

UNDER THE INFLUENCE:

BIH MEDIA REPORTING ON ORGANISED
CRIME AND CORRUPTION

SUPPORTED BY:



Federal Foreign Office

PUBLISHED BY:

BYRN

Executive Summary

The majority of media in Bosnia and Herzegovina (BiH) are either an integral part of political circles, or are directly or indirectly influenced by them.

Key findings

- Organised crime and corruption reporting is heavily instrumentalised by all key political parties in order to exert pressure in their endless power struggles
- Access to information for media varies according to the political affiliation of the outlet
- Media and rule-of-law officials trade blame for weaknesses in battling corruption and organised crime

Politicians seek to instrumentalise media in order to mobilise and retain popular support, to exert political pressure over coalition partners, or to attack and discredit their opponents and critics.

This mutual relationship between politicians and media organisations has contributed to ethnic and political divisions in the country, and has had an impact on BiH's reforms and especially the battle against corruption and organised crime, which is perceived as one of the single biggest maladies in the society.

Yet because of political influence, as well as weak professional and technical standards and capacities, BiH's media cannot properly contribute to efforts to tackle it.

Methodology

To better understand how local media report on corruption and organised crime across the region, the Balkan Investigative Reporting Network (BIRN) carried out in-depth analyses in BiH, Kosovo and Serbia, looking at what influences, shapes and/or constrains media coverage of ongoing organised crime and corruption investigations and/or court proceedings.

BIRN's in-depth analysis in BiH was built on interviews with 14 journalists and editors, three representatives of the local NGO community, two local politicians, as well as ten officials from different segments of the rule-of-law system (lawyers, policemen, prosecutors and judges), which were conducted in the period between April and June 2017.¹

The research also included media monitoring of six media outlets including two public broadcasters (FTV and RTRS), as well as four daily newspapers (Dnevni Avaz, Dnevni List, Nezavisne Novine and Večernji List),² which was carried out in the same period.²

This research identified 124 news pieces about investigations or ongoing court cases relating to corruption or organised crime. This means that, on average, each of these media organisations published around 21 news pieces on this subject in the three-month period, or seven news pieces each month.

1. Background

The battle against corruption and organised crime has been in the focus of public attention in BiH for years, since this issue is a key for democratisation and prosperity of the country, as well as for the speeding up of its Euro-Atlantic integration processes.

Transparency International (TI) has repeatedly warned that corruption is one of the single biggest problems in BiH, which affects all other sectors of society as well as the country's reform agenda and its path towards Euro-Atlantic integration. TI's Corruption Perception Index for this year ranked BiH 83rd out of 176 countries in the world, below other countries in the region.

Another recent piece of research conducted by BIRN Bosnia and Herzegovina, looking into what the justice system has actually achieved in the fight against corruption, showed that in the ten years that the BiH Court has been in operation, more than 82 per cent (116 out of 139 cases) of those

¹ Interviews were carried out under the condition of anonymity

² The selection was made to include both BiH's entities as well as electronic and print media.

charged with corruption have been acquitted or sentenced to suspended prison sentences³.

Out of the remaining 23 cases, more than half were sentenced to less than one year in prison – something which meant that culprits could pay fines instead of staying in prison. According to experts, this suggests that these were either minor or poorly investigated cases.

Free and professional media, as well as freedom of expression, are key elements for combating crime and corruption in any country, but throughout the past three decades, media in BiH have been perceived as deeply influenced by politics and thus unable to properly contribute to this process.

According to the Freedom House ‘Nations in Transit 2017’ report, in BiH, the local media market is oversaturated, with nine daily newspapers, eight news agencies, more than 100 print periodicals, 46 television stations and 148 radio stations. According to this report, almost a third of television stations (15) and about two-fifths of radio stations (65) are public and depend on financing from various state budgets.

“Many private outlets also receive money from the authorities through public competitions for different media activities or through state advertising, which makes them susceptible to political pressure,” the report stressed.

“Only a small number of media outlets, mostly investigative journalism projects supported by foreign donors, report on the wrongdoing of politicians in a fair and objective manner,” it added.

Even the most recent European Commission report on BiH, published at the end of 2016, warned about the lack of freedom of expression, the unresolved status of public broadcasters, and continued political pressure and intimidation towards journalists, including physical and verbal attacks.

³ <http://detektor.ba/en/bosnian-prosecution-nets-small-fish-in-corruption-cases/>

2. Media Instrumentalisation

The research and analysis in BiH showed not only that almost all media face strong political pressure and influence, but that some media organisations – together with parts of the judicial apparatus – act almost as extended arms of different political or other interest blocs. BIRN’s research also showed that many journalists feel burdened by professional difficulties and pressures, threats and lack of access to information. On the other hand, interlocutors from police authorities, prosecutors’ offices and courts, as well as representatives of the NGO community, were quite critical of media outlets and their impact on the struggle against corruption and organised crime in the country.

Politically-Divided Media

One thing about which there is a clear consensus among all of the groups – journalists, civic activists, and security and rule-of-law officials – is that the vast majority of media in BiH are either a part of political circles, or are directly or indirectly influenced by them.

Even those journalists who BIRN interviewed who claimed that their own media organisations are unbiased, admit that the work of the media in general – and especially when covering controversial themes such as corruption and organised crime – is significantly influenced by political circles.

“It is clearly visible who ‘controls’ which media organisation,” one of the journalists interviewed as a part of this research told BIRN, speaking on condition of anonymity.

“I was previously working for a so-called ‘regime media organisation’ where the influence was direct; phone calls to the editor, and the editor then corrects journalists’ reports, then allocation of large sums for advertising and an ‘opening of the doors’ for advertisements from other companies, then access to various politicians,” he said, elaborating on some of the ways how political influence is being executed and imposed over local media.

The majority of the journalists interviewed said they are mostly free to propose topics and cover stories as they see fit, but many of them admit at the same time that editorial policies at their media outlets are swayed either by self-censorship, or by direct or indirect political influence, if not by pressure and threats.

“The media organisation I work for was, over the years, often seen to be in favour of some, or against other, political forces. Sometimes it was just a public misconception rather than actual political links,” one journalist from a public broadcaster said.

“At times, however, we could all see elements supporting such claims in the way that news pieces were prepared or how interlocutors were selected.... I also noticed that coverage of some ‘sensitive’ subject or some aspect of a story related to certain politicians was delegated to certain journalists,” the journalist told BIRN.

