

## **In This Issue You Can Read:**

- **Media Priorities**
- **Religion in Media: Dominated by Worldly Rather Than By Spiritual**
- **Research: State Television Stations With Highest Ratings ( 1 )**
- **Media Legislation in Federation of Bosnia-Herzegovina ( 1 )**
- **Towards Federal TV: Erotel Launches Its Own News Program**
- **The Monitor's Eye**
- **News**

---

# *Media News*

Prepared by the  
*SAFAX News Agency* Sarajevo  
<http://www.mp-institu.com/>

---

• **Journalism and Democracy**

• **Media in Transition**

---

No 24, Vol I,

Sarajevo, January 25th. 1999 godine

## **Media Priorities**

### **Responsibility for One's Own Development**

Media in Bosnia-Herzegovina share the fate of the wider social environment. All creative forces in them have not been liberated yet to work freely and independently. An ambience motivated by burdened and politically frustrated journalists still prevails. The underdeveloped and divided media market does not stimulate competition for quality. The state has almost given up on efforts to adopt a new legal framework for media that will give them a stronger development foundation, and the international community is stumbling in attempts to substitute its responsibility. This year will be a watershed for the media. Although the state and a considerable number of media are not showing much willingness for radical changes, the international community, as usual at the beginning of a year, is explicit in its requests and deadlines.

On this occasion we will present the views of local experts from Media Plan Institute on priorities in bringing order into the media situation in Bosnia-Herzegovina.

First, passage of laws on public and commercial RTV and frequency allocation criteria. Although the international community through its institutions in Bosnia has taken over most of the work in this field, pressure must be put on and support must be given to local organisations and institutions to take over responsibility for this task as soon as possible.

Second, a balanced approach to public and commercial radio and television must be ensured. The impoverished state and its two parts cannot support a complex and expensive

system of public radio diffusion. It is necessary to encourage private capital to take part in these activities, and in the local field it is necessary to stimulate small RTV stations and newspapers to carry out some public service functions.

Third, to encourage journalists and managers in state (public) electronic networks to transform more rapidly into public services that are not influenced by the ruling structures and political parties. Reconstruction should be understood as a global, not a segmented task, which comprises changes in status, organisation and management, production and technical aspect, and ownership. Those who are successful in this process should be given all kinds of assistance.

Fourth, management structures in the media should be prepared for the forthcoming privatisation process. This means independent expert assistance, training for the widest circle of people working in the media and requesting from privatisation agencies and state bodies to take a comprehensive look at the privatisation process in large electronic networks that had appeared in specific circumstances and from different sources of capital.

Fifth, in the area of education advantage should be given to permanent forms of educating journalists, managers, jurists, financiers and marketing experts.

Sixth, donor support to independent and alternative media should be more selective. Priority should be given to projects that have been successful and that have achieved a good reputation in the auditorium, as well as those that have shown self-sustainability on the market. Donations should not encourage further irrational expansion of small media that cannot survive on the market, except in areas without media pluralization.

Seventh, the status and long-term development of existing international projects (OBN, FERN, etc.) should be defined. We are of the opinion that these organisations should be transformed into local commercial enterprises with local and foreign capital, which would carry out some public service functions for the entire state of Bosnia-Herzegovina.

Eighth, we suggest that a conference be organised in 1999 on strategic issues of long-term media development in Bosnia-Herzegovina. The conference should be held in Bosnia and it should be organised by local media institutions with the participation of international organisations. The local public, local media and institutions must gradually start to assume responsibility for the development of this field. (From Media Plan Institute Sarajevo Report for 1999).



**Media News-** all the media news of BH collected in one place.

Issued every second Monday in English and Bosnian/Croatian/Serbian. Texts by local author are published in whatever variant is appropriate to the author.

Published by **Media plan - Safax**

Editor: Zoran Udovičić

Editorial in Sarajevo:  
Patriotske lige 30,  
(Arhitektonski fakultet) Sarajevo;  
Tel/fax:+387 (0)71 206 542, 213 251  
E-mail:

[safax-mp@zbih.net.ba](mailto:safax-mp@zbih.net.ba)

Branch office Banja Luka:  
Braće Mažar 74, Banja Luka;  
Tel/fax: + 381 78 17 943

<http://www.mp-institut.com>

**REPRODUCTION OF THE TEXTS  
IS PERMITTED IF BOTH THE  
NAME OF THE AGENCY AND  
NAME OF THE AUTHOR ARE  
SHOWN**

**Media Plan – Safax wish to express  
its gratitude to Soros Open Society  
Sarajevo and European Union –  
PHARE Program, for their support  
in publishing Media News service in  
1998**

### **Dominated by Worldly Rather Than By Spiritual**

This headline corresponds perfectly with the growing model of aggressive integralist activities in this region in of all three Abraham religions. The phrase “in this region” is not restricted to Bosnia-Herzegovina only, but also to at least the two neighbouring states. Because everything significant that happens there, not only in politics, but even in the sphere of society, religion, culture, art, sport and so on, is inevitably reflected in Bosnia-Herzegovina.

