

THE RIGHT TO FREEDOM OF OPINION AND EXPRESSION

The safety of journalists and access to information in Bosnia and Herzegovina



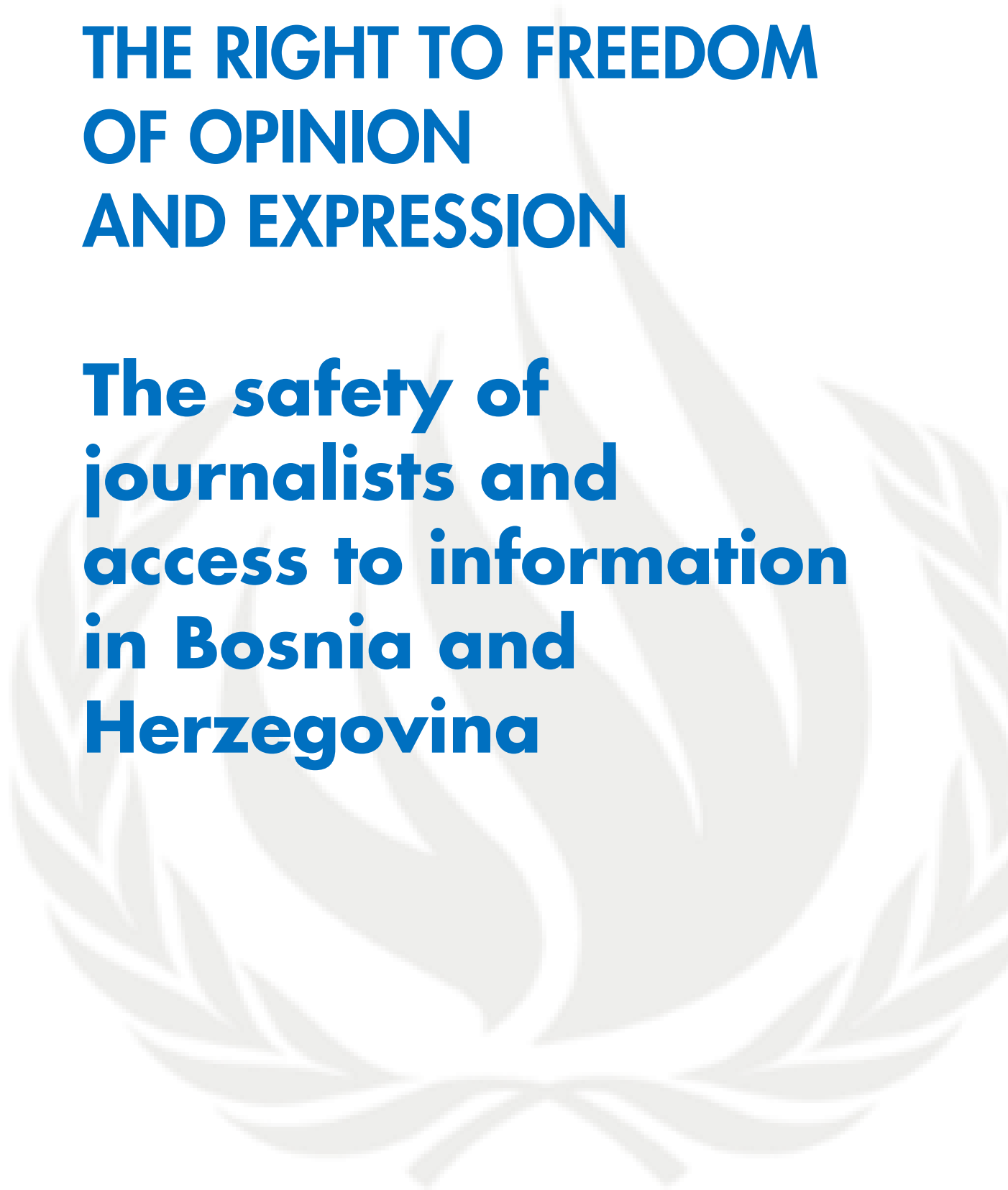
UNITED NATIONS
BOSNIA AND HERZEGOVINA



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Herzegovina**



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I. Executive summary

This assessment provides a situation analysis on the right to freedom of opinion and expression in Bosnia and Herzegovina, with a focus on access to information and the safety of journalists. It was conducted within the framework of the Global Drive for Media Freedom, Access to Information and the Safety of Journalists - a joint global project funded by the Netherlands and implemented by the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the United Nations Educational, Scientific and Cultural Organization (UNESCO). In Bosnia and Herzegovina, the project is led by OHCHR.

The assessment shows that journalists in Bosnia and Herzegovina face various challenges to safely and freely exercise their freedom of expression. They are subjected to diverse forms of pressure, including political and economic pressure, as well as verbal attacks and threats, online harassment, and violations of their right to access information. Such pressure, violations and threats are underreported due to a lack of trust in the police and judicial institutions. Thus, the available statistics do not reflect the scope of the issue and vary depending on the entities collecting such data.

Journalists and media organizations have identified political meddling in editorial affairs, financial instability and restrictions to access information as the main obstacles to the free work of the media. Journalists working for media outlets funded by local governments particularly face restrictions to their freedom of expression and are not allowed to cover all the topics of public interest. During the research conducted for this assessment, journalists and others often cited defamation lawsuits as a tool to pressure media through intimidation, as it incurs unwarranted financial costs that can dissuade critical media investigations and reports.

The assessment is based on a research that consisted of collecting, compiling and analyzing information on the legal and policy framework related to the right to freedom of expression, access to information and the safety of journalists in Bosnia and Herzegovina; and to examine violations of freedom of expression and access to information, as well as threats or use of violence, harassment, intimidation and other forms of pressure directed at persons seeking to exercise or to promote the exercise of the right to freedom of expression, with a focus on journalists, including women.

The assessment focuses on the following aspects:

- a) gaps in the legal, institutional and policy frameworks for the protection of freedom of expression and access to information in reference to international norm and standards;
- b) trends and patterns of violations of the right to freedom of expression, access to information and the safety of journalists in the past five years;
- c) availability and effectiveness of protective measures and mechanisms for journalists whose rights to freedom of expression and access to information have been violated and who have been subjected to threats, attacks and other forms of intimidation; and
- d) recommendations for the improvement of the legal and policy frameworks, protective measures and institutional responses to violations of freedom of expression and access to information for journalists.

Bosnia and Herzegovina does not have any specific political, legal and institutional frameworks for the protection of journalists. Despite an increasing number of threats against journalists online over the past years, especially via social media, such incidents are rarely investigated, let alone sanctioned. Interviews and desk research conducted in the context of this assessment indicate that the police generally reacts quickly to reported cases but that prosecutors most often dismiss them, considering that they do not contain elements of criminal acts.

Such a situation calls for a comprehensive response to address structural and emerging issues affecting the independence of the media and the safety of journalists as it is essential to foster an environment where journalists can freely and safely operate (online and offline) for the benefit of the public.

It is proposed that the following recommendations would contribute to promoting the safety of journalists and ensuring effective access to information:

- developing a plan of action at the State level to advance media freedoms and protection of journalists;
- amending the criminal codes across Bosnia and Herzegovina to define attacks on journalists as a separate criminal offence;
- adopting appropriate legislation on transparency of media ownership, financing and media ownership concentration;
- establishing a fund to support independent and professional media in a sustainable manner;
- amending defamation laws to incorporate different standards of acceptability, tolerance and proof when it comes to defamation against public figures in relation to private persons;
- introducing legislation against Strategic Lawsuits against Public Participation (SLAPP);
- revising the draft Law on Free Access to Information, including limiting the list of possible exceptions and defining the test of public interest;
- appointing a prosecutor as a contact person, in prosecutors' offices across the country, to ensure that the cases involving journalists be dealt with as a matter of priority and efficiently;
- ensuring that judicial bodies accurately register cases involving journalists in the Case Management System, providing all the necessary details, so that such cases can be monitored timely;
- strengthening the role of journalists' associations and trade unions;
- providing training opportunities for various institutions and public companies for civil servants responsible for providing information to journalists;
- providing training opportunities for journalists on access to information, digital security and other subjects critical to the exercise of their work; and
- introducing media and information literacy in formal education.

II. Background

United Nations human rights mechanisms, regional organizations and civil society organizations have raised concerns regarding freedom of expression and access to information in Bosnia and Herzegovina, including about threats to the independence of media and the safety of journalists. Thus, in 2019, the Universal Periodic Review¹ of Bosnia and Herzegovina recommended that the State take all the necessary measures to guarantee full respect for the rights to freedoms of expression, peaceful assembly and association, in line with the International Covenant on Civil and Political Rights; to protect and promote civic space, online and offline; and to ensure a safe and enabling environment for human rights defenders, activists and journalists by ensuring that any attack against them or members of their families be properly investigated and the perpetrators brought to justice.²

In Bosnia and Herzegovina, journalists face diverse challenges to the safe and free exercise of their activities. According to the Safety Index for the Western Balkans for 2020, Bosnia and Herzegovina was the second worst ranked country in the sub-region regarding the security of journalists and free work of the media.³ According to the World Press Freedom Index 2022, Bosnia and Herzegovina holds the 67th place among 180 countries; journalists in Bosnia and Herzegovina are subjected to verbal threats and attacks, generally do not feel sufficiently protected while doing their job, and do not trust the police for their protection.⁴

The Association BH Journalists, an association of journalists and media workers that seeks to improve media freedoms and the rights of journalists in Bosnia and Herzegovina, and Safejournalists.net, a regional platform advocating for media freedoms and journalists' safety, have been registering verbal and physical attacks against journalists.

