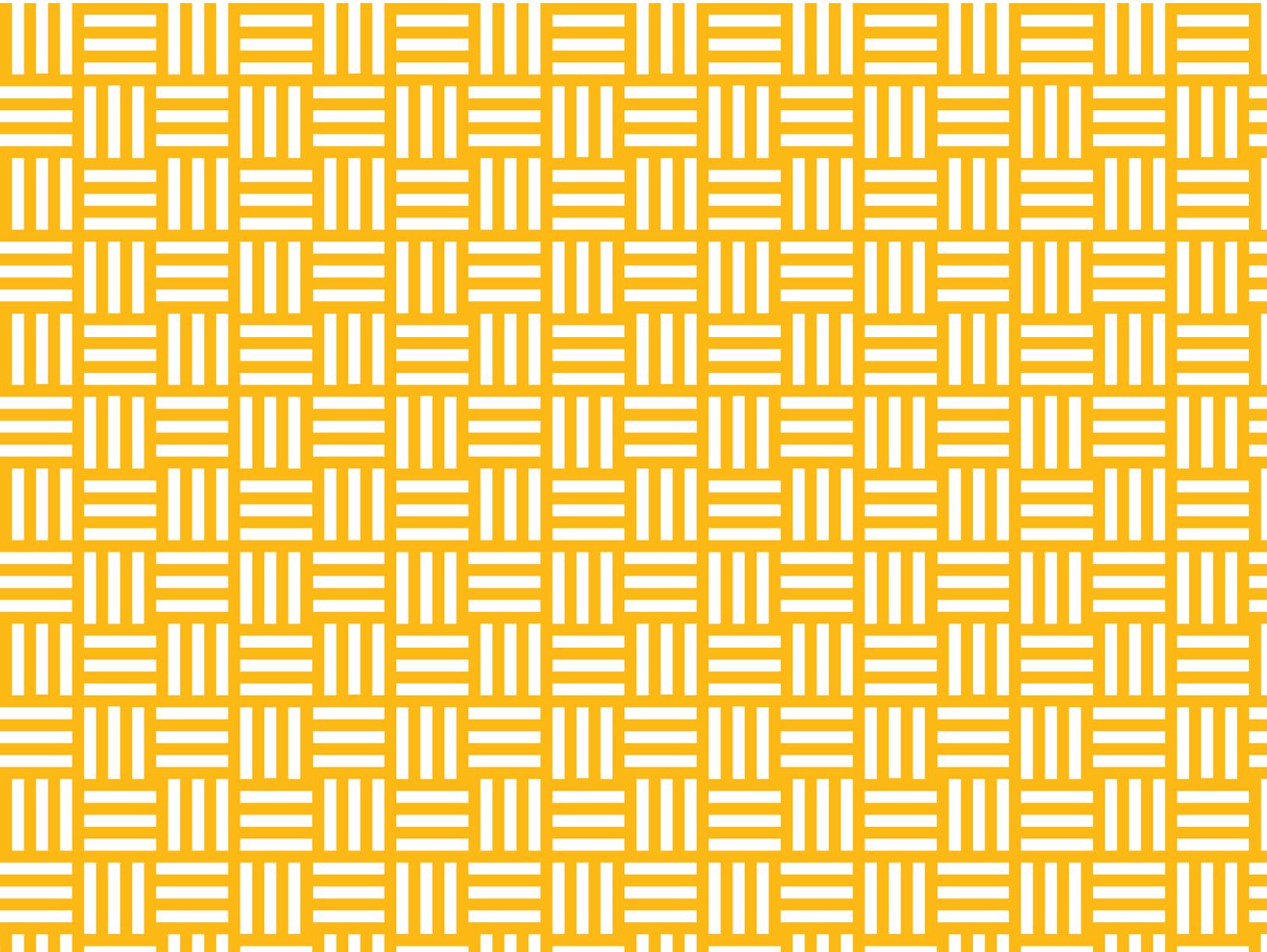




Регионална платформа на западен Балкан за застапување
на слободата на медиумите и за заштита на новинарите
Western Balkan's Regional Platform for Advocating
Media Freedom and Journalists' Safety

Indicators on the level of media freedom and journalists' safety [MACEDONIA] 2018

SUMMARY OF THE FINDINGS



Indicators on the level of media freedom and journalists' safety [MACEDONIA]

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Summary of the findings

Project Goals and Research Methodology

This report presents the findings of the research conducted within the regional project “Western Balkans Regional Platform for Advocating Media Freedom and Journalists’ Safety”, which is implemented by the national journalists associations in Bosnia and Herzegovina, Kosovo, Macedonia, Serbia and a trade union in Montenegro. The report is a follow up of the baseline study on legislation, socio-economic and political situation with respect to freedom of media and security of journalists, which identified the key challenges and recommendations for associations of journalists and other stakeholders¹. The main goal of the third research was to identify new developments and compare the current state of media freedom and security of journalists with the situation established in 2016 and 2017.

This research study was conducted by Besim Nebiu, Naser Selmani, Dragan Sekulovski and Deniz Sulejman following the common methodology of all five countries. The set of different qualitative and quantitative methods was used for data collection and analysis:

¹ Association of Journalists of Macedonia, “Indicators on the Level of Media Freedom and Journalists’ Safety – Macedonia”, (Skopje: AJM, 2016). Accessed: <http://safejournalists.net/wp-content/uploads/2017/01/Full-MK-ENG-Digital.pdf>.

- Qualitative Documents Analysis (QDA) of: research studies and analyses produced by other research organisations, academia, NGOs, individual researchers etc.; official documents produced by public institutions (legal acts, by-laws, strategies, annual reports, minutes from meetings, press releases) and media coverage (texts, articles, news reports and other published materials).
- Qualitative interviews with 19 individuals (journalists, lawyers, media experts, representatives of public institutions and NGO's).
- Official statistical data requested from public institutions including municipalities and/or collected from available websites or other published sources.

A. Legal protection of media freedom

A slight improvement is evident with respect to freedom of the media in 2018 in Macedonia, but serious systemic reforms that will create favorable environment for smooth development of the media and development of professional journalism are still lacking.

The Constitution of Macedonia guarantees freedom of the media; however, such guarantees are not entirely and precisely reflected in the laws and by-laws. A non-implementation or their selective implementation is serious problem. The new government, established in June 2017 pledged to improve the state of freedom of speech and freedom of information by improving the media legislation. None of the promised legal projects were adopted in the Assembly.

Only the amendments to the Law on Audio and Audio-visual Media Services are in advanced phase, but the adoption of the law is blocked by the opposition in the Parliament by submitting over 60 amendments and extending the debate to the Commission for Transport and Communications.

Other laws, such as the Law on Civil Liability for Insult and Defamation, the Law on Free Access to Public Information, and the establishment of model for subsidizing print media, are still at early stage. In principle, with these changes, the Government claims it wants to harmonize the defamation law with European standards and facilitate access to public information.

The amendments to the Law on AAMS were mostly in line with the journalistic and media community. However, the differences regarding the financing model of the Macedonian Radio Television remained. Journalists and media organizations insist one percent of the budget, which is about 30 million euros, annually to be allocated from the state budget for financing the public service.

The government rejects this proposal with explanation that there is no money, and in the meantime changed the model for financing of MRT, presenting the measure as temporary until new amendments to the law on AAMS were adopted. It is compromise solution for a scale increase in the percentage of the budget to finance MRT, which in 2020 should reach up to one percent from the state budget. (Section A.1)

The public broadcasting service, the Macedonian Radio Television has no institutional autonomy due to politicized governing bodies and the absence of sustainable funding. In 2017, the Government halved MRT's budget by presenting it as interim measure, while the governing bodies in MRT are still related to the previous government.

At the stage of drafting the amendments to the Law on AAMS, the government tried to regulate journalistic standards by law. But, under the pressure of the journalist community, gave up the intention to sanction ethical standards in media reporting. There is tendency to improve the work of the Agency for Media, which in the past year is more active and its attitudes towards media problems are closer to the attitudes of professional media organizations, especially regarding discrimination and hate speech in the media. Such positive tendency for the work of the media regulator is also noted by the OSCE in the latest report on media reporting during the election campaign for the 2017 local elections. Media experts have similar opinion regarding the work of the regulator. (Section A.2)

Regarding the media coverage during the campaign in the local elections held in October 2017, the Media Agency filed 14 misdemeanor charges against media due to various violations of the Electoral Code. However, most of the applications were rejected by the courts, and three penalties were imposed with lower fines than foreseen in the law.

With the Government decision was abolished government advertising, introduced by the previous government, which used this type of advertising in the media as instrument for influencing the editorial policy of the media. Although the government abolished government advertisements, in the summer of 2018, in secret negotiations with the opposition new kind of financing political propaganda in the media, paid with public money was introduced.

The amendments to the Election Code envisaged the possibility for part of the public money for financing the parties to be used for paying political propaganda in the media during the election campaign, and the State Election Commission was given the authority to evaluate the coverage of the online media during the election campaign. This move was criticized by the journalist community as return to government advertising and the

continuation of clientelist ties between political parties and media owners, and as attempt to hinder access to the Internet.

Although Government has abolished government advertising, municipalities in Macedonia continued to spend public funds for financing local and regional media. The AJM survey showed that two-thirds of the municipalities in 2018 spent or by the end of the year intend to spend about half a million euro for advertising and engaging journalists with copyright contracts. (Section A.1)

The Government did not align the Law on Civil Liability for defamation and insult with the new European trends, although it was foreseen in the Reform Plan 18. The defamation was decriminalized in 2012, and since then, the number of lawsuits against journalists has been drastically reduced. At that time there were over 300 lawsuits against journalists before the criminal court, while this year before the Civil Court are about 30 active cases. Interviewed journalists believe that authorities less and less used defamation lawsuits to press critical journalism. Government representatives of Democratic Union for Integration are exception as are still raising lawsuits against critical media in Albanian. The extreme example was Civil Court in Skopje judgment and imposed fine of EUR 20,000 to the editor-in-chief of the daily “Lajm” Isen Saliu, as compensation for non-pecuniary damage for violation of the honor and reputation of the leader of DUI Ali Ahmeti. Appeal Court sent back the decision for re-examination.