This mini research, however, will not deal with the dogmatic intolerance of the clergy, or the intolerance of infected believers, as a consequence of an inadmissibly low religious culture. We will also not deal with the growing dangerous use of religion as a political instrument. Our research and analytical work has been directly motivated by a letter sent recently by the head of the Bosnian-Herzegovinian Islamic Community, Reisu-l-ulema Mustafa Cerić, to the two most responsible people at RTVBiH, dissatisfied with this organisation’s attitude towards “Islamic values and the Islamic Community.” We focused our attention to the position and treatment of religion in state electronic media. We emphasise “state media”, bearing in mind all the reservations and restrictions of such a phrase. This article is limited to RTVBiH and SRT, as well as Radio BiH and Serb Radio, during Ramadan and Bajram and Catholic and Orthodox Christmas.

With regard to special programs made on those occasions, it is certainly pretentious to speak about the status of religion in media in general, particularly because this work is not a result of special program monitoring. It is only based on an overall impression of programs dedicated to religious holidays. There is no dispute that state electronic media did feature religious programs, but those programs mostly focused on particular events of religious character, with inevitable elements of folklore, recognisable iconography and scenery, tradition, cult, sometimes kitsch and so on. Therefore, it is ungrateful to pass general judgement on the status of religion in media. Still, this analysis is another piece in putting together the mosaic of religion in media.

#### **Constitutional and Legal Framework**

All countries of western democratic tradition are secular countries. Some, true, are secular formally more than in effect, particularly the South American regimes, where a strong presence of the clergy is felt in political life. Countries in so-called transition, the former Soviet Union and its satellites, and states that appeared on the soil of the former Yugoslavia, are also secular. In the field of religion they have practically inherited the constitutional and legal solutions from the former Socialist Federal Republic of Yugoslavia (SFRJ) and its republics and provinces.

The 1974 Constitution of SFRJ (406 articles) regulates religion in Article 174 (Chapter III, Rights, Freedoms and Duties of Man and Citizen), which consists of six clear and precise items, of which the most important ones are number two and number four – separation of religion from the state and ban on using religion for political purposes.

The Constitution of the Republic of Bosnia-Herzegovina (Final Draft) of February 24, 1993 completely inherited Article 91 of the Constitution of the Socialist Republic of Bosnia-Herzegovina, whose first line says that practising religion shall be “man’s private matter,” while the second line, which stipulates separation of religion from the state, is identical to the formulation from the 1974 Constitution of SFRJ.

The Constitution of Bosnia-Herzegovina (Annex 4 of the Dayton Peace Agreement) does not deal with religion separately, but only mentions it in Article II, Human Rights and

Fundamental Freedoms, in paragraph 3, List of Rights, in item g), where it guarantees “freedom of thought, conscience and religion.”

A similar formulation can be found in the Constitution of the Federation of Bosnia-Herzegovina, which places religious freedoms in item 1), Article 2, A. General Provisions, part II – Human Rights and Fundamental Freedoms. We did not look into cantonal constitutions, but in view of the fact that they must be in harmony with the federal constitution, it is little probable that there are any serious deviations concerning religious rights and freedoms.

The status of religion and religious communities in the other entity of Bosnia-Herzegovina is regulated in Article 28 (II – Human Rights and Freedoms) of the Republika Srpska Constitution, which consists of four items. The first one says: “Freedom of religion shall be guaranteed.” Item two stipulates equality of religious communities before the law. The most disputed part is item three, which literally says: “The Serb Orthodox Church is the church of the Serb people and other peoples of Orthodox faith.” The last item is also disputed because it obliges the “state” to give material assistance to the church. Although the formulations do not say that directly, everything points to the fact that the Serb Orthodox Church is not separated from the state, which throws into question the constitutional principle on the equality of all religious communities, which for its part throws into question freedom of religious beliefs.

It is obvious that the harmonisation of the Constitution of the Republika Srpska with the Constitution of Bosnia-Herzegovina has not been carried out consistently. If the Constitution of the Republika Srpska is interpreted consistently, it ensues from it that one of the two Bosnian entities is not secular in character, neither formally, nor practically. True, its other entity – the Federation of Bosnia-Herzegovina – is secular formally and legally, but in effect it is not, which we will discuss further on.