In 2021, the database of Safejournalists.net recorded 26 cases involving attacks, threats and pressure on journalists and the media in Bosnia and Herzegovina. This included three physical attacks on journalists and media employees, 17 death threats and other forms of verbal threats to journalists, and six verbal and digital attacks and threats to media outlets. Out of the overall number, eight cases involved threats and violence

against female journalists - three more cases than during the previous year.⁵

Also in 2021, the Free Media Help Line, which operates under the Association BH Journalists, recorded 71 cases of violations of journalists' rights and media freedoms, including labour disputes, mobbing and defamation lawsuits. According to the Indicators of the Level of Media Freedoms and Security of Journalists in Bosnia and Herzegovina for 2021, the number of cases of threats to journalists through social networks, i.e. online violence against journalists, has increased.⁶ It should be noted, however, that the numbers may be much higher since it is assumed that many cases are not reported to the police or journalists' associations and media organizations.

Journalists in Bosnia and Herzegovina also face difficulties in accessing information, although there is a lack of data on the use of the laws on freedom of access to information by journalists, which this report also examines. The implementation of the laws on freedom of access to information remains partial and, despite legal guarantees, many institutions and public companies do not provide public information upon request.⁷

Violations of the right to freedom of expression and threats or use of violence, harassment and intimidation targeting journalists call for a comprehensive response to address structural and emerging issues affecting the independence of the media and the safety of journalists.

Based on the analysis of information collected, this report provides a comprehensive assessment of the legal, institutional and policy framework related to the safety of journalists and access to information, and highlights violations of the right to freedom of expression and access to information. The assessment highlights patterns of threats or use of violence, harassment and intimidation directed at persons seeking to exercise or to promote the exercise of the right to freedom of expression, with a focus on journalists, including women.

The assessment proposes recommendations which, if implemented, could contribute to strengthening the safety of

¹ The Universal Periodic Review is a peer review by the United Nations Human Rights Council of the human rights record of all United Nations Member States. It generates recommendations that take into account reports of Member States presenting the measures they have taken to improve the human rights situations in their countries, as well as information submitted by national human rights institutions and civil society organizations.

² See www.ohchr.org/en/hr-bodies/upr/ba-index.

³ BH Journalists. 2021. *Western Balkans Journalists' Safety Index. Bosnia and Herzegovina 2020 Narrative Report*. Safejournalists.net, available at [https://bhnovinari.ba/wp-](https://bhnovinari.ba/wp-content/uploads/2021/12/BIH-ENG.pdf)

[content/uploads/2021/12/BIH-ENG.pdf](https://bhnovinari.ba/wp-content/uploads/2021/12/BIH-ENG.pdf).

⁴ *World Press Freedom Index*, Bosnia and Herzegovina, available at <https://rsf.org/en/country/bosnia-herzegovina>.

⁵ Maja Radević. 2022. *Indikatori nivoa medijskih sloboda i sigurnosti novinara 2021*. Udruženje BH novinari, available at <https://bhnovinari.ba/wp-content/uploads/2022/05/BiH-BiH-2021.pdf>.

⁶ *Ibid.*

⁷ Amer Džihana, ed. 2022. *Medijsko pravo: Okvir za slobodno i odgovorno djelovanje medija*. CPCD.

journalists and effectively guaranteeing access to information. Many of these recommendations have been put forward by journalists and media organizations in the country and are in line with recommendations made by United Nations human rights mechanisms.

Violations of the rights to freedom of expression and access to information of journalists can prevent citizens from obtaining information of public interest and from taking part in democratic processes. They also generally inhibit the

expression of independent, critical views by the media and in society at large. People in Bosnia and Herzegovina need to have access to timely, objective, accurate information, including to understand the complex political context, discussions on the past and future of the country, and the economic and social situation – not least ahead of elections. The media can also be a critical peacebuilding and reconciliation tool in a context such as Bosnia and Herzegovina.



UN Photo/Cia Pak

III. Methodology

The methodology involved qualitative and quantitative research, including secondary desk research, in-depth semi-structured interviews with stakeholders (eleven interviews), a survey among journalists (35 respondents), and reviews of case studies. The research was conducted between March and July 2022.

The analysis addresses the following questions:

- What are the available legal, policy and institutional frameworks for the protection of freedom of expression and free access to information in Bosnia and Herzegovina?
- How effective are the legal, policy and institutional frameworks in protecting freedom of expression and free access to information, with a focus on journalists, including their safety?
- What have been the trends and patterns of violations of the right to freedom of expression, access to information and journalists' safety in the past five years?
- What are the main obstacles journalists, particularly women, face in exercising their freedom of expression and free access to information rights (online and in-person attacks and threats, harassment, political pressure, defamation lawsuits, mobbing at work)?
- What mechanisms are available and provided for journalists whose rights to freedom of expression and free access to information have been violated and/or who have been targeted by diverse forms of intimidation (e.g. online and in-person attacks and threats, harassment, political pressure)?
- What are the needs of journalists, especially women, to safely and freely exercise their right to freedom of expression and access to information?

The secondary desk research included the review of the following material:

- Domestic Laws at the State and entities level and in the Breko District, including laws on free access to information, criminal codes, State Law on the Prohibition of Discrimination, defamation laws;
- Literature on media freedoms in Bosnia and Herzegovina, including public reports of local, national and international organizations and institutions: IREX,

the European Commission, Reporters Without Borders, the Association BH Journalists, Mediacentar Sarajevo, Safejournalists.net, the Human Rights Ombudsman Institution of Bosnia and Herzegovina;

- International standards and relevant recommendations of United Nations human rights mechanisms, UNESCO, the Council of Europe, the European Court of Human Rights, the European Union;
- Data provided by journalists' associations and the Human Rights Ombudsman Institution of Bosnia and Herzegovina; and
- Case studies on violations of the rights to freedom of expression and access to information of journalists, particularly women.

The research included eleven semi-structured interviews with the following stakeholders:

- Ministry of Human Rights and Refugees of Bosnia and Herzegovina;
- Ministry of Justice of Bosnia and Herzegovina,
- Ministry of Interior of the Federation of Bosnia and Herzegovina;
- High Judicial and Prosecutorial Council of Bosnia and Herzegovina;
- Communications Regulatory Agency of Bosnia and Herzegovina;
- Personal Data Protection Agency of Bosnia and Herzegovina;
- Directorate for European Union Integration;
- Mission of the Organization for Security and Cooperation in Europe (OSCE) in Bosnia and Herzegovina;
- Association BH Journalists;
- Media representatives of the Balkan Investigative Network and Direkt portal; and
- A legal expert from the non-governmental legal aid organization Vaša prava.

The aim of the interviews was to deepen understanding of the effectiveness of the legal and policy frameworks and institutional mechanisms for the protection of the rights of freedom of expression and free access to information in Bosnia and Herzegovina, with a focus on journalists, and of the measures that need to be taken to improve the safety of journalists, particularly women, and their right to freedom of expression and free access to information.

An online survey was circulated among 50 journalists from different parts of the country, including from private and public media (print, TV and online) as well as non-

governmental media organizations. The survey was answered by 35 journalists – 23 women and 12 men.⁸ The group included 11 freelancers, 10 journalists who work in commercial media outlets, 10 in non-governmental media organizations, and four in public media outlets. Twenty-two respondents work for online media, five for more types of media, four for TV, three for radio stations, and one for print media

In addition, a consultative meeting with journalists was held in Banja Luka, in July 2022, to discuss the recommendations of the study.



UN Photo/Violaine Martin

⁸ Respondents were in the following age groups: Two (18-25), 12 (26-35), 13 (36-45), seven (46-55), one (55-65).

IV. Media freedoms and freedom of expression

1. International treaties and national laws

Bosnia and Herzegovina is a party to different international human rights treaties, including the International Covenant on Civil and Political Rights that guarantees that everyone shall have the right to freedom of opinion and expression (Article 19).⁹ The right to freedom of expression includes the freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.¹⁰

Freedom of expression is guaranteed by the State and entities' constitutions and the Statute of the Brčko District. It is further protected through the direct application of the European Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols. According to the Constitution of Bosnia and Herzegovina, the European Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols prevail over domestic laws.

Freedom of expression is also guaranteed in the content of radio and television broadcasters. The Law on Communication stipulates that the regulatory principles of broadcasting include the protection of freedom of expression and diversity of opinion while respecting the generally accepted standards of conduct, non-discrimination, fairness, accuracy and impartiality.¹¹

Within the Federation of Bosnia and Herzegovina, cantonal laws on information also contain provisions protecting freedom of expression and of the press. For example, the Law on Information of the Tuzla Canton stipulates that the freedom of public information “includes freedom of expression, freedom to gather, research, publish and disseminate information, freedom to print and distribute the press and other media, and to produce and broadcast radio and television programmes, freedom to receive ideas and information, and freedom to establish legal entities for publishing information”.¹²

⁹ See www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights.

¹⁰ International Covenant on Civil and Political Rights, Article 19.2.

¹¹ Zakon o komunikacijama, available at <http://legalist.ba/wp-content/uploads/2014/02/Zakon-o-komunikacijama-BiH-nesluzbeni-precisceni-tekst.pdf>.

¹² Zakon o javnom informisanju, available at www.tk.kim.ba/Vlada/Dokumenti/Zakoni/2008/zakon_o_javnom_informisanju.pdf.

While the International Covenant on Civil and Political Rights stipulates that the exercise of the right to freedom of expression carries special duties and responsibilities and may thus be subject to certain restrictions, it specifies that any limitations should be strictly necessary and proportionate, have a legitimate purpose, and be clearly provided by law. The Covenant indicates that such restrictions may be foreseen to ensure respect of the rights or reputations of others; for the protection of national security or of public order, or of public health or morals.¹³

In its General Comment No. 34 on freedoms of opinion and expression, the United Nations Human Rights Committee (which oversees the implementation of the International Covenant on Civil and Political Rights), elaborates that when a State party imposes restrictions on the exercise of freedom of expression, these may not put in jeopardy the right itself and that effective measures should be adopted to protect against attacks aimed at silencing those exercising their right to freedom of expression.¹⁴ For instance, the General Comment cautions that as “the concept of morals derives from many social, philosophical and religious traditions [...], limitations [...] for the purpose of protecting morals must be based on principles not deriving exclusively from a single tradition”.¹⁵

2. Restrictions to journalists' freedom of expression

Despite the legal provisions protecting freedom of opinion and expression, the research results and other studies show that freedom of expression and of the press in Bosnia and Herzegovina is subjected to limitations. Journalists operate in a captured media environment, with pervasive political pressure on media outlets.

