



South East European Network  
for Professionalization of Media

**Media crisis or True Crisis?**

**The Referendum on the National Day of Republika Srpska**

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## 1. The media landscape in Bosnia and Herzegovina

Several major systemic factors limit the media's capacity to provide adequate coverage of socio-political developments in Bosnia and Herzegovina (BiH). Not least is the media's dependence on only a few sources of revenue. Media that are directly funded by municipal and cantonal governments are in no way protected from government interference, while the three public service broadcasters are also subject to political and financial pressures or control.

Government institutions in BiH provide at least 15 million euros to the media each year through different funding programs, including direct funding for public media, but also through contracts of different kinds to provide coverage of certain proceedings and events.<sup>1</sup> Private media as well are rarely in a position to do meaningful reporting, including critiques of the centres of power, sometimes being overly financially dependent on those centres of power. The appointment of loyal directors and editors, censorship, and self-censorship are a major part of media operations.<sup>2</sup> Moreover, information on relations between the media and power-holders is often not easily available, given the overall lack of transparency of both media ownership and media funding.<sup>3</sup>

According to official data, there are nine daily newspapers, 189 periodicals (i.e. magazines and publications of diverse content), 139 radio stations and 43 TV stations in BiH.<sup>4</sup> The number of online media is unknown as many are not legally registered and their ownership is often not transparent. Many media outlets function as business platforms, fighting for viewers and clicks, commercialising content and having no interest in promoting the communication needs of the public. Equally devastating is the scarcity of media funding, with advertising revenues dramatically dropping in recent years,<sup>5</sup> leaving the media in a financial deadlock that does not allow for quality reporting.

Another major factor that influences the work of the media is the prevailing ethno-national fragmentation. Mainstream media in BiH, as a post-war country, still play a crucial role in perpetuating ethnic polarisation, often failing to present different voices on crucial topics and developments. Most evidently, media reporting on war crimes committed in the 1992–1995 period

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<sup>1</sup> See for example "Institucije u BiH finansiraju medije sa desetinama miliona maraka godišnje". Media.ba, August 2016. Available at <http://media.ba/bs/magazin-teme-i-resursi/institucije-u-bih-finansiraju-medije-sa-desetinama-miliona-maraka-godisnje>

<sup>2</sup> See for example "Autocenzura novinara u BiH: Odabir teme u skladu s uređivačkom politikom". Media.ba, October 2016. Available at <http://media.ba/bs/magazin-novinarstvo/autocenzura-novinara-u-bih-odabir-teme-u-skladu-s-uredivackom-politikom>

<sup>3</sup> See for example the IREX Media Sustainability Index 2016. Available at <https://www.irex.org/sites/default/files/pdf/media-sustainability-index-europe-eurasia-2016-bosnia.pdf>, or South East European Media Observatory's Bosnia and Herzegovina: Facts about media legislation relevant for media integrity. Available at [http://mediaobservatory.net/sites/default/files/BiH\\_table\\_4.pdf](http://mediaobservatory.net/sites/default/files/BiH_table_4.pdf)

<sup>4</sup> Data from the Press Council BiH and Communications Regulatory Agency of BiH from 2016

<sup>5</sup> Estimates by Fabrika Agency indicate that overall revenues on the advertising market for 2016 amounted to around 36.5 million euros (including outdoor), a fall of one fourth compared to the 2014 level of around 48 million euros.

has largely been one-sided and partial, with a tendency to report crimes committed by “other” ethnic groups.<sup>6</sup>

The World Press Freedom Index of Reporters without Borders<sup>7</sup> has indicated a constant deterioration of the state of media freedoms in BiH since 2007 (when the country held 34<sup>th</sup> position), including an additional drop from 66<sup>th</sup> place in 2015 to 68<sup>th</sup> in 2016.<sup>8</sup> Journalists are exposed to frequent intimidation and threats, while police and judicial protection has been limited.<sup>9</sup>

Consequently, trends in terms of adherence to professional norms and quality reporting are disturbing. The “Professional Journalism” objective in the IREX Media Sustainability Index (MSI)<sup>10</sup> scoring has consistently held the second-lowest rank among the five goals of media sustainability, just above “Business Management”.<sup>11</sup> Sources suggest that some of the main problems are lack of niche reporting and investigative reporting, a scarcity of plurality in the news and absence of critical voices, lack of plurality of sources and political bias.<sup>12</sup> The regulatory and self-regulatory mechanisms<sup>13</sup> are long-established and they have contributed to reducing extreme violations of journalistic norms and helping pacify the media sphere after the war, but their influence on the overall quality of journalism in BiH remains confined.<sup>14</sup>

In sum, political affiliations, ethnic polarisation, insufficient resources and insufficient dedication to the public interest have heavily damaged the capacity of the media in Bosnia and Herzegovina to provide quality reporting on any of the major socio-political issues.

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<sup>6</sup> See for example “Izvještavanje o ratnim zločinima i novinari ‘izdajnici svoga naroda’”. Media.ba, October 2016. Available at <http://media.ba/bs/magazin-novinarstvo/izvjestavanje-o-ratnim-zlocinima-i-novinari-izdajnici-svog-naroda>

<sup>7</sup> The index ranks 180 countries according to the level of freedom under which journalists operate. It is a snapshot of the media freedom situation based on an evaluation of pluralism, independence of the media, quality of legislative framework and safety of journalists in each country.

<sup>8</sup> See Press Freedom Index rankings for BiH since 2002 at <https://rsf.org/en/bosnia-herzegovina>

<sup>9</sup> The total of 13 physical attacks on and threats to journalists in 2016 is by far the largest number recorded in the last six years. Data recorded by BiH Journalists Association as of December 2016.

<sup>10</sup> IREX's MSI provides in-depth analyses of the conditions for independent media in 80 countries across the world. It analyses five objectives: Freedom of Speech, Professional Journalism, Plurality of News, Business Management and Supporting Institutions.

<sup>11</sup> IREX's MSI marked “Professional Journalism” with an average score for Objective 2 amounts to 1.67, showing a slight decrease compared with 2015, when it was 1.77. Available at <https://www.irex.org/sites/default/files/pdf/media-sustainability-index-europe-eurasia-2016-bosnia.pdf.pdf>

<sup>12</sup> See for example MSI 2016 and Freedom House, Freedom in the World 2016. Available at <https://freedomhouse.org/report/freedom-world/2016/bosnia-and-herzegovina>

<sup>13</sup> Print and online media outlets are self-regulated, with the Press Council handling complaints concerning published content, without any power to fine or suspend outlets that breach journalistic norms. Electronic media work under the auspices of the Communications Regulatory Agency, which can use its executive powers involving warnings, fines, suspensions and revocations of licenses.

<sup>14</sup> See for example MSI 2015. Available at <https://www.irex.org/sites/default/files/pdf/media-sustainability-index-europe-eurasia-2015-bosnia.pdf> and “Flash Report 4 - Bosnia and Herzegovina”. SEE Media Observatory, May 2014. Available at <http://mediaobservatory.net/radar/flash-report-4-bosnia-and-herzegovina>

## 2. A country in never-ending crisis

Even twenty-two years after the end of the war, BiH struggles with an unstable political environment, an underdeveloped economy and lack of investment, a low employment rate and general discontent with living standards. Its GDP in 2015 was 15 billion euros, and the public debt amounted to 6 billion euros.<sup>15</sup> The registered unemployment rate was more than 30 per cent,<sup>16</sup> while some statistics indicate that youth unemployment exceeded 57 per cent.<sup>17</sup> Not surprisingly, a large number of educated young people have left for Western Europe over the past two decades, further affecting the potential for future growth.<sup>18</sup>

Given these facts, some analysts argue that crisis is a constant condition in BiH.<sup>19</sup> Indeed, crises keep occurring, although manifested in very different social issues. In the post-war period, there have been numerous dissolutions of governing coalitions and governments at different administrative levels have frequently collapsed, further impairing the functioning of government institutions. The last such example was the 2015 crisis in the governing coalition of the Federation of Bosnia and Herzegovina entity (FBiH) pitting the Bosniak party Stranka demokratske akcije (SDA) against the Croat Hrvatska demokratska zajednica BiH (HDZ BiH) and the nominally left-oriented Demokratska fronta (DF) over the management of public companies in the entity, which paralysed decision-making at FBiH level for months.

