*Technical Assistance for
Civil Society Organisations*

'TRAFFIC LIGHTS REPORT' 2017 BOSNIA AND HERZEGOVINA

Monitoring Report of the 'EU Guidelines for Media Freedom and Media Integrity 2014-2020' for 2017

1. Introduction

In 2017, TACSO was responsible for establishing a monitoring system and conducting the monitoring, in coordination with other stakeholders, relevant to the constituting parts of the Results Framework[1] of the '*EU Guidelines for Media Freedom and Media Integrity 2014-2020*' **(Media Guidelines)**. The Media Guidelines is a monitoring tool that serves as an important source providing useful information on the European Union's (EU) political and financial support for media development in the region and enabling governments and media communities in the EU enlargement countries to use the comprehensive data for their own policies and actions. The aim of the monitoring exercise is to provide a systematic, comprehensive and efficient assessment of the situation in the EU enlargement countries by applying the same methodology and approach in all the countries concerned. The monitoring was conducted in six countries: Albania, Bosnia and Herzegovina, Kosovo*, the former Yugoslav Republic of Macedonia, Montenegro and Serbia.

The following report contains the monitoring methodology and information about the situation according to the indicators of the Results Framework of the Media Guidelines in Bosnia and Herzegovina.

2. Methodology for the monitoring

The methodology for monitoring the Media Guidelines was primarily developed by a team of media consultants and professional researchers; some instruments used for the monitoring were developed in consultation with key media experts and media professionals from the six countries included in this project.

The main features of the monitoring system include the following:

- The need for a unified methodological approach in all countries of the region;
- Regional comparison and tracking of national progress;

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[1] *In addition to representatives of the EU, elements of the Results Framework were developed in 2013 through regional and national consultations encompassing media experts and media professionals from the countries of the Western Balkans and Turkey.*

* This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo Declaration of Independence.

- For the majority of the indicators, no data is available from reliable sources of information in the region;
- The need for a synthetized and comparative way of presenting the monitoring findings;
- Sound and reliable research methodology, along with innovative and participatory approaches.

Information collected for the purpose of monitoring was developed from the following sources:

1) Expert panel country meetings, discussing and assessing the full list of indicators;
2) On-line survey with members of expert panels, assessing the full list of indicators;
3) In-depth interviews with representatives of relevant interest group organisations/ institutions, assessing selected indicators from the full list;
4) On-line survey with representatives of relevant interest group organisations/ institutions, assessing selected indicators from the full list;
5) General population survey among adult citizens in all target countries.

For the purpose of information collection, survey instruments were developed for each part of the methodology:

- The questionnaire used in the expert panel country meetings, as well as the on-line survey of experts and representatives of relevant interest group organisations/ institutions;
- The interview guide used for the in-depth interviews with representatives of relevant interest group organisations/ institutions;
- The questionnaire used in the general population survey.

The basis for all survey instruments was the 'EU Guidelines for Media Freedom and Media Integrity 2014-2020' (Media Guidelines), which specifies 4 objectives and 20 indicators. The survey instruments are in fact an operationalisation of the Media Guidelines.

In order to quantify indicators, in the process of monitoring media freedom and media integrity in the region, an index system was developed. The main purpose was to include all the gathered data, to summarise it and calculate measures, i.e. indices that enable comparison between the target countries on all indicators.

Each of the listed methodological sections is explained in Annex 1, along with the instruments developed and the process of index creation.

Given that the Media Guidelines (which formed the basis for the survey instruments) do not provide us with target values for items or indicators (nor for different countries in the region), the best possible solution was to create a system allowing comparison between the target countries on all indicators, in order to identify those areas where the situation seem to be the most favourable, but also those areas where the situation is critical and requires rapid intervention. This is why the system of indices is a relative system, which depends on the countries included in the calculation, as well as the indicators, which are compared altogether. All results ought to be considered relative to other countries included in the survey and relative to other indicators being covered.

The monitoring report for each country therefore incorporates the results of quantitative analysis of the survey, which are presented in the main graph and in the colours specified near each indicator and objective. The colours indicate the following:
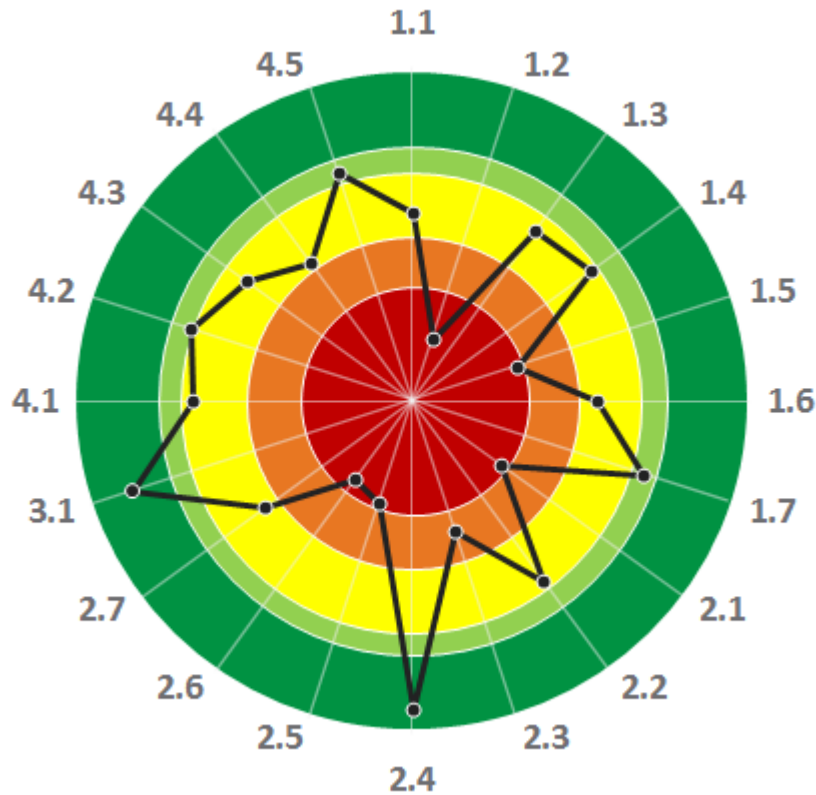
Red		The worst evaluated indicators in the region
Orange		The second worst evaluated indicators in the region
Yellow		The middle of the regional ranking
Light green		The second best evaluated indicators in the region
Green		The best evaluated indicators in the region

At the same time, the monitoring report summarises the results of the qualitative methods applied: i.e. the main points from the assessments presented during the expert panel meetings and in-depth interviews with representatives of relevant interest group organisations and institutions.

It is important to note that some items within certain indicators are excluded from the quantitative analysis (index creation/traffic lights) in all target countries, given the small number of quantitative answers provided by the experts and representatives of relevant interest group organisations and institutions. On the other hand, those items might have been discussed during the expert panel meetings and in-depth interviews with relevant interest groups and therefore covered by qualitative analysis. The whole list of indicators and items, regardless of whether they are included in both quantitative and qualitative analysis, or qualitative analysis only, is listed in an Annex 1 providing detailed explanation of the methodology used for the monitoring. It is clearly marked which items were included in quantitative analysis and which ones were excluded.

All findings provided in the narrative report are based on information and assessments provided by the experts and relevant interest groups in all target countries. The final technical review of the text and its composition was done by the project team.

3. Quantitative and qualitative findings obtained by expert panel and representatives of relevant interest group organisations/ institutions – Bosnia and Herzegovina

1.1. Legal guarantees and review of their implementation

1.2. The judiciary acts in conformity with Article 10 of the European Convention on Human Rights and applicable case law

1.3. State institutions ensure media pluralism and their independence; law enforcement in media outlets and access to information of public character

1.4. Independent and professional regulators preserve media pluralism and prevent unfair competition in the media market

1.5. State institutions and public authorities stimulate public demand for quality journalism

1.6. Public Service Media – ensure content pluralism in the media environment in an independent and accountable manner

1.7. Initiative and creativity by state institutions in using tools at their disposal to promote free speech and media diversity

2.1. Media outlets voluntarily adhere to principles of transparency

2.2. Media outlets voluntarily subscribe to and implement adequate labour standards

2.3. Self-enforcement of ethical norms and professional standards

2.4. Structures strengthened for basic and continuous training and education of journalists and journalist students on professional standards, freedom of expression and media integrity

2.5. Media outlets promote professional training (including in professional ethics)

2.6. Investment in professional management of companies

2.7. Regaining audience confidence

3.1. Improved conditions for quality investigative journalism including modern/innovative approaches to increase the quality and credibility of investigative journalism

4.1. Media organisations/journalists' associations act on the basis of long-term vision and strategies to achieve impact. Productive dialogue with authorities established

4.2. Regular dialogue within the media community established on press freedom and integrity issues

4.3. Media organisations monitor and evaluate the results and impact of their own work

4.4. Platforms (journalists' professional organisations, CSOs, media owners and editors) set up and actively promote professional standards and ethics

4.5. Labour standards developed and upheld

	1.1. Legal guarantees and review of their implementation - parliaments (and governments) in enlargement countries: put forward and adopt policy and legislative proposals in line with the European Convention on Human Rights / conduct periodic assessments of the state of media freedom

The Constitution provides for freedom of expression and the legal framework complies too, but there is a whole series of laws that are no longer in line with the ECHR, as some newly adopted laws restrict rights specified in the media and freedom of information laws. Such laws include the Law on Secret Data, the Law on Protection of Personal Data and the Law on Indirect Taxation System. Non-harmonised legislation was passed without previous verification of whether it restricts vested rights or whether it is in compliance with previously passed laws.

In addition to that, there are no sanctions for those who do not enforce the laws or who obstruct their enforcement.

The challenges for alignment of the legislation in Bosnia and Herzegovina with European standards and for law enforcement are exacerbated by political and ethnic divisions in the country. Law enforcement in the cases involving libel and other cases related to media freedom is determined by such divisions, so that for the same lawsuit, one person is acquitted in Republika Srpska and sentenced in the Federation, or vice versa.