The Civil Court in Skopje refuses to apply the Civil Liability Law for defamation of online media cases citing another law that they were not defined as media. This practice has been legalized by the Appellate Court in Skopje, while quite another case law exists in the other appellate courts, which process defamation lawsuits against online media. AJM assessed the behavior of the courts in Skopje as politically motivated in order to give false alibi to the Government to introduce stricter regulation of online media. AJM filed a request to the Supreme Court for harmonization of the case law, but so far, no opinion is received. (Section A.2)

In Macedonia, the journalist profession is not licensed, but in the Law on Media there is attempt to define the term journalist. Such attempt by the government was rejected by the journalist community, which requires the definition to be erased from the law. (Section A.4)

Sources of information in Macedonia are protected by law, but practice shows something else. Journalist Tomislav Kezharovski was convicted in 2013 for revealing the identity of the protected witness, and the main reason why he was persecuted was his refusal in pre-investigative step to discover the sources of information. (Section A.5)

The right to free access to information of public character is guaranteed by the Macedonian legislation, but the law has too many grounds based on which institutions reject the requests for free access by citizens, and the deadline of 30 days for receiving the information is too long for journalists. On the other hand, institutions continue to be non-transparent to journalists, who ignore journalists' questions or give incomplete information. (Section A.6)

B. The position of reporters in the editorial office, professional ethics and level of censorship

Studies conducted in Macedonia in the last year show that there are serious restrictions on journalistic freedoms. This perception arises from journalists' polls conducted by journalist organizations and interviews with media experts.

Journalists easily lose their jobs because they have no legal protection from the institutions and because they do not know their rights. The wages are still low and are below the average monthly average income in the country, and only few journalists have secure job with permanent employment contract with secured social and labor benefits.

The average monthly net salary of the journalists is 18,800 denars, which is about 30% less than the average salary paid in the country in 2018. Half of them do not have employment contract for indefinite period, and smaller part is engaged with copyright contracts. According to the latest research by IUJMW, the majority of journalists are late for their pay. There are journalists in the other parts of Macedonia, who work even for wages lower than 12 thousand denars.

Due to this unfavorable situation of journalists, they become easily vulnerable to pressure in their editorial offices and practice self-censorship. They do not seek protection because they do not trust the institutions or because they will risk losing their jobs. Therefore, there is no single verdict related to mobbing to work against journalist. One of the indicators for the pressure in the editorial offices is the fact that most of the interviewed journalists insist on being anonymous because they fear they might have consequences for the work. (Section B.1)

Private media does not publish internal acts in their websites that guarantee the independence of the editorial collegium from media management. The most flagrant example of involvement of the management in the freedom of journalists is the director of the national private television station, who publicly admitted that he had ordered the editor-in-chief not to publish the statements of

the president of the Association of Journalists of Macedonia. (Section B.2)

The situation is similar with the journalists in the Macedonian Radio-Television, where due to the politicization of the governing bodies and the unfavorable financial situation, they are exposed to pressure through the initiation of disciplinary measures, financial penalties, redistribution to other jobs, etc. On the other hand, “obedient” journalists “rewarded”.

Professionals are marginalized and are given side topics to process, and this is reflected to the content of information programs. (Section B.3)

The pressure on non-profit media, some of which are engaged in investigative journalism, has decreased compared to the pressure that has been present in the last few years when journalists and editors from these media were often discredited in public on a personal basis and hate speech was used towards them because of their public criticism of the authorities and businessmen close to the government. (Section B.4)

Faced with this unfavorable position, journalists in the public and private media rarely work on sensitive topics, and mostly cover daily political events. Debates in private television are now more common, but in public, there is impression that the same experts, close to certain political and economic power centers, are part of the defile in those programs. (Section B.5)

C. Journalists’ security and statistics on impunity

The number of attacks on journalists has decreased, but institutions have strong presence of policy of impunity for violence against journalists. In the past year, the Association of Journalists registered six attacks on journalists, one physical assault, and one death threat, two arbitrary detentions from the police, one case of destruction of journalist’s property, and one case of interrupting photo reporters from reporting on a public event. Compared to the previous year, when there were 18 attacks, the num-

ber was reduced by three times.

It is positive that this year the institutions have broken the policy of impunity for violence against journalists, which lasted nearly ten years. Macedonian courts in this period brought two court verdicts with which the journalists’ attackers are sentenced with imprisonment or fine. (Section C.1)

The reduction of pressure on journalists as result of the change in the political environment was noted by the European Commission in the report on the progress of Macedonia in 2018.² However, the Commission estimated that it is not enough for the authorities to just register and condemn the attacks, but the public prosecutor should seriously investigate and call the perpetrators on responsibility.

In September this year, the Skopje 1 Court of First Instance sentenced Matija Kanikov to six months in prison. Matija Kanikov in February last year, after the end of the protest for the Movement “For a common Macedonia” against the establishment of the new government, physically attacked the journalist from the portal A1 Aleksandar Todevski and cameraman Vladimir Zhelchevski. After a month, the police clarified the case and filed criminal charges against Kanikov³, and in September this year the court sentenced him to prison.⁴ The defense announced appeal to the verdict and awaits the decision of the Court of Appeal in Skopje.

The institutions conducted efficient procedure in the case of journalist Armando Braho from Struga, who was physically attacked by activists of the opposition Alliance of Albanians of Zijadin Sela in January 2018 in order to prevent him from reporting from the campaign rally of this party.⁵ The police soon identified the invaders and filed charges before the Struga District Court. After six months, the court found guilty Braho’s attackers and fined them. This court decision is appealed against by the defense.

What is most worrying about the safety of journalists in 2018 is the fact that the police arbitrarily detained several journalists at a police station and hindered them in carrying out their professional work. (Section C.2)

The first serious incident involving journalists from the interior ministry occurred in November 2017, when police officers detained the cameraman from TV 21 Ibrahim Mahmuti and the photo reporter from Kosovo Blerim

² European Commission, Skopje, 2018, <https://bit.ly/2qJP0Kv> accessed on September 5, 2018.

³ AJM, “MOI resolved the attack on the journalists of A1 On”, Skopje, 2018, <http://znm.org.mk/?p=3119>

⁴ AJM, “The prison sentence for the attacker of the journalists from A1on is greeted”, Skopje, 2018, <http://znm.org.mk/?p=4663>

⁵ AJM, “Conviction for the attack on the journalist in Struga”, Skopje, 2018, <http://znm.org.mk/?p=4196>

Uka.⁶ They were detained at the station for more than six hours on charges that during the announcement of the verdict on the controversial case “Monster”, they were drawing the judge in the courtroom.⁷ The two journalists were released after the international community intervened on the case, and representative of the OSCE talked with the officials in the police station. After this incident, the police did not initiate any action against its members due to detention of journalists.

An easy incident with a journalist, police triggered during the protest in June against the Treaty of Greece with the Parliament when the Infomax journalist Borislav Stoilkovich was detained, on the pretext that he was shooting the policemen in their faces and refused to legitimize.⁸

Worrying fact is that large parts of the attacks that have occurred over the last five years are not fully resolved or the procedures are inadequately guided. The new leadership of the Ministry of the Interior complained that they would not be able to find the perpetrators in number of cases because the previous government conducted the investigations unprofessionally, and in some cases, there was lack of evidence.⁹ Out of the 59 attacks on journalists that have occurred in the last five years, the police have completely resolved only seven with criminal charges filed against the perpetrators. (Section C.3)

The police discovered the attacker of the owner of the portal Dokaz, Marjan Stamenkovski, who was physically attacked in the center of Skopje in 2015, and suffered serious bodily injuries. The attacker of the A1 journalist, who was physically attacked in downtown Skopje after the protest of the “For Macedonia” movement, was also discovered.

According to the report, the police so far have failed completely to resolve 13 cases of attacks on journalists, related to physical attacks and threats and destruction of property. The physical attacks and the destruction of the equipment of several journalists by participants in the protests of the “For Macedonia” movement, which violently entered the Parliament on April 27, 2017, prevented the formation of the new government. Police failed to detect even the perpetrators who set fire to journalist Branko Trickovski in 2015.

The police completed the investigation for eight attacks, and filed request for initiation of misdemeanor procedure, out of which, four cases relate to physical attacks,

i.e. in two cases the journalists were exposed to visible injuries. These heavier attacks are treated in the same manner as other attacks when journalists receive slaps or threats that they will be physically attacked.

The police did not complete its work for other eight cases, when after completing the investigation, instead of submitting appropriate applications, only submitted notifications to the Public Prosecutor’s Office. This can be interpreted as attempt by the police to mask the cases in order to lure them into police-prosecutorial labyrinths.

Such is the case of police officer who beat the journalist in protest against the abolition of senior officials of VMRO-DPMNE accused of crime in 2016, in front of the Office of President Gjorge Ivanov in the center of Skopje. In addition, it was established that the police officer had overstepped his official authority, but the police refused to file complaint against him, but only informed the Prosecutor’s Office about this, which has not taken any action regarding this case.

Seven cases are considered by the police as closed as they have instructed the damaged journalists to protect their rights by filing private lawsuits. In the report there is data whether the police identified the invaders and provided evidence that were made available to the victims in order to have more effective court proceedings.

For the two cases and inaccessibility to detect the invaders, the Mol filed criminal charges against unknown perpetrators and closed two other cases because it considered that there were insufficient elements to open investigation.

In inability to detect the attackers of journalists, in two cases the police raised criminal charges against unknown perpetrator. This is the case of journalist from Ohrid, who was attacked by unknown persons with metal rods, causing him serious bodily injuries.

Sometimes, insults towards journalists, threats, and even death threats, are resolved by the police only by written or oral warning for the perpetrators. In this manner, the police believe has resolved ten cases of verbal attacks and threats to journalists. There was only warning for the person who in 2010 physically threaten journalist Borjan Jovanovski in front of the restaurant because of his critical attitudes towards the then government. There was only oral warning for the private security at the Trade Center in Shtip, which in 2017 prevented journalist from

6 AJM, “AJM condemns the detention of journalists in the police”, Skopje, 2017, <http://znm.org.mk?p=3866>.

7 AJM, “AJM condemns the detention of journalists in the police”, Skopje, 2017, <http://znm.org.mk?p=3866>.

8 Press24, “Video: Detained journalist during yesterday’s protests - police dragged him to the van”, Skopje, 2018, <https://bit.ly/2NvoUs5> accessed on July 24, 2018.

9 Tochka, “Spasovski: 15 unresolved cases for attacks on journalists, deliberately have not been resolved on time”, Skopje, 2018, <https://bit.ly/2QcXx4F> accessed on September 28, 2018.

TV 24 News to record the construction work in the Center and damaged his camera.