Crises in some cases stem from the complex administrative structure of the country and pertain to disagreements between ruling political parties in the two entities or leaders of different ethno-national groups. The municipality of Mostar, for example, might be said to exist in a state of constant crisis. It was the only municipality in Bosnia where no local elections were held in 2012 or 2016 because the two main parties, SDA and HDZ BiH, have for years failed to find a compromise on reforming the city statute, which was declared unconstitutional by the Constitutional Court of BiH.

The dysfunctions of the country's political system were perhaps never more evident than when the law on Unique Citizen Numbers (JMBG) was allowed to expire in February 2013 owing to political bickering over the registration areas. As a result children born after February could not be assigned a JMBG and thus could not obtain medical cards or passports that would allow them to seek medical treatment abroad. A story about a new-born baby in that plight incited protests that pressured the government into an intermediate solution until the final adoption of the law on ID numbers in November 2013.

Other crises are related to clashes between the ruling parties and the opposition. The Savez za promjene (Union for Changes) party alliance in the Republika Srpska (RS) entity, dissatisfied with

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<sup>15</sup> "Znate li koliko iznosi ukupan javni dug BiH?" N1, June 2016. Available at <http://ba.n1info.com/a102540/Vijesti/Vijesti/Znate-li-koliko-iznosi-ukupan-javni-dug-BiH.html>

<sup>16</sup> Agency for Statistics BiH data. Available at <http://www.bhas.ba>

<sup>17</sup> World Bank data. Available at <http://data.worldbank.org/indicator/SL.UEM.1524.ZS>

<sup>18</sup> "Bosnia and Herzegovina: Turning the Economy Around". IMF, September 2016. Available at <http://www.imf.org/en/News/Articles/2016/09/06/NA090916BosniaandHerzegovina>

<sup>19</sup> "Kriza u Bosni i Hercegovini je hronično stanje". Radio Free Europe, 18 December 2015. Available at <http://www.slobodnaevropa.org/a/ocjene-analiticara-kriza-u-bih-je-prirodno-i-stalno-stanje/27436090.html>

the work of the ruling Savez nezavisnih socijaldemokrata (SNSD) party, kept calling for the government's resignation, prompting the SNSD in turn to react with media smears against the alliance, thus stoking tensions and instability in RS. As the conflict reached its culmination, the alliance announced massive anti-government civil protests in Banja Luka in May 2016. SNSD reacted by calling a rally of government supporters in Banja Luka on the same day. Both events were seen as very risky and potentially harmful to the stability of RS prior to the 2016 local elections.<sup>20</sup>

But regardless of their nature or dimensions, many crisis situations that have occurred since the end of the war can be regarded as fabricated, aggravated or distorted by the political class in order to distract the public from the prevalent corruption, nepotism, crime and under-performance of government structures, or to appeal to a specific electorate. Although the acts of politicians during these affairs are always presented as necessary in order to protect ethno-national interests, in fact they are also driven by motives of strengthening power.<sup>21</sup>

Even crises such as social unrest and natural disasters have been used by some political parties to blame their opponents for escalating them. In 2014, the country was hit by a large wave of somewhat violent protests<sup>22</sup> and by major floods in the wake of heavy rains. As governments at different levels were unprepared to handle these emergencies, in both cases they levelled accusations at each other for not honouring their responsibilities or doing enough to provide security (during the protests) or apply emergency measures (when the flooding hit).<sup>23</sup>

The logjam induced by the political elites also directly affects public service broadcasting: Failure to agree on the means of collecting and distributing license fees among the three public broadcasters has brought the state-level broadcasters to an unprecedented state of financial deadlock.<sup>24</sup>

It must also be pointed out that the media themselves have had a significant role in maintaining crises in BiH over the past two decades. In the post-war period, many public and private media outlets have openly served as allies of political parties and their biased and one-sided reports have on occasion produced or contributed to hatred, panic and fear during times of tension.<sup>25</sup> During the

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<sup>20</sup> "Analiza: Koliko je opasan sutrašnji miting u Banjaluci". Blic.rs, 13 May 2016. Available at <http://www.blic.rs/vesti/politika/analiza-koliko-je-opasan-sutrasnji-miting-u-banjaluci/2ng00ld>

<sup>21</sup> See for example "Nacionalni interesi u BiH: Ljubav prema naciji u manipulaciji". Deutsche Welle, 13 June 2015. Available at <http://www.dw.com/bs/nacionalni-interesi-u-bih-ljubav-prema-naciji-u-manipulaciji/a-18513629>

<sup>22</sup> The so-called "Bosniak spring" protests around the country which lasted for several months during 2014.

<sup>23</sup> "Parlament BiH o poplavama: Stanje vrlo teško, pljuštale optužbe". Index.hr, 28 May 2014. Available at <http://dnevnik.hr/vijesti/svijet/parlament-bih-o-poplavama-stanje-vrlo-tesko-pljustale-optuzbe---337943.html>

<sup>24</sup> See for example Hodžić, Sanela, "The Critical Point of PSB in BiH". Media Observatory, September 2016. Available at <http://mediaobservatory.net/radar/critical-point-psb-bosnia-and-herzegovina> and "Javni servisi u BiH na izdisaju". Deutsche Welle, 7 February 2016. Available at <http://www.dw.com/hr/javni-servis-u-bih-na-izdisaju/a-19030869>

<sup>25</sup> See for example Cvjetičanin, Tijana, "'Revolution as the only solution': Communication practices during the protests in BiH". In *Communicating citizens' protests, requiring public accountability*. Mediacentar Sarajevo, 2016. Available at [http://www.media.ba/sites/default/files/communicating\\_citizens\\_protests\\_requiring\\_public\\_accountability\\_edited\\_volu](http://www.media.ba/sites/default/files/communicating_citizens_protests_requiring_public_accountability_edited_volu) me\_eng.pdf and Burzić, Nermin, "Izveštavanje u kriznim situacijama: Medijska sloboda i mentalno ropstvo".

protests in 2014, for example, many mainstream media outlets often highlighted narratives presented by official sources. Their reports focused more sharply on the violence that occurred during the protests and discrediting protesters rather than on exploring the reasons behind the accumulated popular discontent.<sup>26</sup>

## 2.1. Case study: Referendum on the National Day of Republika Srpska

This research report focuses on media reporting related to the referendum on the National Day of Republika Srpska, a holiday that brought the two entities into direct confrontation.

The constitutional setup of BiH, defined by the Dayton Peace Agreement, divides the country into the two entities – the Federation of BiH and Republika Srpska<sup>27</sup> – and the Brčko District, and establishes the Constitutional Court of BiH as the main authority empowered to interpret and guard the country's Constitution.

Although seemingly benign, one of the court's decisions led to what some call the most serious crisis in post-war BiH. In September 2015, the Constitutional Court ruled that the celebration of Republika Srpska's National Day on 9 January was unconstitutional because the holiday was discriminatory against the non-Serb population of RS. The ruling in part drew on the fact that 9 January was the date when a "Republic of Serbs" was proclaimed in 1992, an act deemed by part of the country as an unconstitutional, secessionist move against the then-independent Republic of Bosnia and Herzegovina. The most problematic issue for the court was that the date is also an Orthodox Church celebration, a fact the court judged to be discriminatory against the non-Serb population. The Venice Commission<sup>28</sup> remarked that the choice of date was "hardly in line with the unifying values of dialogue, tolerance, mutual understanding and equality which should be the underlying basis for the choice of a national day".<sup>29</sup>

The Constitutional Court urged the RS authorities to reconsider the choice of date within a six-month period, but the government refused to do so. Instead, they called for a popular referendum to gauge whether RS citizens supported the decision of the Constitutional Court of BiH. The court's ruling was defied not only by RS authorities but also by opposition leaders who jointly argued that the state-level judicial institutions worked against the interests of RS.

