidacy status for the European Union, the mechanisms providing support such as Media Freedom Rapid Response came available to journalists, and they can receive practical assistance in the situations when their lives are endangered.

Female journalists have access to legal measures and support mechanisms when faced with gender-based threats, harassment, and violence

Score for 2021: 3,04 / Score for 2022: 2,67

Although female journalists are less exposed to physical attacks compared to male journalists, they are more and more often becoming the victims of online threats and harassment. Every fifth female journalist in BiH has experienced gender-based discrimination, and in the majority of cases it is about sexual harassment and sexist comments. In 2022, the total of 31 cases was registered in relation to female journalists. There are no clear gender-based policies about professional advancement of female journalists, nor are there any protocols on respecting gender equality in media. Due to the lack of confidence in the work of institutions the majority of women do not report on receiving online threats and being harassed online. In addition to this, many female journalists claim that in such situations they do not receive any support by their respective newsrooms' staff..

Istanbul Convention came into force in BiH in 2014 and its parts were integrated in the entities' laws, which have brought significant improvements, although they have not yet been fully transposed in the legislative framework. Law on Protection from Harassment at Work has also been enacted at the level of Republika Srpska which, among other issues, defines a gender-based harassment at work harming dignity of female employees, and a process aimed at providing protection from harassment at work is also defined. However, this Law could have better defined and explained the gender-based issue. There is an ongoing issue, apart from violence, which is related to some terms being used in laws, bylaws, regulations and individual acts where almost by default a masculine grammatical gender is generically used, while feminine gender is assumed, whereby gender based stereotypes are highlighted and the position of women is degraded. BiH Constitution

— INDICATOR 2.3

guarantees the exercise of human rights and fundamental freedoms without any discrimination, but it does not refer to citizens from gender perspective. In the RS Constitution under Article 40 it is stated that “youth, women and disabled individuals shall be granted a special protection”. Under the FBiH Constitution, the Brčko District Statute and the cantonal constitutions there is no mention of gender-based identity, nor are vulnerable groups mentioned, apart from the provision stipulating that constitutional regulations equally address to males and females and that discrimination shall be prohibited. At the entities’ level there are laws on protection from domestic violence, but none of these laws deals sufficiently with this specific issue being the gender-based violence. Female journalists who are the victims of threats and violence are subjected to the same legal procedures like all other citizens. According to researches every fifth female journalist in BiH has experienced gender-based discrimination, while in the majority of cases it is about sexual harassment and sexist comments. Institutions have no specific support services which would continuously provide information to the victims of gender-based violence (including female journalists). Female journalists are often exposed to sexual harassment and mobbing within their respective newsrooms, but they often do not report on these cases out of fear that they may lose their jobs and because of lack of trust in the institutions. Media have no clear gender related policies on professional growth of female journalists, nor are there any protocols on respecting gender equality. Only 12% of media have rule books defining professional growth. In gender-based discrimination cases or violence female journalists can address the Agency for Gender Equality of BiH, the entities’ Gender Centres, Ombudsman in BiH, non-governmental organisations dealing with gender-based violence. As regards pressures and discrimination exerted upon them they most often report those cases to the Free Media Help Line, that is BH Journalists’ Association. In 2022, there were in total 31 cases registered in relation to female journalists. Two thirds of female journalists report on gender-based violence and pressures, while the majority of female journalists do not report on receiving online threats. Female journalists are of the opinion that the institutions are inefficient in processing online threats and attacks, and that prosecutor’s offices and courts do not take seriously the threats they receive through online social networks. Many female journalists claim that in such cases they do not even get support from their newsrooms’ staff (editor in chief and the media owner), which makes them feel more discouraged. As regards physical attacks or death threats received in person or by telephone communication, the relevant institutions act upon them more efficiently and faster.