While political influence does not seem to have so much impact on how media cover daily events, which are usually based on institutions’ press conferences, statements or press releases, the situation is different when it comes to bigger, more detailed and analytical news pieces.

“Generally, there is freedom of reporting when it comes to public developments. It rarely happens that such information is censored in any way. On the other hand, there is periodic resistance from editors when it comes to launching new topics related to crime and corruption... especially if the topic is initiated by a journalist rather than an editor,” the same journalist said.

According to the journalists who were interviewed, there are various methods which politicians, political parties, governments and/or institutions use to influence media, and these methods vary from one media outlet to another and from one official to another, as well as from one topic to another.

“Politicians use judicial processes as a weapon against their opponents and the media reports about these cases imprudently. In addition, politicians provide journalists with documents and information about their political opponents at a time that suits them, to be used as a weapon in their fight against them,” one journalist told BIRN.

“We are now even witnessing conflicts among prosecutors, courts, and police agencies which, through ‘their’ editors and journalists, promote their side of the story... One could say that there is a real war going on in the media scene, between political rivals who are trying to kick their political opponents out of the ring through various true or fake corruption affairs,” the journalist said.

Journalists and officials trade blame for poor coverage

Journalists and officials have different views on how media report on the themes linked with organised crime and corruption, as well as on how journalists, with police and the judiciary cooperate.

On one side, the majority of journalists complained that despite the law on freedom of information, it remains extremely difficult to get timely information from most institutions (police, prosecutors’ offices and courts). Some institutions completely ignore journalists’ requests for information, even when they cite the law on freedom of information, while others take weeks or even months to respond, journalists said.

In most cases, journalists have access to institutions only through press offices and spokespersons, which underlined the importance of these positions in police and judicial bodies. However, various journalists commended or criticised different institutions, and this fact as well as some of their statements showed that this relationship also very much depends on personal as well as political links.

On the other side, most interlocutors from police institutions, prosecutors’ offices and courts, as well as representatives of the NGO community, were quite critical of media outlets and their coverage of this theme.

Several officials said that some reports, especially those coming from investigative media and journalists, sometimes reveal information that is helpful in the investigations and prosecutions of some cases focused on organised crime and corruption.

Yet much more often, some officials said, the work of media organisations is unfavourable or even damaging to some of the cases, especially due to the sensationalist, unprofessional and biased reporting of some journalists and media.

“I think there are plenty of journalists who do not understand even the basic terms in the cases linked with organised crime, and some of them do not understand the difference between organised crime and ‘ordinary’ crime. I can often sense how much experience and knowledge some of the journalists have from the questions they ask. You [journalists] need to specialise and educate yourselves to be able to follow details of such trials,” one lawyer told BIRN.

Police officials, prosecutors and judges all agreed that most damaging media ‘habit’ is publishing sensationalist information about cases which are just starting or ongoing, which they say can often jeopardise a case.

“Political interests and other influences on the media and the ineffectiveness and the bias of some journalists leave the impression that media reporting on organised crime and corruption issues are at a low professional level. With honourable exceptions, I think that given the way they work, media organisations are not contributing to the fight against corruption and organised crime,” one prosecutor said.

Nevertheless, some officials also admitted that security and judicial institutions are also partially to be blamed for the poor media coverage of such cases.

Although most of the officials who were interviewed stressed that their institutions have official protocols, press offices and/or people who deal with the media, many of them admitted that relations and communication with the media are still on a low level and are often on a case-by-case basis, dependent on personal relationships, but on also political or ethnic backgrounds.

One police officer said that many police and security institutions still maintain the “old habits” of being as closed towards media organisations as possible. He said he hoped that the “new generation” that is now increasingly rising in the ranks of these institutions will open them up much more to the media.

On the other hand, some officials showed that they and their institutions still have no understanding of freedom of information, and pay little or no attention to proper communication with journalists.

“The court in which I previously worked had a spokesperson, but now this job is being done by a secretary. I believe that they are open to the media, but I think that the secretary, besides his second job, does not have much time to devote himself to the press,” one judge told BIRN.

3. Media: caught between political influences and professional difficulties

Besides strong political influence, media in BiH face other, more internal issues and challenges, which have an impact on their work in general, and especially their coverage of corruption and organised crime cases.

Threats, lack of professional and technical capacity

Most journalists admitted and spoke openly about the difficulties they face in their everyday work.

For most of them, the biggest issue was their own lack of capacity - including resources, expertise and skills - and time to do a better job researching the reports on which they work. Only in a few media organisations that were covered by our research did journalists say they had the

necessary in-house capacities. However, journalists working for electronic media seem to be in the most difficult situation. Due to the technical requirements of these media, these journalists said they had no chance of specialising in any particular area, since “everybody was doing everything”, according to one. They complained that because of these particular requirements, electronic media were mostly limited to covering short, on-the-day news stories.

Although most journalists who were interviewed said they were not afraid of the consequences of their work, several of them said they did face pressure and even threats.

“Threats have been made, but for some reason I am not afraid because I think I am doing my job professionally and in accordance with ethics,” one said.

“I’m afraid of the pressures. In the editorial team, we have had several cases of threats and attacks due to our reports on organised crime and corruption. When I wrote about one of these topics, I received messages from ‘friends’ from criminal circles that it was smarter and more secure to set that topic aside, and the same message was given to the newspaper’s owners,” another told BIRN.

“I’m not afraid of reporting [about organised crime and corruption]. What scares me more is that in my media organisation, there is are enough resources for better coverage of organised crime and corruption themes... The media should pay more attention to organised crime and corruption, since it is the only way to tackle serious crime and corruption,” a third journalist said.

Most journalists identified as the biggest problem their own lack of capacity - including resources, expertise and skills - and time to do a better job.