### **Media Responsibilities in the Context of Legal Regulations**

As we know well, in addition to general provisions speaking about freedom of expression and press, and the right to information, this sensitive issue is not in the jurisdiction of the Constitution of Bosnia-Herzegovina, nor the Constitution of the Federation of Bosnia-Herzegovina, but is solely in the jurisdiction of cantons. In view of the internal structure of the other entity, the media position there is regulated at the level of the Republika Srpska.

The first thing that catches the eye is that the field of information is regulated in a contemporary and comprehensive manner, both in the cantons of the Federation of Bosnia-Herzegovina and at Republika Srpska level. It is noticeable that the international community has shown more interest in media, while it was quite reserved with regard to religion. It probably maintains that religion was suppressed in the previous system and it is now trying to encourage its full articulation, at the same time closing its eyes before numerous manifestations of political instrumentalization and abuse of religion.

After reading carefully legal and other regulations referring to media, the first conclusion that imposes itself is that these acts are generally in accordance with the constitutions and that they reflect the spirit and character of a secular state and, which is particularly important, that they respect the specific organisation of a multiethnic and multireligious community such as Bosnia-Herzegovina. It seems paradoxical, but legal regulations on media in the Republika Srpska are in disharmony even with the RS constitution, which implicitly defines this entity as a non-secular state! Hence, the letter and the spirit of media regulations in the Republika Srpska do not mention religious beliefs and religions communities in particular, nor do they give them a privileged position in the sense of treatment and media coverage.

The situation is identical in the Federation and its cantons. In short, the normative projection respects internationally-recognised standards in the media field, with pronounced

regard for the specific structure of this country. In that sense the Law on Media in the Sarajevo Canton stands out.

It is really a contemporary law, which respects the specific characteristics of the region. The law is liberal, and it emphasises the responsibility of media workers. As an illustration, Article 59 (VI – Specific Characteristics of Electronic Media, Radio and Television Program), by its formulation anticipates ethnic and cultural diversity in the area of broadcasting. In that regard, the second item in that article calls for electronic media to contribute to “promoting understanding and tolerance among people of different ethnic and religious background, affirming political pluralism and democratic freedoms, respecting the views and convictions of others...”

A formulation on reporting on “cultural, sports and other events” is indicative in a positive sense, because events of religious character are not specified separately.

The Draft Law on Radio-Television of Bosnia-Herzegovina also takes into account the ethnic and religious diversity of the region. Article 18 instructs program producers that “RTV BiH shall be obliged to take into particular account the national and religious structure of the Federation, and to present the diversity and wealth of its culture, religion and customs.” The provision of Article 29 is also indicative. It gives the possibility of broadcasting program “at the request of political parties in pre-election campaign, and of religious communities on the occasion of religious services and events. The following article, number 30, stipulates that “costs of production and broadcasting, as well as responsibility for program content, from Article 29 of this law shall be borne by those who submit the request.”

### **Rift Between Normative and Factual Situation**

With the exception of the already mentioned ambivalence of the Republika Srpska Constitution, constitutional and legal provisions, not only in the sphere of media and information, point beyond any doubt that Bosnia-Herzegovina has a secular character. This conclusion, however, is based on its normative projection, which, unfortunately, is often contrary to the factual situation. Even a brief look at the political reality of the country inevitably leads to a conclusion about deep involvement of the clergy from all three religions in the country’s political life. As was characteristic for the previous system – oneness of the political party and the state – today we are witnesses to a third arm joining them – religious communities. This all practically points to the existence of some kind of an amalgamated state. Namely, one cannot assert that Bosnia-Herzegovina is either a secular state or a religious state. As we have already pointed out, it is surprising that the international community has not noticed that, or maybe it is not bringing up the issue for political reasons. For example, the Madrid Conference documents speak about removing military structures from the political process, in which they can participate only in an appropriate way, but there is no mention of religious communities and their involvement in the political life of the country and its state structures!

As people say, media are the mirrors of society. Still, it is difficult to claim that media in Bosnia-Herzegovina are a faithful picture of the political situation in the country. We may sooner say that they cover religious events with inertia. There are not enough educational programs, especially not about sociology of religion. Everything ends with coverage of outside manifestations, or more precisely, religious ceremonies, with pronounced folklore elements, which is absolutely not bad.

The Sarajevo *Oslobođenje* recently reacted professionally by publishing a number of articles in two of its issues sent by its correspondents and associates from abroad. The editors proceeded from the premise that “media standards on the treatment of religious life do not exist at home.” However, according to available data, such media standards do not exist even in other secular states. Religious content, if it is of interest to the public, is covered in an

appropriate way. The journalistic nerve, or decision of the staff, is crucial, nothing else. Political recommendations, even in mildest form, are out of the question.