The practice of regular public condemnation of threats and attacks on journalists and media has been established

Score for 2021: 3,10 / Score for 2022: 2,67

Politicians rarely and sporadically condemn attacks on media professionals. At the same time there is a growing number of attacks and pressures exerted on journalists by politicians and public officials – there were 14 of such cases registered in 2022. As of today, no single politician has been sanctioned because of their verbal attacks, insults and pressures exerted on journalists and media..

No practice has been established within the state institutions and political parties aimed at condemning attacks on male/female journalists as well as on other media professionals. Out of the total number of attacks, threats and pressures upon journalists and media registered in 2022, one third concerns politicians and public officials. Highly ranking police official Zoran Čegara was suspended from work in 2022 as he had threatened a CIN female journalist. A disciplinary procedure was initiated against him, and then criminal proceedings were also instituted before the courts in BiH and Croatia and they are still underway. Public officials and politicians sporadically condemn attacks on journalists and media, and they comment on them on behalf of themselves personally, and rarely does it happen that a political party condemns an attack. Journalists are more frequently targeted and verbally attacked by political leaders – in 2022, even 14 verbal attacks, insults, and open pressures upon journalists and media services by politicians and other officials were notified. No BiH politician has been sanctioned whatsoever, which sends a bad message to the public and potential other attackers that in such situations they may remain unpunished. During 2022, worrying tendencies and attempts to limit the freedom of the media by the ruling political parties, especially in the Republika Srpska, were recorded. The President of the RS, Milorad Dodik, initiated changes to the Criminal Code of the Republic of Srpska, along with the announcement of the adoption of other laws that may restrict journalistic freedom. In addition, an atmosphere is created in which the blame for bad things in

— INDICATOR 2.4

society is placed on journalists and the media, and journalists are portrayed as destroyers of institutions and "racketeers", which greatly affects their sense of security in society.

[Note: In the Draft Law on Amendments to the Criminal Code of the RS criminalizing defamation and which was adopted in March 2023 in the National Assembly of the RS, fines for defamation and insult are foreseen up to 50,000 euros. Despite numerous warnings and appeals from the media community, the international community and EU institutions that such changes to the law will lead to extreme threats to freedom of speech not only for journalists, but also for all citizens of the RS, the National Assembly of the RS nevertheless adopted the Draft Law, noting that the Draft will go to a public hearing that will last 60 days.]

Police authorities are sensitive to journalists' protection issue

Score for 2021: 3,35 / Score for 2022: 3,35

The cooperation between police and media community is mainly satisfactory, and police officers are generally well aware of the rights of journalists. Within police institutions there are still no specific protocols prohibiting harassment and attacks on journalists. Police officers regularly cooperate with journalists' organisations and associations.

Police officers are generally well aware of the male/female journalists' rights and their role in a democratic society. Police institutions do not have any protocols prohibiting harassment, intimidation and attacks on male/female journalists, and in the course of 2022 there were no new initiatives to integrate such protocols. The only document which exists is titled Guidelines for Cooperation Between Police and Media, and OSCE Mission to BiH published its updated version in April 2021 based on international documents and local legislative framework. The Guidelines are not mandatory for police institutions, but for the time being this is the only document of this kind which helps the police to get more familiar with the rights of male/female journalists in the field. Police officers are open for the cooperation with news agencies and professional associations, and they actively participate in the events organized by journalists' associations with an aim to improve the collaboration between the media community and police institutions. There is a general assessment that police officers, as well as prosecutors, attorneys at law and judges cooperate today much more with journalists and are more familiar with their rights than before. In the majority of cases the police promptly and efficiently act upon attacks and threats on journalists and do their part of the job.



Due Process

2.60

Specialised investigation units and/or officers are equipped with relevant expertise for investigating attacks and violence against journalists



Investigations of serious physical attacks on journalists and other media actors are carried out efficiently (independently, thoroughly and promptly)



Journalists and other media actors are efficiently protected from various forms of online harassment



Investigations of all types of attacks and violence against journalists and other media actors are carried out transparently



Quality statistics collection systems established by state authorities to stem impunity.