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Novovrijeme.ba, 16 January 2016. Available at <http://novovrijeme.ba/izvjestavanje-u-kriznim-situacijama-medijska-sloboda-i-mentalno-ropstvo/>

<sup>26</sup> Grebenar, Bojan, "Bosansko proljeće: između protesta, pokreta i podvale". Political Initiative, 2014. Available at <http://pie.ba/en/bosansko-proljece-izmedu-protesta-pokreta-i-podvale/>

<sup>27</sup> FBiH is further divided into 10 cantons: Una Sana, Posavina, Tuzla, Zenica Dobož, Bosnian Podrinje, Central Bosnia, Herzegovina Neretva, West Herzegovina, Sarajevo and Livno.

<sup>28</sup> The Venice Commission, an advisory body of the Council of Europe, received a request from the Constitutional Court of BiH for its official opinion on the matter.

<sup>29</sup> Amicus Curiae brief for the Constitutional Court of BiH on the compatibility with the non-discrimination principle of the selection of the Republic Day of the Republika Srpska. Council of Europe, 14 October 2013. Available at [http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2013\)027-e](http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2013)027-e)

National Day celebrations were held on 9 January 2016 despite the court's ruling that the holiday was unconstitutional. About half a year later, the RS National Assembly passed a resolution in favour of holding a referendum on the holiday, with the referendum question being "Do you agree that 9 January should be marked and celebrated as the Day of RS?" Bosniak leaders, as well as much of the international community, reacted negatively, and the High Representative<sup>30</sup> accused the RS authorities of directly violating the Dayton Accords by holding the referendum and defying the Constitutional Court.

In the eyes of many, the referendum was an attempt by the RS government to show off its power and diminish the authority of state-level institutions, despite warnings from the international community. It took place on 25 September 2016, only a week before local elections, which led some analysts to suggest the referendum was actually a tool for consolidating the electorate.<sup>31</sup> The result of the referendum was 99.8 per cent in favour of celebrating the entity's National Day on 9 January.<sup>32</sup>

These events intensified the polarisation between ethnic groups, causing reverberations among the public, where there was even talk of a return to armed conflict. Furthermore, speculations about another referendum on the secession of RS in the coming years have reopened many of the unsolved political issues in post-war BiH, including problems related to the functioning of the state and its authorities.

### 3. Media coverage of the National Day referendum

#### 3.1. About this research: methods and sampling

This research aims to identify and analyse dominant patterns of reporting in the BiH media on the National Day referendum. For the purpose of the research, seven media outlets in all were analysed. The sample was selected to represent the variety of media outlets in various regions of the country, based on high readership. Their reports were chosen from both print and online versions within the time span of July–October 2016<sup>33</sup> (a complete list of articles is given in the list of analysed media content at the end of the report).

The research includes reports by leading privately-owned daily newspapers in FBiH and RS, *Dnevni avaz*, *Dnevni list* and *Nezavisne novine*, which, although they cover the whole country, have rather separate readerships (drawing the majority of their readers respectively from the predominantly Bosniak parts of FBiH, the predominantly Croat parts of FBiH, and the RS).

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<sup>30</sup> The Office of the High Representative (OHR) is an ad hoc international institution responsible for overseeing implementation of civilian aspects of the Dayton Peace Accords.

<sup>31</sup> Avdić, Boris, "Analiza rezultata lokalnih izbora u BiH: izbori kao popis stanovništva". Prometej.ba, 10 October 2016. Available at <http://www.prometej.ba/clanak/drustvo-i-znanost/analiza-rezultata-lokalnih-izbora-u-bih-izbori-kao-popis-stanovnistva-2713>

<sup>32</sup> "Referendum o Danu RS-a: Glasalo 55,77 posto biračkog tijela". Al Jazeera Balkans, 26 September 2016. Available at <http://balkans.aljazeera.net/vijesti/referendum-o-danu-rs-glasalo-5577-posto-birackog-tijela>

<sup>33</sup> The time period runs from 15 July 2016, when the Parliamentary Assembly of RS voted to hold the referendum, to 2 October 2016, when local elections took place, setting off what some saw as another crisis situation.

Reports from two of the most popular news websites in the country – the Sarajevo-based Klix.ba, followed mostly in predominantly Bosniak areas, and Mostar-based Bljesak.info, popular particularly in the Herzegovina region among Croat readers – have also been included for comparison. The research sample also includes content from the less read, but increasingly influential Bosniak-oriented Patria News Agency and pro-RS newspaper *Glas Srpske*.

For convenience, in this research we use the terms “RS media”, “Bosniak media” and “Croat media” to refer to media with a majority of their readers in Republika Srpska, predominantly Bosniak populated parts of BiH, and predominantly Croat populated parts of BiH respectively. The terms do not carry any other implications about the selected media.

The research incorporates a total of 11 articles. More influential media such as *Dnevni avaz*, *Nezavisne novine*, Klix.ba and Bljesak.info are represented by two articles each, while other selected media are represented by one article each. The research sample includes three “Bosniak media”, two “RS media” and two “Croat media” containing articles published between July and October 2016. The content analysis is based solely on the selected sample and, while it illustrates some of the general patterns of reporting, it does not enable general conclusions about all media reporting or about the overall reporting of the selected media outlets.

The research methodology also incorporates five interviews with political analysts from Sarajevo and Banja Luka, journalists from Sarajevo and Tuzla and an official of the state media regulatory body in Sarajevo, as well as a review of secondary sources for the overall situation and the media in BiH. Remarks from secondary sources and transcripts of interviews pertain to media not included in the content analysis as well (please refer to the bibliography, list of analysed media content and list of interviewees at the end of the report).

## **3.2. Research findings**

The content analysis, insights from the interviews, and secondary research conducted for the purpose of this study indicate that media reporting about the referendum during the period of its announcement, preparations for the vote, and subsequently generally failed to include a range of views. Information provided by media outlets was mostly limited to presenting views and opinions corresponding to the ethnicity of the particular dominant audience, and problems were framed according to the political interests of particular sides involved in the controversy. Some media accounts resorted to sensationalistic reporting, although no examples of hate speech were found in the analysed content.

### **3.2.1. Lack of pluralism and in-depth reporting**

Media reporting on the RS referendum did not significantly differ from the common reporting patterns of BiH media, which often tend to polarisation along political and ethnic lines. As the subject of our interviews suggested, such polarisation is particularly evident in coverage of sensitive ethnic and national issues (such as war crimes) and in cases of crisis such as the referendum. “Given the nature of the ‘crisis’ – which is a very generous word for the RS Day referendum situation – the

media were polarised depending on the region or rather the ethnic group they are oriented towards,”<sup>34</sup> says Bosnia Daily senior editor Rašid Krupalija.

Moreover, some sources indicate that the polarisation seems to have grown stronger in recent years, not only during the period leading up to the elections in 2014, as noted by Freedom House,<sup>35</sup> but after the elections as well.<sup>36</sup> Explaining the importance of ethno-national ties in today’s media reporting in BiH, blogger and political analyst Srđan Puhalo comments that “ethnic criteria come before any other criteria. The interests of RS, interests of Bosniaks and interests of Croats come before the truth, before professionalism, before everything. So the coverage of the referendum is not an exception, it is only one of the rules.”<sup>37</sup>

All interviewees noted that in such a divided news environment, even without knowing the news sources, it is easy to guess where the news came from. But regardless of their background, the analysed media reports failed to provide a range of different voices on various aspects of the crisis situation. Seven of the 11 reports analysed presented voices from a single interest group, while four presented the voices of two different sectors while yet managing to overlook differing important perspectives on the issues.

