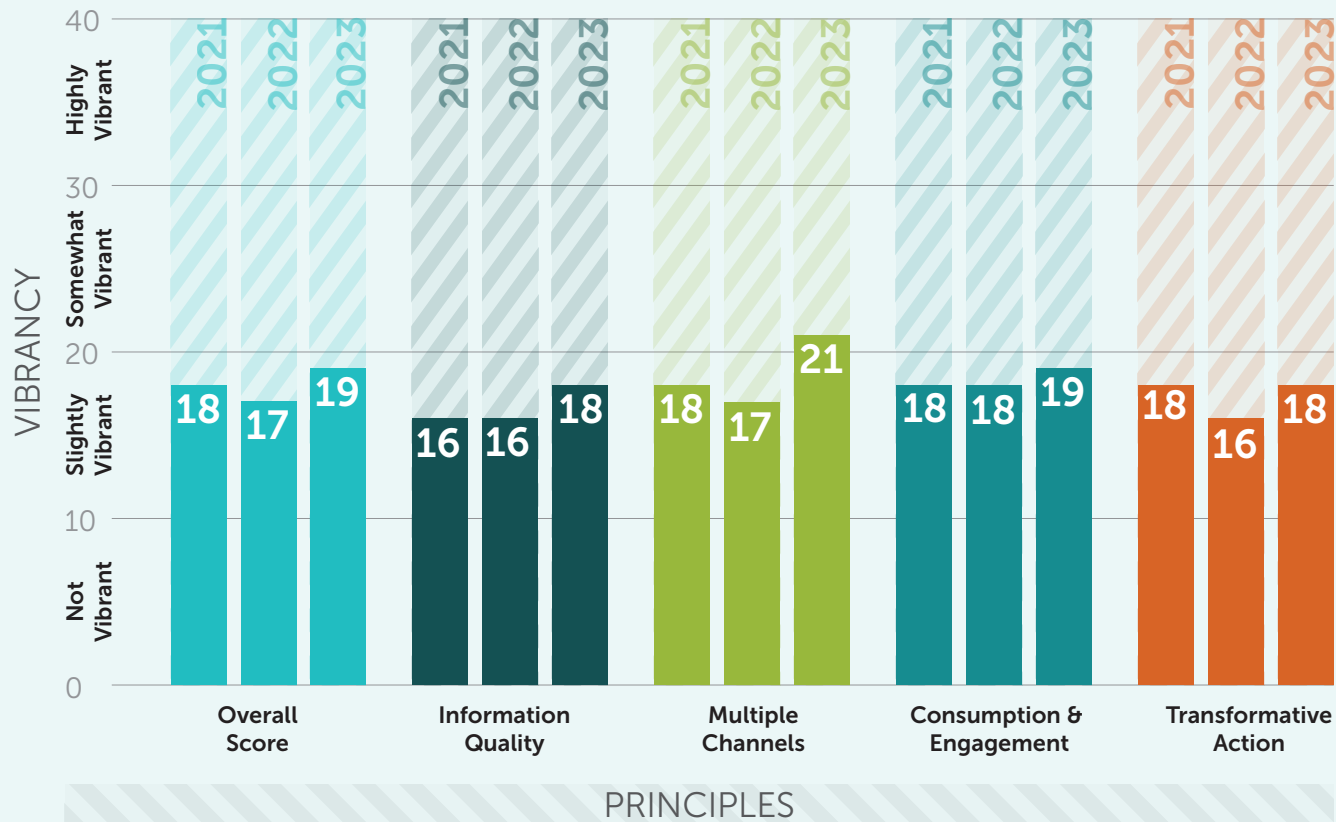


BOSNIA AND HERZEGOVINA

Vibrant Information Barometer

2 0 2 3





Highly Vibrant (31-40): Quality information is widely available in this country. People have the rights, means, and capacity to access a wide range of information; they recognize and reject misinformation.

Somewhat Vibrant (21-30): Quality information is available in this country and most of it is editorially independent, based on facts, and not intended to harm. Most people have the rights, means, and capacity to access a wide range of information, although some do not. Most people recognize and reject misinformation, although some do not.

Slightly Vibrant (11-20): Quality information is available on a few topics or geographies in this country, but not all. While some information is editorially independent, there is still a significant amount of misinformation, malinformation, and hate speech in circulation, and it does influence public discourse. Most people do not recognize or reject misinformation.

Not Vibrant (0-10): Quality information is extremely limited in this country. The vast majority of it is not editorially independent, not based on facts, or it is intended to harm. People do not have the rights, means, or capacity to access a wide range of information; they do not recognize or reject misinformation; and they cannot or do not make choices on what types of information they want to engage with.

Highly Vibrant

Somewhat Vibrant

Slightly Vibrant

Not Vibrant

OVERALL
SCORE

19

Bosnia and Herzegovina (B&H) became a candidate for membership in the European Union in December 2022, despite a lack of improvement in terms of freedom of expression and the media, which were among the priorities the European Commission set for the country in 2019.

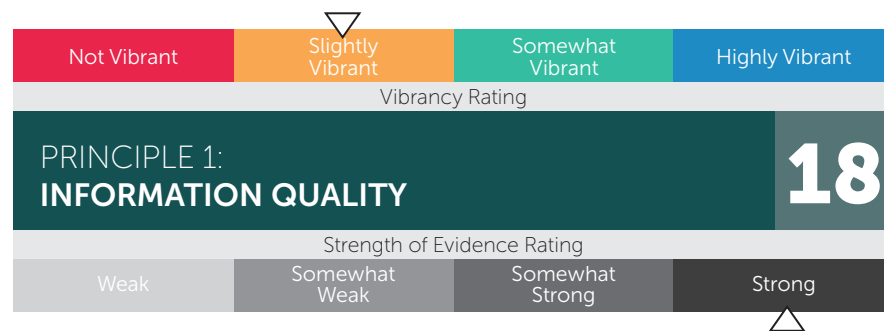
General elections were held in October 2022 amid local, regional, and global crises, changes in the election law, and accusations of election fraud. Opposition parties in the Republika Srpska (RS), the Serb-dominated part of Bosnia, contested the preliminary results and accused the leading Alliance of Independent Social Democrats (SNSD) of fraud. A recount for the positions of president and vice presidents of the RS confirmed the victory of the SNSD candidate, Milorad Dodik.