Media freedoms and the exercise of the right to freedom of expression by journalists vary across the country and depending on media outlets. Many of the respondents (13) in the survey consider their freedom of expression as somehow good, 10 consider it as very good, 10 as good and only two consider it as bad. The answers, however, depend on the type of the media the journalists work with. Freelancers and

¹³ International Covenant on Civil and Political Rights, Article 19.3.a and b. Moreover, Article 20 provides that any propaganda of war as well as any advocacy national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence, shall be prohibited by law.

¹⁴ Human Rights Committee, general comment No. 34 (on Article 19 (Freedoms of opinion and expression)), CCPR/C/GC/34, 29 July 2011, available at www2.ohchr.org/english/bodies/hrc/docs/gc34.pdf.

¹⁵ Ibid.

journalists working for non-governmental media organizations stated that they can freely work and choose their topics, while those in public media stated that their freedom of expression is limited, that they are not able to cover any topics, or have to cover some subjects which are not of public interest but serve political purposes.

A journalist from an online media in Banja Luka noted that journalists needed to be cautious about what they write in order “not to get into trouble”. Another respondent from a public TV station in Sarajevo said that her freedom of expression was limited because she needed to cover some stories out of political reasons that she did not consider of relevance for the public. A number of journalists also mentioned that the extent of their freedom depends on the topic they cover.

“In a public local media where I work, there are topics that cannot be covered.”

A journalist from a local public radio station in Republika Srpska

3. Main obstacles to journalists' freedom of expression

According to the respondents to the survey, the three main obstacles to the free work of the media in Bosnia and Herzegovina are political meddling in the work of the media, financial instability, and difficulties in obtaining information. Fourteen respondents out of 35 considered political meddling as the biggest obstacle to the free work of the media, eight referred to financial instability, six invoked difficulties in obtaining information, and three highlighted physical attacks on journalists.

Beyond the survey, political meddling in editorial affairs is widely considered as one of the main obstacles to media freedoms in Bosnia and Herzegovina. Many media outlets are affiliated with the leading political parties and business circles close to political elites through non-transparent and arbitrary financing and ownership patterns, and there is no legislation on the transparency of media ownership and media financing.¹⁶ On a yearly basis, funds are allocated to the public and private media from public budgets at all levels, through grants, subsidies and public procurement contracts, but allocations are not based on transparent procedures,

precise criteria that would serve public interest, and evaluations by expert commissions.¹⁷

Respondents to the research consider media financing from local public budgets as one of the main means of influencing editorial policies. A freelance journalist expressed the view that journalists in Bosnia and Herzegovina often work according to the instructions of media owners, politicians and those who finance the media. A freelancer from a small town in Republika Srpska who works for several media outlets considered his freedom of expression as good since he works for media that are not dependent on local public budgets. A journalist with a media outlet of a non-governmental organization observed that she can independently criticize the work of public institutions since donors do not interfere with the content and editing.

Marketing was also highlighted by some respondents as impacting their reporting. In order not to lose revenue from advertisement, managers of media outlets exclude topics that are critical of the advertisers or political parties and business circles affiliated with the advertisers.

“A large number of journalists are faced with political or economic pressures, access to information is often difficult, and labour rights are violated almost daily.”

A freelance journalist from Sarajevo

“I work in a politically independent media. However, marketing also plays a role in curbing freedom of expression and editorial policies. A number of times, I faced the issue that I could not publish a news item in which a company or a person is mentioned in a negative context since they are ‘in good terms’ with the owners”.

A journalist from Sarajevo who works for a commercial media outlet

¹⁶ Anida Sokol, 2021, *Propaganda, Disinformation and Hate Models in the Media and User Generated Content*. SEENPM, Peace Institute and Mediacentar Sarajevo, available at <https://seenpm.org/wp-content/uploads/2020/09/Research-publication-1-BiH-ENG.pdf>.

¹⁷ See also Sanela Hodžić and Anida Sokol, 2018, *Transparent and Legitimate Media Financing from Public Budgets: Guidelines for Public Bodies in BiH*, available at www.media.ba/en/magazin-novinarstvo/transparent-and-legitimate-media-financing-public-budgets-guidelines-public.

“In the public local media where I work, there are topics that are not addressed. In this sense, my freedom of reporting is limited. Of course, there are many other arguments that could support this claim.”

A journalist from a small town in Republika Srpska

“It can often be seen that journalists work according to the instructions of media owners, political mentors or those who finance the media.”

A journalist in Republika Srpska

Financial instability is another major obstacle to the free work of the media identified by the respondents. Overall, many media – except for a number of subsidiaries of international media and non-governmental media organizations funded by foreign donors¹⁸ – lack revenue for high-quality professional reporting, and many are understaffed.

In addition, during the COVID-19 pandemic, the media suffered additional financial losses and had to reduce the production of their content.¹⁹ Journalists are often underpaid in news outlets and do not enjoy favourable working conditions. According to a survey among 207 journalists conducted in 2019 by the Association BH journalists, 20 per cent of them had the status of part-time employees, and their income usually varied between 500 and 1,000 BAM (about 500 Euros), depending on the media outlet.²⁰ In such circumstances, journalists are not financially secure, struggle

to provide quality content, and practice self-censorship for fear of losing their jobs.

4. Working conditions and labour rights

One of the respondents to the survey identified mobbing at work as a main obstacle to the free work of journalists. Even though such cases are less known and reported, the Association BH Journalists registers, on a yearly basis, a significant number of mobbing cases and labour disputes involving journalists.

Labour laws of the entities and the Brčko District set forth the basic rights and duties of employees, prohibit discrimination, harassment and violence at work, and allow for the formation of trade unions. There are trade union organizations that bring together media workers, but mostly within public media and service broadcasters. Most of their claims relate to employment contracts, salaries and promotions. The largest journalists' unions are the Union of Media and Graphic Artists of Republika Srpska and the Independent Trade Union of Workers in public service broadcaster of Bosnia and Herzegovina. Studies of the Association BH Journalists indicate that the prevailing opinion among journalists is that union representatives favour certain political structures and are therefore not trusted.²¹

Many journalists have been advocating for an independent trade union at the State level, that would not be associated with a particular media outlet and that would promote the improvement of the overall position of journalists across the country and unify journalists from different media outlets. At a consultative meeting held in July 2022 for the purpose of this assessment, several journalists expressed skepticism about this idea. The Association BH journalists is working on setting up such a union, and the secretary general of the Association, in addition to some journalists present at the consultative meeting, consider it as a necessity, especially if such a union can advocate for better labour rights for journalists.

¹⁸ Such as Al Jazeera Balkans and N1 or the online non-governmental media organizations, such as the Balkan Investigative Reporting Network and the Centre for Investigative Journalism.

¹⁹ Association BH Journalists, 2020. *Covid 19 i ekonomske posljedice: Formirati nezavisni fond za pomoć medijima u BiH*, available at <https://bhnovinari.ba/en/2020/06/29/covid-19-and-economic-consequences-establish-an-independent-media-assistance-fund-in-bih/>. See also Anida Sokol and Elvira Jukić Mujkić. 2021. VIBE BiH IREX report 2021. IREX, available at www.irex.org/sites/default/files/pdf/vibe-bosnia-herzegovina-2021.pdf.

²⁰ Association BH Journalists. 2019. *Raspodjela moći u bh. medijima*. <https://bhnovinari.ba/wp-content/uploads/2020/09/Raspodjela-mo%C4%87i-u-bh-medijima-2019.pdf>

²¹ Maja Radević. 2021. *Bosna i Hercegovina: Indikatori nivoa medijskih sloboda i sigurnosti novinara 2020*, available at <https://bhnovinari.ba/wp-content/uploads/2021/07/BiH-BiH-2020.pdf>.



UN Photo/Rick Bajornas

V. Freedom to access information

1. International standards and domestic laws

The Laws on the Freedom of Access to Information of Bosnia and Herzegovina, the Federation of Bosnia and Herzegovina and Republika Srpska stipulate that every natural and legal person has the right to access information in the control of a public authority, and that each public authority has a corresponding obligation to disclose such information.²²

The laws provide for exceptions to the right of access to information in three cases: if disclosure of information can be expected to cause significant harm, for example, to national security, defence, public security, monetary policy, crime prevention; to protect the confidential commercial interests of a third party; and to protect personal interests related to the privacy of a third party.

In its General comment No. 34, the United Nations Human Rights Committee clarifies that to give effect to the right of access to information, State parties should proactively put in the public domain Government information of public interest; make every effort to ensure easy, prompt, effective and practical access to such information, and enact the necessary procedures whereby one may gain access to information, such as by means of freedom of information legislation. On the latter, the Committee specifies that “the procedures should provide for the timely processing of requests for information according to clear rules that are compatible with the Covenant [on Civil and Political Rights]” and authorities should provide reasons for any refusal to provide access to information. The Committee also indicates that arrangements for appeals should be available in case of refusals to provide access to information or of failure to respond to requests for information.²³

2. The use of the freedom of information laws by journalists

The laws on access to information have often been essential to the work of investigative journalists who, through their use, were able to discover and disclose abuses and illegalities in the work of institutions and public officials. Nevertheless, many journalists, especially those covering daily topics, only occasionally resort to the laws on access to information.

²² See, for example, Law on Free Access to Information of the Federation of Bosnia and Herzegovina, available at www.pufbih.ba/v1/public/upload/zakoni/1e78c-zakon-o-slobodi-pristupa-informacijama-ispravan-tekst.pdf.