*Oslobodenje* ran a series of articles on experiences from several countries on how their television stations cover religious life “in multireligious communities,” as the paper wrote. In an article sent by the Egypt-based associate, it is unclear whether Egypt is formally and legally a laymen state as the other states presented in this thematic series. In short, all articles show clear separation of the church from the state, and there is as much religious content on TV as editors think the public is interested in.

To our request to inform us about their program structure during the days of Ramadan, Bajram, and Catholic and Orthodox Christmas, we got a reply only, unfortunately, from Radio BiH. According to their program schedule, and in our opinion, Radio BiH gave sufficient media coverage to religious holidays at the end of last year and beginning of this year. However, we are unable to present a complete picture of program content on all media during the above holidays. We can only offer an impression from which it is clear that there was enough religious content in quantitative terms in programs on state electronic media in Bosnia-Herzegovina.

Religious events from the viewpoint of media in principle have equal importance as other events – state, political, cultural and sports. However, the obligations of public radio television ensuing from its public character should be differentiated from the conduct of commercial stations. It is also interesting to note that most participants in discussions on the position of religion in media neglect the nature of the individual media and the significance of media genres. Events from religious life, including coverage of activities of religious officials and institutions, have their place in news programs like any other events according to criteria of importance that exist in professional journalism. Educational programs on religion that do not have the character of religious ceremonies and teachings are an integral part of educational programs on radio and TV stations and they are treated in accordance with professional media standards. However, live coverage of religious ceremonies on radio or television, or their production at the station itself, does not have such media character. The radio or television in that case serves only as a mouthpiece, a means of dissemination. Therefore, this type of program must be agreed upon between radio and television stations and religious institutions, on the basis of the general obligation for all public services. In our case, religious programs for the different religions must be completely balanced, and media professionals have the right and professional responsibility to find the best form of presentation in accordance with the character of their media.

Finally, we want to stress that there is not enough inter-religious dialogue in media that is so necessary in this environment, dialogue that would discuss different interpretations of theological traditions which are the source of intolerance in all three religions. Namely, inter-religious dialogue so far has exhausted itself on issues of strictly political, sociological, cultural and similar character. In short, instead of dealing with spiritual issues, the clergymen are dealing excessively with worldly matters.

(D. B.)

## Research

### State Television Stations With Highest Ratings (1)

The Sarajevo-based Centre for Minorities and Media Plan Institute conducted a research on the views of the population on current political, social, cultural and other issues that significantly determine the position of the citizen in society. Within the research, which

encompassed 2,800 respondents from 22 towns in the Federation of Bosnia-Herzegovina and the Republika Srpska, we analysed citizens' answers on what they listen to, watch and read.

The statistical sample is based on the social, age, sex and ethnic structure of the population according to statistical data from 1991 and estimations from 1996. Results were analysed for each town separately.

In this review we will present data on media with the highest ratings in individual communities. To answer this question, we compared answers to the question "which newspaper, TV and radio station are available in your town," and the question "which daily newspaper, TV program and radio program do you like to follow the most." Each respondent could list all the media available to him/her, and in answering the question about which media he/she likes to follow the most", he/she could choose two media from each media group.

### **Banja Luka: *Nezavisne novine* and SRT in the Lead**

The local paper with the highest number of absolute readers is *Nezavisne novine* (48.5%). It is followed by *Glas srpski* (39.0%). Of papers outside of Bosnia-Herzegovina, most people read the Belgrade-based *Večernje novine* (22.0%).

Serb Television Banja Luka has the highest ratings among TV stations (62.0%). Behind it is OBN (25.0%). Of other television stations, people like to watch the local Independent Television Banja Luka (23.5%). However, this TV station, as Serb TV, has the highest relative ratings when comparing data on the number of viewers with data on the station's signal reception (63.5%).

Most people in Banja Luka listen to Serb Radio (53.3%), followed by the local Radio BIG (30.5%). However, NES Radio (22.5%) has the highest relative ratings, because 76.3% of listeners who are able to receive its signal said that this radio station is among the two radio stations they like to listen to the most.

### **Bijeljina: Most People Read *Večernje novosti* from Belgrade**

Most people in this town read the Belgrade *Večernje novosti* (36.0%). It is followed by *Nezavisne novine* from Banja Luka and *Politika* from Belgrade (both 9.0%)

Serb Television is watched by 72.0% of viewers. After it comes TV Serbia with 46.0%. However, the television station with highest relative ratings is TV BiH from Sarajevo (36.0%), with all viewers who are able to receive its signal saying that it is one of the two stations they like to watch the most. Of local TV stations from Bijeljina, most people watch SIM TV (14.0%).