In articles which include voices from different sectors, those voices mainly belong to political representatives, either from governing or opposition parties. Civil society organisations, experts on related issues, or the general public were rarely included in news reports on the referendum. For example, the article by the Patria News Agency which discusses the anxiety of Bosniaks in RS prior to the referendum includes only one voice – that of a Muslim religious leader.<sup>38</sup> While this source selection might be a legitimate reflection of the importance of religious institutions in the community life of BiH citizens, it also tends to deprive the report of a variety of views both within and outside the Bosniak community, including those of ordinary citizens, civil society organisations and experts.

In sum, regardless of their affiliation, the selected media articles all failed to deliver meaningful pluralism. Furthermore, substantial background about the roots of the crisis was missing, such as analysis of why it was of pivotal importance for citizens of RS that the referendum be held, as the “RS media” claimed, while “Bosniak media” kept repeating that the decision to hold the vote and its organization were in violation of the country’s Constitution and might lead to the secession of RS, even though it was not clearly explained how the referendum would spur these developments and how secession could take place in its aftermath. Information provided by sources was not put into context and sources’ viewpoints were uncritically conveyed.

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<sup>34</sup> Rašid Krupalija, journalist from Sarajevo and senior editor at Bosnia Daily. Interviewed on 5 January 2017

<sup>35</sup> The Freedom House Nations in Transit 2015 report stated that media polarisation along political and ethnic lines increased in the pre-election period. Available at <https://freedomhouse.org/report/nations-transit/2015/bosnia-and-herzegovina>

<sup>36</sup> Media Sustainability Index. IREX, 2016. Available at <https://www.irex.org/sites/default/files/pdf/media-sustainability-index-europe-eurasia-2016-bosnia.pdf.pdf>

<sup>37</sup> Srđan Puhalo, blogger and political analyst from Banja Luka. Interviewed on 6 January 2017

<sup>38</sup> “U nedjelju će RS biti etnički čista, hiljade Bošnjaka vikend će provesti u Federaciji”. Novinska agencija Patria, 23 September 2016. Available at <http://www.nap.ba/new/vijest.php?id=29062>

The third, “Croat” actor in the media triad tended to cover the referendum in less dramatic fashion, possibly because the Croat community did not have a direct interest at stake. Still, these outlets relied on the dominant, narrow positions based on pro- and anti-referendum narratives. For example, the article in Bljesak.info reported on a dispute between ruling and opposition parties over participation in a meeting about the referendum in Trebinje, but failed to delve into the reasons behind the disagreement.<sup>39</sup>

### 3.2.2. Framing the problem: The two main patterns

The political affiliation of the analysed media outlets is clearly distinguishable based on which framework they adopt in reports on the referendum. There are two main ways in which the central problem of the crisis was framed: “Bosniak media” interpreted the **referendum itself** as a problem, while “RS media” framed **opposition to the referendum** as a problem.

In considering the referendum itself as a problem, “Bosniak media” broke the question down into sub-categories, including the constitutionality of the vote, its high costs, possible devastating effects on inter-ethnic relations and the feelings of Bosniaks in RS (see table below). Without any analysis or discussion about its constitutionality, “RS media” praised the referendum as a paradigm of direct democracy or a guarantor of the integrity of Republika Srpska. Some of the interviewed analysts concurred that the referendum brought together the often-confrontational ruling party and opposition in RS – “there was no debate around the referendum. Everyone was for it”<sup>40</sup> – and these common views were seen as resulting from political pragmatism and opportunistic use of the referendum to appeal to the sentiments of the electorate: “The referendum was not in question for opposition parties in RS; the only question was which party would best use the referendum to win elections,” political analyst Srđan Puhalo states.

The experts surveyed agreed that the “Croat media” kept a greater distance from the debates over the referendum, but their reports were heavily influenced by the framing patterns in the “Bosniak” and “RS” media, without offering wider perspectives or analysis that departed from these two dominant and opposing patterns. The content analysis in this study confirms their conclusions.

Affiliation of media outlet	Characteristic ways of framing the issue
“Bosniak media”	<ul style="list-style-type: none"> <li>• <i>Referendum is an unconstitutional act by RS against BiH (Dnevni avaz)</i></li> <li>• <i>Serbs refuse to discuss the referendum in Parliament (Klix.ba)</i></li> <li>• <i>RS is spending huge amounts of money to conduct the referendum, which is an unconstitutional act by RS against BiH (Klix.ba)</i></li> <li>• <i>The referendum could evoke new ethnic conflicts (Dnevni avaz)</i></li> <li>• <i>Bosniaks are afraid of possible conflicts stemming from the referendum (Patria)</i></li> </ul>
“RS media”	<ul style="list-style-type: none"> <li>• <i>The international community opposes the referendum as a legitimate tool of direct democracy (Nezavisne novine)</i></li> <li>• <i>The international community opposes the referendum as a legitimate tool</i></li> </ul>

<sup>39</sup> “Trebinjska vlast nije za referendum”. Bljesak.info, 22 September 2016. Available at <http://bljesak.info/rubrika/vijesti/clanak/trebinjska-vlast-nije-za-referendum/170589>

<sup>40</sup> Srđan Puhalo, blogger and political analyst from Banja Luka. Interviewed on 6 January 2017

*of direct democracy, but stays indifferent when Bosniaks threaten to exacerbate conflicts (Glas Srpske)*

- *Bosniak army veterans plan to conduct illegal army exercises (to block the referendum) (Nezavisne novine)*

“Croat media”

- *Increased political tensions are potentially dangerous (Dnevni list)*
- *Ruling and opposition parties in RS are in conflict over the referendum (Bljesak.info)*
- *The referendum is giving rise to worrying developments such as new conflicts (Bljesak.info)*

The results of the analysis also confirm that certain media identified social actors as **responsible for the problem** according to the overall framing of the issue, thus manifesting the ethno-political affiliations of those outlets.

For “**Bosniak media**”, **politicians from RS bore sole responsibility for creating the problem**. RS politicians were presented as responsible for acting against the constitution and for rejecting dialogue, which according to some articles could lead to the reopening of violent conflict. For example, *Dnevni avaz* used the words of Bosniak political leader Bakir Izetbegović to draw such a conclusion: “*Izetbegović thinks that political forces in RS led by [President Milorad] Dodik are leading the country to lawlessness, chaos, anarchy and insecurity, by tearing down the rule of law, the Constitution of BiH, the state institutions of the country, and the Dayton Peace Agreement.*”<sup>41</sup>

On the other hand, “**RS media**” **identify the actors responsible as the international community and Bosniak politicians**. The analysed media samples from “RS media” suggest that the international community is “guilty” of obstructing the referendum. For example, *Nezavisne novine* wrote: “*As expected, the international community reacted to the decision of the Constitutional Court of RS that there is no legal issue to be settled about the referendum on the Day of RS, and stressed that the unconstitutional referendum is not in the interest of the people of RS. High officials of RS responded to the US Embassy, OHR and other representatives of the international community by accusing them of attempting to create relationships and blatantly interfering in the internal affairs of BiH.*”<sup>42</sup> “RS media” also presented Bosniak politicians as responsible for inciting possible unrest and conflict. *Glas Srpske* published a comment by RS Prime Minister Željka Cvijanović on a TV interview with the former commandant of the Army of BiH, Sefer Halilović, in which she said: “*There is an international community that, whatever you do in RS, writes announcements, has opinions and comments, but I have never heard anyone condemn such a speech full of hatred, threats, and warmongering that no one in BiH needs.*”<sup>43</sup>

### 3.2.3. Framing the solution

Overall two kinds of solutions were suggested, closely corresponding to the polarised way of framing the issues: 1) **preventing or penalising the actors responsible for the referendum** and 2) **defence of the referendum and RS**. Specific resolutions are rarely explicitly presented, one exception being this summary of a *Dnevni list* article: “International community might consider

<sup>41</sup> “Izetbegović saziva patriotski front protiv rušenja države!” *Dnevni avaz*, 18 August 2016

<sup>42</sup> “Referendum nije smetnja nikome”. *Nezavisne novine*, 13 and 14 August 2016

<sup>43</sup> “Cvijanović: Referendum – praznik demokratije”. *Glas Srpske*, 23 September 2016

more radical moves against RS, such as sanctions, if referendum takes place”.<sup>44</sup> However, the article notes that this possibility was vague and unrealistic. More often, solutions offered were very general or only implicit, such as the statement by Milorad Dodik published by *Dnevni avaz*: “RS is not preparing for a war but is ready to protect its territory.”<sup>45</sup>

Likewise, in the majority of analysed articles it is not clearly stated which actors or institutions might be able to help resolve the situation, although here too there is an implied, or sometimes explicit, binary opposition – “RS media” hold up the RS authorities as responsible for guaranteeing the referendum and defending RS, while “Bosniak media” mostly identify the international community as the actor empowered to penalise the unconstitutional behaviour by RS actors.