In Macedonia, there are no special mechanisms for monitoring and reporting on the attacks and threats against journalists. Based on reports from the Ministry of Interior and the Public Prosecutor's Office, there is negative phenomenon in the conduct of investigations into the attacks against journalists. These two institutions are blaming each other for dragging down the investigations. On the one hand, the police claim that many cases have been resolved and delivered before the prosecution, and from there they say that the police did not identify the invaders and did not provide enough evidence for the efficient conducting of the proceedings.

No state institution in Macedonia maintains register of attacks and threats to journalists. In addition, with the exception of the police, prosecutors and the judiciary, they are generally closed for sharing information related to attacks on journalists.

The government declaratively condemns all incidents and attacks on journalists.¹⁰ Prime Minister Zoran Zaev and other senior government officials regularly condemn these attacks and urge the law enforcement authorities to investigate and punish the attackers.

So far, the military and police have not adopted internal documents, which will teach their members how to deal with journalists. These institutions do not have any rulebooks that prohibit threats, intimidation or attacks on journalists.

The new government in Macedonia showed greater readiness to cooperate with the Association of Journalists to clarify all attacks on journalists. In December 2017, the Ministry of the Interior signed Memorandum with the AJM, which envisaged organizing joint activities to end the policy of impunity for attacks against journalists.¹¹ Two trainings¹² were organized in Skopje¹³ and five in other major cities in Macedonia.

In attempt to break the policy of impunity for violence against journalists, AJM representatives in January met with the public prosecutor of Macedonia, Ljubomir Jovevski.¹⁴

In Macedonia, the prosecution and judiciary investigations for the violence against journalists are inefficient and ineffective. Their actions are difficult to follow because the two institutions are closed. The results of the prosecution's report on the conducted investigations are not at all encouraging. Out of ten open cases, in four cases, the Prosecution rejected the criminal charges because, according to their assessment, it is threat to security, which is not prosecuted ex officio.

The other five cases are still at the beginning of the investigation, although one of the attacks took place four years ago and another one was two years ago. The prosecution argues that it is still working to determine the identity of the attackers and to obtain credible evidence. In two cases, the police did not even act upon the Prosecution's request to identify the attackers. Only in one case, the investigation is advanced, where the attacker is identified by the police, and the prosecution works to determine the factual situation, followed by prosecution decision.

In the judicial and prosecution system in Macedonia there are no separate departments working on investigations into cases of persecution, protection and restitution of journalists in order to ensure their safety and to prevent the policy of impunity. The analysis of reports on the manner police and prosecutors conduct procedures for attacks and threats to journalists confirms that institutions not only can not punish inspirers and contractors of attacks on journalists, but they are largely unable to identify them and punish the perpetrators of the attacks.

Institutions responsible for resolving attacks on journalists on their own initiative have never organized trainings for their employees about the importance of protecting and promoting freedom of speech.

10 Government, "Reaction to the threat for the president of AJM Naser Selmani", Skopje, 2018, <http://vlada.mk/?q=node/14224>, accessed in September 2018.

11 AION, "AJM and MOA signed Memorandum of Cooperation", Skopje, 2017, <https://aion.mk/archives/838401>, accessed in September 2018.

12 AJM, "To end the policy of impunity, to punish the abusers", Skopje, 2018, <https://znm.org.mk/?p=4370>, accessed in September 2018.

13 Safejournalists.net, "Trainings with police for greater security of journalists in protests", Skopje, 2018, <https://bit.ly/2CWpnPX>, accessed in September 2018.

14 AJM, "AJM Representatives met with the Public Prosecutor", Skopje, 2018, <http://znm.org.mk/?p=4173>, accessed in September 2018.

Overview of Indicators on the Level of Media Freedom and Journalists' Safety in the Western Balkans

A. Legal Protection of Media and Journalists' Freedom

A.1 Does national legislation provide guarantees for media freedom and is it efficiently implemented in practice? (Reporting period: September 1, 2017 – August 31, 2018)

Indicators	Bosnia and Herzegovina	Macedonia	Montenegro	Kosovo	Serbia
Is the right to freedom of expression and information guaranteed? Does it also encompass access to the internet? Are the legal guarantees implemented in practice?	The right to freedom of expression is guaranteed with the constitutions and with the media laws, including access to internet. There is no specific law which regulates the online sector. Some laws should be improved (defamation laws, access to information law, communication law). Legal guarantees are not efficiently implemented in practice.	The right to freedom of expression is guaranteed by the Constitution and with the media laws, including access to the internet. There is no specific law which regulates the online sector. Some legal provisions should be improved (Law on Audio and Audiovisual Media Services). Legal guarantees are not efficiently implemented in practice.	The right to freedom of expression is guaranteed by the Constitution and with a corpus of media laws, including access to the internet. There is no specific law which regulates the online sector. Since some of the media laws were outdated, currently there is a process of amending the Law on Media, the Law on RTCG. Legal guarantees are not efficiently implemented in practice.	The right to freedom of expression is guaranteed by the Constitution and media laws, including access to the internet. There is no specific law which regulates the online sector. Legal guarantees are poorly implemented in practice.	The right to freedom of expression is guaranteed by the Constitution and media laws, including access to the internet. There is no specific law which regulates the online sector. Legal guarantees are not sufficiently implemented in practice. In general, freedom of the media is at a low level.

A.1 Does national legislation provide guarantees for media freedom and is it efficiently implemented in practice?
(Reporting period: September 1, 2017 – August 31, 2018)

Indicators	Bosnia and Herzegovina	Macedonia	Montenegro	Kosovo	Serbia
Was the media legislation developed in a transparent and inclusive process?	General perception is that the process was transparent, but very slow. Current laws are lagging behind technological developments.	In the reporting period, draft-amendments to the Law on Audio and Audiovisual Media Services were submitted to the Parliament. The process was transparent and inclusive.	The process of amending the Law on Media, the Law on RTCG was transparent and inclusive, but the proposed provisions aimed at protecting journalists from owners' influence were not accepted in the final draft-texts.	In 2017, several changes to the draft law on the RTK were debated in a closed session of the Parliamentary Commission on Media. The process was neither transparent nor inclusive.	The process was transparent and inclusive to a certain extent, because relevant journalists' associations were involved. New media strategy is being drafted and amendments to the media legislation were announced.
Have the state authorities attempted to restrict the right to internet access or seek to block or filter internet content?	Such cases haven't been registered.	Such cases haven't been registered.	Such cases haven't been registered.	The Parliamentary Commission on Media proposed the adoption of a new Media Law aimed, among other, at "disciplining portals". The initiative was criticised by AJK and other actors as an attempt to control the online media sector.	In the reporting period the Share Foundation registered seven cases of blocking or restricting content on internet. There is no evidence that the state authorities attempted to violate freedom of expression on the internet.
Is the regulatory authority performing its mission and functions in an independent and non-discriminatory manner?	The regulator is not perceived as an independent and non-discriminatory body by the journalists, because the politicians in power directly influence the appointment of individuals in the highest positions in the regulatory body.	There has been an improvement in the previous years in terms of its efficiency, but the regulator is still not perceived as independent from political interests.	Formally, the independence of the regulator is guaranteed, but it is also necessary to increase its powers, including the power to impose sanctions. The dismissal of a member of its Council was proof of direct political pressure on the regulatory body.	The regulator is not perceived as independent. Nomination of members is politically motivated.	The regulator is not sufficiently independent and transparent and does not use its legally defined competencies. The Council is politically influenced and still works with incomplete composition.
Is there a practice of state advertising in the media and is it abused for political influence over editorial policy?	State advertising in the media is not adequately regulated by law. It has huge impact on the editorial policy of media which receive money from the State Budget. Around 30 million euro is spent annually by various institutions for advertising in the media.	The new Government stopped the practice of state advertising in 2017. However, at local level, municipalities still allocate significant amounts of money from the municipal budgets to the local media. The Association of Journalists of Macedonia warned that this practice undermined professional journalism and infringed the independence of local media.	There is a general perception that the practice of state advertising opens up a huge space for abuse and it is used as a tool for financial support to the media affiliated with the Government.	Public institutions allocate funds to online media in a selective and non-transparent manner. Banners published on news portals do not present any particular activity of the ministries.	State advertising is not adequately regulated in the legislation. Therefore, the allocation of funds is very often selective and not transparent. It is one of the main mechanisms for pressure over the media and on their editorial policies.
Are there any types of media subsidies for the production of media content of public interest and how is it implemented in practice?	There are no media subsidies.	At present, there is no funding scheme to encourage production of content of public interest. There is an initiative to introduce subsidies for print media and media in minority languages.	At present, there are no media subsidies.	There are funds from the Office of Community Affairs within the Prime Minister's Office, but this year's call is not aimed to media but only to non-governmental organisations.	There is a funding scheme aimed at encouraging production of programs of public interest in the electronic, print and online media. There are many inconsistencies in its implementation: some funded programs are not of public interest, lack of evaluation procedures, abuse and misuse of law etc. Even the media that violate ethical rules of conduct are funded.

What are the mechanisms for financing media in the languages of national minorities?	Such mechanisms do not exist. National minorities and vulnerable groups are dissatisfied with the programs produced by the public broadcasting services aimed specifically for these groups.	There are no mechanisms for financial support of language diversity in the private media. The public broadcaster (MRT), broadcast radio and TV, produces programs in the languages of six non-majority ethnic communities.	National minority media are financially supported only through the Fund for the Protection and Implementation of Minority Rights. However, the last call was published in the first half of 2017.	There is no mechanism for funding private media in the languages of national minorities. The public broadcaster (RTK), broadcasts programs in all minority languages (Serbian, Bosnian, Turkish and Roma). Since June 2013, the Serb minority has its own channel on RTK2.	There is a funding scheme provided by the state and municipal budgets. However, media in minority languages are still financially unsustainable, because there is no mechanism to finance informative programs in different languages.
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Is the autonomy and independence of the PSB guaranteed and efficiently protected? Does the funding framework provide for its independent and stable functioning? Do the supervisory bodies represent the society at large?	Autonomy and independence is guaranteed by law. There is still no appropriate funding framework for the public services in Bosnia and Herzegovina. There are indications that politicians influence to great extent the nomination of editors and management of the public services. The supervisory bodies do not represent the society at large.	Autonomy and independence is guaranteed, but not implemented. The funding framework does not provide for stable functioning. The MRT Council does not represent society at large.	Autonomy and independence is guaranteed, but it was seriously undermined with the dismissal of two members of the RTCG Council and its President Djurovic (who remains in the Council as a member), the change of the entire management and the editorial team. Therefore, the supervisory body is currently politically influenced and does not represent the society at large. The funding framework was improved – the Government will provide 40 million euro for the RTCG operations in the next three years.	The autonomy and independence of PSB is guaranteed but poorly implemented. Direct funding from the State Budget does not provide stable and independent operation of RTK. The new draft law on the RTK envisages a new mixed funding model: fee collected through electricity bills and 0.4% from the State Budget. The supervisory body does represent society, but it is politicised.	Autonomy and independence is legally guaranteed. However, the PSBs are not financially independent because the funding framework does not provide for their stable functioning. The Program Council is not controlled by the society, because the politicians in power influence the appointment of its members. It only serves an advisory function.
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**A.2 Does defamation law cause a “chilling” effect among journalists?
(Reporting period: September 1, 2017 – August 31, 2018)**