There is no transparent evidence of the court cases related to freedom of expression and media freedom. A court register does exist, but the classification used for entry into the common database is not user-friendly. The software installed with the support of the European Union has improved the information system for the judiciary, but the official request from the Association of BH Journalists to develop it further, enabling user-friendly identification of specific cases related to freedom of expression, was refused.

There is no systematic monitoring or evaluation of the media sector performance by state bodies. Instead, sporadic data collection and analyses have been carried out by the civic sector. Media Center Sarajevo, the Association of BH Journalists, the Center for Social Research "Analitika", and the Media Plan Institute use specific indicators to produce high-quality reports that include policy recommendations. The Government has shown no interest in considering or implementing these recommendations.

The Government has never made a report based on the media freedom indicators recommended by the Council of Europe, but civil society organisations – the Press Council of Bosnia and Herzegovina and the Association of BH Journalists – released a shadow report on monitoring the CoE indicators in 2012.

For the first time, the BH Ombudsmen's 2016 Annual Report includes a special section on activities in relation to freedom of expression.

Co-operation between some independent state bodies or institutions and civil society is assessed by our respondents as good and intensive. Such bodies are the Communications Regulatory Agency (CRA) and the Agency for the Prevention of Corruption and Coordination of the Fight Against Corruption.

The recent initiative of the BH Ministry of Transport and Communications on adopting a law on electronic communications (a first draft has been prepared) and a media law has been criticised for lacking consideration of the media market situation, and for risking damage to the functioning of the regulatory authority – the Communications Regulatory Agency, in charge of both the broadcasting sector and the telecommunications sector.

	1.2. Judiciary acts in conformity with Article 10 of the European Convention on Human Rights and applicable case law.

For the first time since the war, there is a comprehensive system of education of judges and prosecutors, in connection with the application of Article 10 of the European Convention on Human Rights. Judges who have completed the training program have shown obvious progress in dealing with court cases involving threats to the media. The Press Council has also been working with prosecutors to increase their knowledge of media. The lack of media expertise in defending rights of journalists is evident among lawyers.

The justice system is affected by differences in entity-level judgments, with the cases in the courts of the Republika Srpska being commonly resolved with less consideration for protection of freedom of expression and media freedom than in the courts of the Federation BH.

At present, in the courts in Bosnia and Herzegovina, there are 176 active cases of libel, according to data from the Association of BH Journalists.

The judiciary's activities in the area of media freedom are generally assessed unfavourably: there is insufficient knowledge of the issues and unevenness of decisions. Despite the number of training sessions for judges and prosecutors, there are many examples where verdicts are completely different depending on the level of political control over the judiciary. Selective action by the judiciary is also visible in investigations: e.g., investigations against hate speech from politicians in the media are not being conducted at all.

The Association of BH Journalists has proposed a change to the Criminal Code in order to specify attacks on journalists as criminal acts against official persons. The initiative aims at contributing to more efficient and rigorous judgements in court cases related to attacks on journalists and other media freedom violations.

	1.3. State institutions, public authorities and others influencing self-censorship in the media or restricting access to information by the media

Most respondents are of the opinion that in the majority of media outlets there is a high level of censorship, as well as self-censorship. This is a result of influence by politicians and owners. The interests of media owners prevail in editorial policy, thus exposing journalists to censorship and self-censorship. Self-censorship is also inextricably linked to journalists' poor and precarious economic and social status.

Most of journalists do not have an adequately regulated working status; they most often work on short-term contracts and must, for pragmatic reasons, carefully calculate what to write in order to keep or extend the contracts. Threats to the physical integrity of journalists are constantly taking place; journalists are forbidden to enter certain premises and banned from accessing certain events, including press conferences; publicly attacked during press conferences by high level officials etc. According to the Association of BH Journalists, there were 64 misdemeanours against journalists in 2016, and in the first 10 months of 2017, as many as 57 cases, of which 9 were death threats and 7 physical attacks. In the period 2006–2017, the Free Media Help Line registered 91 criminal offenses against journalists, of which only 22 cases were solved in favour of journalists.

The Freedom of Access to Information Act is not efficiently implemented in practice since state institutions do not apply the obligations or apply them only selectively, owing either to unprofessionalism or simply to the intent to conceal information. Public institutions in possession of the required information do not conduct a test of public interest, as prescribed by law, but instead make arbitrary decisions. On the other side, journalists often do not exploit the possibilities given by the law.

In Bosnia and Herzegovina, the Ombudsman is a central institution for the protection and promotion of freedom of access to information and also functions as information commissioner.

	1.4. Independent and professional regulators preserve media pluralism and prevent unfair competition in the media market

Some powers and responsibilities of the regulatory authority – the Communications Regulatory Agency (CRA) – are being well executed. But the conditions for completely independent functioning of CRA do not exist. The main obstacles are the system of appointment of the governing body (Council) and key personnel, as well as the lack of financial independence. The regulatory powers include warnings, fines and even licence revocation in case of violations of standards and provisions specified in the regulations. According to the CRA representative, practically all fines have been issued because of hate speech having been broadcast.

There is no limit to media ownership concentration in Bosnia and Herzegovina. Until 2006, the CRA had some competences in this area, but despite the initiative by the Competition Council to introduce a new law, political will was lacking and nothing was done. In the deficient regulatory framework, the problems with lack of transparency of media ownership and absence of measures to prevent media concentration remain.

There is no evidence for possible interference with the independence of the regulatory body's decision-making process. On the other hand, during the last election of the CRA governing body's members in the Parliamentary Assembly, various political influences were evident.

There are complaints on the side of the media regarding the CRA's efficiency in addressing the problems with violations of freedom of expression and professional standards.

When initiating changes to regulations concerning the scope of work of regulatory body, the Government takes into account the CRA's opinion.

There is an obligation for the regulatory body to submit annual reports to the Council of Ministers. The CRA has released its financial report for the last year, which also includes information on fees collected from the broadcasters. Information on how much the media specifically pays can be found on the CRA web site, where all decisions on the measures taken are published either with or without explanation.

The distribution of state funding to the media is non-transparent, and although there are aggregated data available, it is basically not clear how much money is allocated to certain media. State advertising (advertising by state bodies and public institutions) is subject to the public procurement regime, which is beyond the competence of the CRA. State advertising is non-transparent: there is no data or records on how these resources are distributed. Therefore, a group of civil society organisations and professional associations (Association of BH Journalists, Media Center Sarajevo and the Press Council) work – with project funding from the European Union – on drafting laws on media ownership transparency and on state advertising, while also aiming at improving CRA powers and effectiveness in this field.

Market analysis of the media sector is not being conducted. There is no legal protection against the informal economic pressures faced by journalists, nor does the competent authority engage in uncovering informal economic pressures on the media.

The protection of political pluralism in the media during elections is legally regulated, but the CRA response is only possible after the elections.

The strategy and the decisions on the privatisation of state media in BH were announced back in 1998/99, but there was no political will to realise the process, and there are currently 80 public media outlets in Bosnia and Herzegovina.

Public interest in the media is not defined in any policy document.

	1.5. Stimulate public demand for quality journalism. Increase media literacy and understanding of the role of professional and ethical journalism in off-line and online media.

There are no systematic activities related to media literacy. That topic is rarely included in educational programs in elementary and secondary schools. There are civil society organisations and professional associations that occasionally organise seminars on media literacy, but much more is needed.

State strategy or systematic efforts for supporting online, local or alternative media do not exist.

There are no regulations related to filtering or blocking Internet content in Bosnia and Herzegovina. Lately, there has been an initiative from the Republika Srpska Interior Ministry to define certain social network content as an attempt to undermine public peace and order. That Ministry proposed an amendment to the Law on Public Peace and Order, but the decision is pending.

	1.6. Public Service Media – ensure content pluralism in the media environment in an independent and accountable manner.

Political interference in public service media activities and their financial crisis continue, and thus endanger the sustainability of the three public service media organisations: Radio and Television of Bosnia and Herzegovina (BHRT), Radio-Television of the Federation of Bosnia and Herzegovina (FTV) and Radio and Television of Republika Srpska (RTRS). Political interests of the parties in power continue to influence funding for public service media and interfere with crucial decisions and governing structure.

In addition to the three main public service media organisations, there are numerous public service radio and TV channels on municipal and cantonal level, financed from the budgets of the local and regional governments. None of these channels has been privatised, and they are under complete control by local politicians in power.

The three public service media fail to provide sufficient cultural, documentary, educational and even sports programming, while the news program is highly biased by political interference. There is less pressure on the BHRT, a public broadcaster on the state level, than on the two entity public service media, FTV and RTRS, which are clearly bound to serve the agenda of (often nationalist) politicians in power.

The respondents highlight positive example of public service media: Radio BHR 1. It is described as the rare case among altogether 80 public service media organisations in Bosnia and Herzegovina, of a completely persuasive program of public interest that insists on an independent position.

There is no specific internal mechanism for processing the complaints submitted by viewers, listeners or users of any of the public service media s in Bosnia and Herzegovina.

Public service media are legally obliged to submit annual reports, including financial statements to relevant authorities. According to the BHRT auditor's report for 2016, the financial operations of that PSM was in compliance with the law.

Investigative journalism is practiced by the BHRT political magazine team and this program content is funded within the BHRT news program budget.

In addition to numerous obstacles for progress in development of public service media in Bosnia and Herzegovina, there is low level of technology and technical equipment, which lags behind that of some private broadcasters.

	1.7. Initiative and creativity by state institutions in using tools at their disposal to promote free speech and media diversity

For the first time in the last 20 years, the authorities proposed several initiatives for promoting an environment for free speech and media freedom. According to respondents, the Council of Ministers has proposed amendments to the Criminal Code of Bosnia and Herzegovina related to protection of journalists, and the Ministry of Justice is currently working on this.