The international community's overseer, High Representative Christian Schmidt, imposed amendments to the election law, to restore the integrity of the electoral process and to prevent parties from blocking the formation of a government in B&H's largely Bosniak and Croat entity, the Federation of Bosnia and Herzegovina (FB&H). His interventions, unpopular with Bosniak and Serb politicians, did not stop a plethora of election irregularities. As a result, the process of forming a government at the federation level has been very slow. The election results confirmed the dominance of ethno-national parties, while highlighting all the shortcomings of the electoral process. What came out of the elections is the relegation of the leading Bosniak party, Party of Democratic Action (SDA), to the opposition at the national level. Although the SDA candidate lost a bid for the

presidency, the Croatian Democratic Union of B&H and the Serb-led SNSD retain a strong grip on power.

The media in 2022 was riddled with biased reporting. Mainstream outlets and anonymous online portals served as mouthpieces for political parties, discrediting political opponents over the course of the elections. The year was marred by physical and verbal attacks on journalists, outdated legal proposals to set back media freedoms, and political pressures on the media--noticeable even in the actions of the Communications Regulatory Agency (CRA). A contact person for journalists was established in the local prosecutor's office in Sarajevo, and the Sarajevo canton government adopted a strategy to make media and information literacy part of formal education.

The overall score for the media and information sector is higher than in last year's VIBE report, thanks in part to the gradual stabilization of the media market from the consequences of the pandemic, and some improvements in media and information literacy. However, in 2022 there was no improvement in media freedoms and freedom of expression. Opaque, arbitrary media financing and ownership remain the biggest issues.



The media and information environment in 2022 in B&H suffered from polarized reporting on the war in Ukraine and biased content that promoted or denigrated parties and candidates in the general elections. Anonymous websites, waging campaigns to discredit certain political candidates, were specifically problematic. However, disinformation also came from government sources, mainstream media, and the Russian Embassy. Professional consequences for spreading disinformation and harmful content are minimal, and the media still work under substantial political influence. The media market has slightly recovered from the COVID-19 pandemic, but content producers still lack enough money to do quality work. Panelists gave resources for content production their lowest mark (13) while both the quality of information and inclusive content indicators fared better, with scores of 21 each.

Indicator 1: There is quality information on a variety of topics available

Though infrastructure for the production of diverse content has been improving, panelists said it had still not resulted in more professional and diverse media content in B&H. Television is still the most important source of information for the general audience, but its popularity has been declining. Digital platforms are attracting larger audiences, especially among young people, and panelists agree that producers should adapt their content for digital platforms. Production infrastructure is insufficiently used, and the lack of adequate training of content producers is visible in the quality of media content, including in

television. Journalists and other producers often do not take advantage of opportunities to learn new digital tools and trends to create more modern, high-quality content to attract younger audiences.

The election process and the war in Ukraine spurred even more biased reporting, disinformation, and smear campaigns in the media, especially online. Azra Maslo, programs standards coordinator at the CRA, said the regulator did not register major breaches of the election law in television and radio stations' campaign reporting.

Monitoring by Mediacentar Sarajevo of harmful online content, however, reported biased reporting and detected the strong influence of the leading political parties on the media, during the election period. Its monitoring also found instances of journalists copying and pasting politicians' incendiary speeches for propaganda or financial purposes, heedless of the impact such inflammatory language can have on a divided, post-conflict society.¹ According to Semir Hambo, editor-in-chief of the Klix.ba news website, anonymous portals that disseminate content that flouts professional journalistic standards have been especially problematic. Easy to launch, they avoid accountability by publishing no names of their editorial staff or contact information. One study found that of Bosnia and Herzegovina's 600-plus online news media, only 27 percent post full information about the names and surnames of their editorial team² The propaganda and disinformation that many published during the campaign suggests they are not independent. Even though some journalists hold government actors accountable by fairly reporting on their words and actions, many just publish their words and information on their actions without any critique.

In the past three years, radio and television stations have repeatedly violated rules guaranteeing the right to reply by someone who has been the subject of incomplete or inaccurate reporting, according to

1 Buljubašić, Belma and Sokol, Anida. "Širenje mržnje i ratnohuškačka retorika pred Opće izbore", Media.ba. (2022). <https://media.ba/bs/magazin-novinarstvo/sirenje-mrznje-i-ratnohuskacka-retorika-pred-opc-izbore-2022>

2 CPCD. (2021). *Mapiranje medijskih web portala u B&H*. https://civilnodrustvo.ba/wp-content/uploads/2021/06/Istrazivanje_Mapiranje-medijskih-web-portala-u-B&H-1_compressed.pdf

the CRA. Other violations in 2022 concerned the protection of minors from potentially harmful and inappropriate content. Some political candidates used children in their campaign ads, prompting the CRA to remind broadcasters that using minors for political promotion is prohibited, after which these parts were removed. Maida Bahto Kestendžić, project coordinator at the Press and Online Media Council B&H, said that despite numerous difficulties and challenges, both abroad, such as the Russian invasion of Ukraine, and at home, such as the financial crisis, general elections, and the country's unstable politics, media in B&H still produce decent content.

Content creators try to cover many important topics, but they often have limited funds, ethno-national and political divisions, and a dearth of quality interlocutors and data. Reporting, especially in online media, often lacks diverse sources and information to explain complex topics to the audience. The overall body of content includes local, national, regional, and international news, but often lacks context and explanation, especially in relation to international news.

Indicator 2: The norm for information is that content is based on facts

Although a code of conduct by the BH Journalists Association obliges journalists to check information, inaccurate and unverified news, conspiracy theories, and disinformation have flourished during the Russian invasion of Ukraine. Tijana Cvjetičanin, editor of the fact-checking platform Raskrinkavanje, said domestic media often copy and paste news about the war in Ukraine from Serbia, without additional checks. Media also published misleading content during the campaign for the general elections, mainly to promote or discredit certain parties and candidates.

Leading figures of the SNSD in the Republika Srpska aimed to paint the opposition candidate for president there, Jelena Trivić, as a “foreign agent” by pushing disinformation that she had received \$10 million

for her campaign from the United States. Accompanied by a falsified document, the claim was first published by an anonymous online outlet and later was copy-pasted by mainstream media, including the public service broadcaster of the Republika Srpska, RTRS. It was denied by the U.S. Embassy in Bosnia and Herzegovina. Trivić lost the election to SNSD leader Milorad Dodik. Journalists rarely point out disinformation when it

is disseminated by government officials but mostly just publish it unquestioningly.