Indicators	Bosnia and Herzegovina	Macedonia	Montenegro	Kosovo	Serbia
Are the defamation laws’ provisions overly severe or protective for the benefit of state officials?	Defamation was decriminalised 20 years ago. Current legislation is in line with European standards – the provisions are not protective for the benefit of officials.	Defamation was decriminalised in 2012. The Law on Civil Liability is in place. The Law is being implemented and its provisions are not restrictive for the journalists.	Defamation is decriminalised. There is a general perception that it is easier to sue than to defend from a lawsuit for damaging one’s honour or reputation. Public officials do not demonstrate a greater level of tolerance to criticism, and this practice is not even understood by the courts.	Defamation is decriminalised. The Civil Law against Defamation and Insult does not have provisions that are overly protective for the benefit of state officials.	Defamation is decriminalised, but this has not improved the situation for journalists. The number of lawsuits for non-pecuniary damage is still very large, and in some instances the fines are very large.
How many lawsuits have been initiated against journalists by the state officials in the past three years?	A large number of lawsuits have been filed by politicians against journalists (more than a 100 annually). This creates a very strong feeling of fear and causes self-censorship, especially among the journalists in local media.	According to the Association of Journalists of Macedonia, during the reporting period, approximately 35 new lawsuits were filed against journalists. This figure is ten times lower than in 2012.	From 2011 to June 2017, there were 109 cases of defamation or libel in the courts. In these cases, more than a million euro were demanded from the media, while in 24 adopted cases, media had to pay 45.300 euro.	No lawsuits have been initiated against journalists in the period under review. According to the court registry, there were 59 lawsuits for defamation and insult dating back from 2009. Out of these 59 cases, 10 were filed by state officials, and most of them were senior figures.	There is no official data on the number of lawsuits filed by public officials. The total number of lawsuits filed in the reporting period against journalists is 650. The number of all unresolved lawsuits (including those from the previous years) is 1,011.

**A.2 Does defamation law cause a “chilling” effect among journalists?
(Reporting period: September 1, 2017 – August 31, 2018)**

Indicators	Bosnia and Herzegovina	Macedonia	Montenegro	Kosovo	Serbia
Are there examples when other legal provisions were used to “silence” journalists for legitimate criticism or for investigative journalism?	105 lawsuits were filed against a journalist working for the daily Oslobođenje. The magazine Slobodna Bosna ceased publishing its print edition in 2015, under pressure from a large number of defamation lawsuits.	Such cases have not been registered.	Such cases have not been registered. However, there is a perception that the large number of lawsuits, large fines and the low tolerance levels of public officials to criticism contribute to the chilling effect among journalists.	Such cases have not been registered.	Such cases have not been registered.
Is justice administered in a way that is politically motivated against some journalists? What kinds of penalties have been imposed?	The courts are under strong political influence. The Basic Court in Banja Luka made several controversial rulings in favour of certain politicians who sued media or individual journalists for defamation.	Large fines have been imposed on journalists or media in several lawsuits filed by high officials of the ruling party Democratic Union for Integration. There is a perception that these decisions were politically influenced.	Such cases have not been registered.	There were isolated cases when judges were politically motivated. For example, in the case of a journalist who was physically attacked, the court ruled a four month conditional sentence to the perpetrator.	There is a perception that in some cases the courts’ decisions were politically influenced, such as the Minister of the Interior against NIN weekly and the Minister of the Interior against the portal Peščanik.
Do the courts recognize the self-regulatory mechanism (if any)? Do they accept the validity of a published reply, correction or apology?	The courts recognise the validity of a published correction and apology when deciding on the non-pecuniary damage.	The court may take into consideration the decisions of the Council of Media Ethics, however this is not obligatory	The courts are not obligated to take into consideration the decisions made by the self-regulatory body.	The courts do not always take into consideration the decisions of the self-regulatory body.	The courts are not obliged to take into consideration the decisions of the self-regulatory body. The lawyers usually submit the decisions of the Press Council when the Code of Ethics is violated.
What do the journalists think about the defamation law? Are they discouraged to investigate and to write critically?	Defamation lawsuits are perceived by journalists as an enormous means of pressure, especially for journalists working in local communities. Many media are not even financially capable to participate in court proceedings.	Only a small number of journalists think that the threat of defamation influences their work.	In the survey conducted in 2018, around 49% of the journalists answered that the threat of defamation is very or extremely influential on their work.	Journalists are generally not discouraged to investigate and to write critically.	Journalists have different opinions when it comes to the negative influence of defamation lawsuits on their work. In the previous survey 26% of the journalists said that the threat of defamation is very or extremely influential on their work.

**A.3 Is there sufficient legal protection of political pluralism in the media before and during election campaigns?
(Reporting period: September 1, 2017 – August 31, 2018)**

Indicators	Bosnia and Herzegovina	Macedonia	Montenegro	Kosovo	Serbia
Is political pluralism in the media regulated by media legislation (for the non-election period)?	There is only a general principle for broadcasters to reflect political views and sources of information.	There are no specific provisions for protecting political pluralism in the non-election period. There is only a general principle for broadcasters to reflect diverse political views and to report in a balanced and objective manner.	For the non-election period, there is only a general principle for broadcasters to reflect diverse political views. The amendments to the Law on Electronic Media define rules on media coverage during election campaigns and political advertising.	There is only the general principle for broadcasters to reflect diverse political views.	Political pluralism for the non-election period is only guaranteed in the Law on Public Media Services.

**A.3 Is there sufficient legal protection of political pluralism in the media before and during election campaigns?
(Reporting period: September 1, 2017 – August 31, 2018)**

Indicators	Bosnia and Herzegovina	Macedonia	Montenegro	Kosovo	Serbia
Is the regulatory authority obliged to monitor and protect political pluralism?	According to the Law on Communications of Bosnia and Herzegovina, the regulatory principles of broadcasting include the protection of freedom of expression and diversity of opinion. It follows that the Communications Regulatory Agency is obliged to monitor the implementation of these regulatory principles during both election and non-election periods.	The regulator is only obliged to monitor the audiovisual media in the election period. It also has the power to impose sanctions on the non-compliant media and in the past year it has increased its decisions to do so.	The newly adopted provisions of the Law on Electronic Media oblige the regulator to prescribe the broadcasters with codes of conduct during electoral campaigns. During the last elections, the regulator conducted monitoring of media's election coverage.	The regulator is obliged by law to monitor and protect political pluralism only during the period of the election campaign.	The Law on Electronic Media provides the obligation of the regulator to protect political pluralism in the media during the election campaign. However, the regulator did not monitor the media during the presidential elections in 2017 and local Belgrade elections in 2018.
What are the legal obligations of the media during election campaigns?	The Electoral Law specifies the principles of pluralism for all media. The Communications Law stipulates the general broadcasting principles which also encompass the protection of freedom of expressions and diversity of opinions, fairness, accuracy and impartiality.	The Election Code and by-laws prescribe the rules for fair and equal access to all political parties, objective, fair and balanced reporting etc.	The Election Code prescribe obligations for the media to provide fair and equal access to all political parties and candidates, and to report in an objective, fair and balanced manner.	Media are obliged under the Election Law and Independent Media Commission Code for Conduct to present fair and equal access to all political parties, objective, fair and balanced reporting.	The Law on Electronic Media and the Law on Public Media Services prescribe rules on fair and balanced presentation of political parties, coalitions and candidates. The regulator adopts the Rulebook on the obligations of the providers of media services during election campaigns.
Do political parties and candidates have fair and equal access to the media during the non-election period and during the election campaigns?	Political parties don't have fair and equal access to media, especially in election period.	According to the OSCE report, during the municipal elections in October 2017 there has been an improvement in the access to a variety of political positions in the media – in comparison to previous elections.	There is an ostensible practice of political bias and unequal access to media for political actors. The consistent infringement of equal access to media principle was evident during the April 2018 presidential elections, as it was visible in previous electoral cycles.	Political parties generally receive fair and equal access to media during non-election and election campaigns.	Political parties do not have fair and equal access to media during the non-election and the election period.

**A.4 Is journalistic freedom and association guaranteed and implemented?
(Reporting period: September 1, 2017 – August 31, 2018)**

Indicators	Bosnia and Herzegovina	Macedonia	Montenegro	Kosovo	Serbia
Do journalists have to be licensed by the state to work?	Journalists are not required by law to hold a licence in order to perform their work. There is no legal definition of the notion "journalist".	Journalists do not need a license by any state authorities, but the Law on Media contains a restrictive definition of a "journalist". There were initiatives to introduce "licences" for journalists, but they were not accepted by the Association of Journalists of Macedonia.	Journalists do not need a license by any state authorities. The decision rests with the newsrooms on employing who they deem fit for the position.	Journalists do not need a license by any state authorities to work in media.	Journalists do not need a license by any state authorities.