Most of the respondents to the survey (23) said they would only occasionally use the law on freedom to access information; eight replied they resorted to it every day; and four said they never used it. Many respondents (17) replied they would only receive the requested information sometimes; 12 indicated that they would often receive information; three responded this was rare; and one answered he had always obtained information.

Respondents noted that they mostly requested access to data on public spending, public calls, public procurements, public grants, employment in the public sector, insights into the work of inspections, salaries of politicians, judgements and indictments. One journalist explained that he uses the right to free access of information when he cannot obtain it in a “regular” manner. It should be stressed that most of the information which respondents request by invoking the laws on freedom to access information should be published proactively by authorities, and not provided retroactively upon request.

Among the four journalists who responded that they never use the freedom of information act, two explained this was because they cannot wait long to obtain information, while one was not familiar with the law. When asked how often they would generally receive information from public bodies – not through the law on freedom to access information – 18 replied sometimes, 11 often, two always, one rarely, and one never. This demonstrates that regardless of the use of the freedom of information act, journalists generally face difficulties in obtaining information. One of the interviewees commented that the use of the freedom of information act is not a determining factor for a journalist to receive information, which, according to him, makes the law futile.

3. Challenges to obtain information

As described, despite legal provisions on access to information, journalists generally face difficulties in obtaining information. Most of the respondents to the survey reported challenges to accessing information, even though the majority (29) replied that their freedom to access information was somehow good, three considered it as good; and three viewed it as bad. It is mainly journalists working in non-governmental media organizations or freelancers who reported difficulties in obtaining information as the main obstacle to their work.

²³ United Nations Human Rights Committee, general comment No. 34 (on Article 19 (Freedoms of opinion and expression)), CCPR/C/GC/34.

Whether journalists can exercise their freedom to access information depends on various factors, notably the institutions to which they send the request, the topic they cover, and the nature of the contact with staff members of the institutions from which they seek information.

"Institutions generally do not provide the requested data or provide useless, partial data or data that we did not request at all."

A journalist from an online media company in Republika Srpska

"Information from Government institutions and other institutions, and from various sources, is not easy to obtain because the institutions mostly respond slowly or do not respond, sometimes as part of the efforts of the ruling structures to make journalistic work more difficult and prevent information to reach the public."

A journalist from Sarajevo

A journalist from Republika Srpska said that information is mostly not delivered or that the procedures last so long that news becomes old when the information is received. A journalist from Mostar said that on several occasions, he had to wait for five or six months before obtaining the requested information.

Journalists of media outlets that report critically about the work of public officials face particular difficulties in accessing information. One journalist from a commercial media outlet in Banja Luka said that public institutions ignore requests from media outlets that are critical towards their work. Another journalist commented that public officials often grant interviews only to those media they consider "close" to them and the content of which they can influence. A freelancer from Sarajevo stated that journalists often receive information in written form and are not granted interviews that would allow them to ask additional questions.

²⁴Specijalni izvještaj o iskustvima u primjeni zakona o slobodi pristupa informacijama u Bosni i Hercegovini, available at file:///C:/Users/New%20guest/Desktop/obmudsmen_doc202002_0515415139bos.pdf.

A journalist from Banja Luka noted that public bodies would only provide information when it benefits them, and not when they consider that this could harm public institutions and public officials.

"Institutions only answer questions that benefit them. If you are looking for information that can harm them, you will not get them. If you receive an answer to such a query, the information you were looking for will certainly not arrive. The answer will be formal and blank."

A journalist from Banja Luka

"Journalists are sometimes forced to wait for months for information, and in extreme cases, to fight in court for free access. This is a great luxury that most journalists do not have due to lack of time and resources."

A journalist from Sarajevo

According to a special report of the Human Rights Ombudsmen institution, one of the reasons behind the poor application of the freedom to access information laws is the lack of knowledge of the staff working in press offices in the Government and public institutions.²⁴ Journalists also stated that the availability of information mostly depends on the professionalism and availability of the spokespersons of institutions.²⁵

Respondents pointed out that they faced particular issues in obtaining information from certain judicial bodies such as the Prosecutor's Office of Bosnia and Herzegovina as well as from public companies at the local level. According to a freelancer from Sarajevo, public officers in institutions are not acquainted with the law on freedom to access information, which leads to unfounded rejections of their requests, non-compliance with deadlines, and silence of the

²⁵ Anida Sokol. 2021. *Judicial Transparency during the Pandemic in BiH. Public and Media Outreach*. AIRE centar, available at <https://media.ba/sites/default/files/transparency-report-vol-01-eng.pdf>.

administration. One respondent said that they needed to wait for months and, in extreme cases, would seek information through court proceedings, which is expensive and time-consuming. One respondent commented that court proceedings were ineffective since the responsible persons in the legal entity do not bear the financial costs since court costs are covered by public resources. Respondents also pointed out that the information they obtain is not always accurate.

4. The draft Law on Free Access to Information

In mid-February 2021, the Ministry of Justice published a preliminary draft of the new Law on Free Access to Information, developed to ensure harmonization with Directive 2019/1024 of the European Parliament and of the Council on open data and the re-use of public sector information.²⁶ According to representatives of the Ministry of Justice of Bosnia and Herzegovina, as at mid-2022, the draft law had been submitted to the Council of Ministers, with all the comments received during the consultation process.²⁷

One positive element of the draft Law is that it includes proactive transparency and a large list of the type of information that institutions are obliged to publish on their websites, including on decision-making, financing, public procurement, public tenders and grants. Moreover, the draft Law foresees the establishment of a central portal of public information.

Yet, civil society organizations have expressed concern about the preliminary draft Law as it includes an extensive list of possible exceptions to access to information: in cases where disclosure of information can reasonably be expected to cause significant damage to foreign policy, to the interests of defence and security, to national security, to monetary policy interests; to prevent crime detection; to the protection of the decision-making process by public bodies; when the request includes a third party's commercial interests and personal interests relating to third party privacy; when the requested information contains confidential elements; is related to intellectual property rights, tax or business secrets; or to protect the privacy of natural persons, personal data of users and third parties.

As indicated, the International Covenant on Civil and Political Rights provides that exceptions to freedom of expression (including access to information), should be established only when necessary, which may relate either to respect of the rights or reputations of others or to the protection of national security or of public order or of public health or morals and may not put in jeopardy the right itself.²⁸

In addition, the draft Law does not define a test of public interest, which may lead institutions to arbitrarily apply the provisions. Another shortcoming is that the draft Law does not include the current competencies of the Human Rights Ombudsman Institution to monitor the implementation of the Law.²⁹ It provides that the Appeals Council at the Council of Ministers should act as the appellate body concerning the right to free access to information. Members of the Appeals Council are elected by the Council of Ministers, which could affect the independence of decision-making in access to information procedures.³⁰ Moreover, the draft foresees longer deadlines for institutions to reply to requests for information, namely up to 30 days to submit information upon the date of the request – 15 days more than under the current legislation.

²⁶ Directive 2019/1024 of the European Parliament and of the Council on open data and the re-use of public sector information (replacing Directive 2003/98/EC and its amendments), 20 June 2019, available at <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32019L1024>.

²⁷ Interview, representatives of the Ministry of Justice of Bosnia and Herzegovina.

²⁸ United Nations Human Rights Committee, General Comment No. 34 on Article 19 (Freedom of opinion and expression), CCPR/C/GC/34.

²⁹ In accordance with current law, the Institution of the Human Rights Ombudsman is competent to act upon complaints related to the violation of the right to freedom of access to information and is responsible for the elaboration and publication of guidelines, general information and recommendations related to the implementation and application of the law on access to information.

³⁰ Selma Učanbarlić, 2021, *Zakon o slobodi pristupa informacijama BiH. Prednosti i mane postojećeg Zakona, (ne)transparentnost institucija i analiza predloženih izmjena zakona*. Association of BH Journalists, available at https://bhnovinari.ba/wp-content/uploads/2021/09/Analiza_ZoSPI-FINAL.pdf.

VI. Laws for protection against defamation

1. International standards and national laws

Laws of the entities and the Brčko District for the protection against defamation regulate civil liability for harm caused to the reputation of a natural or legal person by making or disseminating false information identifying that legal or natural person to a third person.³¹

These laws stipulate that their goals are to guarantee:

- a) the right to freedom of expression, which constitutes one of the essential foundations of democratic societies;
- b) the right to freedom of expression that is not only applicable to expressions considered as favourable or inoffensive, but also to those that might offend, shock or disturb; and
- c) the essential role of media in the democratic process as public watchdogs and transmitters of information to the public.

However, the laws do not incorporate different standards of acceptability, tolerance and proof when it comes to defamation against public figures in relation to private persons, which has proved problematic in practice as they have often been used to intimidate journalists.

In its General Comment No. 34, the United Nations Human Rights Committee underscores that defamation laws must be crafted with care, so that they do not serve to stifle freedom of expression. It adds that State parties should place reasonable limits on the requirement for a defendant to reimburse the expenses of the successful party.³² The case law of the European Court of Human Rights developed standards and guidelines on how to adjudicate defamation cases when the plaintiffs are politicians or public figures, which fines should be deemed appropriate, and how to balance the right to privacy and the right to freedom of

³¹ Zakon o zaštiti od klevete Federacije BiH, <https://fbihvlada.gov.ba/bosanski/zakoni/2003/zakoni/13bos.htm>; Zakon o zaštiti od klevete Republike Srpske, available at <https://bhnovinari.ba/wp-content/uploads/2001/08/zakonozastitiodkleveters.pdf>; Zakon o zaštiti od klevete Brčko Distrikta, available at www.vzs.ba/index.php?option=com_content&view=article&id=2418:zakon-o-zastiti-od-klevete-brko-distrikta-bih&catid=9:novinarski-zakoni&Itemid=12.