Similar answers were given for radio stations. Serb Radio Banja Luka is absolute by the number of listeners (42.0%), followed by Radio Serbia (38.0%). The local radio that has the highest ratings is Radio BN with 32.0% of listeners.

### **Brčko: Programs from Sarajevo, Banja Luka and Zagreb Have Highest Ratings**

The leading places among print media are held by the Belgrade-based papers *Večernje novosti* (34.0%) and *Politika* (12.0%). Among papers from the Republika Srpska, most readers like to read the Banja Luka *Glas srpski* (8.0%).

TV BiH is viewed by most people (80.0%), followed by Serb TV (70.0%), while Croatian TV has 28.0% viewers.

Of the numerous radio stations whose signal can be received in Brčko, Serb Radio is the most popular (49.0%), followed by Radio Srbinje (25.0%). Of radio stations that have local significance, Serb Radio Brčko has been listened by most people (14.0%).

### **Jajce: Slobodna BiH Leads the Rating List**

The paper with most readers is *Slobodna BiH*, which is published in Split (49.0%). Number two is *Večernji list* from Zagreb (32.0%). Of papers from the Federation of Bosnia-Herzegovina, most people read *Oslobođenje* (7.0%)

Among TV stations, Croatian TV from Zagreb is the most popular station (87.0%). After it is TV BiH (20.0%).

Radio Herceg Bosna has the largest number of viewers (49.0%), after which comes the local Radio Station Jajce (43.0%). However, Radio Jajce has the relatively highest number of listeners because 81.1% of those who are technically able to follow this station's program said Radio Jajce was one the two stations they like to listen to the most.

### **Livno: HRT Above Everyone Else**

*Slobodna BiH* has more readers in Livno than any other newspaper (47.0%). *Jutarnji list* from Zagreb (18%) and *Dnevni avaz* from Sarajevo (16.0%) have almost the same number of readers.

Croatian TV is the most popular TV station in this town (75.0%). It is followed by Erotel from Mostar (9.0%). The presence of other stations is negligible.

In contrast to most other towns, the radio auditorium in Livno is quite dispersed. The station with the highest absolute ratings is local Radio Livno (26.0%), followed by Croatian Radio (21.0%) and Radio Herceg Bosna (15.0%).

### **Mostar: Divided City – Divided Readership**

Of papers from the Federation, most people read *Dnevni avaz* (30.0%), after which comes *Večernje novine* (25.0%). Of papers from Croatia, most people read *Slobodna BiH* (18.0%) and *Jutarnji list* from Zagreb (15.0%).

HTV rates the highest among TV stations (59.5%), followed by TV OBN (39.0%) and TV BiH (25.5%). A total of 12.0% viewers watch Erotel, and 8.0% watch TV Mostar (its own program).

Radio BiH rates the highest among radio stations (38.5%). Right after it is Radio Herceg Bosna (33.5%). Radio Fern is in third place with 14.5% of the auditorium. It is interesting that Youth Radio X (60.0%) and Radio Mostar (54.0%) have the highest relative ratings when comparing the number of people who have access to their signal and the number of those who have decided to listen to them regularly.

### **Travnik: Dnevni avaz and TV BiH**

Residents of Travnik mostly read *Dnevni avaz* from Sarajevo (49.0%) and after it *Večernje novine* (35.0%). Of papers published outside the Federation of Bosnia-Herzegovina, *Slobodna BiH* (7.0%) has the largest percentage of readers.

The TV station that most people watch is TV BiH (80.0%), followed by the local TV Travnik (50.0%), while Croatian TV is in third place (32.0%)

Radio BiH has the largest number of listeners (69.0%) and after it the local radio TNT (45.0%)

### **Tuzla: Trust in Local Media**

Most people in Tuzla (43.0%) read *Dnevni avaz*. After it comes the Sarajevo *Oslobođenje* (27.0%).

Most people watch TV BiH program (47.0%), followed by the cantonal TV TPK (36.5%). Of TV stations outside of Bosnia-Herzegovina, most people watch HTV (24.0%)

Of numerous radio stations that can be heard in Tuzla, Radio BiH is in first place (32.0%). Radio Tuzla is in second place (30.5%) and Radio Kameleon (27.5%) in third place.

**To be continued in our next issue:** Bihać, Brod, Bugojno, Derventa, Dobož, Drvar, Fožnica, Prijedor, Sarajevo, Srebrenica, Trebinje.