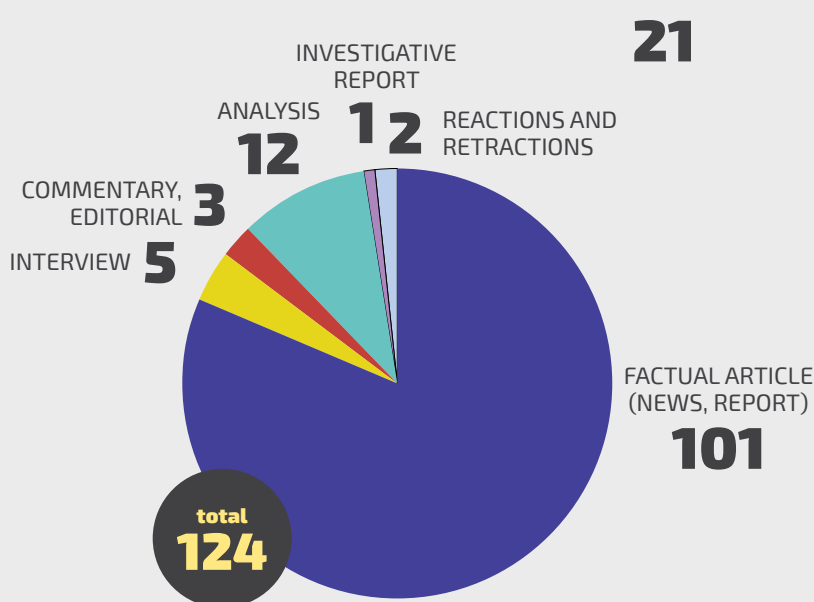
Most journalists also complained that that despite the law on freedom of information, it remains extremely difficult to get timely information from most institutions (police, prosecutors’ offices and courts).

Media outlets avoid getting deeper into cases

What contributes to the public perception of weak and imbalanced media coverage of investigated and prosecuted cases of crime and corruption is the fact that media reports are mostly limited to short news pieces, and are rarely followed by more in-depth news articles such as analyses, interviews or comment pieces, BIRN's media monitoring showed.

Out of the 124 news pieces analysed by BIRN, 80 per cent, or 102 pieces, were in the form of daily news or shorter reports. Only 12 news pieces were analyses, five were interviews, three comments, one investigation and two reaction articles. In this period, only one more detailed research piece was published in the nine media outlets. This obviously affected the overall quality of the media coverage of this theme in the period that was analysed. Basic news reporting does not lend itself to too much explanation, contextualisation or use of background. The frequent use of such a form of reporting effectively means that usually information about a particular case is based on official statements, press releases, and rarely on critical analysis or double-checking the topic with experts or other sources. This, in turn, does not provide the public (readers or viewers) with a complete picture of a specific judicial process.

GRAPH 1: Reporting Genre



Analysis of media reports' sources and subjects also revealed relatively weak professional standards and lack of balance. Firstly, the fact that 124 monitored media reports were based on a total of 194 sources – such as original documents, press statements and press releases – shows that in the reports analysed by this research, a media report on average used only 1.5 sources. This demonstrates that local media rarely represent all sides in any story, which is considered to be one of the key professional standards in quality media worldwide.

Furthermore, analysis of these media reports showed that the single most frequent source of news was government officials, and that officials from the prosecution are much more often the ones creating news than those from the judiciary or police. This fact may also be something which contributes to the general public perception that only a small number of individuals who are investigated end up being prosecuted, and that an even smaller number are actually sentenced for their crimes.

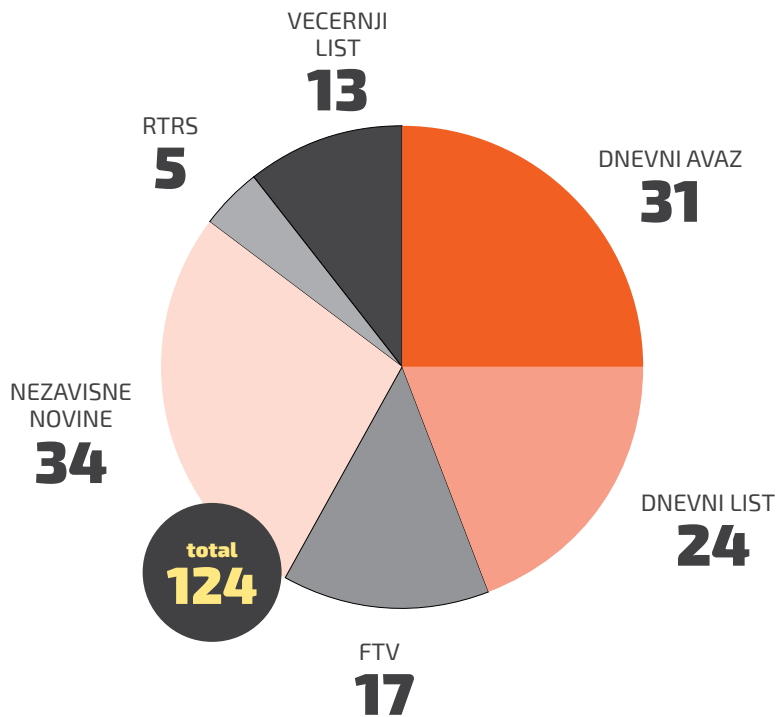
However, this media monitoring also showed that the vast majority of media and their news pieces used the correct terminology in the observed period – out of the 124 news pieces that were reviewed, only five used incorrect terms. The vast majority of the news pieces – a total of 90 – were found to be in line with journalistic ethical norms, although nine included inappropriate, subjective comments of court proceedings, seven contained rumours, and two articles violated the presumption that someone is innocent until proven guilty. Unfortunately, such relatively positive results are also at least partially due to the fact that the majority of the pieces were short, on-the-day news stories, in which there is not much space for mistakes.

ANNEX

**RESULTS OF MEDIA CONTENT
QUANTITATIVE ANALYSIS**

How the media agenda was set

The research was conducted through quantitative and qualitative analysis of media reporting on investigative and court proceedings related to organised crime and corruption. Research by the Balkan Investigative Reporting Network in Bosnia and Herzegovina included six media companies from the country, two TV broadcasters (public broadcasters FTV and RTRS), as well as four daily newspapers (Dnevni avaz, Dnevni List, Nezavisne Novine and Vecernji List). The sample period was the three months starting on April 3, 2017 and ending on June 30, 2017. Over these three months, 124 items were identified and analysed ('items' refers to print or TV reports with their accompanying photos, images, infographics, etc).

