

THE PRESS COUNCIL IN BOSNIA AND HERZEGOVINA

realized

a Seminar for Judiciary, Prosecution and Police Representatives

“Prevention of Hate Speech and Web Portal Registration”

Teslic, April 6th 2013

The Press Council in Bosnia and Herzegovina successfully realized the Seminar for Judiciary, Prosecution and Police Representatives “Prevention of Hate Speech and Web Portal Registration”. The event, held in Teslic on 06.04.2013, was organized within the Council of Europe project “Promotion of Professionalism and Tolerance in the Media in Bosnia and Herzegovina”. The seminar was attended by 47 participants, consisting of judges and prosecutors from judiciary organs from all parts of BiH, as well representatives from police and security agencies, the High Judiciary and Prosecution Council of BiH (HJPC), the Council of Europe, the Personal Data Protection Agency, the Ombudsman institution, members of the Complaints Commission of the Press Council of BiH, the Association BH Journalists, media experts, journalists and online media editors. The moderator of the event was Ms. Ljiljana Zurovac, Executive Director of the Press Council in BiH.

To what extent and in what way does the Law on Freedom of Access to Information and the Law on Personal Data Protection ensure transparency of court adjudications contributing to the benefit of the public, the judiciary and the media; what are the results of the prosecution and judicial processing and sanctioning of hate speech in public discourse; and is online media registration the solution for preventing hate speech in comments of web portal visitors and strengthening professional responsibility of journalists and editors - are the key issues which the seminar's participants addressed.

Media Self-Regulation in the fight against hate speech

- Effective judiciary and police agencies are the best mechanisms to fight against hate speech and hate crimes - said Ms. Mary Ann Hennessey, Chief of the Council of Europe BiH Office.

Ms. Hennessey pointed that strengthening self-regulation was one of the key methods for implementing the Council of Europe standards in the fight against hate speech in public discourse.

Secretary General of the Association BH Journalists, Ms. Borka Rudic, Editor and Chief of BIRN BiH, Ms. Erna Mackic and Director of the Personal Data Protection Agency, Mr. Petar Kovacevic, talked about the transparency of court verdicts, the application of the Law on Freedom of Access to Information and the responsibilities stipulated by the Law on Personal Data Protection.

- It is very important for the media community to have at its disposal data from the courts on law suits filed against media so that we can determine the appropriate direction of educating journalists in order to decrease the number of lawsuits filed for defamation. Also, we have a problem of implementing the Law on Freedom of Access to Information, in the shape of declaring information secret prior to conducting the public interest test. I believe that information is a public good which belongs to all citizens - determined Ms. Boric.

The current practice of protecting data from court proceedings and verdicts, to an extent of near utter anonymisation, hampers and disqualifies professional reporting on court proceedings to a great extent, warned Ms. Mackic, while the director of the Personal Data Protection Agency in BiH, Mr. Kovacevic, emphasized the requirement of using personal data exclusively for the sought purpose. Judges and prosecutors expressed the readiness to cooperate with the media community with the goal of professional and timely reporting on the work of the judiciary, but not to jeopardize judicial proceedings, which can be caused by, as they pointed, non-selective and premature data releases.

Portal Registration Brings Responsibility

The statutory obligation to register a web portal does not exist in BiH; but exactly that is one of the ways to prevent hate speech in online communication, regards Editor in Chief of the portal dosije.ba Mr. Daniel Senkic.

- Registrations bring responsibility! The Resolution by which the portal dosije.ba was registered in the BiH Public Media Register clearly states our duties and responsibilities. I think that it is imperative to legally define web portal visitor comments as the editor’s responsibility - said Mr. Senkic.

HJPC representatives, the Chief of the ICT Department Mr. Esmin Berhamovic and his colleagues Ms. Samira Salihbegovic and Mr. Edin Beco presented the judiciary portal pravosudje.ba and opportunities to access information this portal provides.

The Overview of results of the Study on Hate Speech in Media during 2012 as well as the Analysis of Hate Speech based on Adjudications of the Complaints Commission of the Press Council in BiH and the Communications Regulatory Agency of BiH was presented at the Seminar.

The seminar “Prevention of Hate Speech and Web Portal Registration is a continuation of the meetings of judiciary, police and media representatives which took place over the past years during which the dangers of the spread of hate speech in the media was discussed, as well as abuse of the freedom of speech and the ways in which hate speech, especially in the media, can be prevented, prosecuted and sanctioned. The meeting in Teslic improved cooperation between the judiciary institutions, police, media and the Press Council in BiH as the sole self-regulatory body for print and online media in the country, in the fight against hate speech in public discourse.