Berislav Jurič, editor-in-chief of the Bljesak.info website in Mostar, said that city's government has repeatedly spread disinformation. For example, in 2022 the mayor announced the start of construction

on an Olympic-size swimming pool, but months later work still had not begun. The project was a promise from city officials after a 16-year-old from Mostar won gold and bronze medals at the European Aquatics Championships, even though her city had no Olympic-size swimming pool. Panelists agreed that media and government officials who spread disinformation face few consequences, as demonstrated by the election results. The Press and Online Media Council can publish decisions regarding breaches of the press and online media code, but it cannot levy fines. The CRA, on the other hand, can fine broadcasters for violating its rules, but rarely does so. Reports have shown that the regulator has failed repeatedly to sanction biased reporting and disinformation, particularly by public-service broadcaster RTRS.³ The agency's director, Draško Milinović, is a former director of RTRS, which is close to the SNSD political party.

There are also no professional sanctions that would lead to a decrease in credibility or readership. Content creators lack established procedures, tools, and employees for fact-checking. When the fact-checking organization Raskrinkavanje designates online content as disinformation, Facebook makes it significantly less visible, and therefore it is less lucrative for the online media that post it. Cvjetičanin,

³ Bubonjić, Mladen. “Otkako je bivši direktor RTRS na poziciji direktora RAK, nema objavljenih kazni za RTRS”, Media.ba. 2022. <https://www.media.ba/bs/magazin-novinarstvo/otkako-je-bivsi-direktor-rtrs-na-mjestu-direktora-rak-nema-objavljenih-kazni-za>

the Raskrinkavanje editor, claimed media organizations have started correcting mistakes, if only to better monetize their content rather than to preserve their credibility or serve the public interest. With search engines favoring sensationalism over professionally produced content, it can be difficult for online media to adhere to professional standards. “One way forward”, Cvjetičanin said, “is to pressure social media platforms and search engines into giving priority to professional media reporting”. She predicted that a new code of conduct on disinformation, developed by media, information, and civil society organizations across the EU, would be expanded to include the western Balkans.

Indicator 3: The norm for information is that it is not intended to harm

B&H has frameworks for countering harmful content such as hate speech, denials of war crimes and glorification of war criminals, and threats, attacks, and smear campaigns against individuals. However, they are scattered among different laws, regulations, and self-policing mechanisms, are not entirely aligned with international standards, and are implemented inconsistently, particularly for online media.⁴

During the campaign season, political parties, anonymous portals, and sometimes mainstream media associated with political parties put out content intended to hobble the election process, candidates, or even state institutions. Mediacentar Sarajevo’s monitoring witnessed many campaigns to discredit candidates and even the Central Election Commission.⁵ For example, female candidates faced gender-based attacks, including references to their hairstyles or alleged sexual affairs with their colleagues, while the work of the Central Election Commission

4 Sokol, Anida; Čalović, Maja. *Regulation of Harmful Content Online: Between Freedom of Expression and Harms to Democracy*. 2022. Mediacentar Sarajevo. https://media.ba/sites/default/files/eng_regulacija_stetnog_sadržaja_na_internetu_-_web_pages_1.pdf

5 Ljevak, Kristina. “Rodni stereotipi u službi paterijarhata”. Media.ba. (2022). <https://media.ba/bs/magazin-novinarstvo/rodni-stereotipi-o-kandidatkinjama-anonimni-portali-u-sluzbi-patrijarhata>

was often questioned without evidence. Candidates were accused of being foreign agents, working with foreign states and international organizations. In addition, campaigns and speeches pushed one-sided interpretations of wartime events, used victims to sway voters, incited their followers against other ethno-national groups, denied war crimes, and glorified war criminals. A report by the Srebrenica Memorial Center counted 693 instances of genocide denial from May 2021 through April 2022 in media in B&H and neighboring countries. Virtually all of the 176 counted in B&H happened in the Republika Srpska.⁶

Milanka Kovačević, editor of the Direkt portal, said most foreign embassies do not spread harmful content. A notable exception is the Russian Embassy, which posts disinformation and propaganda on its social media pages. “Since the beginning of the war in Ukraine, its announcements from Russian government agencies, and its reactions to B&H’s political process, have been full of disinformation and misleading assertions”, Cvjetičanin said, “such as that biolaboratories were turning out weapons to target Russian DNA, a canard later spread by the media.”

Reporting, especially in online media, often lacks diverse sources and information to explain complex topics to the audience.

Russia’s influence in the country is also evident in the polarization of reporting on the war in Ukraine. While media in the Federation cover it as an invasion of

a sovereign state, media in the Russia-aligned Republika Srpska use the Kremlin’s preferred formulation, special military operation. RTRS has aired almost daily reports in line with Russian propaganda from correspondents from the Donbass region or from the self-proclaimed Donetsk People’s Republic. The Russian news agency Sputnik also has been a source of disinformation, claiming, for example, that Russia managed to prevent a third world war.⁷

Bahto Kestendžić, of the Press and Online Media Council, said her

6 Izvještaj negiranja genocida u Srebrenici. (2022). Srebrenica Memorial Center. https://srebrenicamemorial.org/assets/photos/editor/mcs_izvjestaj_BOS_2022_FINAL_ko.71.pdf

7 Sijah, Dalio. “Ruski uticaj na medije: Osvrt na dezinformacije iz Rusije”, Media.ba. (2023). <https://media.ba/bs/magazin-novinarstvo/ruski-uticaj-na-medije-u-bih-osvrt-na-dezinformacije-iz-ukrajine>

group's pre-election monitoring found that only 7 percent of user-generated content contained elements of hate speech, a decline from previous studies, which the council attributed to better comment moderation by online media.

Still, the representative of the CRA said the online sphere needs tighter regulation, especially of the most harmful content, including discriminatory and hate speech, and content that endangers public order and peace or threatens the well-being of minors. In 2022, the Council of Europe mapped regulatory approaches across Europe to countering harmful online content to come up with a list of recommendations. The CRA representative said co-regulation seems the only possible solution to harmful online content. In addition to RTRS, other public media, such as the Srpska Republika News Agency, disseminate problematic content with no professional consequences.