In addition to that, in February 2017, the Council of Ministers of Bosnia and Herzegovina adopted the Action Plan for Human Rights Education for Journalists and Media Professionals. Representatives of the Ministry of Justice of Bosnia and Herzegovina, the Communications Regulatory Agency, the Press Council and the Association of BH Journalists participated in the preparation of the action plan, along with representatives from the Ministry of Human Rights and Refugees. Workshops were held with the support of the EU-funded project SOCEM.

	2.1. Media outlets voluntarily adhere to principles of transparency. Professional associations of media owners/publishers have been established.

In terms of transparency, media outlets respect the reporting obligations specified in the laws. Public service media submit activity and financial reports to the competent parliaments, while private electronic media report to the Communications Regulatory Agency and the tax authority about their operations and obligations. No state institution is obliged to collect information on corporate governance and media sources of financing. There is no available information about the ownership structure, funding sources or the individual media revenue from the state budgets.

	2.2. Media outlets voluntarily subscribe to and implement adequate labour standards. Labour relations are no longer a factor in self-censorship.

The current economic and social position of journalists in Bosnia and Herzegovina is assessed as very unfavourable; permanent contracts are rare, the majority of journalists work in a grey zone and on the basis of honorary work contracts, their income is low, etc. No significant changes have been made in comparison with the previous period.

There is no information on the percentage of journalists who do not have or have insufficient social protection. This is the area with the least accurate indicators. The grim social situation and protection of journalists maintain an important factor in self-censorship.

Journalists hesitate to join the unions, fearing they will be denied employment. The labour legislation is not harmonised among the two entities and the Brcko District, so at the state level there are no equal standards of labour protection for journalists and other media employees.

According to estimates, around 15% of media outlets have internal trade union organisation. Most of the private media outlets do not have trade unions. Where exist, the unions are separated along the entity lines, with no union coordination at the state level. Consequently, there are no common activities or negotiations with employers about working conditions. Membership of the unions is small and unionising among journalists is not recognised as an instrument for improving social and professional conditions.

	2.3. Self-enforcement of ethical norms and professional standards.

Self-enforcement of ethical norms in the media in Bosnia and Herzegovina has a driving force in the Press Council (PC), a self-regulatory body for print and online media. It has adopted the BH Press Code and supervises its application by the print and online media. The Press Council serves as a role model to other self-regulatory bodies in the region. However, its impact is limited, owing to its lack of executive powers. Individual media can accept and publish the Press Council's decisions or refuse to do so. However, according to information from the Press Council, implementation of their decisions is on the rise. The Council included online media in its work, but up to now only a few online media outlets have joined.

The biggest challenge for sustainability of the PC is its dependence on project financing because the media are not paying their membership fee. To survive, the Press Council has begun to bid for various projects that are not among its core activities and has somewhat drifted away from the essential role of protecting the public from irresponsible journalism.

There is a very small share of media outlets that have developed an internal system for dealing with complaints from the audience (listener/readers/users), and those that do exist are ineffective.

	2.4. Structures strengthened for basic and continuous training and education of journalists and journalism students on professional standards, freedom of expression and media integrity. No legal restrictions on the profession of journalism. Fair, transparent and politically independent accreditation procedures in place.

Currently, journalism can be studied at ten higher education institutions in Bosnia and Herzegovina: at public faculties in Sarajevo, Banja Luka, Mostar, Tuzla and East Sarajevo, or at private faculties in Travnik, Banja Luka, Medjugorje and Brcko. A large number of young journalists is emerging to struggle in the overcrowded labour market. However, over the last few years, interest on the part of students has been declining (the number of enrolled students fell from 460 in 2012, to 300 in 2016). The main problems hampering journalism studies are that they are highly theoretical, that studies in communications prevail over journalism and that in all 10 faculties, students are being poorly trained for practical work in the media. Generally, the problem of formal education in journalism studies is the lack of instruction in practical skills and the resistance of all faculties to practical training initiatives. The faculties did not react to offers by Media Center Sarajevo, the Media Plan Institute, the Press Council and the Association of BH Journalists of practical training for students.

Informal education does exist but is not systematically organised. During the last year, Media Center Sarajevo organised four training courses, with a focus on multimedia production. The Media Center's strategy used to be training for journalists, but the strategy has been changed, and training is now offered to journalism students, since journalists find it hard to get free time to attend workshops. The main reason for the drastic drop in the number of informal training sessions in the last 10 years is the lack of international donor support to such media development programs.

	2.5. Media outlets promote professional training (including in professional ethics)

Internal staff development in the BH media is defiant, including the public service media. The indifference of the majority of media to staff education is the consequence of their scarce financial resources and efforts to survive as their dominant priority. Few media have any real interest in sending journalists on informal courses or are willing to give them the opportunity to apply knowledge gained from such training.

	2.6. Investment in professional management of companies. Improved economic performance of the outlet in changing markets

There are no data on media using a business plan as a management tool.

	2.7. Regaining audience confidence.

The general population survey report shows that trust in the media in Bosnia and Herzegovina is the lowest in the region. As much as 59% of the population does not trust the media. That freedom of speech as a fundamental human right should be strictly protected is believed by 76% of respondents, that freedom of media is a precondition for a free democratic society is believed by 74%, and 20% think that the government should be allowed to restrict media freedom.

	3.1. Improved conditions for quality investigative journalism including modern/innovative approaches to increase the quality and credibility of investigative journalism

Bosnia and Herzegovina has good investigative journalism done by specialist, non-governmental organisations – investigative journalism centers – and several independent media. The work of investigative journalists is a symbolic departure from the dominant form of media reporting in the country. The investigative stories and information that investigative media publish are of high standard and quality.

More than a decade ago, the Center for Investigative Reporting (CIN) in Sarajevo was founded as unique in Bosnia and Herzegovina, becoming the first organisation of this kind in the region. From the very beginning, CIN insisted strictly on verifiable facts and very radical fact checking. (After 13 years of investigating the most sensitive topics such as corruption and crime, CIN has never been charged with defamation or publishing inaccurate information.) Insisting steadily on such standards, CIN has exerted a very strong positive influence on other media or CSOs dealing with investigative reporting in Bosnia and Herzegovina.

The main challenge for investigative journalism is self-sustainability in the foreseeable future. The biggest practical problem is the limited access to information of public character. Sometimes investigative journalists need to repeatedly request and wait for 6 or 8 months to receive the requested information, in some cases even several years.

Investigative journalism is not a separate topic in this country's journalism studies, and certainly is not being studied to the extent it deserves. Generally speaking, investigative journalism has some social impact, but this is insufficient to lead to radical social changes, although it has happened that published investigative stories have directly initiated activities on solving certain problems in society.

	4.1. Media organisations/journalists' associations act on the basis of long-term vision and strategies to achieve impact. Productive dialogue with authorities established.

Since the new regulation was introduced in 2012, professional associations' impact has dramatically decreased. The most active media industry organisation is the Association of Electronic Media in Bosnia and Herzegovina, which has participated in the preparation of regulations and in drafting amendments to certain laws.

Journalists' associations are numerous, divided and lacking in common solidarity. The Association of BH Journalists is the main and most active in providing efficient professional assistance to journalists.

However, the journalists' associations struggle because of lack of funding. Funding on a voluntary basis has failed, owing to the poor social status of journalists, and membership fees have been abolished. The only remaining potential source of funds for journalists' associations comes from bidding for internationally funded projects, which requires specific administrative skills.

There is evident progress in dialogue with the authorities taking into account the steps made by the Council of Ministers and the Ministry of Justice in drafting the changes of the Criminal Code to provide better protection of journalists, following the initiatives of the journalists' associations. Also, the Action Plan for human rights education for journalists has been adopted by the Council of Ministers based on the joint work of several state bodies and journalists' associations/self-regulatory platforms.

	4.2. Regular dialogue within the media community established on press freedom and integrity issues. Broad platforms (journalists' professional organisations, NGOs, think-tanks, editors and owners) formed.

Regular dialogue within the media community is rare. There is good communication between certain media and CSOs dealing with media freedom and media integrity, and occasional issue-based joint actions or project-based cooperation, but strategically developed broad platforms are absent.

	4.3. Media organisations monitor and evaluate the results and impact of their own work.

Journalists' professional associations and the media industry organisations have the obligation to report on own work, particularly in financial terms, but in practice – according to our respondents – most of them do not submit an annual report, mainly on account of their inactivity and negligible financial turnover.

	4.4. Platforms (journalists' professional organisations, CSOs, media owners and editors) set up and actively promote professional standards and ethics.

There is a platform actively promoting professional standards and ethics – Press Council of Bosnia and Herzegovina.

Press Council (PC) supervises the application of ethical standards in print and online media. The number of complaints received (about 400 per year) has remained mostly unchanged over the last few years. Election years are not drastically different. When the number of complaints doubled in 2015, a year of dramatic rise in hate speech on web sites, the PC launched a "Stop Hate Speech" campaign that lasted three months and was quite successful.

The PC is almost entirely reliant on donor funds, most of which are international, and related to various projects (with less than 5% of occasional local sponsorship).

The Press Council of Bosnia and Herzegovina also assisted in establishing and coordinating the work of Press Councils in other countries of the region.

Several media in Bosnia and Herzegovina have adopted their internal ethical rules (e.g. CIN), but the majority of media do not invest sufficient efforts in promoting and respecting professional standards and ethics.

	4.5. Labour standards developed and adhered to.

Freedom of association for journalists is provided, including unions, but in practice obstructions often occur. In a number of cases, joining the journalists' or media workers' union is not allowed by owners, and those who try often lose their jobs.

In Bosnia and Herzegovina, there are several active journalists' trade unions that have attracted around 10-15% of the total number of journalists. Members are mainly employed in public service media. Trade unions are recognised as partners in collective bargaining agreements; however, the problem is that there are no adequate employers' associations. There is no coordination on the state level for collective bargaining.

Some of the trade union organisations are believed to be under political influence.