³² United Nations Human Rights Committee, General Comment No. 34 on Article 19 (Freedom of opinion and expression), CCPR/C/GC/34.

expression. However, these standards are rarely used in defamation cases in Bosnia and Herzegovina.

2. Defamation lawsuits as a form of pressure and intimidation against journalists

Data shows that defamation lawsuits are a widespread form of pressure against journalists. According to the Free Media Help Line, there were 289 active cases in July 2020.³³ Defamation cases are often related to journalists' investigations on corruption. They constitute an additional pressure on journalists because fines can be high and jeopardize the sustainability of media outlets and journalists. For example, in July 2021, the main Court in Sarajevo passed a first instance verdict in a defamation lawsuit, sentencing the online magazine Žurnal and its editors and journalists to pay more than 170,000 BAM (about €85,000), without interest. This is a high fine that could jeopardize the work of the whole media outlet.³⁴ In this case, the director of a company had filed a lawsuit against journalists who wrote about his connection with a drug cartel.³⁵

In addition, the proceedings in defamation lawsuits are lengthy, on average four to five years, taking working time away from journalists and editors. For example, several years ago, one media outlet, Slobodna Bosna, had to close its print version due to the large number of defamation lawsuits and high fines it faced.

The OSCE Mission to Bosnia and Herzegovina has collected and analyzed 207 final judgments, adjudicated *in meritis*, in defamation proceedings involving media and journalists across Bosnia and Herzegovina, between January 2016 and October 2019. Out of nearly 1,000 cases which the OSCE Mission reviewed, the vast majority of lawsuits included multiple defendants, namely outlets (in about 80 per cent of all cases), and journalists or editors (in 70 per cent of all

³³ Maja Radević. 2021. *Bosna i Hercegovina: Indikatori nivoa medijskih sloboda i sigurnosti novinara 2020*, available at <https://bhnovinari.ba/wp-content/uploads/2021/07/BiH-BiH-2020.pdf>.

³⁴ See the case <https://bhnovinari.ba/en/2021/07/13/bh-journalists-the-verdict-against-the-zurnal-magazine-directly-endangers-the-freedom-and-work-of-the-investigative-media/>.

³⁵ See for example <https://zurnal.info/clanak/zurnal-podmece-dini-i-citaocima/24197>.

cases) that were sued at the same time. The majority of sued media outlets were in private ownership (70 per cent), followed by public media (13 per cent) and non-profit media (3 per cent). In almost half of the cases, courts decided in favour of plaintiffs, that is against the media outlet/journalists/editors.

According to representatives of the OSCE Mission, the plaintiffs generally opted to sue all involved in the production of the disputed content – the outlet (as a legal person), the journalist who produced the content, the author of the disputed statement (if different from the journalist), and the editor who approved the content or expression in question as all the three laws regulating liability for defamation in Bosnia and Herzegovina (in the two entities and in the Brčko District) provide for that possibility.

The OSCE Mission noted a significant number of lawsuits withdrawn by plaintiffs. The resort to defamation lawsuits has often been cited by journalists and others as a tool of pressure and intimidation, including as it incurs unwarranted financial costs which can dissuade any critical media investigations and reports.³⁶ This is all the more powerful in a context where most media outlets and freelance journalists face significant economic pressure and operate in insecure economic conditions.

According to the OSCE Mission, some of the recorded examples potentially indicate a practice of SLAPP, which are designed to intimidate journalists and discourage them and others from reporting about issues of public importance. However, this kind of abusive suits are quite difficult to detect and address through legislation and practice without disproportionately affecting the right of every individual to seek judicial redress for violations of their rights.

What is particularly concerning, according to the data collected by the OSCE Mission, is that the majority of those suing media and journalists for defamation fall under the category of public officials or politicians, mostly men (70 per cent). There were examples of high-profile officials filing numerous lawsuits, usually against the same media or journalists, for reporting about their work. While many of these lawsuits were withdrawn in the course of the proceedings, they nevertheless posed a professional and financial burden for the targeted media and journalists.

The OSCE Mission also observed that defamation lawsuits were generally filed for content that falls under the category of public interest. The largest number of lawsuits was filed for media reporting about corrupt behaviour, including nepotism, by public officials, their connection or involvement in crimes committed during the 1992-1995 conflict and/or in organized crime (including in relation to the privatization of public companies), poor performance of a public duty causing financial and other losses for public companies. Frequent arguments invoked by public officials who filed complaints against media or journalists were that their reports reflected some hidden agendas, such as working for the goals of certain ethnic groups, political parties, or neighbouring countries and international organizations.

About five per cent of all compensations awarded to the plaintiffs during the monitored period exceeded 10,000 BAM (about €5,000). In about one quarter of the cases, compensation awarded by the court varied between 1,000 and 3,000 BAM (€500 and €1,500). The amounts were usually decreased in the second-instance decisions. The highest compensation recorded in a final judgement was 14,000 BAM (about €7,000) for non-material damages. It should be noted that these amounts have significantly decreased when compared to the beginning of the 2000s when defamation laws were introduced.

Representatives of the OSCE Mission noted that international standards require that whenever possible, courts prioritize other forms of redress than fines, such as publishing an apology or correction. According to their data, a small portion of the plaintiffs made efforts to resolve disputes using alternative options envisaged by the law, such as the removal of the contested content or publication of the judgment determining liability for defamation. There were no lawsuits in which only the removal of the content, the publication of a judgement or an apology were requested without monetary compensation. This could mean that monetary satisfaction is still considered as the most effective means of pressure to deter future media reporting about the plaintiffs.

³⁶ Interview with staff of the OSCE Mission to Bosnia and Herzegovina.

VII. Protection of journalists: trends and patterns of threats

1. Statistics and trends

Trends and patterns of threats, attacks and intimidation targeting journalists and media – offline and online – are overall difficult to follow since many cases are unreported, and organizations collecting information in this area use different terminologies and classifications regarding cases.

The most used and cited data is provided by the Association BH Journalists, which regularly monitors cases of violations of journalists' rights and disposes of a Free Media Help Line to which journalists can report. In 2020 and 2021, the Free Media Help Line of the Association BH Journalists, respectively registered 69 and 71 cases of attacks, threats, violations of labour rights, mobbing, defamation lawsuits, and violations of the right to freedom to access information.³⁷ These numbers only reflect cases reported by the victims to the Association or registered by the Association, and it is assumed that many cases remain unreported.

Safejournalists.net registered 136 cases of threats, attacks and pressure targeting journalists in Bosnia and Herzegovina between 2017 and 2021.³⁸ Even though there were less reported threats and attacks in 2020 and 2021 – 21 and 26 respectively – compared to 2019, when 36 such cases were registered by the Platform – the number of verbal attacks emanating from public officials, death threats on social networks, in-person and over the phone, remain of major concern, particularly as they are largely unpunished.³⁹

In 2019 as well as in 2020, the OSCE Mission recorded an average of 30 incidents involving journalists for each year, while in 2021, it registered 42 such incidents. According to the OSCE Mission, verbal and online attacks against journalists appear to have become more frequent and aggressive,⁴⁰ through hate speech, insults and discrediting campaigns.

Since 2019, information on cases of attacks and threats against journalists reported by prosecutors' offices and courts can be obtained through the System for Automatic Case Management in Courts and Prosecutors' Offices (CMS/TCMS), managed by the High Judicial and Prosecutorial Council of Bosnia and Herzegovina.⁴¹ Based on recommendations from the media and lawyers communities, the CMS/TCMS system was revised in 2018 to include the profession of journalists in order to separately record and monitor cases of threats and attacks against them.

According to the CMS/TCMS system, from 2019 to 2021, 36 cases of threats, verbal and physical attacks against journalists and media outlets were reported by prosecutors' offices and courts. Thirty of these cases were registered in the Republika Srpska entity; five in the Federation of Bosnia and Herzegovina entity; and one in the Brčko District. Among these cases, 26 were registered with the District Public Prosecutor's Office in Banja Luka (Republika Srpska), three with the Cantonal Prosecutor's Office of the Una-Sana Canton (Federation), two with the Cantonal Prosecutor's Office in the Sarajevo Canton (Federation), two with the District Public Prosecutor's Office in Doboj (Republika Srpska), and two with the District Public Prosecutor's Office in Istočno Sarajevo (Republika Srpska).⁴²

The data, however, should be considered with caution since, despite the instructions from the High Judicial and Prosecutorial Council of Bosnia and Herzegovina, not all courts and prosecutors' offices record the occupation of the person targeted by a threat or an attack. According to the High Judicial and Prosecutorial Council, it is not known whether there are courts and prosecutors' offices that do not record the profession of journalists in cases related to them. Moreover, in some recorded cases, the data is incomplete.⁴³

The data provided by the High Judicial and Prosecutorial Council shows that out of the 36 cases they registered between 2019 and 2021, 14 involved endangering the safety of journalists: two involved bodily injury; two consisted of public incitement to violence and hatred against a journalist; and two involved damage to property and theft. Other cases included aggravated theft, unauthorized access to a protected computer, computer network, telecommunications network and electronic data processing, unauthorized use of another business name and other special mark or goods and services, and preventing and restricting access to a public computer network.

Out of the 36 cases registered by the High Judicial and Prosecutorial Council for 2019-2021, 11 cases were reported in 2019, eight in 2020, and 14 in 2021. Out of the 14 cases reported in the system in 2021, 13 were registered by the District Public Prosecutor's Office in Banja Luka and one by the District Public Prosecutor's Office in Doboj. Out of all the reported cases in the system, 23 cases involved male journalists and 10 female journalists. The system does not

³⁷ Ibid.

³⁸ See the platform <https://safejournalists.net/>.

³⁹ For example, the database indicates seven threats and attacks by officials and six death threats over the phone or on social networks in 2021.

⁴⁰ Interview with OSCE representatives.

⁴¹ The High Judicial and Prosecutorial Council is mandated to oversee and guarantee the independence and integrity of the judiciary in Bosnia and Herzegovina.

⁴² Dates were provided upon request.