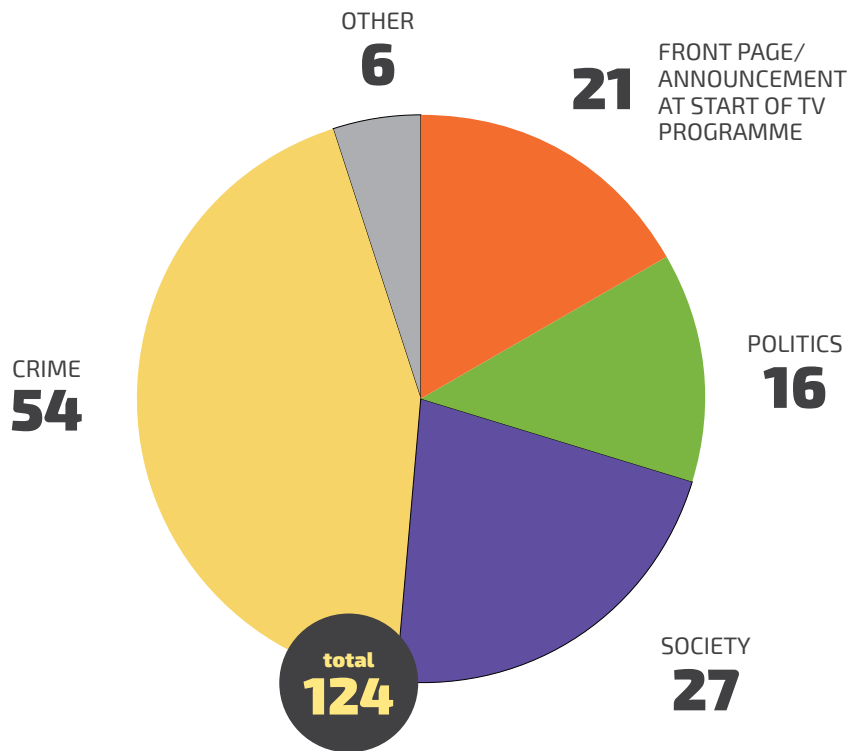


Graph 1: Total number of reports per media outlet

On average, there were about two articles or reports which covered court proceedings related to corruption or organised crime in the observed media on weekdays. This indicates that the media had a continuous interest in reporting on these topics.

Placement of reports

Judicial proceedings on corruption and organised crime were usually located in newspaper sections or in reports on TV programmes dealing with crime, especially when it comes to illegal activities (54 times in total). However, in a significant number of instances, they were found on the front pages or in the announcements at the start of TV programme (21 times in total).