Media workers who do not have a defined status (working on the basis of honorariums) cannot be members of the union. On the other hand, rarely does a journalist have a fixed-term employment contract or permanent employment contract. Plenty of journalists have insufficient or no social protection, and their employers do not pay their social and health protection contributions.

This precarious labour relations' influence on media freedom and integrity is tremendous.

4. General population survey on the perception of media freedom and media integrity[2]

News consumption: About half of citizens in Bosnia and Herzegovina follow the news on daily basis, which is somewhat lower compared to the regional[3] level. On the other hand, 7% of citizens don't follow the news at all.

Trust in the media in general: Only 36% of citizens trust the media in Bosnia and Herzegovina, compared to 59% of those who don't. On average, 53% of citizens in the region express trust in the media and Bosnia and Herzegovina is the country with the lowest trust.

Access to information through the media: Similarly, 33% of citizens in Bosnia and Herzegovina state that information about relevant issues is completely accessible or accessible to a large degree through the media in their country, which is lower in comparison to the regional average.

Freedom of media to report critically and express their view: Only 30% of citizens believe that journalists and media outlets in their country are free to express their views and report critically about relevant news, which is again lower compared to the regional average.

Current state of media freedom - pressure on journalists and media reporting: Three out of ten people in Bosnia and Herzegovina believe that there is strong pressure on journalist/media reporting in their country, which is in line with the regional level. Additionally, almost every second citizen believes that pressure is present to some degree.

Self-censorship: Even one third of citizens believe that public officials in Bosnia and Herzegovina tend to give statements which might influence journalists and/or media not to publish their information.

Importance of freedom of speech and media freedom: More than 70% of people in Bosnia and Herzegovina agree that freedom of speech, as a fundamental human right, should be strictly protected, as well as that freedom of media is a precondition for a free democratic society. On the other hand, one out of five people state that the government should be allowed to restrict media freedom.

Awareness of investigative journalism: Half of citizens noted that the media in Bosnia and Herzegovina do engage in investigative reporting, at least to some extent. However, only 5% believe that the media engage in investigative reporting to a sufficient extent and this percentage is the lowest in the region. Additionally, according to citizens, only a few media outlets are engaged in investigative reporting.

Awareness of journalists' professional associations: Although countries in the region vary greatly when it comes to their awareness of journalists' professional associations, they mostly agree that the work of journalists' professional associations improves the situation in the media and helps journalists in their country – this is the opinion of 51% of citizens in Bosnia and Herzegovina.

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[2] *Data collection conducted from July to October 2017.*
[3] *The survey was conducted in six countries: Albania, Bosnia and Herzegovina, Kosovo, the former Yugoslav Republic of Macedonia, Montenegro and Serbia.*

Annex 1 - Outline of the monitoring methodology

1. Developing survey instruments

1.1 Questionnaire used in the expert panel country meetings, as well as the on-line survey among experts and representatives of relevant interest group organisations/ institutions

Prior to information collection, the survey instrument was developed. The basis for the survey instrument was the Media Guidelines, 2014-2020. It specifies 4 broad objectives:

1) Enabling an environment for and resulting responsibilities of the main actors;
2) Advancing media to a modern level of internal governance;
3) Qualitative and trustworthy investigative journalism available to citizens;
4) Increasing capacity and representativeness of journalists' professional organisations.

These objectives are divided into 20 indicators:

- 1.1. Legal guarantees and review of their implementation;
- 1.2. The judiciary acts in conformity with Article 10 of the European Convention on Human Rights and applicable case law;
- 1.3. State institutions ensure media pluralism and their independence; law enforcement in media outlets and access to information of public character;
- 1.4. Independent and professional regulators preserve media pluralism and prevent unfair competition in the media market;
- 1.5. State institutions and public authorities stimulate public demand for quality journalism;
- 1.6. Public Service Media – ensure content pluralism in the media environment in an independent and accountable manner;
- 1.7. Initiative and creativity by state institutions in using tools at their disposal to promote free speech and media diversity;
- 2.1. Media outlets voluntarily adhere to principles of transparency;
- 2.2. Media outlets voluntarily subscribe to and implement adequate labour standards;
- 2.3. Self-enforcement of ethical norms and professional standards;
- 2.4. Structures strengthened for basic and continuous training and education of journalists and journalism students on professional standards, freedom of expression and media integrity;
- 2.5. Media outlets promote professional training (including in professional ethics);
- 2.6. Investment in professional management of companies;
- 2.7. Regaining audience confidence;
- 3.1. Improved conditions for quality investigative journalism including modern/innovative approaches to increase the quality and credibility of investigative journalism;
- 4.1. Media organisations/journalists' associations act on the basis of long-term vision and strategies to achieve impact. Productive dialogue with authorities established;
- 4.2. Regular dialogue within the media community established on press freedom and integrity issues;
- 4.3. Media organisations monitor and evaluate the results and impact of their own work;

- 4.4. Platforms (journalists' professional organisations, CSOs, media owners and editors) set up and actively promote professional standards and ethics;
- 4.5. Labour standards developed and upheld.

The phase that followed was operationalisation of the indicators into items. Each item constitutes an operationalised benchmark from the Media Guidelines. After an initial list of items was created, it underwent thorough review by a number of key media experts from all of the countries included in the monitoring process. One consultative meeting with key experts from all target countries was held in Tirana on 27 and 28 April, 2017. Certain items were reformulated, some were excluded and new items added, as suggested by the media experts. The final list included 249 items, of which 239 items were to be assessed by expert panels and representatives of relevant interest group organisations/ institutions, and 9 of them examined via a survey among the general population.

Answers on the items were obtained on a range of scales:

- *Items provided by the media experts:*
  - *Yes/No answers*
  - *Scales (three-point, four-point and five-point scales)*
  - *Absolute number*
  - *Percentage*
- *Items obtained from the general population survey:*
  - *Percentage of answers*

The whole process of questionnaire design took place between March and July of 2017.

The questionnaire was prepared in English and translated into each local language, in the period from July to August of 2017. These versions were programmed in July, August and early September in order to be administered online.

Members of the expert panels discussed all these points during country meetings and completed the whole online questionnaire, i.e. they assessed the full list of indicators. Taking into account the specific expertise of different interest groups, their representatives, in contrast, assessed only selected indicators from the full list included in the questionnaire.

1.2 Interview guide used for in-depth interviews with representatives of relevant interest group organisations/ institutions

The interview guide was developed on the basis of the online questionnaire developed for experts and representatives of relevant interest group organisations/ institutions (explained above). As in the online survey with interest groups, the interviewees undergoing in-depth interviews as representatives of interest groups assessed only selected indicators from the full list included in the questionnaire, depending on their specific field of expertise and interest. Additionally, some topics were further developed in order to obtain more in-depth information from interviewees.

1.3 Questionnaire used in a general population survey

The questionnaire used in the general population survey covered several topics, such as news consumption, trust in the media, perception of media freedom, recognition of investigative journalism and journalists' professional organisations.

2. Data collection

2.1 Expert panel country meetings and the online survey with members of expert panels

Six expert panel meetings were held in early October, in each of the target countries: on 2 October 2017 in Sarajevo, on 4 October in Podgorica, on 6 October in Belgrade, on 9 October in Skopje, on 11 October in Tirana, and on 13 October in Pristina. The composition of these expert panels was defined by media consultants within the project team, taking into account the fields of expertise required to assess the full list of indicators. Ten such fields of expertise have been singled out, and approximately ten experts identified in each country and invited to take part in the expert panel and the assessment of the full list of indicators.

Members of the expert panels had opportunity to fill in the questionnaire prior to the meeting, during the meeting or after. During the meeting, main points were productively discussed. Special care was taken to give enough time for experts to fill in the on-line questionnaire – from late September till early November. Extensive efforts were taken to motivate media experts to participate in the on-line survey.

The number of experts per country is provided in the Table 1:

Table 1. Number of members of the expert panels who assessed full list of indicators and those who actually participated in the expert panel meetings, per country

Country	Experts who assessed full list of indicators	Experts who actually participated in the expert panel meetings
Albania	6	4
Bosnia and Herzegovina	10	9
Kosovo	8	2
The former Yugoslav Republic of Macedonia	10	9
Montenegro	6	3
Serbia	11	9

2.2 In-depth interviews with representatives of relevant interest group organisations/ institutions

Apart from obtaining information from key experts in target countries, more in-depth information was obtained from personal interviews with relevant interest groups, i.e. representatives of relevant organisations/ institutions. These included the following:

- State/Public officials (from a Ministry or other state body such as an Assembly Committee for media)
- Representatives of the judiciary
- Commissioner for access to public information (Information Commissioner)
- Public service media
- Journalists' professional associations
- Media industry associations
- CSOs - Media/journalism training centers, media institutes
- Media regulatory authorities
- Unions of journalists
- Investigative journalism centers
- Self-regulatory bodies

The number of in-depth interviews conducted per country is provided in Table 2:

Table 2. Number of representatives of interest groups/relevant institutions and organisations who participated in the in-depth interviews, per country

Country	Representatives of interest groups/relevant institutions and organisations who participated in the in-depth interviews
Albania	4
Bosnia and Herzegovina	8
Kosovo	8
The former Yugoslav Republic of Macedonia	6
Montenegro	9
Serbia	10

This activity was carried out in October and November 2017.