1.00
2.00
3.00
4.00
5.00
6.00
7.00



Institutions do not investigate and do not sanction attacks on journalists, including online harassment, threats against the lives and physical safety of journalists and physical attacks on journalists and media.

Institutions are fully effective and transparent in investigating and sanctioning attacks on journalists, including online harassment, threats against the lives and physical safety of journalists and physical attacks on journalists and media.

30

Specialised investigation units and/or officers are equipped with relevant expertise for investigating attacks and violence against journalists

Score for 2021: 2,73 / Score for 2022: 2,73

In 2022, there were no significant changes. In most institutions, there are still no special investigative teams for cases of attacks on journalists, and journalists are dissatisfied with the effectiveness of conducting investigations. In 2022, the Prosecutor's Office of Sarajevo Canton appointed a prosecutor specifically in charge of crimes committed against journalists, and those cases were given priority status. Prosecutor's offices are still generally ineffective when it comes to dealing with attacks on journalists, and investigations drag on for months, even years.

In most institutions, there are no specific units and employees dedicated to investigations and prosecution of attacks on journalists. Despite the instruction of the High Judicial and Prosecutorial Council (HJPC), there is still no separate recording of cases related to threats or attacks on journalists in the courts and prosecutor's offices. The Prosecutor's Office of Sarajevo Canton, with the support of the OSCE Mission to Bosnia and Herzegovina, appointed a contact person – a prosecutor whose job it is to communicate and coordinate with journalist associations, journalists, and law enforcement agencies involved in the investigation and prosecution of criminal offenses committed against journalists and media workers. The prosecutor's office states that priority status has been given to cases in which the injured persons are journalists. Given that there are no specific provisions in criminal codes and criminal procedure codes regarding attacks against journalists, the understanding of such attacks by the police and prosecutors depends on a case-by-case basis, that is, on the person to whom a particular case is assigned. With the exception of the OSCE Guidelines for Police and Media Cooperation, there are no other types of documents adopted by the police and prosecutor's offices

— INDICATOR 3.1

that relate to ensuring the protection of journalists, nor are effective and detailed investigations being conducted into violence against journalists and violations of media rights and freedoms. Although there is cooperation between the competent institutions, the processes often run at a slow pace and are insufficiently efficient. Journalists are dissatisfied with the speed and efficiency of investigations, especially when it comes to competent prosecutors. The biggest problem still remains the inefficiency of the actions of prosecutors. After the police completes the investigation and submits the report to the competent prosecutor's office, it often takes months, and in some cases even years, for the prosecutor's office to file an indictment or to possibly suspend the investigation.

Investigations of serious physical attacks on journalists and other media actors are carried out efficiently (independently, thoroughly and promptly)

Score for 2021: 2,69 / Score for 2022: 2,69

The effectiveness of institutions in investigating attacks on journalists and other media professionals remains unsatisfactory. Those who order attacks mostly remain unidentified, and in a large number of reported cases, the competent prosecutor's offices make decisions to suspend investigations. Despite the order given by the BiH Parliamentary Assembly to the Council of Ministers by the end of 2022, no amendments to the Criminal Code were adopted that would treat the attack on journalists as a separate criminal offence.

Investigative authorities generally do not deal with the motives and discovery of possible perpetrators of attacks. Those who order attacks on journalists usually remain unidentified. Proceedings in the case of attacks on journalists and the media are mostly misdemeanour proceedings, not criminal ones, and the foreseen penalties are low. In a large number of reported cases, prosecutor's offices make decisions not to conduct further investigations, with the explanation that "there are no elements of a criminal offence". Investigations are proceeding slowly and, in this regard, journalists are not satisfied with the efficiency of the competent institutions. Cases in which journalists are victims do not have a special priority compared to other investigations and cases. There are no statutory deadlines for the completion of investigations or court proceedings related to journalists. In June 2022, the Parliamentary Assembly of Bosnia and Herzegovina tasked the Council of Ministers of Bosnia and Herzegovina with preparing and submitting for the parliamentary procedure amendments to the Criminal Code of Bosnia and Herzegovina,

which would treat attacks on journalists as a separate criminal offense. However, the aforementioned amendments to the CC have not yet been prepared or discussed in the Parliament.