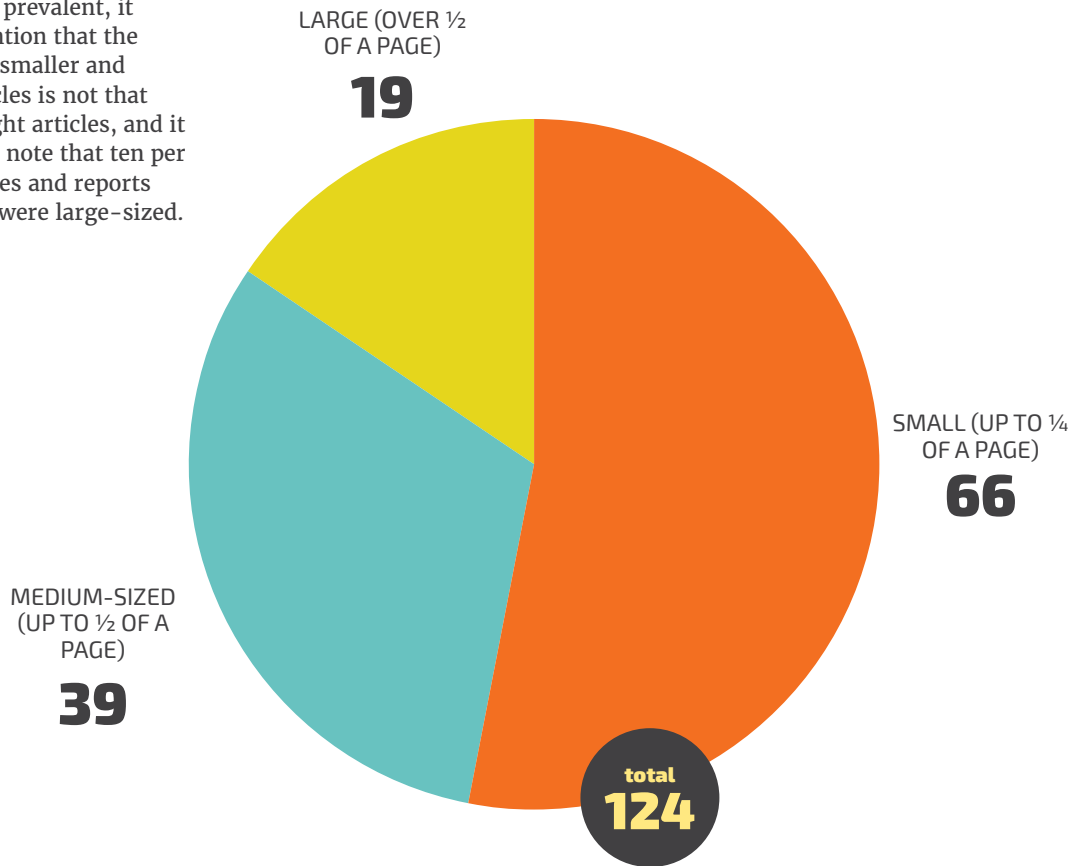


Graph 2:
Placement of items
according to sections

Length of the reports

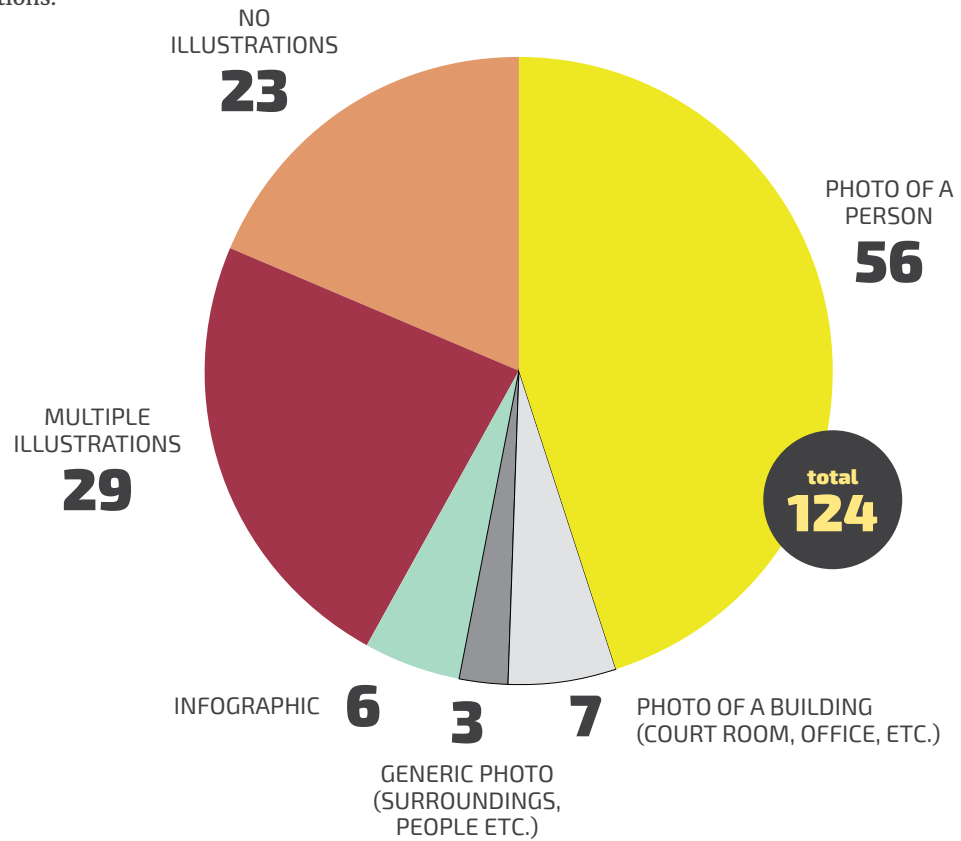
The length of printed articles also testifies about the importance of certain topics, and in the observed period, 66 shorter, 39 medium-sized, and 19 large reports or articles were recorded. Although at first glance, it seems that shorter news items were prevalent, it is important to mention that the difference between smaller and medium-sized articles is not that significant, only eight articles, and it is also important to note that ten per cent of all the articles and reports that were analysed were large-sized.

Graph 3:
Size of articles/reports



Illustrations

In terms of illustrations for the reports, the media usually personalised cases, so in general, in 56 recorded cases, a photograph of the person – the defendant, suspect or interviewee – was used. This was followed by 29 cases of the use of multiple illustrations, which is usual practice in longer-form reports in electronic media. Shorter news items were published without illustrations.

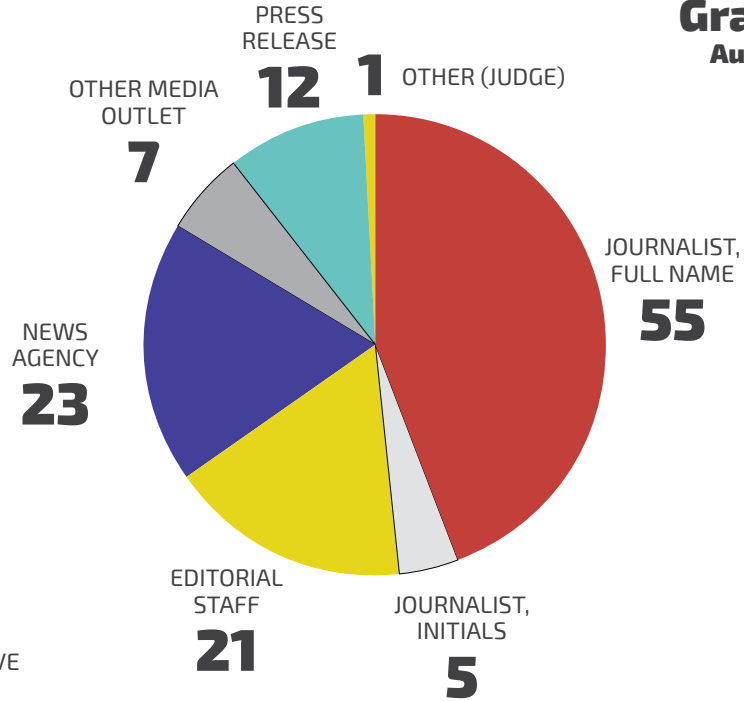


Graph 4:
Illustrations for
articles/reports

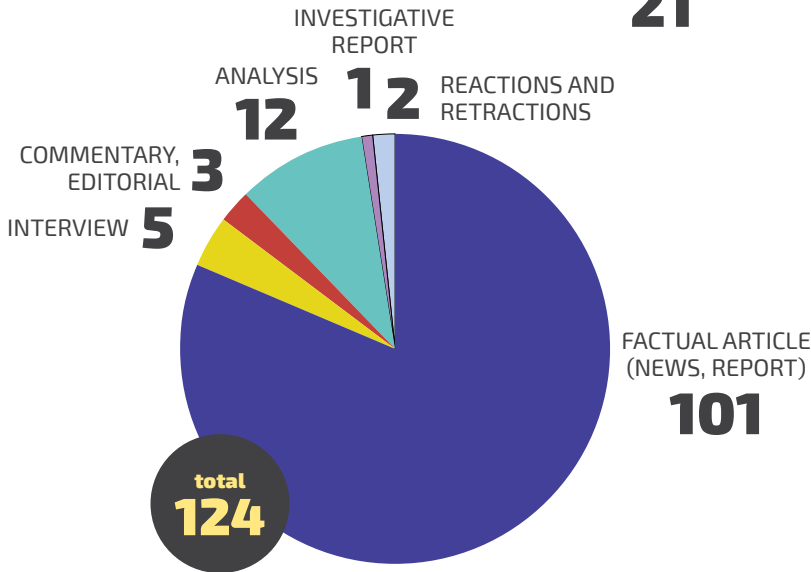
Authorship

Media usually credited the article or report with the full name and surname of the author. Hence nearly half of the articles and reports analysed were credited to the author with his or her full name and surname. In about 20 cases, “editorial staff” or “news agency” were signed, and in very few instances, the author’s initials were just used as a credit.

Graph 5: Authorship credits



Graph 6: Genre



Genre

Out of the total of 124 articles or reports that were analysed, 101 were on-the-day news pieces or shorter reports. Only 12 were analyses, five were interviews, three were commentaries and two were reactions, while only one investigative report was published in the three-month period across nine media outlets.

Topics of reports

In the 124 articles and reports that were analysed, the topic of most of them was organised crime. There were a significant number of reports on each arrest, police operation and indictment announced by the police or prosecution.