**A.4 Is journalistic freedom and association guaranteed and implemented?
(Reporting period: September 1, 2017 – August 31, 2018)**

Indicators	Bosnia and Herzegovina	Macedonia	Montenegro	Kosovo	Serbia
Have journalists been refused the right to report from certain places or events?	In January 2017 journalists from TV N1 were prohibited from reporting from the Palace of Republika Srpska. The "Friends of Srebrenica" media crew was prohibited from reporting from the Memorial Centre Potočari.	Such cases have not been registered in the reporting period.	Every fourth journalist was not allowed to report from an event because they did not have accreditation. There were some serious cases: journalists from the news portal Fos Media were prohibited from reporting from the headquarters of the Coalition for 21st Century during the local elections in May 2018.	A public institution ceased communication with a journalist and carried out a smear campaign against her. AJK reacted and the public institution ended the campaign.	The trend of not inviting or impeding some journalists from reporting certain events by the political authorities persisted in 2018. According to the IJAS' database, there were 13 cases.
Are journalists organised in professional associations and if yes, how? Are there pressures on their association or individual members?	Around 50% of the journalists are members of one of the five registered associations; BH Journalists Association was subject to political pressures and verbal attacks. In March 2018 a member of one municipal council threatened the Secretariat of the BH Journalists with law suits.	The Association of Journalists of Macedonia (AJM) is the oldest (established in 1946) and the largest association, a member of IFJ. The Macedonian Association of Journalists (MAJ), which has been active since 2013, is considered to be close to the opposition party VMRO-DPMNE.	There are three journalists' associations. Journalists have the freedom to associate, but only 23% are prepared to join because they feel that the associations cannot protect their rights. Pressures on the associations or their leaders have not been registered.	Journalists are free to join the professional associations. There is no evidence of pressure. In Kosovo there are two journalists' associations, the Association of Journalists of Kosovo (AJK) and the Journalists' Association of Serbia, with members primarily from the Serbian community.	Not many journalists are members of journalists' associations. Two main associations exist: Independent Journalists' Association of Serbia (IJAS) and Journalists' Association of Serbia (JAS). Others are regional, with Independent Journalists' Association of Vojvodina (IJAV) being the most active. Associations are under constant pressures, especially when critical towards the politicians in power in cases of media freedoms violations
Are journalists organised in trade unions and if yes, how? Are there pressures on the trade union leaders and other members?	There are trade unions within the PSBs. In the public broadcaster at state level (BHRT) two trade unions are active. Others include the Union of Graphic Publishing and Media Workers and the Union of Media and Graphic workers of Republika Srpska. Some of them report pressures. A trade union of journalists at state level does not exist.	There is an Independent Union of Journalists and Media Workers, established in 2010.	There are two organisations: Trade Union of Media of Montenegro and Trade Union of Informative, Graphic and Publishing sector. They have signed an Agreement for joint activities. Around 50% of the employees in the media are members of the Trade Union of Media of Montenegro, including 270 employees in the public service broadcaster. Direct pressures on the associations or their leaders have not been registered.	There is no trade union that represents the interests of all journalists in Kosovo.	Only a small number of journalists are members of the Trade Unions, which are weak and under constant pressures. There is no collective agreement signed to protect the labour rights of journalists.

**A.4 Is journalistic freedom and association guaranteed and implemented?
(Reporting period: September 1, 2017 – August 31, 2018)**

Indicators	Bosnia and Herzegovina	Macedonia	Montenegro	Kosovo	Serbia
Are the journalists free to become members of trade unions? How many journalists are members of trade unions?	There is no precise data on trade unions membership. BH Journalists reports on restrictions for journalists and media professionals to organise in trade unions. It is estimated that only 16% of the private media have established TU branches.	There is a union at the PSB. Almost no trade unions in the private media. There are no reliable figures regarding membership, because some members are "in hiding" due to fear of pressures.	According to the survey, every fifth journalist is not free to be a member of a trade union, even though 38% of the respondents stated that they are members of a trade union. Some journalists claim that they would receive threats if they joined a trade union.	The public broadcaster, Radio Television of Kosovo (RTK) has two trade unions. There were pressures before against the leaders of one of the trade unions.	Most of the journalists feel free to become members, but they are generally not interested because unions are weak, although other reasons exist.
Is there a press council and are there pressures on its members?	The Press Council has existed for 18 years and it is the only self-regulatory body in Bosnia and Herzegovina. There are no direct political pressures, but in the last few years there were three organised hacker attacks on its website.	The Council of Media Ethics of Macedonia was founded in 2013 as a self-regulatory body. Almost all national TV stations, news portals and print media are members of this body.	The self-regulatory body Media Council for Self-regulation was founded in 2012. It gathers 19 media, while some of the leading media such as Dan, Vijesti, Monitor and TV Vijesti have their ombudsmen. There were no pressures, but the Media Council is very weak and due to the lack of funding, the Complaints Commission temporary does not meet.	There is a Press Council of Kosovo and there is no evidence of pressure on its members.	There is a Press Council, a self-regulatory body, which shows very positive results in its work. The pressures imposed on this body are indirect and subtle.

**A.5 What is the level of legal protection for journalists' sources?
(Reporting period: September 1, 2017 – August 31, 2018)**

Indicators	Bosnia and Herzegovina	Macedonia	Montenegro	Kosovo	Serbia
How is the confidentiality of journalists' sources guaranteed by the legislation?	Confidentiality of journalists' sources is guaranteed in several legal acts, although some issues should be defined more precisely.	It is guaranteed by the Constitution and in several legal acts.	It is guaranteed by the Constitution and in the Law on Media. The draft-amendments to the Law on Media are expected to strengthen these provisions further, in accordance with CoE standards.	The confidentiality of journalist's sources is guaranteed by the Law on protection of journalists' sources which came to power in 2013.	It is guaranteed by the Law on Public Information and Media and Criminal Code.
Is confidentiality of journalists' sources respected? Were there examples of ordering the journalists to disclose their sources and was that justified to protect the public interest?	It was generally respected in the reporting period. New cases have not been registered.	It was generally respected in the reporting period. New cases have not been registered.	It was generally respected in the reporting period. Yet, there has been an isolated incident. In 2018 the police authorities demanded from a journalist of the daily Vijesti, to disclose his source of information regarding an article from 2017.	The confidentiality of journalists' sources has been generally respected in the reporting period. New cases have not been registered.	Generally, it is respected. No serious cases of ordering the journalists to disclose their sources were registered.

**A.5 What is the level of legal protection for journalists' sources?
(Reporting period: September 1, 2017 – August 31, 2018)**

Indicators	Bosnia and Herzegovina	Macedonia	Montenegro	Kosovo	Serbia
Were there any sanctions against journalists who refused to disclose the identity of a source?	Such cases have not been registered.	New cases have not been registered.	Such cases have not been registered.	Such cases have not been registered.	Such cases have not been registered.
Do journalists feel free to seek access to and maintain contacts with sources of information?	Interviewed journalists are generally free to choose their own sources and tend to maintain durable communication with them.	According to the interviewed journalists, they feel free to maintain contacts with their sources of information.	Almost 57% of the journalists in the survey stated that they regularly or very often have contacts with their sources.	Journalists claim to feel free to maintain contacts with sources of information.	The opinions of journalists are divided. The problem rests with the question of how can journalists protect anonymity of the source in case of interception of communications.

**A.6 What is the level of legal protection of the right to access of information?
(Reporting period: September 1, 2017 – August 31, 2018)**

Indicators	Bosnia and Herzegovina	Macedonia	Montenegro	Kosovo	Serbia
What are the legal rules on access to official documents and information which are relevant for journalists?	Access is guaranteed by the laws at state and entity levels. There are no specific provisions relevant only for journalists.	Access is guaranteed by law. No specific provisions exist for journalists only. The implementation is poor. In February 2018, the Ministry of Justice announced that the amendments to the Law on Free Access to Information will be drafted, but such a document has not been published as of the end of September 2018.	Access is guaranteed by the Law on Free Access to Information. The amendments to the Law on Free Access to Information adopted in May 2017 made the access to public information even more difficult. The list of information to which access may be restricted by public institutions (on the ground of protecting "confidential data") was extended.	Access is guaranteed. The amendments to the Law on Access to Official Documents adopted in 2017 shortened the deadline for state institutions to respond to requests for public information from 15 to seven days. This was assessed by the journalists as a positive step for their work.	Access is guaranteed by law. There are no specific provisions relevant only for journalists.
Do the journalists use these rules? Do the authorities follow the rules without delays? How many refusals have been reported by journalists?	Many journalists do not use these legal provisions, because the deadline of 15 days is very long. Centre for Investigative Reporting submits thousand requests to public institutions, but they often deny access to public documents.	Journalists are not well informed about the rules and rarely use them. Those who requested access were often refused.	Almost every third journalist in the survey stated that he/she had never submitted a request, while almost the same number have submitted requests but had been refused. Of 67 requests submitted in 2017 13 were refused, while out of 20 requests submitted in 2018 (end of August), eight were refused.	Not many journalists use these rules. Interviewed journalists claim that they have been refused when requesting access to documents and information.	Investigative journalists use this right more than those who work in daily reporting. State institutions often do not provide access to information, the biggest problem are public enterprises.
Are the courts transparent? Is media access to legal proceedings provided on a non-discriminatory basis and without unnecessary restrictions?	Journalists' opinions are divided in terms of openness and transparency of the courts. Some courts lack resources to provide access in time and to meet the demands of transparency.	There is a general perception among the journalists that the courts are not sufficiently transparent.	Court hearings are mainly open for the media. Some hearings, such as the case of "Coup d'état", are broadcast directly. Yet, around 37% of the journalists stated that the courts had demonstrated low level of transparency, and every third journalist evaluates the courts as very or entirely transparent.	Court hearings are generally open to the media. No cases were reported where access to proceedings was not provided on a discriminatory basis.	The courts are not sufficiently transparent, but this mostly depends on the heads of individual institution.

**A.6 What is the level of legal protection of the right to access of information?
(Reporting period: September 1, 2017 – August 31, 2018)**

Indicators	Bosnia and Herzegovina	Macedonia	Montenegro	Kosovo	Serbia
Is public access to parliamentary sessions provided? Are there restrictions for journalists to follow parliamentary work?	Formally, there are no restrictions for journalists to report from parliamentary sessions. However, in 2017 a journalist of TV N1 was not allowed to report from the RS Palace of Justice. Beta Agency correspondent and BN television from Bijeljina have been prevented from entering the Palace of Justice.	The parliamentary sessions are open to journalists. There were no cases of restrictions registered in the reporting period.	The parliamentary sessions are directly transmitted by the public broadcaster. In the survey with journalists, for the third year in a row, the Parliament was assessed as the most transparent institution. 25% of the respondents believe that the Parliament has shown a high degree or complete transparency.	In general, the sessions of the Kosovo Assembly Presidency and the parliamentary commissions have been open to the public and journalists.	Access to sessions of the assemblies at national and local level is mostly provided through direct broadcasts. However, there are cases when journalists were prevented from doing their job properly (Valjevo Assembly).
How open are the Government and the respective ministries?	All interviewed journalists and experts agree that the Government and the ministries are not sufficiently transparent.	Comparing to previous years, there is a general perception among journalists that the Government has increased its level of transparency.	50% of the journalists in the survey perceive the Government as partly transparent, while more than 18% stated that the Government was greatly or entirely transparent.	The Prime Minister holds a press conference almost every week, compared to previous PMs that did not engage in such practice. The ministries tend to refuse to provide answers to journalists when they seek information related to their reporting.	The Government and ministries are not sufficiently transparent: sessions of state bodies on national and local level are still mostly closed to the public. The communication with the journalists is mostly reduced to press releases and press conferences.