2.3 Online survey with representatives of relevant interest group organisations/ institutions

In addition to in-depth interviews, representatives of relevant interest group organisations and institutions were asked to complete the online questionnaire, which included selected indicators from the full list that were deemed relevant to their field of interest and expertise. Additionally, not only those being interviewed, but a wider list of representatives of relevant organisations/ institutions was asked to participate in the on-line survey. The number of representatives of relevant organisations/institutions per country is provided in Table 3:

Table 3. Number of representatives of relevant interest group institutions and organisations who assessed selected indicators relevant to their field of interest and expertise, per country

Country	Representatives of relevant interest group institutions and organisations that assessed a selected number of indicators
Albania	6
Bosnia and Herzegovina	4
Kosovo	5
The former Yugoslav Republic of Macedonia	7
Montenegro	7
Serbia	13

2.4 General population survey

The main aim of the general population survey was to obtain information from citizens in target countries regarding their level of trust in the media, their perception of media freedom, as well as their recognition of investigative journalism and journalists' professional organisations. A brief outline of the methodology is presented below:

- *Target population*: entire 18+ population of permanent residents of the target countries;

- *Type of sample*: A three-stage random representative stratified sample (PSU: Polling station territories, SSU: Households, TSU: Household member);

- *Respondent*: Household member 18+ (randomly chosen);

- *Data collection method*: F2F (Face to Face) in home, Computer Assisted Personal Interviewing (CAPI), except in the former Yugoslav Republic of Macedonia (telephone interviewing);

- *Sample size*: at least 1000 interviews per country;

- *Weighting*: by region, type of settlement, gender, age and education;

- *Questionnaire length*: completion time estimated to be around 5 minutes (with 5 open-ended questions);

- *Data collection period*: from July to October 2017.

3. Index system development - calculating the indices

In order to quantify indicators, an index system was developed. As established, 4 broad objectives, divided into 20 indicators were operationalised by 246 items (237 assessed by expert panels and interest groups, and 9 examined through the survey among the general population). From all the items, 23 were excluded from further analysis, since the data were provided by an insufficient number of media experts, thus preventing reliable analysis. Finally, 223 items were analysed. The number of items per indicator varies, from 1 to 54. Detailed information is provided in Table 4. The whole list of created items and analysed items, i.e. items included in the index system development, can be seen at the end of this section. The excluded items are given in *Italic*.

Table 4. Number of operationalised items and number of items included in the analysis, per indicator

Indicator	Number of items created	Number of items analysed
1.1. Legal guarantees and review of their implementation	32	32
1.2. The judiciary acts in conformity with Article 10 of the European Convention on Human Rights and applicable case law	8	1
1.3. State institutions ensure media pluralism and their independence; law enforcement in media outlets and access to information of public character	19	13
1.4. Independent and professional regulators preserve media pluralism and prevent unfair competition in the media market	54	54
1.5. State institutions and public authorities stimulate public demand for quality journalism	5	5
1.6. Public Service Media – ensure content pluralism in the media environment in an independent and accountable manner	17	17
1.7. Initiative and creativity by state institutions in using tools at their disposal to promote free speech and media diversity	2	2
2.1. Media outlets voluntarily adhere to principles of transparency	12	12
2.2. Media outlets voluntarily subscribe to and implement adequate labour standards	9	9
2.3. Self-enforcement of ethical norms and professional standards	4	3
2.4. Structures strengthened for basic and continuous training and education of journalists and journalism students on professional standards, freedom of expression and media integrity	4	4
2.5. Media outlets promote professional training (including in professional ethics)	4	4
2.6. Investment in professional management of companies	2	2
2.7. Regaining audience confidence	1	1

3.1. Improved conditions for quality investigative journalism including modern/innovative approaches to increase the quality and credibility of investigative journalism	10	10
4.1. Media organisations/journalists' associations act on the basis of long-term vision and strategies to achieve impact. Productive dialogue with authorities established	21	20
4.2. Regular dialogue within the media community established on press freedom and integrity issues	8	8
4.3. Media organisations monitor and evaluate the results and impact of their own work	8	8
4.4. Platforms (journalists' professional organisations, CSOs, media owners and editors) set up and actively promote professional standards and ethics	10	9
4.5. Labour standards developed and upheld	17	9
TOTAL	**249**	**223**

Answers from all parties involved (media experts, interest groups and the general population) were treated in the same way. However, taking into consideration that the media experts responded to the full list of indicators, while interest groups responded only to selected indicators, and the general population to only 9 items from the questionnaire, it can be concluded that media experts have the greatest impact on the overall results.

Given that a number of media experts and representatives of interest groups per country provided answers to the items, one measure for each item per country was obtained by calculating the share of positive answers among all the answers provided (for a particular item for each country). All negatively oriented items were reoriented in order to a positive direction, so that it is possible to make further mathematical operations between them. In order to obtain one measure per indicator, an average value was calculated for items belonging to one indicator.

Since there is one average value for each indicator (20 in total) for each country (6 countries), there are 120 scores altogether (20 indicators multiplied by 6 countries). These scores/indices are sorted from lowest to highest and categorised into five categories, from the worst evaluated to the best evaluated. The distribution used was 15%; 15%; 40%; 15%; 15%. Although it can be said that this distribution is arbitrary, it has its foundation in probability theory and normal (or Gaussian) distribution, where distribution of values is symmetrical, and most results are situated around the mean. Based on this distribution, cut values were determined, which enabled score categorisation in the following way:

- *15% (from 0 to 0.14) – Red, the worst evaluated in the region;*
- *15% (from -0.36 to -0.06) – Orange, the second worst evaluated in the region;*
- *40% (from -0.05 to 0.49) – Yellow, the middle of the regional ranking;*
- *15% (from 0.50 to 0.81) – Light green, the second best evaluated in the region;*
- *15% (from 0.82 to 1) – Green, the best evaluated in the region.*

The same principle was applied to the objectives. In order to obtain one measure per objective (4 objectives), an average value was calculated for all indicators belonging to one objective. Since there is one average value for each objective (4 in total) for each country (6 countries), there are 24 scores altogether (4 objectives multiplied by 6 countries). These scores are sorted from lowest to highest and categorised into five categories, from the worst evaluated to the best evaluated (15%; 15%; 40%; 15%; 15%).

Note: Although objective number 3 is comprised only one indicator (3.1.) (as specified on pages 2 and 3), different categorisations of countries (i.e. their colours) is possible, given that the cut values for indicators and objectives are different. As already mentioned, there are 120 scores for indicators (20 indicators multiplied by 6 countries) and 24 scores for objectives (4 objectives multiplied by 6 countries), and this is the reason behind the differences.

3.1 The whole list of items included in the index system development

1. ENABLING ENVIRONMENT AND RESULTING RESPONSIBILITIES OF MAIN ACTORS

1.1. Legal guarantees and review of their implementation

1. Is the right to freedom of expression and information through the media guaranteed in the constitution?

2. Is the constitution in line with Article 10 of the European Convention on Human Rights?

3. Is the right to freedom of expression and information through the media guaranteed under national legislation?

4. Is this law in line with Article 10 of the European Convention on Human Rights?

5. Are cases in which these rights can be restricted clearly/unambiguously defined by the constitution/law?

6. Are these cases in line with those stipulated in Article 10 of the European Convention on Human Rights?

7. Are legal guarantees/safeguards regarding freedom of expression and information through the media implemented in a consistent, non-selective manner?

8. Is there a periodic assessment of the state of media freedom (including assessment of the existence and implementation of the legal framework affecting the media, or assessment of other factors influencing freedom of expression and media freedom) conducted by Parliament and/or the Government?

9. If yes, is this periodic assessment of the state of media freedom and of the legal framework done on the basis of indicators listed in the Council of Europe PA Resolution 1636 (2008)?

10. If not, is there an assessment of the state of media freedom (including assessment of the existence and implementation of the legal framework affecting the media, or assessment of other factors influencing freedom of expression and media freedom) conducted by any other state institution/body?

11. If yes, was the last assessment of the state of media freedom (including assessment of the existence and implementation of the legal framework affecting media, or assessment of other factors influencing freedom of expression and media freedom) - conducted by the Parliament/Government/other state institution/body - positive?

12. Are journalists' professional associations, and/or media representatives consulted about and involved in preparing the Parliament's/Government's assessments and follow-up proposals?

13. Is this done in a transparent manner?

14. Is this done in a fair/inclusive manner?

15. Was a report published about the consultation process?

16. Are the proposals by the media and journalists' professional associations taken into consideration by the Parliament/Government?

17. Are independent regulatory authorities* consulted about and involved in preparing the Parliament's/Government's assessments and follow-up proposals? *Independent regulatory authorities are in charge of supervising the implementation of regulations related to electronic media, which usually encompasses the power to license broadcasters, to monitor whether broadcasters are fulfilling their

legal obligations, and to impose sanctions if they fail to carry out those obligations.

18. Is this done in a transparent manner?

19. Is this done in a fair/inclusive manner?

20. Are the proposals by the independent regulatory authorities taken into consideration by the Parliament/Government?

21. Are interested CSOs consulted about and involved in preparing the Parliament's/Government's assessments and follow-up proposals?

22. Is this done in a transparent manner?

23. Is this done in a fair/inclusive manner?

24. Was a report published about the consultation process?

25. Are proposals by the CSOs taken into consideration by the Parliament/Government?

26. Have any laws, strategies, policies and/or measures been adopted in order to improve the situation in the media sector, as a result of such periodic assessment?

27. Have there been any independent assessments of the state of media freedom carried out by non-state actors such as think tanks, international organisations etc. in the past year?

28. Did those assessments contain suggestions for improvement of the current situation in the media sector?

29. Did the Government/Parliament/other state institution/body take into consideration proposals provided in the independent assessments?

30. Did the Government/Parliament/other state institution/body implement any of these proposals?

31. If yes, were these changes based on the periodic assessments of the state of media freedom, including the assessment of the legal framework?

32. If changes in the national legislation were introduced in the past year, have these changes been for the better, for the worse, or has nothing changed?