Journalists and other media actors are efficiently protected from various forms of online harassment

Score for 2021: 2,57 / Score for 2022: 2,26

The number of cases of hate speech against journalists is increasing year by year, especially through social networks. Hate speech is still insufficiently clearly defined by law. Existing laws recognize only the criminal offence of inciting national, racial and religious hatred, and online harassment is also treated within that framework. During 2022, numerous journalists were the target of orchestrated online campaigns aimed at inciting hate speech against them and their families. Competent institutions, primarily prosecutor's offices, did not react effectively in cases of online harassment and threats to journalists.

The criminal codes of BiH, the Federation of BiH, and Brčko Online harassment and hate speech are not defined clearly enough in existing laws. There is still no concrete progress when it comes to passing specific laws on banning hate speech or amending existing laws to include online harassment and hate speech on the Internet. The criminal laws of BiH, the Federation of BiH and the Brčko District recognize the criminal offence of "inciting national (ethnic), racial and religious hatred, discord and intolerance" and cases of online harassment, i.e., online threats to journalists, are treated under this offence. The Criminal Code of Republika Srpska defines the criminal offence of "publicly causing and inciting violence and hatred" in which a sanction is specified for those who spread hatred or call for violence against a certain person or groups because of their national, racial, religious or ethnic affiliation, as well as other characteristics, such as gender, sexual orientation, disability, gender identity, etc.

Among the cases of online harassment and threats that attracted the most public attention last year were the threats addressed to columnist Srđan Puhalo after he published an author's comment on the Analiziraj.ba portal about the number of children killed in besieged Sarajevo. Dozens of threats to Puhalo were mostly sent from different user profiles on Twitter. In those threats, Puhalo was told, among other

— INDICATOR 3.3

things, that he should be "killed", "tortured", "beaten", that he should no longer be allowed to walk around Sarajevo, etc.

During the year, numerous journalists in BiH were the target of orchestrated online campaigns aimed at inciting hate speech against them and their families. Back in 2021, the Prosecutor's Office of BiH formed a case and opened an investigation against Jasmin Mulahusić, a citizen of Luxembourg originally from BiH, for the criminal offence of inciting national, religious or racial hatred and intolerance through various posts on the Internet, in public space and on social networks. In his posts on Facebook, Mulahusić and hundreds of his followers openly target numerous journalists and media, spreading mostly national and religious hatred towards them. The BiH Prosecutor's Office confirmed that several cases were opened against Mulahusić, but there is still no prosecutorial decision.

Explicit death threats via Facebook were being sent to the editorial staff of the eTrafika portal for months. Despite the fact that the case was reported and the perpetrator identified, and all the threats were documented, the District Public Prosecutor's Office in Banja Luka concluded that there were no elements of a criminal offence because the threats were not addressed to "someone personally, but to the editorial board of the portal".

Unlike the previous year when, due to hate speech and threats to journalists via social networks, the courts issued 3 convictions, in 2022 judicial institutions did not act effectively in such cases, and investigations were most often suspended with the explanation that there were no elements of a criminal offence.

Investigations of all types of attacks and violence against journalists and other media actors are carried out transparently

Score for 2021: 2,73 / Score for 2022: 2,91

With the intention of advancing and improving transparency, the High Judicial and Prosecutorial Council of BiH adopted a four-year action plan – Communication Strategy, as an umbrella strategy for courts and prosecutions at all levels, but the document is not binding for institutions. Nevertheless, judicial institutions are still the target of criticism from journalists and the media due to non-transparent work and closedness to the public when it comes to access to certain information. Reporters and victims of attacks do not have .