Indicator 4: The body of content overall is inclusive and diverse

The media in B&H report on marginalized groups occasionally, without context and consistency, mainly to mark certain anniversaries or special events. Kovačević, of the Direkt portal, said reporting on marginalized groups is often part of donor-supported projects. Only specialized media report on minority groups, even though panelists agreed that the main responsibility for such coverage rests with public service broadcasters. Specifically, the CRA requires them to broadcast programs intended for members of national minorities for at least one hour per week and, according to its representative, their compliance will be monitored.

There are also no programs that use the languages of national minorities or aim to promote their cultures. The Roma, as the largest national minority, for example, do not have a program in their own language, and issues that affect them are covered only by specialized portals that publish some content in Romani, such as the Newipe internet portal. Public service broadcasters adapted some content for hearing-impaired people during the pandemic. Tamara Ćuruvija, an editor at RTRS, said the broadcaster is trying to produce more such content, as the country tries to align its requirements with EU regulations.

During 2022, the media produced lurid coverage of cases of femicide in B&H, describing them as crimes of passion or incidents. They avoided the term “femicide” and ignored the victims while focusing on the perpetrators, their pasts, or even their military decorations. The panelists said there is no exchange of opinions about certain topics, especially ethno-national ideologies or interpretations of wartime events.

Women still hold fewer managerial positions than men in the media, but there has been a 5 percent increase in the number of female directors of radio and television stations. According to the CRA, 31 percent of directors and 41 percent of editors of radio and television stations in B&H are women. There are no data on the gender balance among nonprofessional content producers, but anecdotal information suggests that, depending on the topic, many online influencers are women. Minority groups, however, are also largely excluded from nonprofessional content production.

Indicator 5: Content production is sufficiently resourced

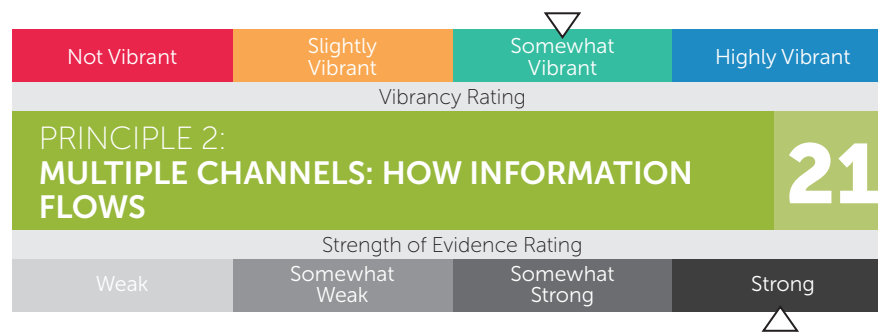
Professional content producers in B&H lack the funds to create quality content or sometimes even to function. In an October 2022 report on B&H's progress toward eventual EU candidacy, the European Commission warned that the state public broadcaster was in serious danger of closing. Years of being denied stable funding had left Radiotelevision of B&H (BHRT) unable to pay salaries and suppliers, and with an overdue tax bill of €9 million (\$9.76 million), for which the tax office blocked its accounts in March and April 2022. Most content producers, especially public service broadcasters, cannot afford to use international news agencies, to have correspondents abroad, or to send teams to certain conflict zones, nor can they afford subscriptions for news services, with access to quality photo and video content; according to Mediacentar director Boro Kontić. Even so, most media have not tried to develop alternative methods of finance, such as crowdfunding campaigns.

Media funding from public budgets at all levels of government is still opaque and often serves as a mechanism for political influence. There are no relevant recent studies of how much public money is allocated

to the media in B&H. According to Transparency International, political parties, whose revenues come mainly from public budgets, spent almost €6 million (\$6.5 million) for promotional campaigns that included social networks and the media in the run-up to the elections. The largest political parties, such as the Serbs' SNSD and the Bosniaks' SDA, spent the most on political promotion, according to research published in [Transparento.ba](https://www.transparento.ba)

The Fabrika advertising agency estimated that B&H's advertising market was worth about €40 million (\$43.36 million) in 2022, showing an increase from the previous year. However, marketing experts attribute it to inflation rather than a market recovery. Media in B&H operate in an oversaturated market where they also compete with regional television stations, especially from Serbia and Croatia, social networks, and online on-demand platforms. Even though research on social media companies' share of the digital market has not been conducted in B&H, data from neighboring countries suggest that it could be substantial. Senad Zaimović, director of the Fabrika agency, said companies sometimes find it more efficient and cheaper to advertise on these platforms than to buy space in local media. Only a few commercial media are sustained by advertising revenue, while others have to find other sources, such as public budgets or grants.

According to the progress report of the European Commission, journalism in Bosnia and Herzegovina is an insecure and precarious profession. Especially in local media, the salaries of journalists are lower than the average salary in the country. Borka Rudić, the general secretary of the BH Journalists Association, claimed some media have downgraded some editorial positions and reduced their salaries. Mladen Bubonjić, the editor of Gerila.info and a journalism professor, said journalists have to take multiple jobs to make a living, which impacts the quality of media content.



Attempts in the Republika Srpska to pass laws that would prevent disinformation, criminalize defamation, and widen the definition of criminal offenses against the constitutional order could further curb media freedoms and freedom of expression, panelists warned. The country's Freedom of Information Act is still not fully implemented, and journalists struggle to get information. Many media outlets are under political influence, and the political dependence of the CRA remains one of the most problematic issues in the media industry. Panelists gave their lowest score to the independence of information channels but gave higher scores to other indicators, such as access to information.

Indicator 6: People have rights to create, share, and consume information

Freedom of expression is guaranteed by the constitution of Bosnia and Herzegovina and the constitutions of Federation and the Republika Srpska. The national constitution also requires the state and both entities to ensure the highest level of internationally recognized human rights. B&H is a signatory of the European Convention for the Protection of Human Rights and Fundamental Freedoms, which takes precedence over other laws. The government does not pressure providers of information and communications technology to censor media, but threats to the freedom of expression, including self-censorship are widespread. In 2022, there were attempts to introduce harsher measures against disinformation and hate speech that could further limit the free exchange of opinions.