1.2. The judiciary acts in conformity with Article 10 of the European Convention on Human Rights and applicable case law

1. *What is the number of judges in your country trained in applying ECtHR case law on freedom of expression? Training covers also application of legislation affecting media in line with fundamental rights (including to free expression). (not included in the index system development due to small number of answers)*

2. *What is the number of prosecutors in your country trained in applying ECtHR case law on freedom of expression? Training covers also application of legislation affecting media in line with fundamental rights (including to free expression). (not included due to small number of answers)*

3. *What is the number of the rulings in your country related to media freedom and freedom of expression (ECtHR case law) in the last year? (not included due to small number of answers)*

4. *What is the number of cases in your country in which journalists/media representatives were acquitted related to media and freedom of expression (ECtHR case law) in the last year? (not included due to small number of answers)*

5. *What is the number of cases in your country in which journalists/ media representatives were convicted related to media and freedom of expression (ECtHR case law) in the last year? (not included due to small number of answers)*

6. *What is the number of cases in your country in which there were inadequate damages awarded (in comparison to other similar sanctions/cases) in the last year? (not included due to small number of answers)*

7. *What is the number of cases in your country where charges against journalists/media were pushed by public officials on the grounds of defamation law in the last year? (not included due to small number of answers)*

8. Is there a data collection system in your country providing that data on prosecution of journalists/media representatives are systematically collected, updated and made available on a regular basis or otherwise accessible?

1.3. State institutions ensure media pluralism and their independence; law enforcement in media outlets and access to information of public character

1. How often in the past year have public officials (President, Prime Minister, ministers, MPs, government at the local level, public officials, public authorities, directors of state companies, religious leaders, party officials, etc.) made statements that might possibly have a self-censorship effect on the media?

2. In your opinion, how often in the past year have journalists in your country practiced self-censorship for fear of civil lawsuits or criminal prosecution (fines, imprisonment)?

3. In your opinion, how often in the past year have journalists in your country practiced self-censorship for fear of professional reprisals or attacks on their reputation?

4. In your opinion, how often in the past year have journalists in your country practiced self-censorship for fear of threats to their physical safety or that of their family and friends, to their workplace or home?

5. How many physical attacks on journalists have taken place in the past year?

6. How many threats to journalists have been made in the past year?

7. How many other forms of intimidation of the media have taken place in the past year?

8. Has this number decreased in comparison to the previous year?

9. Are such cases dealt with by law enforcement and the judiciary in a timely manner?

10. *What is the number of complaints raised because law enforcement and judiciary did not deal with these cases in timely manner in the last year? (not included due to small number of answers)*

11. *What is the number of convictions in cases of attacks on journalists in the last year? (not included due to small number of answers)*

12. Is there a data collection system providing that data on attacks on journalists and on actions taken by the

law enforcement bodies in these cases are systematically collected, updated and made available on a regular basis or otherwise accessible?

13. Are rules on access to information of a public character in place?

14. Are these rules in accordance with the Council of Europe and other relevant European standards?

15. Are these rules related to access to information of public character for journalists and media followed by authorities without delay?

16. *What is the number of cases where authorities restricted access to information to media in the last year? (not included due to small number of answers)*

17. *What is the number of cases related to access to information of public character for journalists and media where Commissioner for information of public character/Information Commissioner intervened when the authorities restricted access to media? (not included due to small number of answers)*

18. *What is the number of cases related to access to information of public character for journalists and media where intervention of the Information Commissioner had positive outcome, and the authorities enabled access to information as a result of the intervention? (not included due to small number of answers)*

19. *What is the number of cases related to access to information of public character for journalists and media where intervention of the Information Commissioner didn't have positive outcome, and the authorities even after the appeal procedure didn't enable access to information, or enabled incomplete or delayed access to information? (not included due to small number of answers)*

1.4. Independent and professional regulators preserve media pluralism and prevent unfair competition in the media market

1. Are there Media regulatory authorities* present in your country? *Regulatory authorities are in charge of supervising the implementation of regulation related to electronic media, which usually encompasses the power to license broadcasters, to monitor whether broadcasters are fulfilling their legal obligations, and to impose sanctions if they fail to carry out those obligations.

2. Does legislation provide for independent and professional operation of the Media regulatory authorities in charge of the broadcasting sector?

3. Are Media regulatory authorities or any other professional and independent body (ies) required to contribute to the protection and promotion of freedom of expression and information through the media?

4. Are Media regulatory authorities or any other professional and independent body (ies) required to contribute to the protection and promotion of diversity of opinions and media pluralism - during elections?

5. Are Media regulatory authorities or any other professional and independent body (ies) required to contribute to the protection and promotion of diversity of opinions and media pluralism - outside election periods?

6. Are Media regulatory authorities or any other professional and independent body (ies) required to

protect public interests and media users?

7. Are Media regulatory authorities or any other professional and independent body (ies) required to ensure media ownership transparency?

8. Are Media regulatory authorities or any other professional and independent body (ies) required to regulate/prevent concentration and abuse of dominant market positions by media?

9. Are there rules to ensure that Media regulatory authorities in charge of the broadcasting sector are independent and free from political or other interference when it comes to appointment and dismissal of members?

10. In practice, are Media regulatory authorities in charge of the broadcasting sector independent and free from political or other interference when it comes to appointment and dismissal of members?

11. In practice, are the Media regulatory authorities consulted if the Government initiates changes to the regulations related to their scope of work, competences, rights and obligations?

12. Is the media sector (media industry and journalists' associations) consulted if the Government initiates changes to the regulations related to the scope of work, competences, rights and obligations of the regulatory authorities?

13. Are the recommendations and suggestions from public consultations taken into account?

14. Are there rules to ensure that the government/ other state bodies or officials cannot take actions that might be qualified as interference with Media regulatory authorities' independence when it comes to the decision-making process?

15. In practice, are the Media regulatory authorities in charge of the broadcasting sector independent and free from political or other interference when it comes to the decision-making process?

16. Do the Media regulatory authorities publish or make available all decisions about the measures issued and imposed, with or without justification?

17. Is there an obligation for the Media regulatory authorities in charge of the broadcasting sector to submit an annual report to the parliament or other state institution on performance of its own mission and tasks?

18. Did the Media regulatory authorities in charge of the broadcasting sector submit an annual report on performance of its own mission and tasks in the past year?

19. Is this annual report on performance of its own mission and tasks available to the public?

20. Do the Media regulatory authorities in charge of the broadcasting sector have financial autonomy?

21. Did the Media regulatory authorities publish financial reports for the past year?

22. Does this annual report (annual reports if there are multiple regulatory authorities) include information on the fees paid by media outlets to the regulatory authority?

23. Please assess the efficiency of the Media regulatory authority/authorities.

24. Please assess the independence of the Media regulatory authority/authorities.

25. Do the Media regulatory authorities annually provide accessible records on media ownership?

26. Are these records transparent and credible (in terms of data on real beneficiaries/beneficial owners)?

27. Are economic performance/financial statements of outlets made available by the Media regulatory authorities or any other authority or institution?

28. Is legislation against media concentration and misuse of dominant market position in place?

29. Is legislation against media concentration and misuse of dominant market position properly enforced?

30. Are sanctions regarding media concentration and misuse of dominant market position proportionate?

31. Are enforcement records (data/files on all investigated or processed cases) regarding media concentration and misuse of dominant market position made public?

32. Is State advertising and any other direct or indirect use of public money in the media regulated by legislation in accordance with good governance to guarantee fairness, neutrality, equal treatment and transparency?

33. Are the rules regarding State advertising and any other direct or indirect use of public money in the media enforced by the competition authority or other body(ies)?

34. Is there transparency in State advertising including public campaigns/advertisements by state bodies and local authorities?

35. Are the volume and share of State advertising and, other use of public money per media outlet being published (including public campaigns/advertisements)?

36. Is there transparency in dispatching advertisements by state-owned companies?

37. Is the volume and share of advertising per outlet by state-owned companies made public?

38. Are verified audience measurements implemented regularly?

39. Are publicity campaigns by governments or other state or local authorities developed on the basis of verified audience measurements?

40. Is media sector market analysis conducted regularly?

41. Are regulatory proposals being developed on the basis of media sector market analysis?

42. Is there legal protection in place against informal economic pressure (e.g. cancelation of advertising contracts because of critical reporting) on independent reporting?

43. Do responsible authorities provide periodic sector analysis to disclose any informal economic pressure on independent reporting (e.g. by ad agencies, media owners participating in public procurement, cross ownerships, etc.)?

44. Has the state-owned media been privatised?

45. Has this privatisation been carried out in a transparent way?

46. Has privatisation been carried out with due respect to fair competition?

47. Are there sanctions for the cases that jeopardise the media privatisation process?

48. Are state budget funds foreseen for project co-financing for media outlets?

49. Is the process of funding allocation conducted in a transparent manner?

50. Is the report on funding allocation published annually?

51. Are there measures in place to sanction cases that jeopardise the process of project co-financing for media outlets?

52. Are there any other sources of public funding/money that might be allocated to the media through various funds and mechanisms (subscription fee, taxes payable directly to a designated fund etc.)?

53. Is the process of funding allocation in case of these other financial mechanisms conducted in a transparent manner?

54. Is the report on funding allocation published annually?

1.5. State institutions and public authorities stimulate public demand for quality journalism

1. In the past year, have there been public/state programs to promote media literacy?

2. Has regulation been drafted or adopted to block or filter internet content?

3. In the past year, have there been cases where dissemination of information was prevented by blocking/filtering internet content?

4. In the past year, were there cases where dissemination of information was prevented through blocking/filtering internet content by the state bodies (including prosecutors or courts)?

5. Have the public authorities recently developed strategies or measures for supporting of "new"/online, local and/or alternative media?

1.6. Public Service Media – ensure content pluralism in the media environment in an independent and accountable manner

1. Is the Public Service Media remit defined by legislation?

2. Were there broad public consultations regarding the Public Service Media remit?

3. Does the law provide for editorial independence and against politicisation of Public Service Media?

4. In practice, is editorial independence of Public Service Media efficiently/de facto protected when it comes to political interference?

5. Is there a governing body of Public Service Media composed to represent diverse social groups and actors (e.g. minorities, CSOs, academia and similar)?

6. Please assess the level of independence of PSM considering mechanisms for appointment and dismissal of key personnel (e.g. director general, directors, editors-in-chief etc.).

7. Do the Public Service Media have sufficient funds to perform Public Service obligations (funds sufficient to comply with the PS remit)?