In conclusion, the media’s framing of potential solutions and actors capable of initiating them did not escape the overall polarisation of views and failed to offer any additional insights or in-depth analysis.

### 3.2.4. Sensationalist and discriminatory reporting

Polarised framing of issues connected with the referendum was frequently coupled with sensationalist<sup>46</sup> reporting, with eight articles exhibiting sensationalist characteristics against three with no identified sensationalism.

For example, an article published in *Nezavisne novine*<sup>47</sup> about a military exercise by Bosniak army veterans was based solely on a Facebook post and a statement by one veteran about his idea to hold an exercise. The article did note that officials had not verified or confirmed any such activity, but this did not stop the paper from claiming in the headline that “*Zelene beretke*”<sup>48</sup> asked the BiH Army for ammunition”, thus strongly insinuating army involvement, without providing any evidence.

One of the analysed reports in *Dnevni avaz*<sup>49</sup> relies solely on the statement of a leader of the ruling SDA party, uses emotive language to recall the sufferings of the war and announces the potential for new violent conflicts: “*Peaceful separation is not possible in Bosnia and Herzegovina and no one should have any doubt about it, so there will be no dismantling of BiH, but conflicts can happen. For Srebrenica, Tomašica, Luka Brčko, Keraterm, Manjača*”<sup>50</sup>, all these places where innocent people suffered, every inch of this country will never be anything but BiH, Chairman of the

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<sup>44</sup> “Referendum: Međunarodna zajednica bez reakcije, pozivaju na smirivanje situacije”. *Dnevni list*, 24 and 25 September 2016

<sup>45</sup> “Dodik: U slučaju rata RS ni minute ne bi ostala u BiH”. *Dnevni avaz*, 21 September 2016

<sup>46</sup> Sensationalism is understood as accentuated, biased representation of events such as by omitting information; overhyped, emotional impressions of events; accentuated trivial information; manipulation and distortion of the facts, etc.

<sup>47</sup> “‘Zelene beretke’ traže od OS bojevu municiju!” *Nezavisne novine*, 28 August 2016

<sup>48</sup> Bosniak militia during the 1992–1995 war

<sup>49</sup> “Izetbegović saziva patriotski front protiv rušenja države!” *Dnevni avaz*, 18 August 2016

<sup>50</sup> During the 1992-1995 war, a genocidal massacre of Bosniaks took place in Srebrenica. The other places were locations of camps where Serb forces tortured and killed Bosniaks.

*BiH Presidency BiH Bakir Izetbegović told journalists in Sarajevo.*<sup>51</sup> The headline, “Izetbegović calls for patriotic front against state dissolution”, over-stresses the dangers that the referendum presented to the sovereignty of the country, and the article nowhere challenges the problematic rhetoric based on patriotic sentiments and evocation of sites of Bosniak suffering during the war, nor does it provide fact-based and detailed analysis of what the referendum might mean for the constitutional order in BiH.

In like manner, an article on Klix.ba<sup>52</sup> puts the frames the debate in terms of militarisation. Namely, an alleged “Serb parliamentarian’s threat to Bosniaks” is flagged in the headline and simply and uncritically reiterated in the article, based on a statement by one source (a member of Parliament). The article spells out: “*At today’s session, SNSD representative Milica Marković said, ‘Bosniaks should be afraid of the military exercise held by police forces of Serbia and RS because it showed their strength’, which was a shock for many parliamentarians.*”<sup>53</sup> By focusing on the sensationalistic aspect of the events in the state Parliament and without giving the Serb parliamentarian a chance to clarify her statement,<sup>54</sup> the article misses an opportunity to give relevant information about the referendum or the authorities and the role of the state-level Parliament in public debate about the referendum.

The analysed media reports on the referendum do not contain elements of hate speech,<sup>55</sup> despite the severe ethno-national polarisation. But beyond the legal categories, the lack of pluralism in these articles can be interpreted as discriminatory towards the ethno-national “Other”, since they fail to adequately present the interests and views of different ethnic groups. The Constitutional Court of BiH decision finding the chosen date of the National Day to be discriminatory was not substantially considered by the “RS media”, while, at the same time, the topic of human rights was treated only by overly simplified framing of the referendum as a manifestation of a crucial human right. On the other hand, “Bosniak media” also predominantly stressed one view of the issue and emphasised the referendum as a path to possible new conflict.

Beyond the reports sampled, the extent of the media frenzy is best illustrated by two promotional videos about the referendum. First, public broadcaster Radio Television of Republika Srpska (RTRS) produced and broadcast a video featuring a young man named Stefan, born during the war that cost the life of his father, who is presented as a freedom fighter. The video communicated the message that Stefan was left with nothing but “his faith, his Orthodox holiday, and his fatherland”

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<sup>51</sup> “Izetbegović saziva patriotski front protiv rušenja države!” *Dnevni avaz*, 18 August 2016

<sup>52</sup> “Bećirović: Sjednicu sam napustio zbog nezapamćenih prijjetnji poslanika SNSD-a upućenih građanima BiH”. Klix.ba, 30 August 2016. Available at <https://www.klix.ba/vijesti/bih/becirovic-sjednicu-sam-napustio-zbog-nezapamcenih-prijetnji-poslanika-snsd-a-upucenih-gradjanima-bih/160830061>

<sup>53</sup> Joint exercises between Serbian and RS police were held on 28 August 2016. Bosniak politicians considered this as yet another pre-referendum provocation.

<sup>54</sup> In an interview given to another news site, Marković said she was referring to potential terrorists: “Milica Marković objasnila zašto se Bošnjaci trebaju plašiti: Mislila sam na potencijalne teroriste”. Buka, 30 August 2016. Available at <http://www.6yka.com/cyr/novost/112446/milica-markovic-objasnila-zasto-se-bosnjaci-trebaju-plasiti-mislila-sam-na-potencijalne-teroriste>

<sup>55</sup> “Hate speech” is understood as covering “all forms of expression which spread, incite, promote or justify racial hatred, xenophobia, anti-Semitism or other forms of hatred based on intolerance, including intolerance expressed by aggressive nationalism and ethnocentrism, discrimination and hostility against minorities, migrants and people of immigrant origin”. Council of Europe, 1997

(meaning RS),<sup>56</sup> that RS is “not for sale” and that citizens should vote at the referendum to defend it. The video thus relies on emotional triggers and false assumptions that 1) RS is under attack, 2) someone wants to take Stefan’s faith, Orthodox holiday and fatherland, and 3) that voting in favour of the holiday will protect Stefan, his faith and RS.

As a reaction to this video, a Sarajevo-based advertising agency<sup>57</sup> made a clip urging citizens to vote “no” at the referendum, or, as the video stated it, against war and terror. The video communicated the message that the referendum was a choice between good and evil, meaning that 1) those who vote for the holiday are pro-war and in favour of the extermination of a nation (the Bosniak nation, even though this was not stated explicitly) and 2) those who vote against are looking to the future and in favour of tolerance.

The assistant director for broadcasting at the Communications Regulatory Agency of BiH (CRA), Helena Mandić, argues that the media both influenced and were a part of what she called the “hysteria” over the referendum, which in her opinion resembled the mood during the pre-war period in BiH: “*The media jumped into that hysteria and I cannot even be sure if that atmosphere was created intentionally, but editors missed their opportunities to keep reporting about what was happening and its implications within the limits and standards of the profession.*”<sup>58</sup>

### 3.2.5. One-sided source selection

Based on how the perceived problem or solution is framed, as we have shown, media outlets tend to take sides with the perspectives and interests of particular political affiliates. In some cases, this tendency is clearly seen in the amount of space devoted to one type of account or the choice of information sources and interviewees.