Apart from that, reporting about policies on corruption and crime was dominant. In the period under analysis, there were many reports on a special session of the state parliament about courts' penal policies in corruption cases, and on a public dispute between Security Minister Dragan Mektic and the state Prosecutor's Office. Mektic spent a large part of the year dominating headlines with his explosive press conference in which he blasted the Bosnian state prosecution for what he claimed was its inability to prosecute corruption and organised crime cases. He called Bosnian prosecutors "mafia" and said they were only dealing with their own internal issues.

One of the headlines in Dnevni Avaz, whose owner Fahrudin Radoncic is standing trial for influencing a witness, was "Mektic: I am seriously worried, the mafia is stronger than the state." Dnevni list had a similar headline: "Mektic: Mafia stronger than the state."

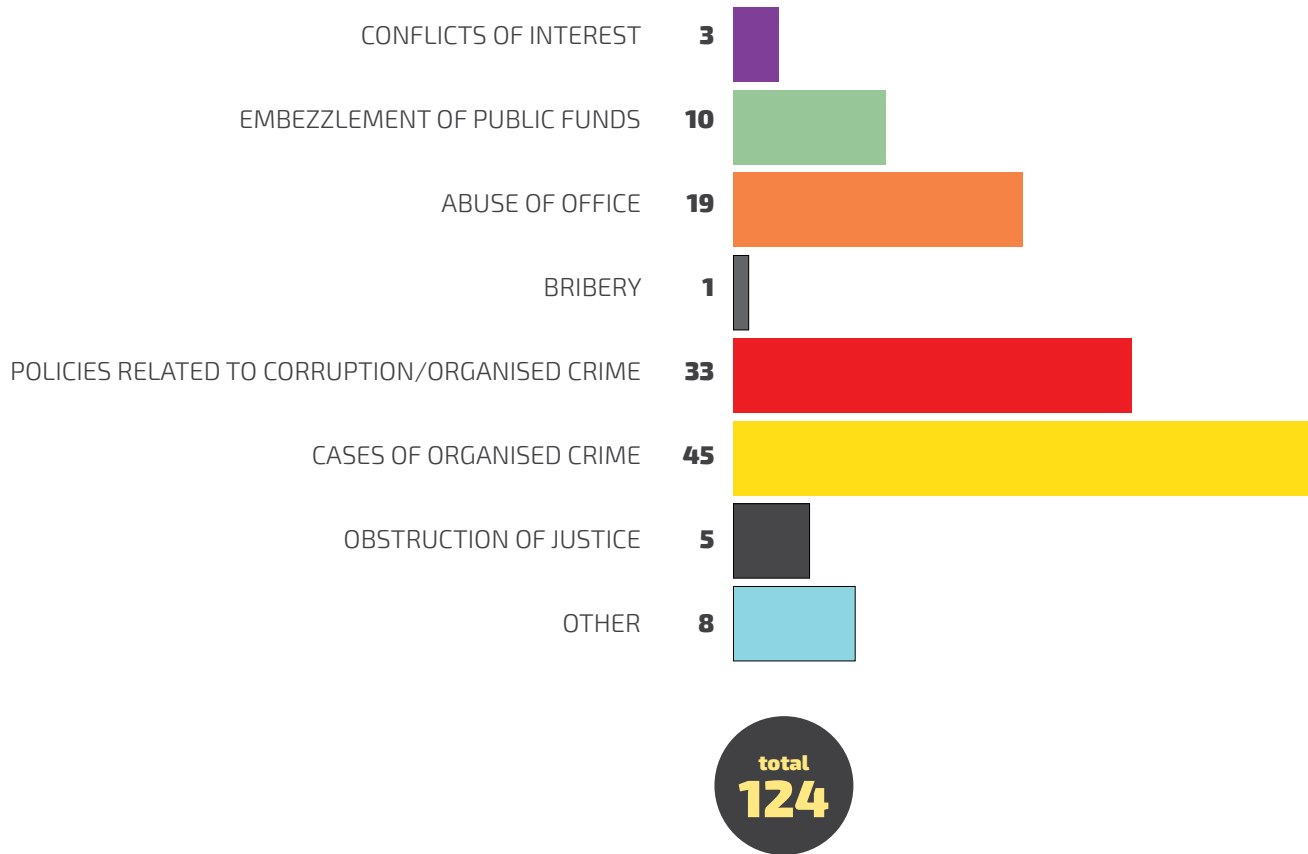
In the same period, Nezavisne novine wrote about the activities of the High Judicial and Prosecution Council in an article entitled "Strengthening of the judicial system and the fight against corruption in focus", indicating the newspaper's considerably milder attitude to the issue.

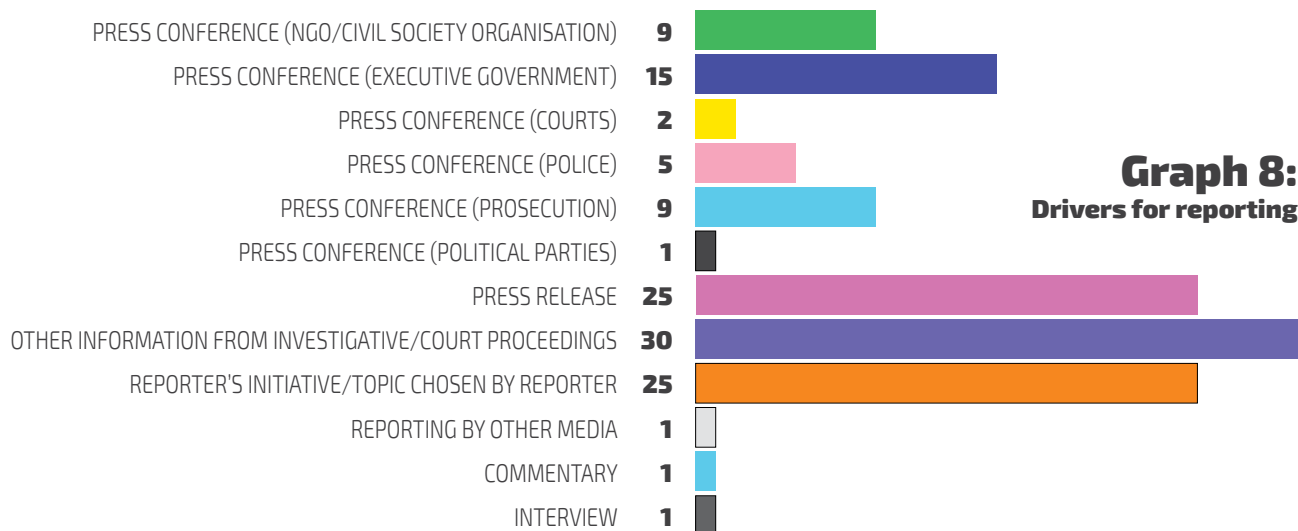
Dnevni Avaz pushed the story strongly in order to support its owner Radoncic and try to prove that the case against him – which was opened by the Bosnian prosecution – was a political one.