8. Are sources of and mechanisms for funding the Public Service Media provided to allow stable operations and avoid dependence on decisions by the Government/the Parliament over the PSM budget?

9. Is there a legal obligation for Public Service Media to publish annual reports (including financial)?

10. Did the Public Service Media publish an annual report (including financial) in the past year?

11. Is there a Code of ethics for the Public Service Media?

12. Have the Public Service Media developed an in-house mechanism to deal with viewer/listener/user complaints (e.g. an ombudsman, a readers' editor)?

13. Are these mechanisms effective in dealing with viewer/listener/user complaints?

14. Is there an investigative journalism* unit present in the PSM in your country? *Investigative journalism in this survey is considered systematic work on investigation of and reporting on societal issues related to abuse of power, corruption, organised crime and serious violation of fundamental rights that otherwise would not have been brought to the public`s attention.

15. Does the PSM have an annual or multi-annual program and financial plans dedicated to the operation of an investigative journalism unit?

16. Does the PSM (its special unit or without such unit) engage regularly in independent and critical investigative journalism?

17. On a scale from 1 to 4, how much trust do you have in Public Service Media (please insert the specific media provider), when it comes to reporting the news fully, accurately and fairly? *(General population survey)*

1.7. Initiative and creativity by state institutions in using tools at their disposal to promote free speech and media diversity

1. Have there been any actions (e.g. awareness campaigns, public hearings or debates) undertaken by state institutions aimed at promoting media freedom and media pluralism/diversity?

2. If yes, please assess the efficiency of any actions undertaken by state institutions (e.g. awareness campaigns, public hearings or debates) aimed at promoting media freedom and media pluralism/diversity.

2. ADVANCING MEDIA TO A MODERN LEVEL OF INTERNAL GOVERNANCE

2.1. Media outlets voluntarily adhere to principles of transparency

1. Is any state institution obliged to collect data about corporate governance and finances from one or more different types of media (Radio, TV, Print, Online)?

2. If yes, are these state institutions able to efficiently collect these data from the media? (Radio, TV, Print, Online)

3. Is the ownership structure made publicly available? (Radio, TV, Print, Online)

4. Are financing sources made publicly available? (Radio, TV, Print, Online)

5. Is income received from the state made publicly available? (Radio, TV, Print, Online)

6. Are balance sheets made publicly available? (Radio, TV, Print, Online)

7. Does any state institution keep track of and provide data (available to the public) about the market share

of one or more different types of media (Radio, TV, Print, Online)?

8. Are media outlets obliged to submit a report on their corporate governance and finances to some state institution?

9. What share of media outlets voluntarily provide open access to data about their ownership structure?

10. What share of media outlets voluntarily provide open access to data about their financing sources?

11. What share of media outlets voluntarily provide open access to data about income received from the state?

12. What share of media outlets voluntarily provide open access to data about their balance sheets?

2.2. Media outlets voluntarily subscribe to and implement adequate labour standards

1. What percentage of journalists in your country have long-term employment contracts?

2. What percentage of journalists in your country have fixed-term employment contracts?

3. What percentage of journalists in your country have contracts, but are not in an employment relationship (honorarium-based/piecework contract or service contract, etc.)?

4. What percentage of journalists in your country are freelancers (self-employed, working for different media)?

5. What percentage of journalists have no or insufficient social protection (contributions for social security not paid or paid only on part of the salary)?

6. Are the terms of working contracts a factor in self-censorship? (The terms of working contracts refer to job insecurity, uncertainty of working time, irregular earnings, insecurity of working conditions, legal insecurity and violation of labour rights: non-payment of overtime, work on weekends and public holidays and unpaid sick leave; failure to comply with labour rights in the company where the respondent works, violation of their rights to union organising.)

7. What percentage of media outlets have adopted an internal code of ethics (a document defining ethical conduct)?

8. What percentage of media outlets have adopted statutes (internal acts defining the relations, rights and obligations between owner/publisher, management and editorial office/journalists etc.)?

9. Is freedom of association (i.e. the right of media workers to establish associations and/or unions) clearly spelled out in the labour regulations, or in internal statutes?

2.3. Self-enforcement of ethical norms and professional standards

1. What share of media outlets have developed in-house mechanisms to deal with reader/viewer/listener/user complaints (e.g. an ombudsman, a readers' editor)?

2. Are these mechanisms effective in dealing with reader/viewer/listener/user complaints?

3. Are public data available about cases of journalists suspended or dismissed on the grounds of critical reporting (despite having complied with the code of ethics)?

4. *What is the number of suspended or dismissed journalists on the grounds of critical reporting (despite*

being consistent with code of ethics) in the last year? (not included due to small number of answers)

2.4. Structures strengthened for basic and continuous training and education of journalists and journalism students on professional standards, freedom of expression and media integrity
1. What is the total number of colleges/faculties/schools teaching journalism?
2. What is the number of journalism colleges/faculties/schools that incorporate courses on ethical codes and standards in their curriculum?
3. In the past year, how many media providers have offered/organised training courses and/or internship programs* which include learning about professional standards, freedom of expression, media freedom and media integrity? *These courses/programs are offered to any journalist, not only to those employed/working in that media.
4. In the past year, how many training programs/courses for professional journalists have been organised by Media training centers* that include learning about professional standards, freedom of expression and media integrity? *Media training centers refer to civil society organisations operating separately from any media.

2.5. Media outlets promote professional training (including in professional ethics)
1. What percentage of media have a staff development policy? (Staff development refers to all policies, practices and procedures used to develop the knowledge, skills and competencies of staff.)
2. What percentage of media providers have a human resources department?
3. In the past year, what percentage of media providers have implemented their own professional development programs (for journalists employed/working in that media) that include learning about professional ethics?
4. In the past year, what percentage of media sent their journalists to professional development programs (provided outside their own institution) that included learning about professional ethics?

2.6. Investment in professional management of companies
1. What percentage of media outlets have business plans?
2. What percentage of media outlets implement the business goals defined by their business plan?

2.7. Regaining audience confidence
1. In general, how much trust do you have in the media -- such as newspapers, TV, radio or online news sources - when it comes to reporting the news fully, accurately and fairly in your country? *(General population survey)*

3. QUALITATIVE AND TRUSTWORTHY INVESTIGATIVE JOURNALISM AVAILABLE TO CITIZENS
3.1. Improved conditions for quality investigative journalism including modern/innovative approaches to increase the quality and credibility of investigative journalism
1. How many joint journalist/CSO projects have been created in your country dedicated to investigative journalism in the past year?

2. Are there any awards for investigative journalism in the country?

3. How many cross-border, regional or international joint investigative journalism projects have there been in which journalists from your country took part in the past year?

4. How often are there policy/personnel changes in the investigated institutions/organisations as a consequence of the findings from investigative journalism?

5. How many media outlets have been carrying out investigative journalism* within their outlet over the past year? *Investigative journalism in this survey is considered as systematic work on investigations and reporting on societal issues related to abuse of power, corruption, organised crime and serious violations of fundamental rights that otherwise would not have been brought to the public`s attention.

6. How many TV media outlets have published investigative journalism content in the past year?

7. How many Radio media outlets have published investigative journalism content in the past year?

8. How many Print media outlets have published investigative journalism content in the past year?

9. How many Online media outlets have published investigative journalism content in the past year?

10. Could you please name up to three Media outlets that published investigative journalism stories in the past year? *(General population survey)*

4. INCREASING CAPACITY AND REPRESENTATIVENESS OF JOURNALISTS' PROFESSIONAL ORGANISATIONS

4.1. Media organisations/journalists' associations act on the basis of long-term vision and strategies to achieve impact. Productive dialogue with authorities established

1. Are media industry associations present in your country?

2. Do media industry associations engage in informed dialogue with the authorities in a coordinated manner?

3. Do media industry associations have sufficient funds for continuous and efficient operation?

4. Are sources of funding for media industry associations diverse (membership fees, donations, sponsorships, projects)?

5. Are membership fees the dominant source of funding for media industry associations?

6. Are media industry associations financially self-sustainable?

7. How many advocacy actions or joint policy initiatives (e.g. dialogue meetings with public authorities to suggest or influence upcoming policy or legislation) have been organised and implemented by media industry associations in the past year?

8. Please assess the impact of these actions on policies or legislation regarding the media.

9. Are journalists' professional associations present in your country?

10. Do journalists' professional associations engage in informed dialogue with the authorities in a coordinated manner?

11. Do journalists' professional associations have sufficient funds for continuous and efficient operation?

12. Are the sources of funding for journalists' professional associations diverse (membership fees, donations,

sponsorships, projects)?

13. Are membership fees the dominant source of funding for journalists' professional associations?

14. Are journalists' professional associations financially self-sustainable?

15. How many advocacy actions or joint policy initiatives (e.g. dialogue meetings with public authorities to suggest or influence upcoming policy or legislation) have been organised and implemented by journalists' professional associations in the past year?

16. Please assess the impact of these actions on policies or legislation regarding the media.

17. How many journalists are members of journalists' professional associations?

18. Of the total number of journalists in your country, what percentage are members of journalists' professional associations?

19. *What is the number of members having benefited from free legal aid in the last year? (not included due to small number of answers)*

20. Were media industry associations and journalists' professional associations engaged in issue-based coalitions in the past year?

21. In your opinion, does the work of journalists' professional associations contribute to improving the situation of media and journalists in your country? *(General population survey)*

4.2. Regular dialogue within the media community established on press freedom and integrity issues

1. Were there meetings of broad platforms (consisting of, for example, journalists' professional organisations, media industry associations, CSOs/media centers and institutes, think-tanks, journalism schools, investigative journalism centers, editors etc.) organised within the media community on media freedom and integrity issues in the past year?

2. How many meetings of broad platforms were organised?

3. Were there joint conclusions adopted and actions taken at the local, national and/or regional level as a result of meetings of broad platforms?