## **Media Legislation in the Federation of Bosnia-Herzegovina**

### **Cantonal Regulations – Similarities and Differences (1)**

In the period following the signing of the Dayton Peace Agreement, at the level of the Federation of Bosnia-Herzegovina not a single legal regulation in the field of media was discussed or passed in this entity. The only exception is the Draft Law on the RTV of the Federation of Bosnia-Herzegovina prepared by the Provisional Steering Committee charged with reconstructing RTVBiH pursuant to the High Representative's Memorandum (which is presently being deliberated). As far as it is known, there have not been any attempts at federal level to agree on a common foundation before opening the procedure of passing cantonal laws. Hence, the opportunity was missed to consciously create a coherent regulatory foundation and to avoid potential negative consequences of autarchic and excessively atomised legal regulation of this complex issue.

The entire task was hastily left to cantonal bodies of authority with the belief that they are exclusively responsible for the field of information. It is true that under the Constitution of the Federation of Bosnia-Herzegovina, cantons are responsible for "defining a policy of providing radio and television, including the passing of laws on providing their work and development." (Article III 4), while the central bodies of authority are responsible for "allocation of frequencies for radio and television" (Article III 1).

Separation of the right to frequency allocation from the right to founding radio diffusion organisations (print media are not specifically mentioned anywhere) seems to have been understood as a definitive division of responsibility in the legal field. However, people often consciously or unconsciously overlook the fact that the federal constitution is not an obstacle to finding more optimum and rational solutions. Namely, it also gives the possibility of transferring cantonal responsibilities to the Federation (Amendment VIII Item F) when the need arises. That possibility has not been used in order to establish a common legal framework for the work of media in the territory of the Federation of Bosnia-Herzegovina. Is that a consequence only of a lack of political will on the part of cantons or of their unwillingness to "give up" one of the constitutional rights?

International community efforts, on the other hand, are aimed at harmonising local laws with international standards and creating a common legal framework as a foundation for the appearance of a free and pluralist media ambience. These requests are for now not being answered appropriately by legislative bodies on cantonal, entity and state levels.

#### **Laws on Public Information or Laws on Media?**

Last year appropriate legal regulations on public information were adopted in six federal cantons – Posavina, Herceg Bosna, Western Herzegovina, Sarajevo, Una-Sana and Zenica cantons. Legal regulations in the Tuzla-Podrinje and Goražde cantons are presently in the process of being adopted. Legislative activities are far back only in two so-called ethnically mixed cantons: Herzegovina-Neretva and Central Bosnia.

A comparative analysis of cantonal regulations reveals many similarities, but also significant differences in how certain matters are defined. The first thing that stands out is that laws on public information in Croat-majority cantons (Posavina, Herceg Bosna and Western Herzegovina) by their content and form are not only similar, but identical. Their “harmonisation” was actually carried out with the help of the Law on Public Information of the Republic of Croatia, which was literally taken over. Still, one must stress that there are certain differences between them that appeared as a result of different views on whether some issues need to be regulated or not. For example, laws in the Posavina and Herceg Bosna cantons state that the editor-in-chief of a media organisation may not be a person who has immunity on any basis, while the law in the Western Herzegovina canton does not have that provision. Or, the law in the Posavina Canton obliges all existing media to register and harmonise their founding acts with new regulations within 90 days, and if they fail to do so the responsible ministry will ban their publication or broadcasting. There are no provisions like this one in the two other cantons with Croat majority. We will give another example, which is interesting because it is probably the only attempt to come up with a solution that is independent of the Law on Public Information of the Republic of Croatia. Namely, the Posavina Canton stipulates a legal obligation to form a Public Information Council, composed of seven members, whose task is “to monitor the situation in newspaper publishing, radio diffusion and other fields, and to propose measures for protecting and promoting freedom of public information.” The laws in the Herceg Bosna and Western Herzegovina cantons have not stipulated the existence of such a body as a form of public control over media. In contrast to Croat-majority cantons, laws in cantons with Bosniak majority – Sarajevo, Una-Sana and Zenica-Doboj – were not drafted on the basis of common criteria although it is obvious that experiences from Croatia and Slovenia, as well as some other European countries, were used considerably in forming them. A proposed legal project on public and commercial radio television, prepared by the European Institute for Media based in Duesseldorf at the request of the OHR, has also had a lot of influence.

Already by its very name, the Law on Media of the Canton of Sarajevo differs from laws in all other cantons that chose the earlier term – law on public information. Differences in the name do not seem to be only of formal or terminological nature. Namely, the Sarajevo Canton law is the only one that regulates the work of electronic media more comprehensively, filling a large void that existed in that field in pre-war legislation based chiefly on the experiences and needs of print media. Some contemporary solutions contained in media legislation in developed countries were successfully applied. Still, there was not enough strength or real ability to “complete” this work and to bring it to a higher legal level, and therefore some important areas have remained unregulated (RTV stations in the civilian sector, piracy ban, copyrights, cable distribution, etc.).

