

Organization for Security and Co-operation in Europe
Human Dimension Implementation Meeting
Warsaw, 26 September 2011
Freedom of expression

Joint Statement by the Norwegian Helsinki Committee, the Helsinki Committee for Human Rights in Bosnia and Herzegovina, the Helsinki Committee for Human Rights in Republika Srpska, BiH and the Helsinki Committee for Human Rights in Macedonia.

We welcome this opportunity to address serious problems with respect to the freedom of the Press in Macedonia and in Bosnia and Herzegovina respectively.

In Macedonia we have been concerned about a number of factors that make up a very negative trend with respect to freedom of the media over the last year. This summer saw the closure of the popular TV station A1 along with three independent newspapers - Shpic, Vreme and Koha e re - which were known to be critical of the government. Regardless of whether the tax evasion cases raised against the media outlets and their owner were well-founded, Macedonian authorities should have avoided silencing independent media critical of the government. By not applying a more flexible and transparent approach to the tax evasion issues, and by targeting these media outlets, Macedonian authorities have caused serious concern for the future of media pluralism in the country.

At about the same time, the Law on Broadcasting was amended so as to change the structure and the number of members in the Broadcasting Council from 9 to 15. The Helsinki Committee for Human Rights in Macedonia stated that these changes to the regulatory body would "open the door for direct influence on the work of the media by the authorities".

The board of the National Broadcasting Company has also been collectively dismissed, opening further opportunities for political influence on the work of public media.

Journalists and media workers in Macedonia often allege government interference in their work by means such as defamation suits, being denied access to press conference and threats, including death threats.

Macedonia, as a member of the OSCE and a candidate country for EU membership, has undertaken international obligations to respect freedom of expression and media freedom, but our concern is that rather than fulfilling those obligations to an increasing degree, the government of Macedonia is increasing the gap. We welcome the effort of the High Representative on the Freedom of the Media with respect to these challenges and call on all member states to support her efforts and analysis of the situation.

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When it comes to the Freedom of the media in Bosnia and Herzegovina we regret to observe the pressures against journalists and editors from political actors as well as owners and sometimes local communities against journalists. Since 2010, which was an election year, the newspapers in Republika Srpska has notably become less critical towards the government in that entity and less open to voices disagreeing with or criticizing the government. This trend is deeply concerning as all societies need a critical press to develop and for problems to be debated.

Criminal penalties for defamation and libel have been abolished in Bosnia and Herzegovina. There is however a large number of civil lawsuits against journalists and media and a number of convictions. This may in itself amount to undue pressure, but also reveals the need to raise the level of professionalism in the media and to strengthen the Press Council, the media self-regulating body.

We call for Republika Srpska to adopt a law on freedom of information and for all applicable laws on Access to Information in BiH to be harmonized and be so adopted or amended as to provide special protection for the right of access to information that is of public interest, such as information related to public figures. We regret that existing laws on access to information are not fully respected by all parts of administration and call for action to be taken to ensure this right.

On a final note, we have to bring your attention to the situation of the journalist Damir Kaletovic of the magazine "60 minutes" who has been indicted by the Banja Luka District Prosecutor's Office for unauthorized recording and eavesdropping. The charges referred to threats from a public official that Kaletovic recorded and aired. The threats were put forward in the context of investigate journalism. In our view threats against journalists need to be understood and addressed as a public problem and we call for freedom of the media to be protected.