Most characteristic is bias based on one-sided selection of sources, which is characteristic for all three analysed articles in “RS media”. For example, one *Glas Srpske*<sup>59</sup> article is based on the views of only one politician (the RS prime minister), failing to inform readers about the other side of the story. In the analysed articles from *Nezavisne novine*<sup>60</sup> lack of balance results either from a) more space given to pro-referendum politicians and the lack of opposing views, or b) explaining the issue based on unconfirmed information.

The results of the content analysis suggest that “Bosniak media” were also predominantly one-sided (seen in four of the five articles analysed). Similarly to *Nezavisne novine*, the article in *Dnevni avaz*<sup>61</sup> quotes and paraphrases the words of just one politician (in this case the SDA leader and Bosniak member of the tripartite presidency, Bakir Izetbegović), framing the referendum solely as an unconstitutional act on the part of RS against BiH. The analysed article by the Patria agency

<sup>56</sup> “Referendum: Srpska te treba”. RTRS, 18 September 2016. Available at <https://www.youtube.com/watch?v=C4Na0OuKUcU>

<sup>57</sup> MITA Group. Video available at <https://youtu.be/yWxg2-Tg0Rc>

<sup>58</sup> Helena Mandić, assistant director for broadcasting at Communications Regulatory Agency BiH. Interviewed on 29 December 2016

<sup>59</sup> “Cvijanović: Referendum – praznik demokratije”. *Glas Srpske*, 23 September 2016

<sup>60</sup> “Cvijanović: Referendum – praznik demokratije”. *Glas Srpske*, 23 September 2016 and “Zelene beretke’ traže od OS bojevu municiju!” *Nezavisne novine*, 28 August 2016

<sup>61</sup> “Izetbegović saziva patriotski front protiv rušenja države!” *Dnevni avaz*, 18 August 2016

similarly quotes only a representative of the Islamic community,<sup>62</sup> while framing the problem in terms of the distress the referendum was causing among Bosniaks living in RS.

On the other hand, no such one-sided reporting was seen in two of three analysed articles by “Croat media”. One *Dnevni list*<sup>63</sup> and one Bljesak.info article<sup>64</sup> contain no evident partiality in the way the sources are selected. Bljesak.info’s story is based on several ordinary people’s views on the crisis and includes a worrying prognosis of possible conflicts, but the headline “There’s no talk of war” is an editorial intervention towards presenting the controversy in the frame of pacification instead of the potential for violent conflict. However, another Bljesak.info article<sup>65</sup> concentrates on rather trivial statements concerning disagreements between the ruling SNSD party and the main political parties in the town of Trebinje<sup>66</sup>. The SNSD member’s controversial statement that the turnout will be monitored and those not voting will be publicly criticised is merely presented, but not put into context.

In some cases, partiality to a particular account of the referendum is coupled with a blurred distinction between fact-based reporting and authorial comment. As a case in point, one of the Klix.ba articles<sup>67</sup> is based on the writer’s opinion of the unconstitutionality and high costs of the referendum, without referring to relevant sources of information. Most problematic is that neither the headline nor the layout of the article clarify that this is actually a commentary. Insights from the interviews conducted for the purpose of this study suggest that such practices form part of a general pattern of media reporting: *“What seems to be typical for all media is the journalists’ lack of understanding of the difference between comment and factual reporting, or their unwillingness to separate the two when writing strictly news content. As a result, the journalist’s personal views often colour a news report,”*<sup>68</sup> says Rašid Krupalija.

The interviewees noted some exceptions to the prevailing one-sided reporting on the referendum. One mentioned “some websites”, such as the Buka news portal, as exceptions to the dominant polarisation. The national public broadcaster BHT1 *“was balanced and did not take sides with*

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<sup>62</sup> “U nedjelju će RS biti etnički čista, hiljade Bošnjaka vikend će provesti u Federaciji”. Novinska agencija Patria, 23 September 2016. Available at <http://www.nap.ba/new/vijest.php?id=29062>

<sup>63</sup> “Referendum: Međunarodna zajednica bez reakcije, pozivaju na smirivanje situacije”. *Dnevni list*, 24 and 25 September 2016

<sup>64</sup> “Istočna Hercegovina pred referendum: Nema priče o ratu”. Bljesak.info, 23 September 2016. Available at <http://bljesak.info/rubrika/vijesti/clanak/istocna-hercegovina-pred-referendum-nema-price-o-ratu/170639>

<sup>65</sup> “Trebinjska vlast nije za referendum”. Bljesak.info, 22 September 2016. Available at <http://bljesak.info/rubrika/vijesti/clanak/trebinjska-vlast-nije-za-referendum/170589>

<sup>66</sup> The SNSD representative stated that “even Russia supports the referendum and those who do not are not patriots”, while representatives of other parties said their participation in the referendum was not in question.

<sup>67</sup> “Nije Dodik cicija: Na referendum će potrošiti više od dva miliona KM, a nakon toga će promijeniti Zakon o praznicima”. Klix.ba, 23 September 2016. Available at <https://www.klix.ba/vijesti/bih/nije-dodik-cicija-na-referendum-ce-potrositi-vise-od-dva-miliona-km-a-nakon-toga-ce-promijeniti-zakon-o-praznicima/160923100>

<sup>68</sup> Rašid Krupalija, journalist from Sarajevo and senior editor at Bosnia Daily. Interviewed on 5 January 2017

*either of the two entities*”,<sup>69</sup> says Marko Divković, a journalist from Tuzla and president of the professional association BH Journalists.

Similar patterns, including lack of pluralism and in-depth information and sensationalistic incitement of fears over possible new conflicts, are identifiable in media reports on the referendum in neighbouring countries as well.<sup>70</sup> Their reports were often largely based on material in the BiH media.

#### 4. The role of regulatory and self-regulatory bodies

The Communications Regulatory Agency of BiH, with executive powers to penalise breaches of professional standards in the broadcasting sector, as well as the Press Council (PC), which supervises self-regulation by print and online media, both made some efforts to promote professional norms during the referendum controversy, which shows that they saw that this socio-political crisis was also coupled with huge communication challenges for the BiH media system. The situation was “far from good”, as the CRA’s Helena Mandić puts it.<sup>71</sup>

During the peak of the crisis in late September 2016, the CRA published two recommendations on adherence to professional standards in reporting about the referendum.<sup>72</sup> Both stressed the media’s obligation to respect professional ethics and refrain from hate speech and warmongering, and one, distributed to all radio and TV stations, noted that the regulator was empowered to issue penalties of up to 300,000 BAM (about 150,000 euros) as well as suspend or withdraw broadcast licenses for breaches of professional norms.