### **Guaranteed Freedom of Expression and Responsibility for Source of Information**

All cantonal laws explicitly guarantee the right to public expression as one of the fundamental human rights. The offered solutions are in harmony with contemporary European standards.

The Law on Media in the Canton of Sarajevo states that freedom of public expression shall include freedom of expressing opinion, collecting, investigating, publishing and transmitting information and ideas, which refers to all types of media. Censorship of information shall be categorically banned. Media shall be free in editing and conducting their editorial policies, which must be based on respect for professional ethical standards. All media shall have the right to access, under equal conditions, to all events and information of public interest. Concerning that, the law envisions sanctions for institutions that do not pass acts on making their work public. Naturally, it also envisions situations in which state and other public institutions have the right to deny the requested information (if it concerns state security, defence or if it is a business secret).

These issues are regulated in a similar way in the Law of Public Information in the Una-Sana Canton. They are also contained in regulations in the Zenica-Doboj Canton in a reduced form, but the ban on censorship is not explicitly mentioned in them, and there are also no sanctions for refusing to give information groundlessly. Bodies of governance shall only be obliged to explain in writing their reason for refusal, and they shall be given an eight-day deadline to provide the requested information. Laws in Croat-majority cantons also clearly promote the fundamental principle of freedom of public information. They say that freedom of public information “shall encompass in particular the freedom of expressing thought, freedom of collecting, investigating, publishing and disseminating information, freedom of publishing and distribution of press, and production and broadcasting of radio and television program.” It is stated explicitly that no one shall have the right to, forcibly or by abusing their position, exert influence on the content and course of public information, or in any other way to illegally restrict the freedom of public information. Information possessed by bodies in legislative, executive and judicial authorities and legal subjects shall be available to journalists under equal conditions. Punitive measures are envisioned for representatives of public authorities who deny information to journalists.

All cantonal laws – with the exception of the Zenica-Doboj canton – guarantee journalists the right to protect the confidentiality of the source of information that he/she found through investigation. In cantons with Croat majority this right is extended to editors, publishers, book authors and authors of published articles who are not journalists. To reveal the source may be ordered only by the responsible court. In contrast to others, the law in Sarajevo envisions that the court may do that only in case it wants to “prevent crime against life.”

(R. Budalić – Media Plan Research Centre)

To be continued...

## **Towards Federal TV**

### **Erotel Launches Its Own News Program**

The Mostar-based TV company Erotel has decided to start broadcasting its own news program. The “Journal” of Herceg Bosna 1, according to the decision, will be broadcast at 7 p.m., while the “Journal” of Herceg Bosna 2 will start at 10 p.m. The newly launched news programs will be broadcast live every day. The TV station management has announced that the new program schedule will start on January 25 this year. On that occasion TV Erotel announced an open competition for editor-in-chief of the new program which, as the management said, will become the foundation for the future Croat channel on Federation BiH Television.

The Erotel management, according to their negotiator Jozo Ćurić, will ask the Independent Media Commission (IMC) in Sarajevo in February to allow the broadcasting of a Croat channel and three channels of HRT (Croatian Television), after copyrights for them are paid to foreign companies whose movies shown on HRT programs will be re-broadcast by Erotel in Bosnia-Herzegovina.

International representatives have several times threatened to punish the Zagreb-based Croatian Television for showing foreign movies and entertainment programs in the neighbouring state of Bosnia-Herzegovina in addition to showing them in Croatia (to which it has the right). Foreign officials have called such broadcasting of foreign-produced programs by Croatian Radio-Television in Bosnia-Herzegovina “piracy.”

However, Ćurić has the following interpretation of the issue: “Croat TV organisations in Bosnia-Herzegovina are for the time being prevented from having equal participation in the EBU program exchange because EBU membership has been denied to Croats and Serbs. Participation has been usurped and is being used exclusively for Bosniak interests by the post-Dayton Eurovision member from Bosnia-Herzegovina – TV BiH.

(SAFAX)

## Two Inter-Active Channels

The deputy chairman of the Council of Ministers of Bosnia-Herzegovina, Neven Tomić, maintains that the international community will not forcefully terminate the broadcasting of Croatian Television in Bosnia-Herzegovina.

“I believe this issue will be resolved in normal democratic procedure, in negotiations and discussion of opinions,” Tomić told a news briefing organised by the Croat Democratic Union (HDZ) in Sarajevo. He reiterated that his party’s position is clear and based on transformation of the present RTV BiH into a federal TV, with two separate channels.