In June, Dnevni Avaz published a particularly large number of articles criticising the justice system, including the following headlines: "Constant decrease in efficiency of the justice system in Bosnia and Herzegovina against corruption", "There were abuses involving tapping and arresting" and "Crime and corruption in Bosnia and Herzegovina used to pump out millions of marks".

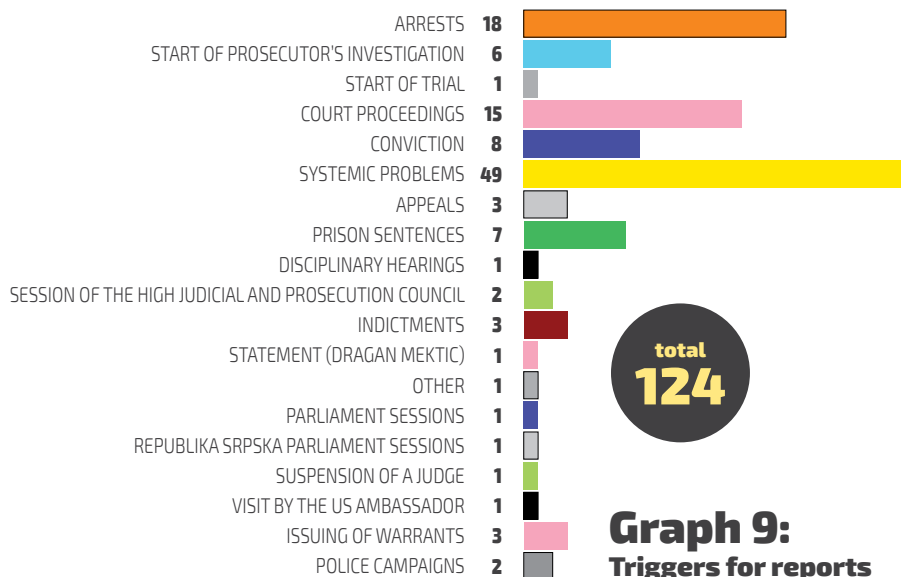
Dnevni Avaz also carried a lot of reports on the proceedings against its owner Radoncic, as well as about a disciplinary action against suspended lead prosecutor Goran Salihovic and the acting prosecutor Boza Mihajlovic. One of the headlines was: "Does [Bosnian court president] Meddzida Kreso know where the missing money from Mihajlovic's cases went?!"

Graph 7: Topics of reports





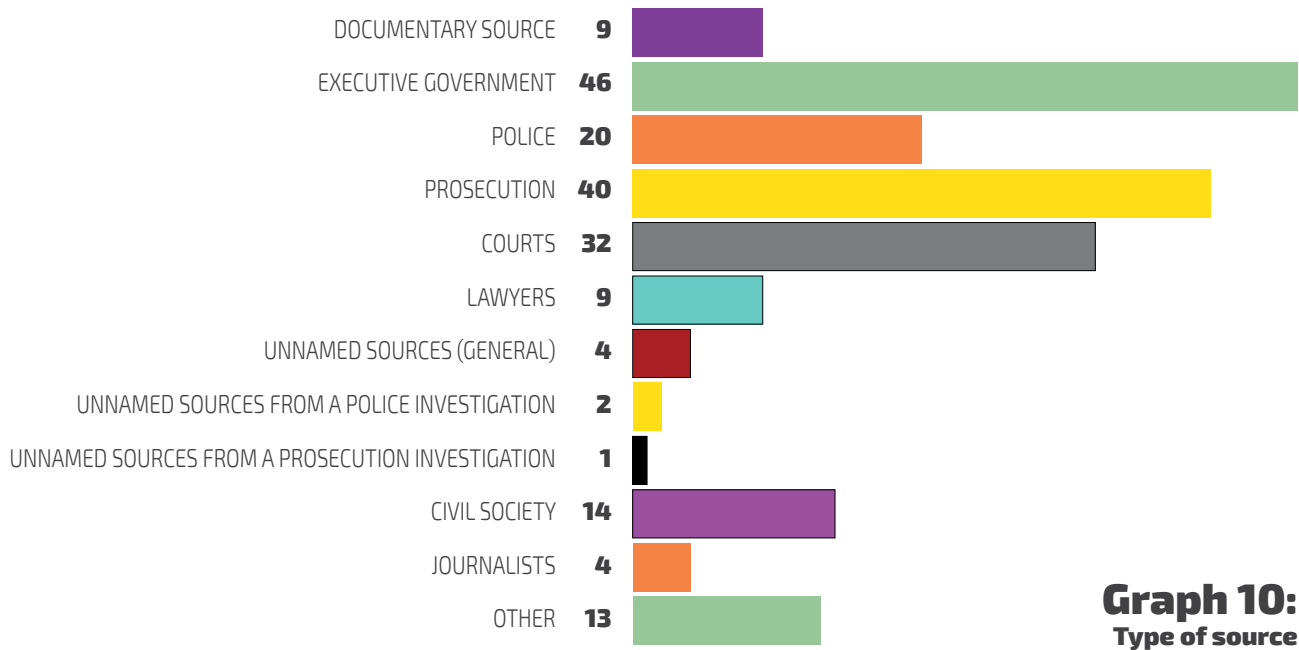
Graph 8:
Drivers for reporting



Graph 9:
Triggers for reports

Triggers for reporting

Overall, about 70 per cent of all articles and reports were triggered by some sort of press conference or media release. Although 28 articles and reports appeared to be triggered by the reporter's own initiative, there are a few among these reports that were actually late reactions to a statement or a press conference, and others that were announcements of events.