4. In your opinion, to what extent are journalists and media outlets in your country free to express their views and report critically about relevant news? *(General population survey)*

5. How would you describe the current state of media freedom (newspapers, TV, radio or online news sources) in your country? Chose the statement that best matches/represents your opinion. *(General population survey)*

6. In your opinion, how often have public officials (President, Prime Minister, ministers, MPs, government at the local level, public authorities, directors of state companies, religious leaders, party officials, etc.) made statements that` might possibly influence journalists and/or media not to publish their information? *(General population survey)*

7. In your opinion, to what extent is information about relevant issues, events and developments made accessible through the media to citizens in the country? *(General population survey)*

8. In your opinion, how frequently do journalists/media in your country fail to publish information they

have out of fear of provoking negative reactions from public officials and other important figures? *(General population survey)*

4.3. Media organisations monitor and evaluate the results and impact of their own work

1. Are media industry associations obliged (following internal rules or legal obligations) to make annual reports?

2. What percentage of media industry associations publish their annual reports?

3. Do media industry associations evaluate their projects and programs?

4. What percentage of media industry associations monitored and evaluated their projects and programs using baselines and quality indicators in the past year?

5. Are journalists' professional associations required to make annual reports?

6. What percentage of journalists' professional associations publish their annual reports?

7. Do journalists' professional associations evaluate their projects and programs?

8. What is percentage of journalists' professional associations monitored and evaluated their projects and programs using baselines and quality indicators in the past year?

4.4. Platforms (journalists' professional organisations, CSOs, media owners and editors) set up and actively promote professional standards and ethics
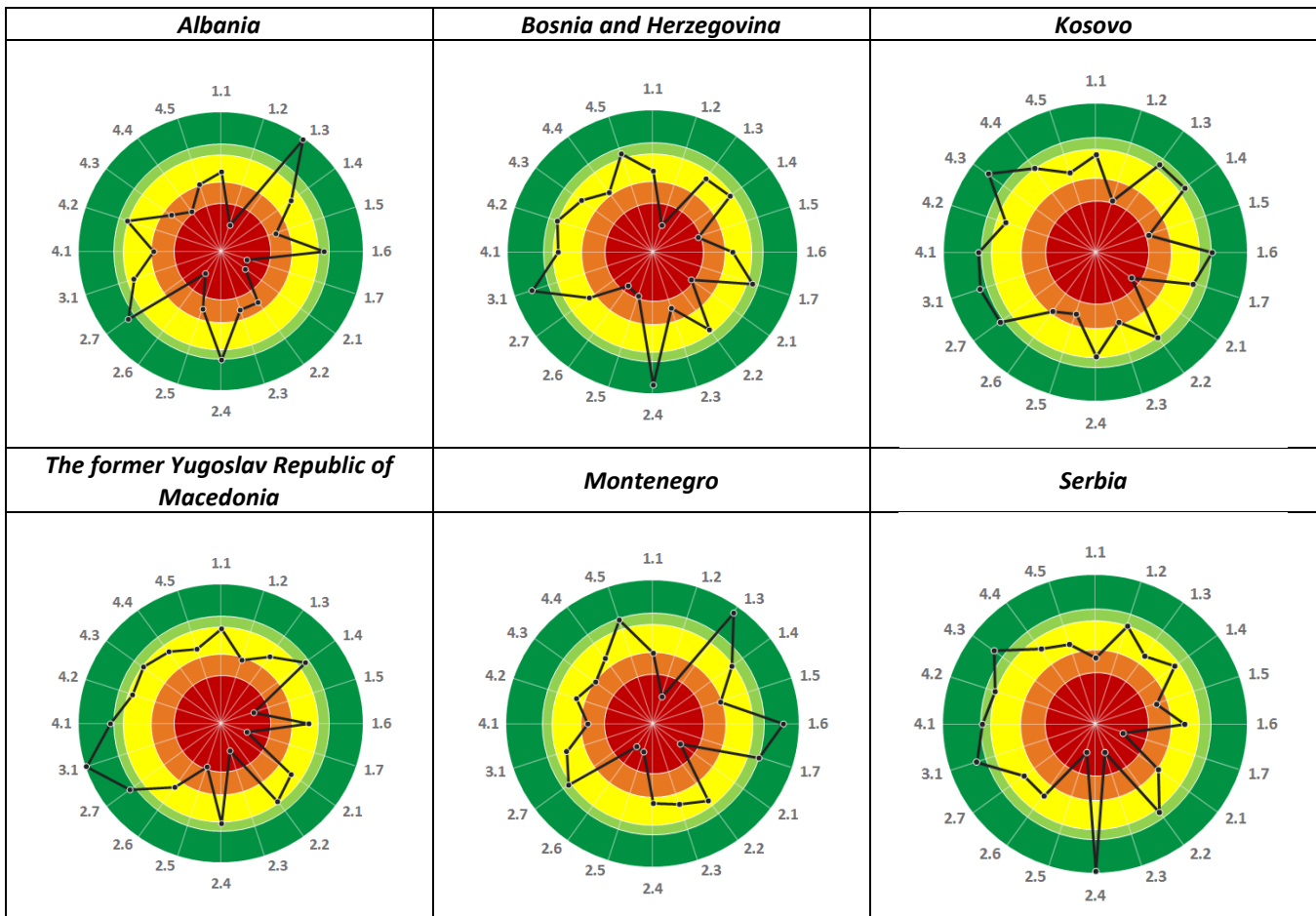
1. Have self-regulatory bodies been established in your country?

2. Do these self-regulatory bodies have relevant representation from the media community regarding the number of media outlets that have joined the self-regulatory body and submitted to its rules and procedures?

3. Do these self-regulatory bodies have relevant representation from the media community regarding the impact or influence of media outlets that have joined the self-regulatory body and submitted to its rules and procedures?

4. Do these self-regulatory bodies have relevant representation from the media community regarding the market share of media outlets that have joined the self-regulatory body and submitted to its rules and procedures?

5. Do you consider the rules agreed and implemented by these self-regulatory bodies to be effective?

6. Were there any decisions taken against their members?

7. *How many decisions were taken against their members? (not included due to small number of answers)*

8. Has the number of decisions made by self-regulatory bodies regarding violations of the agreed rules decreased in the past year?

9. Are the funding sources (membership fees, donations, sponsorships, projects) of self-regulatory bodies diverse?

10. Have financial contributions (membership fees or similar contributions) from the media community, outlets and media owners to self-regulatory bodies increased, decreased or remained the same over the

past year in comparison to the year before?

4.5. Labour standards developed and upheld

1. *What is the number of journalists who reported obstacles to freedom of association in the last year? (not included due to small number of answers)*

2. *What is the number of journalists reporting inadequate working contracts with insufficient social protection? (not included due to small number of answers)*

3. In your country, are there collective agreements on the level of single media outlets, on the level of certain types of media, or a collective agreement covering all the media in the country?

4. Are trade unions recognised as partners in negotiating collective agreements?

5. *What is the number of media outlets where collective bargaining between trade unions and employers took place in the past three years? (not included due to small number of answers)*

6. *What is the number of media outlets where collective bargaining between trade unions and employers took place with a positive result in the past three years? (not included due to small number of answers)*

7. Please assess the quality of agreements reached (against the backdrop of labour standards).

8. How many advocacy and lobbying activities by unions and other organisations regarding labour standards have taken place in the past year?

9. Please evaluate the implementation of national labour laws (in media outlets) and how they are reflected in the collective agreements.

10. Do the media industry/media employers' associations play a role in negotiations on a collective contract with journalists' trade unions?

11. Do the media industry/media employers' associations contribute to achieving satisfactory labour standards?

12. *What is the number of journalists associated in journalist unions? (not included due to small number of answers)*

13. *Out of the total number of journalists in your country which percentage is a member of journalist unions? (not included due to small number of answers)*

14. *What is the number of journalists with irregular/temporary employment status such as fixed-term contract basis, honorarium-based or freelance that are members of journalist unions? (not included due to small number of answers)*

15. Out of the total number of journalists in your country which percentage are journalists with irregular/temporary/precarious employment status such as fixed-term contract basis, honorarium-based or freelance that are members of journalist unions?

16. Were there any attempts at unionisation (new initiatives to establish unions) at media outlets or on the local/regional/national level in your country in the past year?

17. Were there any attempts at de-unionisation (closing down or collapsing of unions) at media outlets or on the local/regional/national level in the past year?

Annex 2 – Traffic lights for all countries

Albania	Bosnia and Herzegovina	Kosovo

The former Yugoslav Republic of Macedonia	Montenegro	Serbia

1.1. Legal guarantees and review of their implementation

1.2. The judiciary acts in conformity with Article 10 of the European Convention on Human Rights and applicable case law

3. State institutions ensure media pluralism and their independence; law enforcement in media outlets and access to information of public character

1.4. Independent and professional regulators preserve media pluralism and prevent unfair competition in the media market

1.5. State institutions and public authorities stimulate public demand for quality journalism

1.6. Public Service Media – ensure content pluralism in the media environment in an independent and accountable manner

1.7. Initiative and creativity by state institutions in using tools at their disposal to promote free speech and media diversity

2.1. Media outlets voluntarily adhere to principles of transparency

2.2. Media outlets voluntarily subscribe to and implement adequate labour standards

2.3. Self-enforcement of ethical norms and professional standards

2.4. Structures strengthened for basic and continuous training and education of journalists and journalist students on professional standards, freedom of expression and media integrity

2.5. Media outlets promote professional training (including in professional ethics)

2.6. Investment in professional management of companies

2.7. Regaining audience confidence

3.1. Improved conditions for quality investigative journalism including modern/innovative approaches to increase the quality and credibility of investigative journalism

4.1. Media organisations/journalists' associations act on the basis of long-term vision and strategies to achieve impact. Productive dialogue with authorities established

4.2. Regular dialogue within the media community established on press freedom and integrity issues

4.3. Media organisations monitor and evaluate the results and impact of their own work

4.4. Platforms (journalists' professional organisations, CSOs, media owners and editors) set up and actively promote professional standards and ethics

4.5. Labour standards developed and upheld