“They should be language and cultural channels that should be inter-active and cooperate mutually. This is an approach that has already been seen and through which national minorities exercise their rights in certain regions. Therefore, we maintain that in Bosnia-Herzegovina, in which Croats are a constituent people, the issue of national channels only presents politicisation and creation of mistrust,” Tomić said. But, according to B-H Press News Agency, the Office of the High Representative confirmed decision of January 23 that Erotel must stop the Croat Television (HRT) third channel rebroadcasting in Bosnia-Herzegovina by the end of January, and its second channel by the end of February. The first program will be allowed to continue its programming. Same day HABENA (news agency of Bosnian Croats), released information relates to Mostar meeting which gathered representatives of Croatian political and media structures and the OHR representatives in order “to discuss establishment of a Federation television which will include a Croat channel prepared in Croatian language “.

(SAFAX)

## The Monitor’s Eye

### Good Editorial Move

*Oslobodenje* made a good editorial move by publishing a comprehensive mini-series “Religions and Media in the World” (January 16 and 17). The series was inspired by a recent letter sent by the head of the Bosnian Islamic Community, Mustafa Cerić, to the two leading people at RTV BiH, dissatisfied with how this organisation treated the month of fasting, Ramadan. Although the headline of the series indicates a wide range of media forms, the articles almost exclusively talk about TV as the most powerful medium and how certain TV stations in the world cover religious life in multireligious communities.

### Intolerance in Show Business

*Ljiljan* magazine dedicated five pages in its January 18-25 issue to cultural issues. Among the five issues, the first article slammed the visit by a Belgrade pop group called

Models to Kult-Klub in Sarajevo's "Radnik" movie theatre. The whole article shows not only intolerance, but also the well-known habit of pinning collective guilt on an entire people, which was this time sublimed in four scantily dressed girls, who were just finishing elementary school when the war broke out! If the Index musicum prohibitorum from '93 was understandable, an identical attitude six years later, or three years after Dayton, is incomprehensible.

(Media Plan Monitoring Centre)

## News

### IFJ Competition

The International Federation of Journalists (IFJ) has announced an award competition for items or articles that contribute to promoting understanding and tolerance in European multicultural society. All journalists working in print and electronic media have the right to participate.

Winners will be invited to a ceremony at the Council of Europe in Strasbourg on March 19, 1999. The first award for a work made by an individual is \$3,000 and for team work \$6,500.

For further information, please contact:

Oliver Money-Kyrle, IFJ Projects Officer

Tel. 00 32 2 – 223 22 65

Fax. 00 32 2 – 223 03 43

E-mail: ifj.projects@pophost.eunet.be

(SAFAX)

### “SRT is Not in the Service of Foreign Interests”

Republika Srpska President Nikola Poplašen uttered in an interview with Serb TV (Jan. 18) a series of accusations against Serb Television (SRT) based in Banja Luka. He said it was formed illegally and unconstitutionally, and that its program has a discriminatory attitude towards the president of the Republic, and added that it is “in the service of foreign interests.” He also called it an “occupied television.” Poplašen said SRT is an “anti-Serb television, which does not even dare to use the term Ustasha in the Serb language, which is a legitimate term.”

The TV station's international administrator Dragan Gašić strongly denied the accusations. Gašić said in a press release that Serb TV was reorganised on the basis of Provisional Arrangements signed last year by the then RS President Biljana Plavšić, Prime Minister Milorad Dodik and Information Minister Rajko Vasić. Gašić also said SRT is not “in the service of foreign interests” and that it is open to all political options.

The Serb Democratic Party (SDS) and Serb Radical Party (SRS) have earlier accused SRT several times of politically preferring the Coalition Sloga. A Media Plan Institute monitoring project resulted in the conclusion that SRT had become a relatively democratic and open television station after its reorganisation and after it got a new management, although it was noticeable that some editors prefer the legal authorities in Banja Luka.

(SAFAX)

## To Media News Readers

From the very start of “Media News”, readers could find our digest on Media Plan’s Internet site <http://www.mp-institut.com>. The number of visits to our Internet site increased about 30 times in the last nine months. In December there were 9,314 visits, which meant an average of 300 visitors daily. Many readers are sending us words of praise and support, which obliges us to keep trying to maintain the expected level of the Media News service. □

(SAFAX STAFF)

# On the Threshold of a New Century



Listen with your ears!



Look with your eyes!



Think with your head!

---

---

### Council:Media Plan Institute

Prof. Dr. Muhamed Nuhić, Hamza Bakšić (Sarajevo); Perica Vučinić (Banja Luka); M.S. Lenart Šetinc (Ljubljana); Prof. Dr. Mario Plenković (Zagreb); M.S. Loius de la Ronciere (Paris); M.S. Aleksandar Todorović (Montreaux); Prof. Dr. Slavo Kukić (Mostar), Prof.Dr. Miroljub Radojković (Beograd)■

