

FREEDOM OF THE PRESS

Bosnia and Herzegovina

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The constitution of Bosnia and Herzegovina (BiH) guarantees freedom of the press, but attacks on journalists increased during 2011. Since the Dayton Accords that ended the civil war in 1995, the country has been split into two semi-independent constituent entities: the Federation of BiH, populated mostly by Bosniaks and Croats, and Republika Srpska, whose population consists mostly of Serbs. Each entity has its own public broadcaster, private media, and political parties. Intimidation of the press is especially common in Republika Srpska.

Libel has been decriminalized since 2003, but the burden of proof in civil cases is placed on defendants, municipal courts are often biased, and suits can drag on for years. The Freedom of Access to Information Act is not always heeded by government bodies, and journalists rarely use it. Under the Law on Communications of 2003 in the Federation, broadcast media are licensed and monitored by the Communications Regulatory Agency. Although it is often exposed to political pressure, the agency is financially independent, and its licensing decisions are generally seen as fair and impartial. The print media are self-regulated by the Press Council of BiH, which in 2010 expanded to include online media. The Press Council handles complaints about the press from the public, but it has no power to fine, suspend, or close down media outlets. Instead, it mediates between the complainant and the publication, often resulting in a retraction or the publication of a response or denial from the complainant.

Political parties and leaders in both constituent republics exert considerable pressure on the media. As a result, the two largest public broadcasters in the country, Federation Television and Radio-Television of Republika Srpska, tend to behave as rivals and are generally organized along ethnic lines. In Republika Srpska, the limited number of media outlets that maintain editorial independence often complain of government interference in their work. While there is a countrywide public broadcasting service, Radio-Television of Bosnia and Herzegovina (BHRT), it is also exposed to considerable pressure and attacks from political parties and leaders across BiH. In December 2011, Milorad Dodik, the president of Republika Srpska, stated that BHRT should be abolished and that it is not in the interests of those living in his entity to finance it. In addition to such external pressure, the BHRT also faced internal changes that greatly undermined its editorial independence. In April, its statute was amended to give its steering committee, comprising four appointed members, full editorial and managerial control, including the authority to appoint editors and approve programming.

Attacks on journalists in BiH increased during 2011, with the Office of the High Representative, the international institution responsible for overseeing the implementation of the civilian aspects of the Dayton Accords, recording a 30 percent increase in attacks from January to September compared with the same period in 2010. During this period, the Free Media Helpline, a program of the Bosnia and Herzegovina Journalists' Association, recorded 42 cases of threats, physical attacks, and denial of information against local journalists. In

2012 SCORES

PRESS STATUS

Partly Free

PRESS FREEDOM SCORE

48

LEGAL ENVIRONMENT

9

POLITICAL ENVIRONMENT

23

ECONOMIC ENVIRONMENT

16

June, a group of Bosnian and Serbian journalists in a village near Bijeljina, Republika Srpska, were threatened with beatings and death while trying to cover the funeral procession of a well-known athlete. Even though police were present, they failed to intervene. Attacks against journalists also occurred in the Federation. In August, while reporting on the activities of Mehmed Butković during his suspension as the head imam of the Muslim community in Živinice, journalist Omer Hasanović and cameraman Emir Hrnčić were attacked by 10 men who seized their equipment. Witnesses claim that the attackers were Butković and his supporters. No arrests were made. Furthermore, during 2011, there were no significant developments in the case of Osman Drina, a television journalist who was verbally and physically assaulted by local policemen in the town of Zenica, where he was reporting on a women's basketball league, in February 2010.

According to IREX's Media Sustainability Index, BiH has 11 daily newspapers, 86 weekly and monthly newspapers and periodical magazines, 143 radio stations, 44 television stations, and six news agencies, of which two are state owned, two are privately owned, and two are owned by religious organizations. The public television and radio stations in the two constituent entities are the most influential broadcasters in the country, although there are also several private television stations with near-national reach. In November 2011, Qatar's Al-Jazeera television network opened a station in Sarajevo to serve the whole Balkan region in its native languages. The print media are dominated by privately owned newspapers. BiH's advertising market continues to be weak, with the number of media outlets outstripping the amount of available advertising revenue. This contributes to ethnic fragmentation and dependence on government and party financing, as well as self-censorship, as outlets are under pressure not to act against the economic interests of their owners.

The internet is unrestricted, and 60 percent of the population had access in 2011.

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