Complainants/victims of attacks usually do not have adequate access to the investigative procedure, except in certain cases when they exert pressure on institutions and on specific requests-inquiries by journalist associations or the complainants themselves to those institutions. Information about the stage at which certain cases are in the prosecutor's office and the courts is usually not provided in a timely manner, and these answers are justified by the fact that "in the interest of the investigation, no more information can be disclosed". In April 2022, the High Judicial and Prosecutorial Council (HJPC) of Bosnia and Herzegovina adopted an action plan – Communication Strategy, with the aim of improving the transparency of the work of judicial institutions, which also includes improving communication with the media and the public. Some of the goals of the Communication Strategy for the next four years are to improve the communication of the HJPC and judicial institutions with the legislative and executive authorities, the media, the public in general, and the users of judicial institutions. Although the drafting and adoption of this document is a positive step, the biggest shortcoming of the Strategy, according to journalists, is that it is not binding for courts and prosecutor's offices, but rather serves as a recommendation in order to harmonize relations with the public within institutions, which includes providing information

— INDICATOR 3.4

about certain cases and court proceedings. Journalists and the media continue to criticize judicial institutions for lack of transparency and inability to access information.

Quality statistics collection systems established by state authorities to stem impunity

Score for 2021: 2,42 / Score for 2022: 2,42

No progress was made in 2022 with regard to the systematic monitoring and recording of attacks on journalists. The HJPC instruction ordering courts, prosecutor's offices and registries to record lawsuits and court proceedings against journalists and the media has not yet been implemented. Records of cases of attacks on journalists and other media professionals are still kept only by the BH Journalists' Association or the Helpline for Journalists.

In state institutions, there is no special record of cases and court cases related to the media and journalists. The prosecutor's offices do not keep statistics according to the profession of the persons in the proceedings, and it is impossible to obtain exact data on threats and attacks on journalists. In addition, such cases are not marked as urgent in order to get the data in an easier way, nor is such an obligation prescribed. Among the rare institutions that recognized the importance of mapping attacks on journalists are the Ministry of Internal Affairs of Republika Srpska, which has been keeping records of these cases for the past several years, and the Cantonal Prosecutor's Office of the Canton of Sarajevo, which appointed a contact person – the prosecutor for communication and coordination with journalist associations and law-enforcement agencies working on detecting and prosecuting perpetrators of crimes committed to the detriment of persons who perform tasks of public importance in the field of information. Statistical data on attacks on journalists is collected by the BH Journalists' Association, whose Helpline for journalists contains a comprehensive database of attacks, threats and pressures on journalists. State institutions, as well as EU institutions, the State Department, Reporters Without Borders and others rely mainly on data and information they receive from the BH Journalists' Association in their reports on media freedom. The High Judicial and Prosecutorial Council (HJPC) of Bosnia and Herzegovina issued an instruction ordering courts, prosecutor's offices and registries to record lawsuits and court proceedings against journalists and the media, but this practice has not

— INDICATOR 3.5

yet taken root in most judicial institutions. According to the data of the BH Journalists, only about 27% of cases of attacks on journalists before BiH courts are decided in favour of journalists. There are no statistical data available broken down by gender, nationality or other socio-demographic criteria.

IV

Actual Safety

2.67



1.00
2.00
3.00
4.00
5.00
6.00
7.00



There are severe cases of threats and actual attacks against journalists and media organisations, including killings.

There have been no cases of actual attacks, no threats against the lives and physical safety of journalists, nor there have been non-physical threats and harassment against the journalists and media.

Threats and harassment that are not related to physical safety

This may include surveillance or tracking; harassment by telephone; arbitrary judicial or administrative harassment; aggressive statements by public officials; other types of pressures that threaten the safety of journalists while performing their work. These types of threats do not include mobbing and bullying in the working environment.