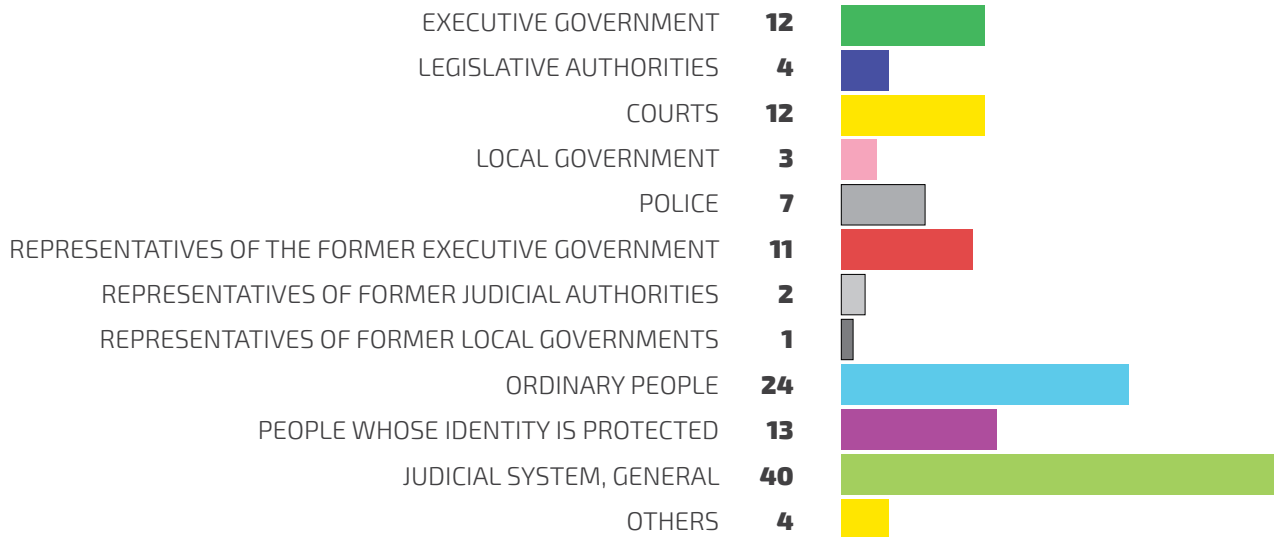
Sources

The key source which the media used in the period under observation was executive government. Members of the executive government were named as sources 14 times more than courts, and twice as many times as the police. Politicians were five times more often sources than lawyers. The most frequently featured source was Security Minister Dragan Mektic.

Subjects of reports

While executive government is the most frequent source for reports and quotes, it is seldom written about as a subject when it comes to corruption and crime. In the observed period, this was recorded on only 12 occasions.

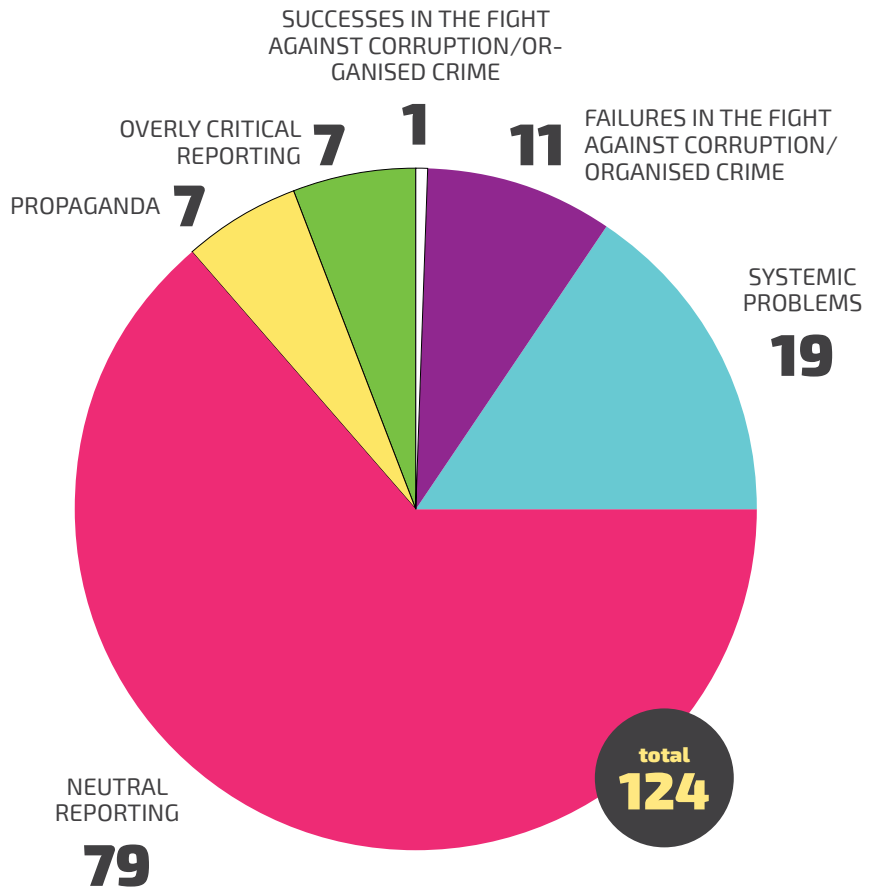
Most of the articles and reports were focused in general on the court system – a total of 52 articles. As previously mentioned, this was because there was much talk about the work of the Prosecutor’s Office of Bosnia and Herzegovina in this period – both because of the special session of the Parliament about the penal policies and because of the public statements by Minister Mektic. Twenty four articles and reports were about ordinary people who were arrested over alleged links to organised crime.



Graph 11:
Subjects of reports

Overall evaluation

The majority of articles and reports were factual, neutral reporting. It is important to note that 19 articles and reports dealt with systemic problems, and an additional 11 with failures in the fight against crime and corruption. An exceptionally low number of reports were about the successes in the fight against crime and corruption.



Graph 12:
Tone of Reporting

About the project:

The report was published as part of a project entitled 'Exercising Freedom of Expression and the Openness of State Institutions in Bosnia and Herzegovina, Kosovo and Serbia'. The project was implemented by the Balkan Investigative Regional Reporting Network - BIRN Hub, in partnership with BIRN Serbia and BIRN Kosovo, from April 2017 to January 2018, in Bosnia and Herzegovina, Kosovo and Serbia. It was supported by German Federal Foreign Office Stability Pact funds.

Credits:

Country analyst:

Srecko Latal

Researcher:

Haris Rovcanin

Media monitoring:

Tanja Maksic (team leader), Denis Dzidic

Project coordinator:

Marina Radenkovic

Country coordinator:

Erna Mackic

English-language editor:

Matthew Collin

Web design and development:

Milomir Orlovic, Branko Karapandza