In October 2022, the president of the Republika Srpska, Milorad Dodik, asked the Ministry of Justice of the RS to prepare new laws for preventing disinformation and hate speech, criminalizing defamation, and expanding the range of criminal offenses against the constitutional order in RS. Dodik claimed he was acting in line with European standards, even though, for example, the European Court of Human Rights has repeatedly ruled that prison sentences are not appropriate in cases of defamation, while the UN's point person on free speech has argued that the prohibition of disinformation is not a legitimate goal in itself. Journalists' associations and civil society organizations protested that the proposals represent an unacceptable limitation of media freedoms and freedom of expression. In addition, several national ministries have been working to draft a law against online hate speech, that civil society activists warned could restrict freedom of expression if done badly.

“ Defamation was decriminalized more than 20 years ago in B&H, but defamation lawsuits are widely used to intimidate journalists.

Defamation was decriminalized more than 20 years ago in B&H, but defamation lawsuits are widely used to intimidate journalists. The Free Media Helpline of the BH Journalists Association counted 289 active defamation suits against journalists in July 2020. An analysis by the OSCE mission in B&H of around 1,000 defamation lawsuits against journalists from 2016 to 2019 found that 70 percent were filed by politicians or government officials over content of public interest, such as stories on nepotism, corruption, or their involvement in war crimes.⁸ There are laws that protect confidentiality of sources, but they are not applied fairly.

In deciding which broadcasters to sanction, the CRA seems to act in the interest of Dodik's SNSD party. In October 2022, Milinović, the agency director, said the CRA would levy a stiff fine against the FACE TV channel, before any investigation or proceedings by the CRA, after he said FACE TV owner and editor Senad Hadžifejzović had tried to incite violence

by asking a guest if Dodik should be killed. In response, Hadžifejzović released video of the interview at issue, in which he said he asked the guest if Dodik should be pacified, not killed. The CRA launched an abortive investigation after Milinović announced the fine, but the video was inconclusive. Still, in February 2023, the CRA punished FACE TV for violating generally accepted standards of decency. The BH Journalists Association accused Milinović, who formerly ran the Republika Srpska's public broadcaster, of politicizing the case and abusing his position.

In 2022, journalists in B&H suffered 79 attacks and other violations, including one physical assault, seven death threats, and 12 verbal threats, according to the journalists association. Zoran Čegar was suspended as chief of the uniformed police in the Federation of Bosnia and Herzegovina after threatening to rip out the throat of a reporter from the Center for Investigative Journalism as he was leaving a court in Dubrovnik, where he was on trial for fraud.⁹ The center had reported on his illegal property acquisitions.

Besides legal ramifications, there are other types of retribution for speaking or writing about controversial or sensitive topics. Panelists noted increasingly frequent requests from individuals or their lawyers to delete articles, even with no legal basis. Pressure on the media from certain politicians also comes through social networks, according to Klix.ba editor Hambo. Politicians opt not to send denials to the media but rather to target editors and journalists by name on social networks, calling them liars. In addition, Jasmin Mulahusić, affiliated with the leading Bosniak political party, has used his Facebook page to attack journalists. At the close of 2022, he had been under criminal investigation for more than a year on suspicion of inciting national, racial, and religious hatred, discord, and intolerance.

8 UN Report. The Safety of Journalists and Access to Information in Bosnia and Herzegovina. <https://bosniaherzegovina.un.org/sites/default/files/2022-09/Report%20-%20Safety%20of%20journalists%20and%20access%20to%20information%20in%20Bosnia%20and%20Herzegovina%20-%20ENG.pdf>

9 Center for Investigative Reporting, "The Double Life of Officer Čegar," October 24, 2022. <https://cin.ba/en/the-double-life-of-officer-cegar/>

The appointment of a contact person for journalists in the prosecutor's office of the Sarajevo canton in 2022 was the first concrete step toward more effective protection against, and response to, attacks and threats towards journalists there. In mid-2022, the lower house of the Bosnian legislature voted to treat attacks on journalists as a distinct criminal offense, but the country's government has yet to take up the measure by the end of the year.

Indicator 7: People have adequate access to channels of information

Most people in B&H have access to information channels, including radio, television, newspapers or magazines, and digital or social media, but the technological infrastructure is not adapted to the needs of people with disabilities. No social norms preclude any groups from accessing information, and the government does not arbitrarily cut off access to information and communications technologies to certain content producers or users. Panelists said access to communication channels is hampered by poor infrastructure and poverty. Some people in rural areas lack access to traditional communication channels because they cannot pay for the services of cable operators, and television signals are not available in all parts of the country.

According to CRA data, B&H has 107 TV stations, 150 radio stations, 12 on-demand broadcast providers, and three public radio and television services, which are available to audiences throughout B&H. In addition, many foreign channels are available. Although television is still the most common source of information, the use of the internet and social platforms is constantly increasing. According to the CRA, 95.6 percent of people in Bosnia use the internet. The State Agency for Statistics reported that in 2022 almost 76 percent of households had internet access. A November 2022 report by the agency found that 77 percent of women and 81 percent of men had used the internet in the three months

prior, along with 53 percent of pensioners, 84 percent of unemployed people, 95 percent of those working, and 100 percent of students.

Panelist Maslo of the CRA said that as broadband internet use in B&H constantly increases, companies are offering better service packages. The CRA has started the process of broadband internet mapping with the technical support of Slovenian regulators, which Maslo said is an important step toward gradual implementation of 5G technology in B&H.

Indicator 8: There are appropriate channels for government information

B&H has a Freedom of Access to Information Act, but it is inadequate, not always obeyed, and spottily enforced. In Transparency International B&H's most recent annual review, only 50 percent of public agencies responded to requests by the 15-day deadline, and their answers were often incomplete. Hambo, of the Klix.ba website, said agencies often respond generally rather than to specific questions, and that even when respected, the 15-day deadline does not work for

journalists on a daily deadline. In one example of the law's insufficiency, when the Federation's public health agency found that 10 percent of the samples it tested from bottled water contained bacteria that should not have been present, journalists could not obtain the names of the producers. The panelists agreed that the biggest roadblock is a dysfunctional judiciary that does not push for proper implementation of the law and does not punish violators.