B. Journalists' position in the newsroom, professional ethics and level of censorship

B.1 Is the journalists' economic position abused to restrict their freedom? (Reporting period: September 1, 2017 – August 31, 2018)

Indicators	Bosnia and Herzegovina	Macedonia	Montenegro	Kosovo	Serbia
How many journalists have signed work contracts? Do they have adequate social protection? How high are the journalists' salaries? Are they paid regularly?	Many journalists are not formally employed or have inadequate work contracts. Those with signed contracts are still not sufficiently protected and do not enjoy all legally guaranteed labour rights. According to a survey, more than 61% have permanent working positions. Salaries range from 500 to 1,000 BAM (from 250 to 500 euro), but in the local media salaries are much lower.	Half of the journalists in earn salaries lower than the national average. Very often salaries are not paid regularly. The average salary of journalists is 18.800 MKD net (app. 310 euro) per month, which is about 30% less than the average salary in 2018. More than a half of the total number of journalists does not have signed employment contracts.	There is no information on the number of journalists who have contract. The Statistical Office of Montenegro registered a decline in the number of workers in the media sector, where currently 1,350 people are employed. The journalists' salaries are below state averages and more than one third of the respondents receives from 400 to 500 euro. Wages are higher in private media, while the earnings of those journalists working in local media are frequently late and in some cases up to eight months.	Economic insecurity, fear of losing one's job, undervalued work and unpaid overtime work remain a problem for journalists in 2018. Many of the journalists work without ever signing a work contract and they have no social protection	No precise data exists, but it is well known that many journalists work without working contracts. Very few media offer social protection for journalists. Salaries are low and there are complains of salaries not being paid regularly. The survey conducted within this project two years ago, showed that 22.5% of the interviewed journalists said that their monthly salary is between 300 and 400 euro, 13.5% between 200 and 300 euro and 16.2% between 400 and 500 euro.

**B.1 Is the journalists' economic position abused to restrict their freedom?
(Reporting period: September 1, 2017 – August 31, 2018)**

Indicators	Bosnia and Herzegovina	Macedonia	Montenegro	Kosovo	Serbia
What are the journalists' work conditions? What are the biggest problems they face in the workplace? Do they perceive their position better or worse compared with the previous period?	<p>Precarious work, irregular payments, work overload, unpaid overtime work and fear that they could lose their jobs.</p> <p>According to the Free Media Help Line in 2018 there is an increase in the cases of journalists' labour rights being infringed.</p>	<p>Collective labour agreements have not been signed with the management of private media which consequently jeopardises the social security of these professionals. The threat of losing one's job is constant and this has not changed in the past two years.</p>	<p>Work overload, work without contracted and working unpaid overtime are the most common problems. 63% of the journalists included in the survey conducted for the purpose of this project have stated that in the past few years their time spent at work has increased. Around 60% claim that the economic situation of journalists has worsened. Almost 15% of the surveyed has to work an additional job. Sensationalist reporting and profit making have added additional pressure on the professionals.</p>	<p>Precarious work is still a problem for Kosovo journalists. They work overtime or during holidays without compensations. Journalists claim that their position is worse compared to previous year.</p>	<p>Journalists in Serbia have been working in difficult conditions for a very long time. They are under continuous pressures, both outside and within the newsroom. Their social security is at risk, due to weak trade unions.</p>

**B.2 What is the level of editorial independence from media owners and managing bodies?
(Reporting period: September 1, 2017 – August 31, 2018)**

Indicators	Bosnia and Herzegovina	Macedonia	Montenegro	Kosovo	Serbia
How many media outlets have internal organisational structures that keep the newsrooms separate and independent from managers and marketing departments?	<p>Newsrooms in the private media continue to be dependent on the managers and marketing sectors. Most private media do not have such internal organisational structures.</p>	<p>Only the largest media outlets maintain their newsrooms separate from the management sectors. However, newsrooms are generally under a strong influence from the management and marketing sectors as well as from political interests.</p>	<p>There is no information whether some of the media have adopted such rules. In the past there have been cases where media do not allow for the publishing of articles critical of advertisers.</p>	<p>The larger media keep the newsrooms separate, but they are still influenced by managers and owners.</p>	<p>Most of the private media do not have internal structures of the working positions, but other legal acts are also missing which would secure independence of the newsrooms from other departments.</p>
Do private media outlets have rules set up for editorial independence from media owners and managing bodies? Are those rules respected?	<p>Internal rules have been adopted only by the major regional media, such as TV N1 and Al Jazeera. There is no professional autonomy in the private media. The key problem is that journalists themselves are usually reluctant to write critical articles about the companies which advertise in the media they work in, because thus the media would lose funding sources, and consequently journalists would lose their salaries.</p>	<p>The situation in this respect remains unchanged in comparison to 2016 assessment. Very few media have written internal editorial independence rules. Editorial independence from media owners and managing bodies is generally compromised in most of the media in Macedonia.</p>	<p>The proposition of the Trade Union of Media of Montenegro to secure editorial independence in media by guarding the newsrooms from business interests has not been incorporated in the draft- Law on the media. The proposition was based on the recommendations of the Council of Europe.</p>	<p>Very few media have such rules. Still, editorial independence of media in Kosovo from economic and political pressures continues to be jeopardised.</p>	<p>Almost none of the private media outlets in Serbia have adopted internal rules on safeguarding the independence of their editorial policy from owners and managing bodies. The only known example is the news portal Južne Vesti. Only 12 media outlets agreed to sign annexes to work contracts (written by IJAS lawyers) aimed at enhancing the legal and professional status of journalists.</p>

**B.2 What is the level of editorial independence from media owners and managing bodies?
(Reporting period: September 1, 2017 – August 31, 2018)**

Indicators	Bosnia and Herzegovina	Macedonia	Montenegro	Kosovo	Serbia
Do private media outlets' newsrooms have adopted internal codes of ethics or do they comply with a general code of ethics?	Most of the private media do not have internal codes but adhere to the general code of ethics.	Private media do not have internal codes of ethics. They adhere to the general code of ethics – the AJM code.	Private media have not adopted internal codes of ethics. They adhere to the general code of ethics. This document will be amended in the near future to incorporate provisions on new media and the internet.	Very few media have internal codes of ethics. Most of the private media adhere to the Code of ethics of the Press Council.	Most of the private media do not have internal codes but adhere to the Journalist's Code of Ethics adopted by the two biggest journalists' associations: IJAS and JAS. The Association of Online Media also has a Code of Ethics.
What are the most common forms of pressure that media owners and managers exert over the newsrooms or individual journalists?	The most frequent forms of pressures used by media owners and managers are of economic nature. These pressures create high levels self-censorship among journalists.	Direct forms of pressure: threats of losing job, temporary working contracts. Some journalists (from bigger TV stations) are subject to mobbing.	Due to the fear of potential consequences, journalists do not speak openly about pressures, but off the record testify about them and adjust their work according to the will of editors and owners.	The most common pressures are threats of losing jobs, lack of working contracts and late salaries.	The pressures on journalists by media owners are no longer directly exerted. They depend on the specific media outlet and on the individual owner – journalists usually know in advance what they are allowed to write and what is out of bounds.

**B.3 What is the level of journalists' editorial independence in the PBS?
(Reporting period: September 1, 2017 – August 31, 2018)**

Indicators	Bosnia and Herzegovina	Macedonia	Montenegro	Kosovo	Serbia
Does the PSB have an adopted code of journalists' conduct and editorial independence? Do the journalists comply with this code?	All PSBs have adopted internal editorial codes, but they are not available on their websites. In practice, these codes are often not respected.	In 2017 the MRT has adopted its own Code of Ethics, though it has been criticised by some media organizations including the AJM – the code envisages an existence of an ethics body within the PSB, but it does not ensure transparency in the election of its members. The work of this body has not been assessed so far.	The RTCG has its own ethical code for all employees. An integral part of the working contracts signed with the journalists are the provisions of that ethical code. However, there is no separate code of ethics for journalists. Editorial independence is a concern for RTCG.	RTK has its own code of conduct and it is perceived as advanced but the editorial independence is poorly implemented in practice	RTS and RTV do not have their own specific codes of ethical principles for reporting. The editorial independence is prescribed by the Law and the statutes, but it is not sufficiently implemented in practice.
Do the PSB bodies have a setup of internal organizational rules to keep the newsrooms independent from the PBS managing bodies? Are those rules respected?	PSBs have adopted internal organisational rules but newsrooms do not demonstrate independence from the managing bodies. There are frequent political pressures on the PSB employees.	MRT has internal organisational rules but that is not a guarantee of newsrooms independence from managing bodies. Even after the fall of the nationalist-populist government the perception to the contrary still persists.	The RTCG code of ethics contains rules of conduct for the members of the Council of the PSB as well as for PSBs managerial sector and the rest of the employees. It also contains principles relating to advertising practice.	PSB has its formal organisational rules but newsrooms are not independent from managing bodies.	Both PSBs have formal rules to keep the newsrooms separate and independent from management, but in practice editors and journalists are not independent.

**B.3 What is the level of journalists' editorial independence in the PBS?
(Reporting period: September 1, 2017 – August 31, 2018)**

Indicators	Bosnia and Herzegovina	Macedonia	Montenegro	Kosovo	Serbia
What are the most common forms of pressure that the government exerts over the newsrooms or individual journalists in the PBS?	Local public media are funded from the municipal budgets, which affects their editorial independence. When appointing management structures in public services, the ruling parties have strong influence.	Disciplinary measures are a common practice in the PSB – salary deductions, moving employees to other (lower) positions in the organisation and professional marginalisation. It has not been established whether this has been the case since the political change in Skopje. This has however been the case in the MRT since independence.	The most obvious example of open pressures on the RTCG by political power is the dismissal of the entire management and two members of the Council of the RTCG from their positions. Also the state funding of the local broadcasters is perceived to be a possible threat to these media.	Government officials have influence through the PSB management and dictate the editorial policy.	Pressures are frequent and come from different sources. State officials publicly criticise the work of public media services and thus put pressure on them. On the other hand, journalists themselves know what topics they can publish.
What was the most illustrative example of the pressure exerted by the government over the work of entire newsrooms or individual journalists?	In June 2018 the director of the local public TV station RTV of Una-Sana canton was dismissed by the canton assembly. Other local media are also subject to similar pressures.	In the past two years the overall situation is visibly relaxed. There is no evidence to suggest present government's pressure on newsrooms the way we saw until 2017. Previously, leaked recordings from an illegal phone tapping practice, revealed that between 2009 and 2016 government officials had threatened PSB journalists' job security if they did not report along the "desired" lines.	The General director of the public broadcaster Andrijana Kadija has been removed from office. The justification was that she signed a contract with one NGO that contains provisions which influence the editorial policy of RTCG. In effect, this is a clear example of political manoeuvring.	The government's pressure is exerted from management and editors to individual journalists working on related news stories. There is almost no critical reporting aimed at the work of the government or the public institutions.	The programme director of Radio Television of Vojvodina was dismissed from his position in May 2016 by the RTV Board members, under political influence. In 2017, the courts have ruled that the dismissal was unlawful and obliged RTV to bring the editor back to his position. In January 2018 he was dismissed again and the court once again decided in his favour. The case is still pending.