Score for 2021: 2,76 / Score for 2022: 2,43

Owing to the unfavourable political, security and economic environment in which journalists and media work, Bosnia and Herzegovina fell 9 places in 2022 compared to the previous year on the World Media Freedom Index. During 2022, 22 cases of threats and pressure on journalists and 7 threats and attacks on media houses were recorded. There is a significant increase in political pressure and verbal threats, as well as hate speech in the online sphere.

In 2022, a total of 31 cases of attacks, threats and pressures on journalists and media companies in Bosnia and Herzegovina were registered in the Safejournalists.net database. 22 cases of death threats to journalists, verbal and other forms of threats and political pressure on journalists and the media were recorded. 7 attacks and threats addressed to media companies were registered.

The number of political pressures and verbal threats against journalists has increased by as much as 40% compared to 2021. There has also been a significant increase in hate speech against journalists, especially in the online space. At the same time, no progress has been made in terms of improving legal provisions and more effective protection of journalists and media freedom. In the World Media Freedom Index, Bosnia and Herzegovina was ranked 67th in 2022, which represents a decline of 9 places compared to 2021. Reporters Without Borders states that the media in BiH operate in an extremely unfavourable political and economic environment, and that journalists feel unprotected while doing their job.

Jasmin Mulahusić, against whom the Prosecutor's Office of Bosnia and Herzegovina is conducting an investigation for spreading hate speech on social networks, spreads hate speech on national and religious grounds almost every day through Facebook and incites intolerance towards journalists, as well as representatives of journalist

— INDICATOR 4.1

associations. In 2022, it was recorded that Mulahusić spread hate speech against Borka Rudić, general secretary of the BH Journalists' Association, journalist Slađan Tomić, Mediacentar journalist Selma Fukelj, Al Jazeera Balkans journalist Dalija Hasanbegović-Konaković and many others.

The editor of the portal Inforadar.ba, Almedin Šišić, published a tweet regarding SDA president Bakir Izetbegović. Following this, he received more threats to his safety through his FB profile.

A member of the Senate of Republika Srpska and member of the SNSD in the Banja Luka Assembly, Marinko Umičević, verbally attacked a journalist of the portal Capital, Bojana Ninković, and directed a series of insults and curses at the editor-in-chief of this media, Siniša Vukelić.

BIRN BiH journalist Aida Trepanić phoned the Federation Minister of Justice, Mato Jozić, about a statement, but during the conversation he insulted her, using derogatory terms and speaking to her in an extremely raised tone, not allowing her to ask a question or talk to him. When arriving in front of the Prosecutor's Office of Bosnia and Herzegovina, member of the Presidency of Bosnia and Herzegovina, Milorad Dodik, showed the middle finger to the journalists present through the window of the official car. The President of the SDP BiH Nermin Nikšić and the President of Narod i Pravda (NiP) Elmedin Konaković verbally attacked journalist of the N1 Television Sunčica Šehić because of the questions she asked them. DNS President Nenad Nešić verbally attacked N1 journalist Snežana Mitrović at a press conference, mentioning her family.

Radio Zenit host Almir Hadžajlić filed a lawsuit against Muamer Sadibašić, who threatened him and demanded money. Sadibašić was sentenced to eight months in prison for attempted extortion. The editor of the Prometej.ba portal, Franjo Šarčević, was the target of threats and online violence after he commented on current events in BiH – changes to the Election Law, protests in front of the OHR, etc. The verbal attack and insults of the candidate of the Party of Democratic Action (SDA), Faruk Kapidžić, against the editor of Face TV, Senad Hadžifejzović, were also recorded, and the president of the People and Justice Party (NiP), Elmedin Konaković, published several statuses on social networks in which he called journalists "regime-serving journalists", stating that they were "spewing fire", that they were lying, that they started a "hunt" for him, etc.

Employees and the manager of BN Television are continuously exposed to inciting rhetoric, threats and insults on social networks, which mostly come from members and sympathizers of SNSD in Republika Srpska. During the filming of a poll in the city centre, an unknown man approached the BN television team and started insulting them with curses and provocations, telling them that they were "receiving American money". A BN cameraman recorded the entire

— INDICATOR 4.1

incident on camera, and the footage was handed over to the police along with the report of the attack.