⁴³ High Judicial and Prosecutorial Council of Bosnia and Herzegovina, personal correspondence.

indicate the gender of the victim in the other cases.⁴⁴

2. Forms of violations and threats

Respondents to the survey reported facing diverse forms of violations of their rights in the past five years. In recent years, many have faced many online threats (15). Others have faced verbal threats (seven), verbal attacks by politicians (seven), sexism (seven), political pressure (seven), dismissal (five), insults and disparagement (five), discrediting campaigns (three), mobbing (three) physical attacks (two), and administrative harassment (one). One respondent has faced violations of labour rights. Yet, most respondents rated their level of security as somehow good - 19 considered their security was somehow good, seven stated it was bad, six that it was good, two that it was very good, and two that it was somehow bad.

These assessments contradict the number of different forms of violations of journalists' rights reported by the respondents. This is because most journalists consider physical violence as the main criteria to assess their safety. Some respondents thus stated that the level of safety of journalists in Bosnia and Herzegovina was overall not that bad since physical attacks were rare, with no murder in the last decade. However, respondents reported that journalists face constant online attacks, threats, verbal harassment and intimidation that overall affects their feeling of security. In that regard, one journalist observed that the safety of journalists is more endangered than they are aware of and that they do not take online harassment as serious.

According to the respondents, the level of threats and harassment online can be attributed to the limited trust of the public in the media and the low reputation of the profession among the public. The discrediting of journalists by some public figures, including political leaders, can also encourage online threats and harassment targeting them. One journalist from Sarajevo considered that journalists were not protected from public figures who insult and verbally attack them and enjoy impunity, noting this encouraged others to attack them. One respondent observed that journalists are rarely respected and that the public considers attacks on them as justified. The yearly poll on media freedoms conducted by the Association BH Journalists and Friedrich Ebert Stiftung shows that every year, a number of respondents consider attacks on journalists as justified. In the 2022 report, every tenth respondent considered attacks on journalists as justified, which is 15% less compared to 2021.⁴⁵

Respondents to the survey noted that the level of safety of journalists depends on the type of media they work with and the topics they cover. They observed that investigative journalists, including those who cover corruption, as well as those working with local media outlets, tend to be more exposed to threats.

Respondents also mentioned the lack of solidarity among media professionals, the lack of protection of journalists within media outlets, and financial instability as overall contributing to the limited safety of journalists.

"Journalists, especially at the local level, are exposed to pressure from persons in positions of any power. If they deal with some topics related to crime, the pressure becomes a threat. Institutions are very inert in providing support, and the procedure itself is stressful."

A journalist from a small town in Republika Srpska

"Primarily, I believe that journalists are not protected from public figures and public office-holders who insult and verbally attack journalists with impunity, which is often a reason for others to make more specific attacks on their safety."

A journalist from Sarajevo

⁴⁴ There are cases in which information about the gender or other characteristics is lacking.

⁴⁵ *Medijske slobode u Bosni i Hercegovini. Upporedni izvještaj 2014-2022*, available at [https://bhnovinari.ba/wp-](https://bhnovinari.ba/wp-content/uploads/2022/05/Medijske-slobode-iz-perspektive-gradjana-BiH-2022..pdf)

[content/uploads/2022/05/Medijske-slobode-iz-perspektive-gradjana-BiH-2022..pdf](https://bhnovinari.ba/wp-content/uploads/2022/05/Medijske-slobode-iz-perspektive-gradjana-BiH-2022..pdf).

"The safety of journalists largely depends on what topics they are dealing with; however, I think that the safety of journalists is more endangered than they themselves are aware of."

A journalist from a small town in the Federation of Bosnia and Herzegovina

Interviewees noted that female journalists are especially targeted online and on the phone. Between 2015 and 2020, the Free Media Help Line registered 70 cases of violations of human rights and pressure targeting female journalists in Bosnia and Herzegovina, including gender-based violence, misogyny and discrimination. Slightly over half of the incidents registered by the OSCE Mission in 2019 and 2020 targeted female journalists. The three female journalists of

the online media Direkt portal have been constantly under pressure from the local government in Trebinje, being subjected to insults and harassment by local officials in relation to the exercise of their work.⁴⁶

A study of the Association BH Journalists showed that while female journalists are generally less exposed to physical attacks than their male colleagues, they have been facing an increasing trend of online threats and attacks in 2020 and 2021. The Association BH Journalists also found that female journalists are not sufficiently educated about their rights, mechanisms for protecting their labour and social rights and ways to protect themselves from gender discrimination.⁴⁷

⁴⁶ For Irex 2022, in publication.

⁴⁷ Maja Radević. 2021. *Bosna i Hercegovina: Indikatori nivoa medijskih sloboda i sigurnosti novinara 2020*, available at

<https://bhnovinari.ba/wp-content/uploads/2021/07/BiH-BiH-2020.pdf>.

VIII. Responses to threats and attacks against journalists

1. Legal and institutional frameworks

Bosnia and Herzegovina does not have any specific legal and institutional framework for the protection of journalists in the face of crimes or misdemeanours.⁴⁸ The criminal codes in Bosnia and Herzegovina⁴⁹ prohibit physical and verbal threats but there are no specific provisions regulating cases targeting journalists. Article 183 of the Criminal Code of the Federation of Bosnia and Herzegovina prohibits endangering security by threatening to attack the life or body of a particular person.⁵⁰ Article 150 of the Criminal Code of the Republika Srpska entity prescribes punishment for endangering the safety of a person by seriously threatening to deprive him or her or a person close to him/her of life, cause bodily harm, or cause harm by arson, explosion or any other dangerous act or means.⁵¹

At the institutional levels, there are no special mechanisms or measures for the protection of journalists (and human rights defenders), but only regular reporting procedures of incidents to the police authorities.⁵² Institutions are not equipped with any special departments and/or dedicated teams that would be assigned and able to investigate and prosecute attacks and threats against journalists.⁵³

2. Judicial follow-up of cases

Judicial follow-up of cases of threats and violence targeting journalists is limited.⁵⁴ Even though there has been an increasing number of threats against journalists online, as pointed out by the Association BH journalists, threats made through social media are rarely investigated, let alone sanctioned.⁵⁵ In July 2020, for example, the Prosecutor's Office in Banja Luka suspended further investigations in the case of a female journalist who had received a death threat on Facebook in May 2020.⁵⁶

Based on the interviews and desk research conducted in the context of this assessment, journalists noted that the police would generally react quickly to reported cases but that prosecutors would most often dismiss the cases, arguing that they do not contain elements of criminal acts, i.e. they are not considered serious. This is concerning as the absence of systematic judicial response perpetuates impunity and can encourage further threats and attacks against journalists, not least in a polarized political context, and as some high-level public officials verbally attack and discredit journalists.

Since 2019, a number of cases filed by journalists have either been dismissed by the judiciary on the ground that they did not constitute a criminal offence or were ongoing at the time of finalizing this assessment, while the outcome of some cases involving public officials was limited to disciplinary procedures, such as cuts in salaries. For example, in January 2021, a female journalist received vulgar insults and threats from an official of the Ministry of Human Rights and Refugees of Bosnia and Herzegovina, who was sanctioned with a 15 per cent deduction from his salary for three months.⁵⁷ The Ministry of Human Rights and Refugees of Bosnia and Herzegovina initiated disciplinary proceedings against the civil servant⁵⁸ but there has been no further action. The media community did not consider the administrative sanction as an appropriate measure and expected that the case would go to court.

When cases reach courts, proceedings are systematically lengthy, and the charges against perpetrators are minimal, including for death threats and physical attacks. In January 2020, for example, the District Court in Banja Luka sentenced to four years in prison one of the two attackers for the attempted murder of BN journalist Vladimir Kovacevic in 2018. The motive for the attack remains unknown.⁵⁹ Among all the 36 cases reported in the CMS system from 2019 to 2021, only three perpetrators were found guilty and convicted.

⁴⁸ Ministry of Interior of the Federation of Bosnia and Herzegovina, written answers to the questionnaire.

⁴⁹ There are four criminal codes in the country: one at the State level, two at the entity level (Federation of Bosnia and Herzegovina and Republika Srpska) and one for the Brčko District.

⁵⁰ Krivični zakon Federacije BiH Criminal, available at www.oss.ba/dokumenti/Krivicni_zakon_FBIH.

⁵¹ Krivični zakonik Republike Srpske, available at www.paragraf.ba/propisi/republika-srpska/krivicni-zakon-republike-srpske.html.

⁵² BH Journalists. 2021. *Western Balkans Journalists' Safety Index. Bosnia and Herzegovina 2020 Narrative Report*. Safe Journalists Net, available at <https://bhnovinari.ba/wp-content/uploads/2021/12/BIH-ENG.pdf>.

⁵³ Maja Radević. 2021. *Bosna i Hercegovina: Indikatori nivoa medijskih sloboda i sigurnosti novinara 2020*, available at

<https://bhnovinari.ba/wp-content/uploads/2021/07/BiH-BiH-2020.pdf>.

⁵⁴ Universal Periodic Review – Bosnia and Herzegovina, 2019, available at www.ohchr.org/EN/HRBodies/UPR/Pages/BAIndex.aspx.

⁵⁵ Misija OSCE-a u BiH. *Smjernice za saradnju policije sa medijima*, available at www.osce.org/files/f/documents/e/c/483743.pdf.

⁵⁶ See the case <https://safejournalists.net/reports/threats-against-the-lives-and-limbs-of-journalists-vanja-stokic-banja-luka-22-05-2020/>.

⁵⁷ See the case: <https://safejournalists.net/portfolios/safejournalists-zinaida-djelilovic-threatened-by-the-bh-senior-expert-on-human-rights/>.

⁵⁸ Interview with the Ministry of Human Rights and Refugees.

⁵⁹ See the case <https://bhnovinari.ba/en/2020/01/28/the-trial-for-attempted-murder-of-journalist-vladimir-kovacevic-started/>.