**B.4 What is the level of journalistic editorial independence in the non-profit sector?
(Reporting period: September 1, 2017 – August 31, 2018)**

Indicators	Bosnia and Herzegovina	Macedonia	Montenegro	Kosovo	Serbia
Have the non-profit media adopted a code of journalists' conduct and editorial independence? Do the journalists comply with this code?	There are only few non-profit media (radio stations) in the traditional media sector. However, online not-for-profit media are mushrooming in the form of CSOs, funded from foreign donations (CIN, Žurnal, BIRN, Analiziraj.ba). The level of their editorial independence is far greater than in the private media and the PSMs.	There are only few student non-profit radio stations in Macedonia. There are also few online news portals which are established as non-profit media and which conduct most of the serious investigations in the country. These have professional newsrooms and adhere more strictly to ethical standards.	Non-profit media are not developed in Montenegro. The unstable and insufficient financing makes them irrelevant.	Very few non-profit media exist in Kosovo. They comply with general code of ethics of the Independent Media Commission (for broadcasting) and of Press Council (for print and online).	Non-profit media in Serbia generally do not have their own ethical codes. They accept the jurisdiction of the Journalist's Code of Ethics. While a Code of the Association of Online Media also exists. Guidelines for Implementation of the Journalist's Code of Ethics in Online Environment were produced by the Press Council.

**B.4 What is the level of journalistic editorial independence in the non-profit sector?
(Reporting period: September 1, 2017 – August 31, 2018)**

Indicators	Bosnia and Herzegovina	Macedonia	Montenegro	Kosovo	Serbia
What are the most common forms of pressure over the non-profit media outlets?	Institutions tend to be closed when it comes to providing access to information and transparency.	There is no evidence to suggest that the journalists from the non-profit newsrooms have in the past two years been subject to serious pressures. In the past there have been law suits and verbal threats towards these journalists made by high officials.	The biggest problem of the non-profit media is the lack of donations to finance their operations.	They are sometimes referred to as “foreign mercenaries” or “spies” because they receive funds from foreign donors.	Pressures are most often exerted through campaigns in media close to the government, in which the journalists working for the non-profit media are called “foreign mercenaries” and “traitors”. In the past year the attacks on these journalists by government officials have intensified.
What was the most illustrative example of the pressure exerted over the non-profit media?	Verbal threats are not uncommon. The Free Media Help Line registered an incident in which a political actor threatened journalists from the Centre for Investigative Journalism.	There were no such cases.	There were no such cases.	There were no such cases.	Minister Nenad Popović filed four lawsuits against the investigative research portal KRIK, in each requesting one million Dinars (almost 8,500 euro) of compensation for damages to honour, reputation and dignity. The lawsuits are related to four texts published in November 2017, each listing mostly the same information, based on files leaked within the international project “Paradise Papers”.

**B.5 How much freedom do journalists have in the news production process?
(Reporting period: September 1, 2017 – August 31, 2018)**

Indicators	Bosnia and Herzegovina	Macedonia	Montenegro	Kosovo	Serbia
How much freedom do the journalists have in selecting news stories they work on and in deciding which aspects of a story should be emphasised?	According to the results of the survey, 19% of the journalists reported that their news stories are frequently changed by editors, while about 13% said that their stories are often not published. Journalistic work is often not sufficiently recognized and evaluated. Between the quality of the report and loyalty to certain politicians the editors would often choose the latter.	In a financially precarious position, journalists in the public and private media rarely work on sensitive topics, and mostly cover daily political events. Debates on private television are now more common, but less so on public channels.	Journalists in general claim that they are mostly free in their work. However some problems persist: a third of the surveyed journalists claim that they have a small degree of freedom in the selection of topics to cover. Journalists have more freedom deciding on the angle of the chosen topic. 66% has stated that they are free to choose their own angle.	Journalists from Kosovo claim that editors and owners tend to influence their work in cases when the story might open up problems in terms of interfering with certain groups’ financial or other interests.	Journalists in very few media enjoy that freedom. A recent study has shown that 47% of the respondents have personally witnessed editors refusing a proposition to cover certain topics. In addition, 39% of the respondents have said that editors asked them to cover topics for which there is no professional justification.
How often do the journalists participate in editorial and newsroom coordination (attending editorial meetings or assigning reporters)?	Most of the journalists regularly attend editorial meetings.	Interviews conducted by AJM suggest that it is common that journalists in big media do not attend editorial meetings.	60% of journalists often or regularly participate in editorial meetings.	Most of the journalists regularly attend editorial meetings.	62% of surveyed journalists always or very often attend editorial meetings. However, this practice heavily depends on the media in which the journalist works.

**B.5 How much freedom do journalists have in the news production process?
(Reporting period: September 1, 2017 – August 31, 2018)**

Indicators	Bosnia and Herzegovina	Macedonia	Montenegro	Kosovo	Serbia
What are the journalists' self-perceptions on the extent to which they have been influenced by different sources of influence: editors, managers, owners, political actors, state?	According to the survey, journalists said that they were faced with pressures (daily or very often) from the following sources: politicians in power (38%), media owners (28.5%), editors (28.5%) and advertisers (23.2%).	Interviews conducted by AJM suggest that editors are very influential on the selection of topics. There is still a perception that political actors influence media content.	The study conducted within this project shows that a hierarchy of influences exists. 80% of the journalists have said that their content is influenced by editors. Furthermore, managing bodies in the media influence content with 53% of the respondents claiming as much. The owners of the media are in the third place. The last are political actors and authorities. In all probability, the political influence on journalists is done through their editors.	Journalists claim that editors are the most influential individuals in their work.	The survey conducted in 2016 for the purpose of this research has shown that most of the influence comes from editors, nearly 77% of the respondents have said so. However, other research studies indicate that the ultimate source of influence are political actors.
How many journalists report censorship? How many journalists report they succumbed to self-censorship due to fear of losing their job or other risks?	Between 23% and 26% of the surveyed journalists responded that censorship or self-censorship is present in their media.	In 2018 the AJM has recorded only one case of censorship. Journalists rarely decide to react in cases of censorship in Macedonia, and when they do react they insist on staying anonymous.	Journalists are divided in their assessment concerning the impact censorship has on their work. 46% claim that censorship has some influence on their work while 47% claim that the impact of censorship on their work is minimal.	Journalists state that their fellow colleagues know in advance what and how to report, having in mind their previous experience with the influence coming from owners or editors.	There is a wide spread perception amongst journalists that censorship no longer exists and that self-censorship prevails. Self-censorship is induced by fear of financial insecurity. Local media are particularly vulnerable.

C. Journalists' Safety

C.1 Safety and Impunity Statistics

(Reporting period: September 1, 2017 – August 31, 2018; for murders 15-20 years back)

Indicators	Bosnia and Herzegovina	Macedonia	Montenegro	Kosovo	Serbia
Number and types of threats against the lives of journalists and other types of threats.	According to the Free Media Help Line, there were 16 verbal and other threats in total, including one death threat.	1 (one) verbal death threat registered in the reporting period.	1 (one) verbal death threat registered in the reporting period.	24 cases of verbal and other threats were registered. Out of these, 7 were threats against the lives of journalists.	21 cases of verbal and other threats were registered in the reporting period.
Number of actual attacks. How many journalists have been actually attacked?	5 actual attacks were registered (1 was a murder attempt, 1 was attack on journalists' vehicle whereby a part of the media property was also destroyed and 3 were physical attacks on journalists). In 2 of these cases journalists were prevented from reporting from certain events with physical violence.	5 actual attacks were registered (1 physical assault, 2 arbitrary detentions of journalists, 1 damage of journalist' property and 1 prevention from reporting).	3 actual attacks were registered (1 was a murder attempt, 1 was throwing of an explosive device in front of a journalist' house and 1 was burning a journalist' car).	4 actual attacks were registered (3 journalists have been attacked physically and 1 was arbitrary detention).	7 actual attacks were registered (6 physical attacks on journalists and 1 attack on a journalist' property).

C.1 Safety and Impunity Statistics
(Reporting period: September 1, 2017 – August 31, 2018; for murders 15-20 years back)

Indicators	Bosnia and Herzegovina	Macedonia	Montenegro	Kosovo	Serbia
Number and types of murders. How many journalists were murdered in the past 15-20 years?	There are no such cases.	Officially, there are no such cases.	1 murder: 2004. In 2004, Duško Jovanović, the editor in chief of the daily Dan, was murdered.	There are no such cases in the last decade. From 1998 until 2005, there were 14 journalists murdered and disappeared. 8 of them were assassinated, while 6 of them are still considered as missing.	3 murders: 1994, 1999 and 2001. In 1994, Radislava Dada Vujasinović, journalist of the magazine Duga; in 1999, Slavko Čuruvija, journalist, editor in chief and owner of Daily Telegraph; in 2001, Milan Pantić, correspondent of Večernje Novosti, from Jagodina.
Number and types of threats and attacks on media institutions, organisations, media and journalists' associations.	30 of which most were addressed to BH Journalists.	There are no such cases.	1 case was registered. The premises of the newspaper Sloboda were damaged in October 2017.	2 cases were registered. A news portal was attacked three times in a short period of time; A media outlet was threatened by a person via telephone.	9 cases were registered. The journalists' associations that are critically oriented towards the Government were subject to continuous pressures, attacks and intimidation.