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<sup>69</sup> Marko Divković, journalist from Tuzla and president of BH Journalists. Interviewed on 4 January 2017

<sup>70</sup> “Bosnia Has No Useful Move after the Referendum”. EUInside.eu, 26 September 2016. Available at <http://www.euinside.eu/en/blog/bosnia-has-no-useful-move-after-the-referendum>; see also “Bošnjaci se uzbunili, Srbija se sprema... – je li moguć novi rat na Balkanu?” Jutarnji list online, 1 September 2016. Available at <http://www.jutarnji.hr/vijesti/svijet/bosnjaci-se-uzbunili-srbija-se-sprema...-je-li-moguc-novi-rat-na-balkanu/4660622/>; “Ratni zapovjednik Armije BiH: ‘Dodikov referendum izazvat će novi ratu BiH! Republika Srpska mogla bi se braniti 10 dana’”. Net.hr, 20 September 2016. Available at <http://net.hr/danas/svijet/ratni-zapovjednik-armije-bih-tvrdi-dodikov-referendum-u-republici-srpskoj-vodi-do-novog-rata/>; “Crne prognoze: Referendum u RS izazvaće rat u BiH i Srbiji”. Blic online, 27 October 2016. Available at <http://www.blic.rs/vesti/politika/crne-prognoze-referendum-u-rs-izazvace-rat-u-bih-i-srbiji/v74gs1c>; “Dodik: Referendum je pitanje života; Bakir: BiH vode u sukob”. Novosti.rs, 17 August 2016. Available at [http://www.novosti.rs/vesti/naslovnarepublika\\_srpska/aktuelno.655.html:620489-Dodik-Referendum-je-pitanje-zivota-Bakir-BiH-Vode-u-sukob](http://www.novosti.rs/vesti/naslovnarepublika_srpska/aktuelno.655.html:620489-Dodik-Referendum-je-pitanje-zivota-Bakir-BiH-Vode-u-sukob)

<sup>71</sup> Helena Mandić, assistant director for broadcasting at Communications Regulatory Agency BiH. Interviewed on 29 December 2016

<sup>72</sup> The first was issued by the CRA Council (Source: Minutes of the meeting of the Council of Communications Regulatory Agency BiH, held 22 September 2016), and the second by CRA (Source: Announcement of the Council of Communications Regulatory Agency BiH. Released on 30 September 2016)

Similarly, on 23 September 2016 the PC issued its own appeal to all BiH print and online media<sup>73</sup> to comply with professional standards when reporting on the referendum. The next day, a similar statement was sent out by BH Journalists and other regional journalist associations.<sup>74</sup>

Media coverage of the controversy evoked very few complaints, however. The CRA received no complaints and penalised no broadcasters with regard to reporting on the referendum, and the PC received just two complaints about the work of print and online media, out of a total of 461 complaints submitted in 2016.<sup>75</sup> The two complaints concerned false and sensationalist reports in two news websites about Serbian military aircraft flying over Sarajevo,<sup>76</sup> and an alleged statement by the Serbian minister of foreign affairs that the referendum in RS would take place even if it meant sending Serbian troops into BiH.<sup>77</sup>

The PC Complaints Commission ruled that the two news websites had breached the ethical code.<sup>78</sup> However, while one of the articles was afterwards removed,<sup>79</sup> the other ruling was ignored, and the article is still available. Moreover, the website continues to publish questionable news.<sup>80</sup> Many media, especially among the news websites, do not show willingness to participate in the self-regulatory system. Moreover, many online media have non-transparent ownership and information on their owners and editors is not available, which makes it difficult even to try to identify and reach persons responsible for their content.<sup>81</sup>

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<sup>73</sup> CRA, “Apel vlasnicima, urednicima i novinarima štampe i online medija”. Released on 23 September 2016. Available at [http://vzs.ba/index.php?option=com\\_content&view=article&id=2610:albena-komisija-vijea-za-tampu-ubih-upuuje-upozorenje-i-apel-vlasnicima-urednicima-i-novinarima-tampe-i-online-medija&catid=14:reagiranja-i-saoptenja-za-javnost&Itemid=17](http://vzs.ba/index.php?option=com_content&view=article&id=2610:albena-komisija-vijea-za-tampu-ubih-upuuje-upozorenje-i-apel-vlasnicima-urednicima-i-novinarima-tampe-i-online-medija&catid=14:reagiranja-i-saoptenja-za-javnost&Itemid=17)

<sup>74</sup> “Appeal to respect professional standards of journalism”, jointly issued by BH Journalists, the Croatian Journalists’ Association, the Association of Journalists of Kosovo, the Trade Union of Media of Montenegro and the Independent Journalists’ Association of Serbia. Available at [http://www.bhnovinari.ba/index.php?option=com\\_content&view=article&id=981%3Apoziv-medijima-napotivanje-profesionalnih-standarda&catid=62%3Aasaopenja&Itemid=240&lang=bs](http://www.bhnovinari.ba/index.php?option=com_content&view=article&id=981%3Apoziv-medijima-napotivanje-profesionalnih-standarda&catid=62%3Aasaopenja&Itemid=240&lang=bs)

<sup>75</sup> Including complaints regarding online comments by Internet users. Source: Overview of complaints submitted to the PC in 2016. Available at <http://bit.ly/1tnjgYX>

<sup>76</sup> Decision of the PC Complaints Commission, case 477-02/16, 14 October 2016. Available at [http://vzs.ba/index.php?option=com\\_content&view=article&id=2629:g-reid-babovi-portal-balkanikaorg-14102016-godine&catid=483:balkanikaorg&Itemid=25](http://vzs.ba/index.php?option=com_content&view=article&id=2629:g-reid-babovi-portal-balkanikaorg-14102016-godine&catid=483:balkanikaorg&Itemid=25)

<sup>77</sup> Decision of the PC Complaints Commission, case 478-02/16, 14 October 2016. Available at [http://vzs.ba/index.php?option=com\\_content&view=article&id=2630:g-emir-dervevi-portal-vijestiizregijeinfo-14102016-godine&catid=484:vijestiizregijeinfo&Itemid=25](http://vzs.ba/index.php?option=com_content&view=article&id=2630:g-emir-dervevi-portal-vijestiizregijeinfo-14102016-godine&catid=484:vijestiizregijeinfo&Itemid=25)

<sup>78</sup> “Code for print and online media in BiH”. Press Council of BiH. Available at [http://www.vzs.ba/index.php?option=com\\_content&view=article&id=218&Itemid=9](http://www.vzs.ba/index.php?option=com_content&view=article&id=218&Itemid=9)

<sup>79</sup> [www.balkanika.org](http://www.balkanika.org). Access denied on 27 January 2017

<sup>80</sup> The article is still available at <http://vijestiizregije.info/>: “Dačić: Poslat ćemo i vojsku ali referendum u RS će biti održan!” 25 August 2016. Available at <http://vijestiizregije.info/dacic-poslat-cemo-i-vojsku-ali-referendum-u-rs-u-ce-bitu-odrzan/>. Accessed on 27 January 2017

<sup>81</sup> Hodžić, Sanela. *Media Integrity Matters* (BiH chapter), 2014. Available at <http://mediaobservatory.net/sites/default/files/bosnia%20and%20herzegovina.pdf>

Advice and warnings about adhering to professional standards issued during the furore around the referendum failed to hit the target, interviewees suggest. As BH Journalists president Marko Divković says, *“It did not make much difference. The fact that very few media actually published our recommendation [see above] says enough about the level of professional integrity and respect for professional standards of most of them.”*<sup>82</sup>

## Concluding remarks

The unstable political environment in Bosnia and Herzegovina makes it fairly easy to ratchet up many social and political issues to crisis level. Media outlets have in recent years not only become prominent platforms where views of these crisis situations are communicated by other major stakeholders, but have also played an important part in further polarisation with regard to how these crises have been presented. Media reporting on the referendum on the National Day of RS was no exception.

As illustrated by the results of this small-scale analysis, coverage of the controversies before, during and after the referendum was often partial and one-sided, sometimes sensationalist, lacking in-depth information and well-grounded analysis. As a result, we can assume that the public was not easily able to achieve clear insights into the referendum and what it actually meant. The referendum was presented to some media users as a symbol of their rights and, to others, as a threat to their security. The partiality of news reports was conditioned by the ethno-political affiliations of media outlets.

“Bosniak media” framed the referendum as a dangerous anti-constitutional act and held RS politicians exclusively responsible for the crisis. Media in RS, on the other side, justified the referendum as a tool of direct democracy and blamed the international community as one of the main “problem makers”. When solutions were indicated, there were mostly partial, often radical, and tended to come down in favour either of holding the vote or preventing or penalising it.

Along the way, important issues such as the potentially discriminatory features of the RS National Day tended not to be treated in a substantive way. Similarly, the outlets analysed gave short shrift to judicial battles that might arise from the crisis (for instance, regarding the constitutionality of the referendum or the holiday’s alleged discrimination against non-Serbs), while readily embracing the gory phantasms of future violence.