Citizens rarely use the Freedom of Access to Information Act and, according to panelists, they do not understand that it is one of their basic human rights. Whether the media obtain information from spokespeople or information offices of government agencies depends on their willingness and professionalism. Panelists said there are some very professional spokespeople who are always available to journalists.

“ Although television is still the most common source of information, the use of the internet and social platforms is constantly increasing.

Indicator 9: There are diverse channels for information flow

The processes for spectrum allocation and licensing for media are fair, and people can freely establish media. B&H still has not adopted legislation requiring the disclosure of media ownership, even though it is a perennial recommendation by the European Commission in the country's EU accession process. Such a law could lay the foundation for a detailed register of media ownership, helping to thwart hidden media concentration, the CRA's Maslo said.

An existing CRA register of broadcast-license holders does not include information on indirect and related owners. A 2017 attempt by the CRA to collect data and publish a register of direct and indirect media owners was blocked by the Personal Data Protection Agency, which argued it could open the door to state infringements of the right to privacy.

At the end of 2022, the national Ministry of Communications and Transport had plans to include provisions on media-ownership disclosure in an upcoming law on electronic media, but the BH Journalists Association deemed them inadequate, Borka Rudić, the association's secretary general, said. Instead, Rudić said, the issue merits its own law, which should police conflicts of interest among media owners and establish a media register along with an independent fund for media pluralism. Civil society organizations, including the journalists' association, proposed a law on media ownership transparency in 2018 that went nowhere. Public service media provide informative and educational news and information but labor under strong political influence.

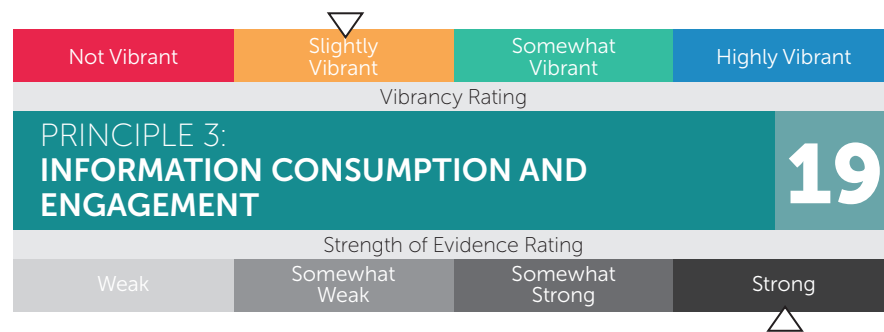
Indicator 10: Information channels are independent

Ownership structures can significantly sway editorial policies, with the country's many cash-strapped outlets especially vulnerable to the influence of political and business interests. Due to arbitrary and opaque media financing, unclear media ownership, and links between media managers and advisory bodies on the one hand and political parties on the other, political parties wield great influence on the media industry. In addition, publicly owned companies are often affiliated with political

parties, and their advertising funds are another means of influence on editorial policies.

The Communications Regulatory Agency acts politically and is not neutral regarding broadcasters' breaches of its codes. Public service broadcasters tend to reflect the opinion of politicians rather than the public, as expressed by Kontić of Mediacentar Sarajevo. The most notorious example is RTRS, which is under the direct control of the SNSD political party, but Kontić said Radio-Television of the FB&H (FTV) is also becoming a platform for promoting certain policies. Politics also influence programming at the state broadcaster, as a slanted October 2022 interview with the elected Serb member of the country's three-member presidency, Željka Cvijanović showed. The state public broadcaster is also beset by financial woes, ethno-national divisions, and discrimination against older journalists.

Political dependence is obvious in many other media, such as Alternativna TV, which is directly linked to the SNSD political party and is under U.S. sanctions, and the Srpska Republika News Agency, which is financed from the budget of Republika Srpska. Media monitoring during the general elections in 2022 noted many anonymous portals and some Facebook groups that targeted certain political parties. Mladen Bubonjić, editor of the investigative Gerila.info website and a journalism professor, said media affiliated with political parties also have exclusive access to certain types of information. There are independent media outlets in B&H, both commercial and those of nongovernmental organizations, that provide professional and unbiased reporting, mostly funded by foreign donors.



Media outlets do not have developed digital-hygiene practices, and the public has few opportunities to learn how to protect their private data. Even though the country does not have a developed media and information literacy strategy, many organizations have activities aimed at sharpening those skills for the public. Professional media producers do not analyze the audience needs, but rather publish the kind of content that is the most viewed by their audiences. Community media still have not been developed in the country, which has only three registered community radio stations. Participants gave audiences' media and information literacy skills and use of privacy protections and security tools the lowest scores, and the work of community media the highest.

Indicator 11: People can safely use the internet due to privacy protections and security tools

The country has a law to protect personal data, but it is not aligned with the EU's General Data Protection Regulation and international standards. Panelists said it has often been abused to conceal the identities of those who misuse public funds or own media outlets. Kovačević, of the online portal Direkt, pointed to an example: the personal data regulation was used as an excuse to hide the names of the people who received legal aid to which they were not entitled. Rudić, of the BH Journalists Association, said the law has been used to hide the property of high-ranking judges,

even though disclosing that information is in the public interest. Some courts, including the Supreme Court of the Republika Srpska, remove all names when publishing their decisions, even in cases of terrorism or high corruption, as explained by Denis Džidić, director of the Balkan Investigative Reporting Network in B&H.

Before 2020, it was possible to get the name and business address of anyone registering a website with the national .ba domain. However, in what Cvjetičanin, of the Raskrinkavanje fact-checking portal, called "a violation of the standards of transparency and accountability," the Data Protection Agency decided that this information should not be publicly available.

Tools in local languages to prevent DDoS and other attacks are not widely available and most technology-based tools that help individuals protect their privacy and security are in English. Digital-security training for media outlets happens occasionally, but Džidić said it is mostly

“Tools in local languages to prevent DDoS and other attacks are not widely available and most technology-based tools that help individuals protect their privacy and security are in English.”

in English and so is not useful to some journalists. The country lacks local trainers with expertise in digital security. Media companies' digital hygiene practices are poor, and their websites are not secure. Overworked journalists do not give enough time to security measures and often do not protect their data. DDoS attacks are frequent; Hambo said his Klix.ba portal

faces them every day. Panelists agreed that the public lacks digital-security savvy and skills, and awareness of the algorithms driving social media and the mechanics of online advertising, as well as opportunities to learn.