C.2 Do state institutions and political actors take responsibility for the protection of journalists?
(Reporting period: September 1, 2017 – August 31, 2018)

Indicators	Bosnia and Herzegovina	Macedonia	Montenegro	Kosovo	Serbia
Have the state institutions developed specific policies to support the protection of journalists, offline and online? If yes, is the implementation of such policies assured with sufficient resources and expertise?	Some positive developments in 2017: the Ombudsman on Human Rights published the Special Report on the Status and Cases of Threats against Journalists in Bosnia and Herzegovina; the Ministry of Justice initiated meetings aimed at improving the level of journalists' safety.	State institutions haven't yet developed specific policies or measures for protection of journalists. Impunity from prosecution still presents a problem.	State institutions haven't yet developed specific policies or measures for the protection of journalists. There is a general perception that limited progress has been achieved in resolving the past cases of violence against journalists.	Comprehensive policies to support protection of journalists haven't been developed yet. State Prosecution Office has appointed prosecutors in five centres to deal with this issue. The Basic Court in Pristina has appointed a coordinator to deal with cases of threats and attacks against journalists.	Comprehensive policies haven't been developed yet, but the following steps have been undertaken so far: Agreement on cooperation and measures to raise security levels related to journalists' safety signed in 2016; Standing Working Group was composed to improve the protection of journalists, but in November 2017 the five journalists and media associations suspended their participation, because they were not satisfied with the work of the group.

**C.2 Do state institutions and political actors take responsibility for the protection of journalists?
(Reporting period: September 1, 2017 – August 31, 2018)**

Indicators	Bosnia and Herzegovina	Macedonia	Montenegro	Kosovo	Serbia
Are there any mechanisms (institutions, programmes and budgets) for monitoring and reporting on threats, harassment and violence towards journalists? Who monitors and keeps records of attacks and threats? Do the state institutions publish updated data regarding attacks on journalists and impunity? What measures are taken upon the incidents and by whom?	There are no specific mechanisms. Free Media Help Line is still the only mechanism which distributes data to all state institutions, media organisations and international organisations.	There are no specific mechanisms. The AJM register is the only existing database. The Report of the Ministry of Internal Affairs confirmed the problem of impunity. Of 59 attacks in the last five years, only two perpetrators were sanctioned.	There are no specific mechanisms. Currently, there is no separate evidence kept on the threats, harassment and violence towards journalists. The statistical data recorded by the Police is very general. The officials from the Police declared that a new working position will be opened specifically for dealing with this issue.	There are no such mechanisms, but some measures have been undertaken: the Basic Court in Pristina intends to develop a database of cases of threats and attacks against journalists. The Kosovo police already has a database but agreed to oblige the Department of Serious Crimes to deal with cases of threats and attacks against journalists.	There are no such mechanisms, but some measures have been undertaken: the Public Prosecution Office adopted Instruction for gathering evidence of crimes against journalists and attacks on internet sites. Urgent measures are envisaged in case of attacks on journalists. The information regarding the cases gathered by the public prosecution has been submitted to journalists' associations until the end of 2017, but this practice stopped in 2018. The Ministry of Interior has not adopted any instructions and has not started keeping records.
Are the attacks on the safety of journalists recognised by the government institutions as a breach of freedom of expression, human rights law and criminal law? Do public officials make clear statements recognising the safety of journalists and condemning attacks upon them?	Some politicians and state institutions started paying more attention to this issue and more often condemn attacks on journalists in their public statements. For example, such attacks are recognised as a breach of freedom of expression in the public reactions of the Ombudsman on Human Rights.	Public officials often condemn the attacks on journalists, but the state institutions still do not sufficiently recognize these attacks as a breach of freedom of expression.	Almost all the attacks are condemned by the public officials. However, the number of unresolved cases of violence or threats is still very high, while some cases have already expired.	Public officials condemn attacks, but only in serious cases.	Although the state institutions have undertaken some measures, this is still not sufficient. State officials do not understand the role of the journalists in the society. They rarely condemn the attacks on journalist and if they do, then mostly on a selective basis.
Are there any documents adopted by the state institutions which provide guidelines to military and police and prohibit harassment, intimidation or physical attacks on journalists?	Specific documents adopted by state institutions do not exist. Police guidelines in dealing with the media exist and Media Guidelines in dealing with the police, have been adopted with OSCE support. However, these guidelines should be updated.	Specific documents adopted by state institutions do not exist.	Specific documents adopted by state institutions do not exist.	Specific documents adopted by state institutions do not exist.	Specific documents adopted by state institutions do not exist. The only existing document is the Instruction for gathering evidence of crimes against journalists and attacks on internet sites.

**C.2 Do state institutions and political actors take responsibility for the protection of journalists?
(Reporting period: September 1, 2017 – August 31, 2018)**

Indicators	Bosnia and Herzegovina	Macedonia	Montenegro	Kosovo	Serbia
Do the state institutions cooperate with the journalists' organisations on journalists' safety issues? Do the state institutions refrain from endorsing or promoting threats to journalists?	Some state institutions, namely the Ministry of Justice and the Ombudsman on Human Rights, showed willingness to closely cooperate with BH Journalists.	In general, the cooperation between the AJM and state institutions is good, but the effects of this cooperation are still lacking.	Good cooperation has been established between the Trade Union of Media of Montenegro and the Ombudsman, while the cooperation with the Ministry of Internal Affairs and the Supreme State Prosecutor's Office, is only at an initial stage.	Initial good cooperation has been established between the AJK and the State Prosecution, Basic Court of Pristina and Kosovo Police.	The 2016 Agreement signed with the Ministry of Interior, Public Prosecution and journalists' and media associations has contributed towards better communication, easier reporting and more detailed information on cases of attacks and threats. However, the number of unresolved cases is still very high, although this is one of the main objectives of the signed Agreement. Of 28 cases in 2017, only one case has been resolved.
In cases of electronic surveillance, do the state institutions respect freedom of expression and privacy? Which was the most recent case of electronic surveillance of journalists?	There is no evidence on such cases.	There is no evidence on such cases.	There is no evidence on such cases.	There is no evidence on such cases.	There is no reliable evidence on such cases. There is no efficient control over the state bodies in charge for electronic surveillance.

**C.3 Does the criminal and civil justice system deal effectively with threats and acts of violence against journalists?
(Reporting period: September 1, 2017 – August 31, 2018)**

Indicators	Bosnia and Herzegovina	Macedonia	Montenegro	Kosovo	Serbia
Are there specific institutions/units dedicated to investigations, prosecutions, protection and compensation in regard to ensuring the safety of journalists and the issue of impunity?	There are no such units/ departments. The cases of violence against journalists are not specifically recorded in the courts' databases and cannot be separately retrieved, tracked or reported.	There are no such departments/units.	There are no such departments/units. There is only a Commission for monitoring the investigations of attacks on journalists and media whose mandate was extended to additional two years. The Commission has in the past years identified a number of shortcomings in the investigations of 15 monitored cases.	Some measures have been undertaken: the State Prosecution has a position which coordinates the work of the appointed local prosecutors related to the investigation and the prosecution for attacks on journalists. Kosovo police recently decided that its department on serious crimes should deal with cases of threats and attacks against journalists.	There are no such departments/ units. There is only a Commission on reviewing the facts related to investigation of the murders of journalists. In August 2018, the Government extended the competences of the Commission to reviewing the investigation of murders and disappearances of journalists in Kosovo in the period from 1998 to 2001, as well as on the murders of journalists during the conflicts in former Yugoslavia, from 1991 to 1995.

**C.3 Does the criminal and civil justice system deal effectively with threats and acts of violence against journalists?
(Reporting period: September 1, 2017 – August 31, 2018)**

Indicators	Bosnia and Herzegovina	Macedonia	Montenegro	Kosovo	Serbia
Are there special procedures put in place that can deal appropriately with attacks on women, including women journalists?	There are no such procedures. Women in different positions in the media, including journalists, are subject to greater political and other pressures. The institutions do not have specific mechanisms to address this problem.	There are no such procedures.	There are no such procedures.	There are no such procedures.	There are no such procedures.
Do the state agencies provide adequate resources to cover investigations into threats and acts of violence against journalists?	The state agencies often do not provide adequate resources when needed, but practice showed that when there is interest for a specific case, the reactions can be fast and efficient.	Adequate resources haven't yet been provided by the state institutions.	Adequate resources haven't yet been provided by the state. Investigations are very slow and with weak results.	Adequate resources haven't been provided by the state. It is yet to be seen whether the announced measure of the Kosovo Police to oblige its Department of Serious Crimes to deal with this issue will be implemented.	Adequate resources haven't yet been provided by the state institutions.
Are measures of protection provided to journalists when required in response to credible threats to their physical safety?	There were no such cases.	There were no such cases.	There is no evidence of such measures.	There is no evidence of such measures.	Some journalists were under police protection, but the problem with these cases is that such measures last too long. For example, a journalist from Serbia has been under police protection for more than 12 years.
Are the investigations of crimes against journalists, including intimidation and threats, investigated promptly, independently and efficiently?	Investigating authorities, police and prosecutors do their jobs slowly, especially in conducting effective and thorough investigations of attacks and other criminal offenses against journalists.	Based on the evidence of AJM, the investigations of attacks and threats against journalists are not carried out promptly and efficiently.	Investigations are slow and often inefficient. Only two cases from 2018 were resolved immediately after they occurred. The most serious case of a murder attempt has not been resolved yet.	Cases are investigated promptly and independently, but the court procedures are very slow.	The investigations are not conducted promptly and efficiently. A large number of unresolved cases persists. The court procedures last too long, often without final decisions. The three cases of murders haven't been resolved yet.
Are effective prosecutions for violence and intimidation carried out against the full chain of actors in attacks, including the instigators/masterminds and perpetrators?	When the actors are politicians, public officials or other powerful individuals effective prosecutions are often not carried out.	Not even the perpetrators of the attacks on journalists are punished, nor investigations of the instigators initiated.	The biggest problem is still the fact that the instigators are never discovered. This is exemplified by the murder case of Dusko Jovanovic, and even after 14 years only one accomplice was convicted.	No. The real instigators or masterminds are never discovered.	Only the perpetrators are identified and convicted, while the masterminds remain unidentified.
Does the State ensure that appropriate training and capacity is provided to police, prosecutors, lawyers and judges in respect to protection of freedom of expression and journalists?	Some forms of training for building the capacity of police officers, prosecutors and judges have been organised so far, but they are still insufficient.	Some forms of trainings have been organised for the police officers and prosecutors, with the support of OSCE in Macedonia.	Several forms of training were organised with the support of the Council of Europe project JUFREX in the first half of 2018 for: nine state prosecutors, 34 judges, seven advisors in the courts and one in the State Prosecution Office. There are plans to continue with similar training.	There is an on-going project in Kosovo that provides training to prosecutors and judges in respect to protection of freedom of expression and journalists.	Several rounds of training is envisaged with the Agreement on cooperation and measures to raise security levels related to journalists' safety signed in 2016, but they haven't been implemented yet.