According to the Safety Index for the Western Balkans, the main shortcomings to respond to threats and attacks against journalists are the lack of special mechanisms and effective protection measures within relevant institutions, as well as prevailing distrust in institutions, which prevents journalists from reporting attacks and threats.⁶⁰

Fourteen respondents to the survey stated that they had reported violations of their rights, including verbal attacks and threats, and 14 said they had not reported cases of violations of their rights. Respondents who did not report violations of their rights said that this was either because they did not have time to do so or did not believe that it would have any impact. A number of journalists who had reported the attacks stated that the police had reacted in a timely manner but that the case was eventually dismissed by the Prosecutor's Office, which considered there were no elements of a criminal act.

"The police received the report, the prosecution refused to initiate proceedings even though they had all the evidence of the threats, as well as an audio recording of the threats."

A journalist who experienced death threats

One respondent mentioned that media outlets and journalists' associations rarely provide legal help to journalists who have faced threats and attacks.

2. Recent initiatives to enhance the protection of journalists

In 2017, the Institution of the Human Rights Ombudsman of Bosnia and Herzegovina, based on the Action Plan for the implementation of priorities from the European Commission's Report on Bosnia and Herzegovina for 2015, prepared a Special Report on the situation of and threats to journalists in Bosnia and Herzegovina.⁶¹ One of its recommendations was that the ministries of justice at the State, entities, and Breko District levels, should consider defining attacks on journalists as a separate criminal offence or as a more serious form of criminal offence in criminal

⁶⁰ BH Journalists. 2021. *Western Balkans Journalists' Safety Index. Bosnia and Herzegovina 2020 Narrative Report*. Safe Journalists Net, available at <https://bhnovinari.ba/wp-content/uploads/2021/12/BIH-ENG.pdf>.

⁶¹ Institucija Ombudsmena. 2017. *Specijalni izvještaj o položaju i slučajevima prijeteći novinari u Bosni i Hercegovini*, available at www.ombudsmen.gov.ba/documents/obudsmen_doc2017082415202346bos.pdf.

legislation, and that the prohibition of attacks on journalists should also be defined in the laws on the protection of public order and peace.

In July 2022, the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina adopted an initiative proposed by a group of parliamentarians, which obliges the Council of Ministers of Bosnia and Herzegovina to prepare, within 60 days at the latest, and submit to parliamentary procedure, amendments to the Criminal Code of Bosnia and Herzegovina to treat attacks on journalists as a special crime. If adopted, such an amendment could provide enhance the protection of journalists. There were previous initiatives in the parliaments of both entities to treat attacks on journalists as attacks on officials or as separate offences, but these did not lead to legislative changes.⁶²

In 2021, the OSCE Mission to Bosnia and Herzegovina issued guidelines for cooperation between police and the media, but these are not legally binding and there are no specific legal provisions governing this relationship.⁶³

In April 2022, the Office of the Prosecutor of the Canton of Sarajevo, supported by the OSCE Mission to Bosnia and Herzegovina, appointed a prosecutor whose task is to communicate and coordinate with journalists' associations and law enforcement agencies in cases of criminal acts against persons who perform tasks of public importance in the field of information. The Office of the Prosecutor of the Canton of Sarajevo is to ensure that these cases are dealt with as a matter of priority. This arrangement is considered as a positive initiative for the protection of journalists, which remains to be tested and could be expanded.⁶⁴

3. Association of journalists

As mentioned, few journalists' organizations deal with the protection of the rights of journalists and the media in Bosnia and Herzegovina: the Association BH Journalists, the Society of Journalists BiH, and the Association of Journalists of Republika Srpska.

According to the reports of the Association BH journalists – the most active journalists' association in the country – from 2008 to 2021, at least 500 journalists from all over Bosnia and Herzegovina used the services of its Free Media Help Line.

According to monitoring by the Association BH Journalists, journalists most often turn to it for the protection of their

⁶² Maja Radević. 2021. *Bosna i Hercegovina: Indikatori nivoa medijskih sloboda i sigurnosti novinara 2020*, available at <https://bhnovinari.ba/wp-content/uploads/2021/07/BIH-BiH-2020.pdf>.

⁶³ Misija OSCE-a u BiH. *Smjernice za saradnju policije sa medijima*, available at www.osce.org/files/f/documents/e/c/483743.pdf.

⁶⁴ See <https://kt.sarajevo.pravosudje.ba/vstvfo/B/106/article/111581>.

rights (23.7 per cent), then to the Communications Regulatory Agency of Bosnia and Herzegovina⁶⁵ (11.1 per cent), to the Press Council of Print and Online Media of Bosnia and Herzegovina⁶⁶ (10.1 per cent), and to the Human Rights Ombudsmen institution (10.1 per cent). The level of journalists' trust in these organizations is mostly polarized.

According to the research conducted for this assessment, many journalists are not members of any organizations (50.7 per cent of respondents to the survey), including because they are concerned these organizations only pursue their own interests, are not united, and/or do not work to protect journalists and improve their situation.⁶⁷

⁶⁵ The Communications Regulatory Agency of Bosnia and Herzegovina is responsible for regulating the public and private broadcasting sector.

⁶⁶ The Press Council of Print and Online Media of Bosnia and Herzegovina is a self-regulatory body.

⁶⁷ See <https://bhnovinari.ba/wp-content/uploads/2020/09/ljudska-prava-novinara-2019.pdf>.

IX. Conclusions

Journalists in Bosnia and Herzegovina face numerous obstacles to freely and safely exercise their work. This includes political and economic pressure, physical and verbal attacks, threats, including death threats, online harassment, and other forms of intimidation, as well as difficulties in obtaining information necessary for the conduct of their work.

The results of the survey undertaken for the purpose of this assessment show that journalists consider political interference in editorial affairs, financial instability and difficulties in obtaining information as among the main issues affecting media freedoms and the exercise of their role.

While most respondents to the survey did not consider that the safety of journalists was particularly problematic in Bosnia and Herzegovina compared to other countries, they noted that online harassment was particularly concerning, with some remarking that journalists may not realize the importance of online threats.

Most journalists face difficulties in accessing information, while those who work in media financed through public budgets experience challenges in exercising their right to freedom of expression and cannot report on all the topics of public interest.

In the context of this research, journalists and others often cited defamation lawsuits as a tool of intimidation and pressure increasingly used in the past years, particularly by public figures. The unwarranted financial costs incurred by defamation lawsuits can dissuade any critical investigations and reports.

Media, local civil society organizations, associations of journalists, international human rights mechanisms, international organizations, and the Institution of the Human Rights Ombudsmen have been advocating for the improvement of the security of journalists, enhanced protection of journalists' rights and media freedoms, and implementation of the freedom to access to information in Bosnia and Herzegovina.

Respondents to the survey recommended amendments to the criminal codes of Bosnia and Herzegovina to include threats and attacks on journalists as attacks on officials, and suggested that such cases should be tackled through expedited procedures. Some recommended the improvement of the overall capacities of police and judicial institutions to deal with attacks and threats against journalists, and increased empowerment of the journalists' associations, including financial support and human resources to ensure sustained legal aid capacity.

Journalists and others also recommended that higher fines should be imposed on those who do not abide by laws on the freedom of accessing information and that education of public officials and politicians on communication with the media and on timely delivering information of public interest was required.

In addition, respondents to the survey recommended that media outlets should work on rebuilding the trust of the public, including by providing accurate information and professional and ethical news coverage, and by increasing media and information literacy among the public. Respondents recommended diverse educational activities for journalists, including training courses on how to send requests to access information, digital security, and security procedures in media outlets.

The widespread, persisting and, in some cases, increasing violations of the right to freedom of expression and access to information, and verbal attacks and threats (online and offline), harassment and intimidation targeting journalists call for a comprehensive response to address structural and emerging issues affecting the independence of the media and the safety of journalists.

As recommended by international human rights mechanisms, it is essential to foster an environment where journalists can freely and safely operate (online and offline) for the benefit of the public. This includes ensuring prompt and effective protection measures and accountability in cases of attacks and threats against journalists, and enforcing access to information to support their indispensable role. The safety of journalists and access to information are critical to contribute to a pacified civic space, not least in a complex political context and divided society.

X. Recommendations

Based on existing studies and the analysis, survey and interviews conducted in the context of this assessment, and in line with the recommendations of United Nations human rights mechanisms, it is proposed that the following recommendations would contribute to promoting the safety of journalists and ensuring effective access to information.

The United Nations is available to support national counterparts in Bosnia and Herzegovina in that regard:

- ➔ **To the Ministry of Human Rights and Refugees and the Ministry of Communication and Transport of Bosnia and Herzegovina, in consultation with civil society organizations, the media community, and with the support of international organizations:**
 - ✓ Coordinate and **develop a plan of action, at the State level, to improve media freedoms and the protection of journalists**, including strategies to combat political dependence, financial instability, obstacles to access information, and the establishment of efficient protection mechanisms for journalists, including to address online threats harassment, with due attention to female journalists.
- ➔ **To the Parliaments at the State, entity and Brčko District levels:**
 - ✓ **Amend the criminal codes to define attacks on journalists as a separate criminal offence.**⁶⁸
- ➔ **To the Council of Ministers of Bosnia and Herzegovina, particularly the Ministry of Communication and Transport, in consultation with media organizations, journalists and other relevant stakeholders:**
 - ✓ **Prepare appropriate legislation on the transparency of media ownership, media financing and media ownership concentration.**⁶⁹
- ➔ **To the Council of Minister, with the support of the Communications Regulatory Agency, in consultation with media outlets and civil society:**
 - ✓ **Consider establishing a fund to support independent and professional media** and ensure their sustainability. The allocation of funds should be made in a transparent and impartial manner, with precise criteria and procedures, and should involve reviews of applications by expert commissions.
- ➔ **To the authorities of the entities, with the support of civil society and other stakeholders:**
 - ✓ *Amend defamation laws in accordance with the case law of the European Court of Human Rights* and incorporate different standards of acceptability, tolerance and proof when it comes to defamation against public figures in relation to private persons.
 - ✓ **Consider proposing Anti-SLLAAP laws** following best examples within the European Union.
- ➔ **To the Ministry of Justice of Bosnia and Herzegovina, in consultation with the Human Rights Ombudsman institution and civil society organizations:**
 - ✓ **Consider revising the draft Law on Free Access to Information in compliance with international standards** and according to the recommendations provided by civil society, *inter alia* to limit the list of possible exceptions, define the test of public interest, designate the Human Rights Ombudsman Institution to monitor the implementation of the law, and limit the deadlines for institutions to reply to requests for information.