Indicator 12: People have the necessary skills and tools to be media literate

No media and information literacy strategy has been implemented at the state level. Various institutions and organizations, however, have made efforts in the field, and the government of the Sarajevo canton is aiming to integrate media and information literacy into formal education

starting in primary school. The CRA, in cooperation with organizations active in media and information literacy, organized a promotional campaign “Days of Media and Information Literacy” in October 2022. The CRA also leads an informal group of experts on the subject, and held a campaign on protecting children on the internet in 2022.

Panelists agreed, however, that the public lacks media and information literacy.

Cvjetičanin, the fact checker, explained how, in 2022, more people were victims of online fraudulent advertising practices. These scams often involve fake interviews with doctors or celebrities, with the aim of getting them to hand over information about their bank accounts. She also said more people are reporting disinformation to her fact-checking organization, but the number of conspiracy theorists is also on the rise. Hambo, the Klix.ba editor-in-chief, received threatening messages from readers after writing about the hoax, repeatedly refuted by scientists, that a group of hills in central Bosnia are actually ancient pyramids.

Indicator 13: People engage productively with the information that is available to them

Journalists and activists can freely express their opinions but are often targeted on social networks, especially on certain topics, such as war crimes, religion, and homosexuality. Panelists agreed that spaces for the free exchange of opinions and ideologies are limited. For example, during the election campaign, candidates rejected televised debates in favor of social media, where they could promote themselves while avoiding difficult questions and engagement.

Panelists noted that social networks’ comments critical of certain political parties or local governments are removed by page administrators. Rudić, of the journalists’ association, said political parties blocked social media profiles or erased messages of people who criticized them on their social media accounts and that there was little substantial and engaging debate during the campaign. Amela Sejdić, director of Radio Zos from Tešanj, said even the administrators of the Tešanj municipality’s Facebook page blocked critics.

Panelists agreed that spaces for the free exchange of opinions and ideologies are limited.

Bahto Kestendžić, of the Press and Online Media Council, said public complaints to the council about hate speech have steadily risen over the past decade, especially in user-generated content, which the platforms

have resolved mostly by removing the content or blocking access for the culprits. Open digital communications contain misinformation and malformation even though hate speech in user-generated comments has decreased. There is no

evidence that people engage with at least some objective, fact-based information on a weekly basis.

According to research on the media habits of adults in B&H, which the CRA carried out with the Council of Europe in 2021, few people use the mechanisms for reporting inappropriate content.¹⁰ Slightly less than one-fifth of B&H residents have ever reported inappropriate content they have encountered when using media or information and communications technologies. Of those, most reported it directly to the content provider, and significantly fewer went to law enforcement, the Press and Online Media Council, or the CRA.

Indicator 14: Media and information producers engage with their audiences’ needs

Content producers most often react to the needs of the public by publishing news and content that will draw their interest. In online media, that is mostly infotainment, news about crime and accidents, or statements by popular political figures. According to the Fabrika agency, the most watched TV programming in B&H is entertainment shows, such as regional reality music competitions, and sports. On the strength of reality programming in particular, commercial media outlets are drawing larger audiences than public service broadcasters. Only the larger TV stations are part of a measurement and data-collection system and obtain data from the private Audience Measurement agency. Smaller

¹⁰ Snježana Hasanagić et al. (2022). Media Habits of Adults in B&H, the Communications Regulatory Agency and the Council of Europe. <https://www.coe.int/en/web/freedom-expression/-/research-study-on-media-habits-of-adults-in-bosnia-and-herzegovina-presented>

TV and radio stations cannot afford audience measurement data and mostly track their online visits with Google Analytics.

As channels for feedback, the CRA’s Maslo claimed radio and television stations often host call-in shows, while panelists from online media said the audience can reach them through e-mail or online comments. Ćuruvija, the RTRS editor, considered the audience is mostly interested in health, employment, and infrastructure issues, based on her communication with the public. Bahto Kestendžić, of the Press and Online Media Council, noticed online and print media actively self-regulate by publishing denials or retractions, or removing comments that contain hate speech. Some panelists responded, however, that posting denials or retractions often do not improve standards of reporting.

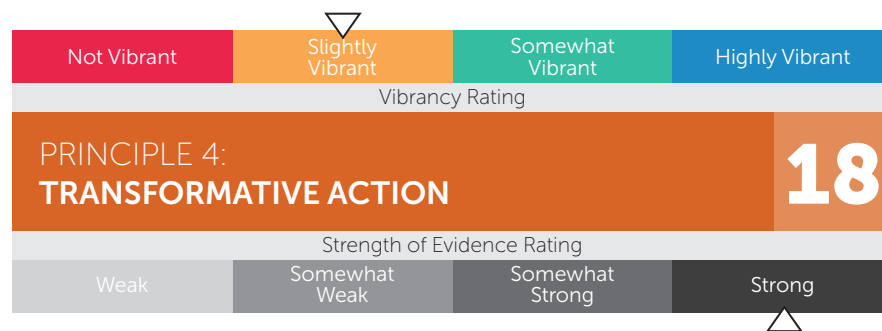
Media and content producers interact with their audiences online or on social networks, but do not invest in other methods of building trust with their audiences, such as community events, and most do not publish information about their ownership. Journalists attend and report on civil society organizations events, but there is a lack of productive and regular information sharing and feedback.

Indicator 15: Community media provides information relevant for community engagement

Community media is largely undeveloped in B&H. The CRA allows nonprofit organizations to obtain broadcasting licenses for radio stations aimed at meeting the specific needs of certain societal groups, but B&H has only three registered nonprofit radio stations: Radio Otvorena Mreža, Radio Active, and Radio Marija. According to the panelist from the CRA, these stations provide their listeners with information that is relevant for their community and give space to marginalized groups to participate in public communication and social debate. The CRA had no complaints about the presentation of inaccurate information by community media radio stations. In addition, nonprofit online media, and even radio stations that are not registered with the CRA but use the frequencies of

“ Civil society organizations conduct important research on various topics, but it rarely moves policymakers to act.

other radio stations, can be classified as community media, though they are a speck in the country’s media universe.