Almost a year after the referendum, it is obvious that none of the scenarios foreseen by BiH media came to pass. There are no violent conflicts, wars or even sanctions against RS.<sup>83</sup>

This was not the first time that post-war governments over-inflated a crisis situation as an instrument for maintaining power without actually attempting to resolve important issues, but the level of general anxiety and worry about what might happen had never reached the same heights, as the political analysts and journalists interviewed for this study remarked. The possibility of new

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<sup>82</sup> Marko Divković, journalist from Tuzla and president of BiH Journalists. Interviewed on 4 January 2017

<sup>83</sup> Except for U.S. sanctions against Milorad Dodik for obstructing the Dayton Agreement announced in January 2017, with the effect of blocking any of Dodik’s property or interest in property in possession of a U.S. individual or within U.S. jurisdiction. U.S. individuals are also prohibited from engaging in transactions with Dodik.

conflicts was a mantra many BiH media repeated over and over again during summer and autumn 2016.

The case of the National Day holiday, then, illustrates not only the patterns of reporting on the crisis by BiH media, but also confirms a deep crisis of the country's media.

Insights from the interviews suggest that the reasons are manifold. They stem in part from the low quality of education. Journalism students'<sup>84</sup> questionable proficiency at basic writing skills, and acquaintance with professional standards,<sup>85</sup> can be addressed during class assignments, but the problem becomes more complex when it comes to professional ethics, because it depends not only on editorial guidelines but also on the working environment in which ethical questions arise. *“Editorial policies, or the lack of them, are the problem. But some people will say, what do you expect – editors cannot dig their own grave just to respect professional ethics and standards. Editors are financially and in all other ways dependent on political elites and they absolutely do not do their jobs,”*<sup>86</sup> political analyst Adnan Huskić noted.

The problem lies in political parallelism in the media, which is partly based on the values internalised by journalists and lack of sensitivity towards the political “Other”, and partly on media affiliations with political parties and the fact of media funding being largely dependent on leading political actors. Another set of reasons is related to the dominance of business interests over the interests of the public and of professional journalism, with media policies often being guided by the commercial rather than ethical value of their content.<sup>87</sup> Finally, the professional integrity of reporters, editors and the media generally is largely neglected. In the public eye, journalism is a highly degraded profession,<sup>88</sup> the working conditions are difficult and respect for journalists' labour rights is questionable. Inadequate judicial and police protection makes journalists draw back from covering sensitive issues,<sup>89</sup> while collective bargaining has proved insufficient to provide better working conditions and better professional integrity overall.<sup>90</sup>

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<sup>84</sup> There are journalism departments at public universities in Sarajevo, Mostar (two universities), Tuzla, Istočno Sarajevo, Banja Luka and Međugorje.

<sup>85</sup> Udovičić, Radenko. “Media Literacy and Education needs of journalists and the public in Bosnia and Herzegovina”. Mediaonline.ba, November 2016. Available at <http://www.mediaonline.ba/en/pdf.asp?ID=3416&n=TWO%20SIDES%20OF%20THE%20MEDIA%20MEDAL>

<sup>86</sup> Adnan Huskić, political analyst from Sarajevo. Interviewed on 5 January 2017

<sup>87</sup> Hodžić, Sanela. *Media Integrity Matters* (BiH chapter), 2014. Available at <http://mediaobservatory.net/sites/default/files/bosnia%20and%20herzegovina.pdf>

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## **5. Recommendations**

In order to improve the quality of media reporting in general, and the quality of reporting on crisis situations in particular, the media sector in BiH is in need of a holistic approach embracing not only journalism training and promotion of the professional integrity and position of journalists, but also efforts by different actors to achieve greater editorial independence and strengthen the integrity of the media. In-depth reporting that provides relevant information, including a range of views on controversial issues, should become a particular priority.

Some specific steps towards this end are given in the targeted recommendations below.

### **5.1. For the media community**

- Media outlets should aim, especially in crisis situations, to publish in-depth information and if needed analytical reporting and expert opinions in order to aid the public's understanding of the situation and the reasons and motives behind it. Such reporting will enable citizens to make informed decisions.
- To this end, media outlets should strive to take critical stances towards over-simplified framing, consistently use alternative sources, present a variety of views that have important implications or can enhance understanding of crisis situations, seek clarifications and background information, carefully check the facts and eradicate sensationalism.
- In dealings with government officials the media should exercise a particularly critical stance during crisis situations, scrutinize officials' accountability and carry out their role as watchdog, rather than simply providing officials a platform to promote their interests and disseminate mutual accusations.
- The media community should consistently, widely and publicly censure media outlets that fail to correct breaches of journalistic norms (after the reaction of self-regulatory bodies).
- Ideally, public interest should be the guiding principle of media operations. The media community is responsible for taking ownership of the principle of public interest, including advocating for structural changes to enhance the public service role of the media. Media and journalism associations should take the lead in these initiatives.
- Media outlets should adopt and promote internal ethical guidelines that include fact-checking, restraining from sensationalism and providing in-depth information and a range of views, in particular when reporting on controversial issues. Breaches of these norms should be curbed through editorial interventions and penalised if necessary.
- Media outlets should strive to ensure the necessary resources to enable in-depth reporting and promote pluralism, in particular during crisis situations that have strong implications for the security and well-being of the citizenry.
- Media editors should be made independent of management structures and appointed based on professional credentials, in consultation with journalists. Media outlets should adopt internal regulations that guarantee such appointments as a way to assert their integrity.

### **5.2. For educators**

University and short-term education programs for journalists and journalism students should:

- Promote professional ethics and integrity, as well as the overall public-interest role of the media.

- Offer training programs to improve in-depth reporting skills, especially investigative research and fact-checking tools. These programs should nurture a critical stance towards information provided by sources and help journalists recognise spin and propaganda.
- Strive to make students and journalists more aware of specific interests and perspectives that other national, ethnic or religious groups and minorities may have on particular issues, especially in crisis situations, and inculcate the importance of inclusive reporting.
- Use real examples of breaches of ethical norms, identified from the records of regulatory and self-regulatory bodies during crisis situations, or from other sources, to vividly illustrate potential faults and mistakes and strengthen journalists' ability to recognise and rein them in.

### **5.3. For media regulators and self-regulatory bodies**

- The media regulatory and self-regulatory system should make every effort to stem sensationalism and the spread of unverified information. Tools to achieve this include promotion of ethical norms and broadening the reach of the self-regulatory bodies.
- The Communications Regulatory Agency and Press Council should stay alert especially during times of crisis, and aim to develop their capacities to monitor breaches of ethical norms during such situations – rather than passively waiting for citizen complaints – and to engage in public discussion and publicly criticise irresponsible and sensationalist reporting.
- Ideally, these bodies should regularly monitor the media's level of respect for professional standards. This is particularly important during crisis situations in order to identify possible breaches of professional conduct and prevent the spread of biased and sensationalist reporting.
- Beyond publishing breaches of ethical norms on the websites of regulatory and self-regulatory bodies, the CRA and PC can contribute to better practice by producing and distributing informative materials illustrated with examples of poor journalism to media associations, journalism schools and policy-makers.

### **5.4. For decision-makers**

- Transparency of media ownership within the existing court registries should be improved, including obliging media to grant public access to detailed ownership data.
- Government institutions should develop policies that support media independence, including to guarantee transparency of both media ownership and financing, and stronger safeguards of the labour rights of reporters and editors.
- Government institutions should financially support high quality pre-service and in-service educational programs for journalists, students of journalism and editors.
- Judicial and police protection of journalists should be systemically advanced and cases of threats and violence against reporters and editors investigated in an efficient and timely manner.

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Adnan Huskić, political analyst from Sarajevo. Interviewed on 5 January 2017

Rašid Krupalija, journalist from Sarajevo and senior editor at Bosnia Daily. Interviewed on 5 January 2017

Helena Mandić, assistant director for broadcasting at Communications Regulatory Agency of BiH. Interviewed on 29 December 2016

Srđan Puhalo, blogger and political analyst from Banja Luka. Interviewed on 6 January 2017