⁶⁸ The initiative, adopted in July 2022 by the House of Representatives of the Parliamentary Assembly of Bosnia and Herzegovina, should be pursued and could serve as an example.

⁶⁹ The proposal submitted in 2018 by civil society organizations (Association of BH Journalists, Mediacentar and the Press Council of Print

and Online Media of Bosnia and Herzegovina) could serve as an example.

→ **To Prosecutors' Offices across the country:**

- ✓ **Appoint a prosecutor as a contact person whose task would be to communicate and coordinate with journalists' associations and law enforcement agencies in cases of criminal acts against persons performing tasks of public importance in the field of information**, as initiated in the Prosecutor's Office of the Canton of Sarajevo. The prosecutors should ensure that the cases involving journalists would be dealt with as a matter of priority and with efficiency.

→ **To the High Judicial and Prosecutorial Council:**

- ✓ **Ensure that judicial bodies systematically and accurately register cases of attacks and threats involving journalists in the CMS system**, providing all the necessary details, so that such cases can be monitored and followed up timely.
- ✓ Consider providing training courses and manuals to judicial bodies on registering cases involving journalists in the system.

→ **To journalists and civil society organizations, with the support of relevant institutions and the international community:**

- ✓ **Strengthen the role and capacity of journalists' trade unions across the country and consider the creation of an independent trade union of journalists at the State level to protect journalists' rights, especially in relation to labour disputes and mobbing cases**. Such a union should be apolitical, created and led by journalists.
- ✓ **Strengthen the capacity of journalists' associations**, including through financial aid, development of expertise and human resources, including to provide sustained legal assistance and psychological support to journalists subjected to different forms of violations. Journalists consulted in the context of the assessment considered this as a top priority.

→ **To the High Judicial and Prosecutorial Council:**

- ✓ **Develop and provide regular training courses for judges and lawyers regarding defamation lawsuits and different standards of acceptability, tolerance and proof when it comes to defamation against public figures in relation to private persons**. The training could be agreed upon with civic departments at basic and district courts.

→ **To media outlets, with the support of civil society organizations and international organizations:**

- ✓ **Implement special security procedures.**
- ✓ **Increase their capacity to provide protection and legal aid to their journalists.**

→ **To the international community, civil society, universities and, as relevant, the High Judicial and Prosecutorial Council:**

- ✓ **Provide training opportunities** in different institutions and public companies, across the country, **to civil servants responsible for providing information to journalists**, including information requested through the use of laws on freedom to access information.
- ✓ **Provide training and educational activities for journalists on recent and emerging issues, including digital security, hate speech, and to prepare and submit requests to access information.**

→ **To media outlets and journalists:**

- ✓ **Adhere to journalistic ethical standards and report and provide accurate and reliable information as a means to gain public trust.**

→ **To the Ministry of Civil Affairs of Bosnia and Herzegovina, in consultation with media organizations, journalists and other civil society actors:**

- ✓ **Adopt a Strategy on Media and Information Literacy** that would set out guidelines and plans of action for its introduction in the educational system of Bosnia and Herzegovina, including provisions on media freedoms and the role of journalists.

→ **To civil society organizations:**

- ✓ **Engage in raising media and information literacy among the general public, including on media freedoms, access to information, the role of journalists.**

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Annex

Interview questionnaire

1. How do you assess the legal, policy and institutional frameworks for the protection of freedom of expression and free access to information in Bosnia and Herzegovina? What do you consider as the major gaps?
2. How do you assess the implementation of the legal and policy frameworks and the efficiency of institutional mechanisms in protecting freedom of expression and free access to information? According to you, what are the reasons for limited implementation/efficient implementation? Can you give one or several concrete examples?
3. Do journalists face obstacles in exercising their right to freedom of expression and free access to information in Bosnia and Herzegovina? If so, what are the main obstacles they face? According to you, what are the reasons for this situation? Can you give one or several concrete example? What are the trends in the past 5 years?
4. Do female journalists face obstacles in exercising their right to freedom of expression and free access to information in BiH? If yes, what obstacles do they face? According to you, what are the reasons for such a situation? Can you give one or several concrete example? What are the trends in the past 5 years?
5. How do you assess the level of implementation of legislation on free access to information in Bosnia and Herzegovina? Can you give one or several concrete examples? Do you consider that new legislation is necessary? What is your assessment of the new draft law presented by the Ministry of Justice in 2021?
6. How do you assess the institutional response concerning cases of threats and attacks against journalists? Can you give one or several concrete examples? What concrete recommendations would you have to improve institutional responses to such threats and attacks?
7. What mechanisms and assistance are available to journalists whose rights to freedom of expression and free access to information have been violated? Do you consider them as adequate? If so / If not, please explain why? In your views, what should be done to improve these mechanisms?
8. How do you see the role of the following actors in protecting the right to freedom of expression and access to information, particularly for journalists: journalist/media organizations, Human Rights Ombudsmen Institution, Ministry for Human Rights and Refugees, Ministry of Justice, gender centers across the country, the judiciary, the police, parliamentarians, the Press Council and the Communications Regulatory Agency?
9. What measures should be taken to improve the protection of freedom of expression and free access to information in Bosnia and Herzegovina? Would you recommend legislative amendments / reforms; improved or new institutional mechanisms and other protective measures? Could you be specific?
10. What do you see as the main consequences of violations of freedom of expression and free access to information, particularly regarding journalists? Can you explain?
11. What do you consider is needed to increase public support for the protection of media freedom and journalists and to enhance public knowledge of the value of access to verified information?

Survey design

The aim of this survey is to understand the main obstacles and needs journalists face in exercising their right to freedom of expression and freedom to information. The survey is conducted by an independent consultant as part of the assessment analysis on the freedom of expression, information and freedom and safety of the media in Bosnia and Herzegovina under the supervision of the Senior Human Rights Adviser in the United Nations Resident Coordinator's Office. The survey is anonymous and the results will serve for recommendations to address structural and emerging issues affecting the independence of the media and the safety of journalists. Any information obtained in connection with the survey that could identify the subject will remain confidential and will not be disclosed in the analysis of the survey.

Please fill out the survey by 5th of March 2022. For additional information, please contact media researcher Anida Sokol: anida@media.ba

Please answer the following questions:

1. Age:

- 18-25
- 26-35
- 36-45
- 46-50
- 51-65

2. Gender:

- Male
- Female

3. Location (please type the name of the city/municipality):

4. Type of media outlet you work for:

- Private
- Public
- Public service broadcast
- Freelance journalist

5. You produce content for:

- Online media
- Print media
- TV
- Radio
- Other. Please specify _____

6. What do you consider as the main obstacle to the work of journalists in Bosnia and Herzegovina?

- Physical attacks
 - Online threats
 - In-person threats and threats over the phone
- Slandering cases
- Smear campaigns
- Political pressure
- Mobbing at work
- Difficulties in obtaining information
- Violations of labor rights
- Administrative harassment
- Something else. Please write _____

7. How do you assess the level of your freedom of expression?

- Very good
- Good
- Somehow good
- Somehow bad
- Bad
- Very bad

8. What is the reason for such a level of your freedom of expression?

Please provide a comment:

9. How do you assess your level of freedom to access to information?

- Very good
- Good
- Somehow good
- Somehow bad
- Bad
- Very bad

10. What is the reason for such a level of your freedom to access information? Please provide a comment:

11. Do you use FOIA in your work?

- Daily
- Never
- Sometimes

12. For which information and subjects to you mostly use FOIA, if any subjects mostly:

13. If you never use FOIA, what is the reason for that:

- I am not aware about it
- I do not know how to prepare it
- I report on daily events and cannot wait long to obtain information
- I do not need it in my work
- Something else, please write _____

14. If you use FOIA, how often to you obtain information within the prescribed timeframe:

- Always
- Frequently
- Rarely
- Never
- Sometimes

15. Do you face difficulties in obtaining information from public bodies?

- On a daily basis
- On a weekly basis
- On a monthly basis
- Every six months
- Yearly
- Never

16. How do you assess the level of security of journalists in BiH?

- Very good
- Good
- Somehow good

- Somehow bad
- Bad
- Very bad

17. What is the reason for such a level of security of journalists in BiH?

18. Have you ever experienced any of the following incidents/situations during the last five years?

- Physical attacks
- Online threats
- In-person threats and threats over the phone
- Attacks and threats by politicians
- Slandering cases
- Smear campaigns
- Political pressure
- Mobbing at work
- Difficulties in obtaining information
- Violations of labor rights
- Administrative harassment
- Other. Please specify: _____

19. If you experienced threats and attacks, the person/persons were

- An internet user
- An official
- A politician
- Anonymous
- Someone else, please write: _____

20. If you experienced any of the above-situations or other incidents, did you report to the police?

- Yes
- No

21. If no, can you explain why you did not report it?

22. If yes, were there any institutional responses to the case?

- No, please provide more information if possible: _____
- Yes, please provide more information if possible: _____

23. In your view, what concrete measures should be taken to improve the safety of journalists and access to information in Bosnia and Herzegovina?

24. Please add any additional information, comments or recommendations you deem pertinent to the subject?

25. If you would like to speak about any specific case you had, please send an email to:



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