Threats against the lives and physical safety of journalists

This may include calling for the killing of journalists, their friends, family, or sources; calling for physical attacks on journalists, their friends, family, or sources. Threats can be direct or sent via third parties; sent electronically or in direct communication; they can be implicit as well as explicit.

Score for 2021: 2,85 / Score for 2022: 2,59

In 2022, 7 cases of death threats and threats to the physical safety of journalists were recorded, one more than the previous year. Explicit threats to journalists were sent by a high-ranking police officer, and via phone and social networks. None of the reported cases has yet received a judicial epilogue. In one case, despite direct and unequivocal death threats, the Prosecutor's Office concluded that there were no elements of a criminal offence..

In 2021, there were 6 threats to the lives and physical safety of journalists recorded, the same number as in the year before. Two of these threats came from the employees of state institutions. Under their internal rules, these institutions sanctioned the attackers, thus setting a positive example of intolerance towards threats to journalists.

7 cases of death threats and threats to the physical safety of journalists were registered, one more than in 2021. In most cases, these were threats sent via social networks. All cases have been reported to the competent institutions, but none has yet received a judicial epilogue.

Portal eTrafika published messages with death threats that they received via Facebook from a certain Siniša Golub, because of an author's text about Golub that the portal published in 2018. The District Public Prosecutor's Office in Banja Luka concluded that there were no elements of a criminal offense because the threats were not addressed to "someone personally, but to the editorial board of the portal".

Incitement, calls for violence and "beating up", offensive and discriminatory language, slanderous statements, requests to be banned from coming to Sarajevo, etc. are part of the orchestrated hunt for Srđan Puhalo, which followed after he published an author's comment on the Analiziraj.ba portal

— INDICATOR 4.2

on the topic of media statements and statements by officials about the number of children killed in besieged Sarajevo.

The editor of *Oslobođenje*, Vildana Selimbegović, wrote an author's column about the imposition of changes to the BiH Election Law by High Representative Christian Schmidt. After the publication of the text, Selimbegović received death threats. An ATV journalist from Banja Luka, Tatjana Brestovac, received insults and death threats via Twitter.

Zoran Čegar, head of the FPA uniformed police department, threatened a CIN journalist with the words: "Do you want me to rip your throat out!" and tried to attack her physically in front of the building of the Municipal Court in Dubrovnik. Čegar was suspended from duty after the attack on the journalist, and the trial for this case is ongoing.

Journalist and columnist Dragan Bursać received death threats on Instagram. The case was reported to the police in BiH and Serbia. Journalist and editor of "Dnevni avaz" Miralem Aščić received threats by phone after the articles he published about the murder of two policemen from Sarajevo. It is assumed that the brother of Aleksandar Macan, one of the suspects in this case, is behind the threats. Macan was taken into custody and questioned by the police, and for now there is no new information about the case.

Actual attacks

This can include actual physical or mental harm, kidnapping, invasion of home/office, seizing of equipment, arbitrary detention, failed murder attempts, etc..

Score for 2021: 3,28 / Score for 2022: 3,28

With regard to 2 reported physical attacks on journalists, in one case the attacker(s) were not discovered, and in the other the attacker was not sanctioned. The situation has not changed compared to the previous year – institutions are still ineffective in sanctioning physical attacks on journalists.

In 2022, 2 physical attacks on journalists were reported – one less than the year before. In the first case, the perpetrator(s) were not identified and, in the second case, the attacker was not punished.

On 15 June 2022, it was reported to the Trebinje police station that there was a fire on a parked Ford passenger vehicle owned by RTRS journalist Nataša Miljanović-Zubac. The on-duty prosecutor of the District Prosecutor's Office of Trebinje was informed about the aforementioned case. The perpetrator(s) in this case have not yet been identified.