The media and audiences in B&H are split along ideological, ethno-national and political lines, and audiences mostly trust the media that portray their group in a positive light. Despite ample documentation of war crimes or election fraud, voters cast their ballots based on strongly held beliefs rather than arguments and facts. Policymakers and politicians make selective use of research and investigations by the media and civil society sector to discredit their political opponents. Some civil society organizations act in the public interest but their

impact on policy decisions is minimal, mainly because political parties rarely agree on amendments or new laws. Panelists gave civil society’s use of quality information the highest score and the question of whether information supports

good governance and democratic rights the lowest.

Indicator 16: Information producers and distribution channels enable or encourage information sharing across ideological lines

There are various sources of information, but the media and audiences in B&H are polarized along ideological, ethno-national, and political lines. Research has shown that the country’s audiences often follow only certain channels of communication, above all those that cater to their

ethno-national or political group.¹¹

Panelists said that during the elections there were almost no constructive debates with the aim of developing a dialogue on the future of the country and political party programs, and some politicians refused to participate in TV debates. During the elections, in the Republika Srpska, public broadcaster RTRS mostly reported positively on the ruling SNSD political party, while BN Television reported favorably on the opposition parties there. Similarly, in the Federation of B&H some media outlets supported the Croat HDZ or the Bosniak SDA political parties, or went after the opposition parties and their political candidates. Even at the local level, there were no real debates, according to Rudić, of the BH Journalists Association. Berislav Jurić, editor of Bljesak.info, claimed public discussions organized in local communities, which should be a way for citizens to participate in decision-making, are pro forma and have no influence on decision-makers. Kovačević, the Direkt editor, said that is especially true for discussions and adoption of local budgets.

Indicator 17: Individuals use quality information to inform their actions

Panelists claimed the quality of information has no role in forming people's attitudes or voting habits. The results of the elections, panelists said, show that cemented ideological opinions and divisions are not swayed by quality information in the media. For example, during the election year, the media raised numerous questions about corruption in health care and the validity of the diploma of the director of the Clinical Center in Sarajevo, Sebija Izetbegović, who regardless won a seat in the Sarajevo assembly for the SDA political party.

Klix.ba editor Hambo expressed that people often make decisions based on media spins, misinformation, or a trend on social networks. Mladen

¹¹ Sokol, Anida. "Polarized public trust in the media and social networks in Bosnia and Herzegovina". 2021. <https://seenpm.org/wp-content/uploads/2021/06/Resilience-research-publication-3-B&H-English.pdf>

Bubonjić, editor of Gerila.info, said citizens make judgments based on beliefs that are often grounded in ethno-national rhetoric and mutually exclusive memories of the past. Conspiracy theories on COVID-19 are still very popular and many people refused to be vaccinated, not following fact-based and safety recommendations.

Indicator 18: Civil society uses quality information to improve its communities

B&H has a wide spectrum of civil society organizations, but some of the panelists questioned their motives and impact. As effective examples, panelists mentioned žene Kruščice, a group of women who blocked the construction of a mini-hydroelectric plant in their village in central Bosnia, and the Center for the Environment in Banja Luka. Džidić, director of BIRN B&H, said civil society members do work the public institutions should be doing, such as drafting laws, investigating corruption, and providing media and information literacy education.

Media organizations that function as nongovernmental organizations, such as CIN and BIRN, have repeatedly uncovered instances of corruption but prosecutors have rarely followed up. Civil society organizations conduct important research on various topics, but it rarely moves policymakers to act.

Panelists admit that it is difficult for civil society to influence decision-making, because the authorities in B&H rarely amend existing laws or introduce new ones. For example, Rudić cited attempts by civil society groups to make attacks on journalists a distinct criminal offense. The national parliament has approved the measure, but by the end of 2022 the government had yet to adopt it.

Indicator 19: Government uses quality information to make public policy decisions

Government communication with civil society and the media is confined mostly to press conferences or press releases. Specific officials

might recognize the importance of communication with civil society, but in general the communication between the two sides is poor, as Mediacentar Sarajevo's Kontić explained.

Džidić, of BIRN B&H, cited the adoption of B&H's anti-terrorism strategy in 2022 as an example of civil society clout: Working with the authorities, the Atlantic Initiative NGO insisted, over objections from the Republika Srpska, that right-wing extremism be included in the document, and it was. Panelists also recalled that in 2016, activists waged a successful campaign to have hate crimes recognized by the country's criminal code. However, in 2022, no significant policy decisions or legal solutions were crafted based on civil society expertise. Cvjetičanin, of the Raskrinkavanje fact-checker, said that given how few amendments or bills get passed by legislative bodies in B&H each year, it is not realistic to expect civil society to have a larger influence. Panelists noted that government officials cite quality news media or information from civil society selectively, only when it suits their needs or to discredit their political opponents, and sometimes even use misinformation when explaining their decisions.

Indicator 20: Information supports good governance and democratic rights

Politicians use quality information they receive from the media or civil society, but mostly to discredit their political opponents, settle scores, or serve their own interests. For example, the findings of Instinomjer, an online government and politics watchdog, are used selectively by politicians and the government.

When information sources reveal corruption or human rights violations, the government does not respond appropriately. Džidić, of BIRN BIH, reinforced that politicians use the reports of investigative journalists only when they want to discredit their opponents. For example, when the media published information that the government of the Sarajevo canton did not want to give details about its contract with the Chinese company that was contracted to repair the tram line in the city, the representatives of the opposition in the Sarajevo canton used this information against the leading political parties, Rudić said.

LIST OF PANEL PARTICIPANTS

Maida Bahto Kestendžić, Press and Online Media Council

Mladen Bubonjić, editor of Gerila.info and journalism professor

Tijana Cvjetičanin, editor, fact-checking platform Raskrinkavanje

Tamara Ćuruvija, editor, RTRS

Denis Džidić, director, Balkan Investigative Reporting Network

Semir Hambo, editor-in-chief Klix.ba, Sarajevo

Berislav Jurič, editor-in-chief, Bljesak.info, Mostar

Milanka Kovačević, editor and journalist, Direkt portal

Azra Maslo, program standards coordinator, Communications Regulatory Agency

Boro Kontić, director, Mediacentar Sarajevo

Borka Rudić, secretary general, BH Journalists Association

Amela Sejdić, director, Zos radio, Tešanj

Milanka Sudžum, Ministry of Communications and Transport

Senad Zaimović, director, marketing agency Fabrika

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