Journalist Aleksandar Gluvić was physically attacked in the Banja Luka settlement of Petrićevac while filming an illegally parked vehicle bearing the symbols of the SNSD party. The owner and driver of the truck first threatened the BN journalist and warned him not to take photos, and after the journalist ignored his threats, he called for the help of his son, who physically attacked Gluvić, grabbing him by the neck. The attacker on the journalist was not sanctioned.

Threats and attacks on media outlets and journalists associations

Threats can include harassing phone calls, arbitrary judicial or administrative harassment, aggressive declarations by public officials, and other forms of pressure (inscriptions, threatening posts, etc.). Actual attacks include invasion of offices, seizure of equipment, breaking the equipment, vehicles, etc..

Score for 2021: 2,43 / Score for 2022: 2,39

A total of 7 attacks and threats against media companies and organizations were recorded, and the most common ones were political pressures on the media, i.e., aggressive and offensive attitudes of politicians towards media companies. In 2022, two hacking attacks against media outlets on their Facebook pages were also registered, as well as open pressure from representatives of the regulatory body on one private media outlet..

In 2022, a total of 7 attacks and threats against media companies and organizations were recorded. Political pressures on the media are most often recorded, and one case of inappropriate pressure by representatives of the regulatory body on a private media was also registered. BiH Presidency member and SNSD president Milorad Dodik stated that the BHT public service program, broadcast on the occasion of BiH Independence Day on 1 March, was "one-sided, absolutely shameful and directed against the Serbian people", and announced that he would request the accountability of the editor and program implementer.

In a press release from the Party for Bosnia and Herzegovina (SBiH), the management of Sarajevo Television (TVSA) and the manager of the media outlet, Duška Jurišić, were accused of creating "a new aggressive concept against the being, feelings and needs of TVSA's audience," with the conclusion that, through closing the editorial board of the documentary program, "it is clear the production of programme about the past aggression will be reduced."

In front of the Court of Bosnia and Herzegovina in Sarajevo, Davor Dragičević approached the RTRS team and aggressively insulted the journalist and the cameraman,

— INDICATOR 4.4

and asked them to apologize for the unprofessional reporting on the tragic death of his son David.

Hacking attacks on the Facebook pages of the media outlets Dnevni avaz and Gracija were recorded.

The editor of the Micromreža portal from Gradiška, Bojan Trgić, first had a tire on his car slashed, and subsequently the front door of his car was hit. Trgić told the police that he suspected it was done by Aleksandar Bubulj, son of a prominent SNSD member Marica Bubulj, who threatened a lawyer and was visibly upset about the text published on this portal.

The Manager of the Regulatory Agency for Communications (RAK), Draško Milinović, said that the RAK ex officio initiated proceedings against the privately-owned Face Television and announced that "they will aim for the highest possible punishment" because its editor, Senad Hadžifejzović, allegedly asked a guest in the program whether Milorad Dodik should be "killed". Subsequent analyses by experts for forensic video analysis by RAK established that Hadžifejzović did not say "kill".

At the press conference, the president of RS and the president of the SNSD, Milorad Dodik, called the BN television "an enemy television," and accused journalists and other employees of this media outlet of being "foreign spies" paid by the American and British ambassadors. Dodik also attacked the BHRT public service on his Twitter account, calling it a "Muslim service", concluding that "as such, it should not exist."

Original title
The Western Balkans Journalist Safety Index
Bosnia and Herzegovina 2022
– Narrative Report

Publisher
BH Journalists Association



Author
Maja Radević

Editor
Maja Šenk

Legal expert
Dejan Lučka

Media expert
Borka Rudić

Proofreading
Šejla Hukara

Translation
Dijana Jovičić-Hadžiahmetović

Design
comma.rs

This publication was created with the help of the European Union and Action for Human Rights. The content of this publication is the sole responsibility of the BH Journalists Association and cannot in any way be considered to reflect the positions of the European Union and Action for Human Rights.

