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Press Release on Press Council Adjudications

At its regular meeting held in Sarajevo on 12th September 2002, the BiH Press Council discussed a number of complaints about the press from the public and political figures.

Three cases were formally adjudicated by the Council. Three were sent back to the secretariat for further clarification and mediation efforts and two complaints were outside the Council's competence, as they were currently before a court of law.

In the case of Ms. Jasna Diklic versus Walter Magazine, the complainant – an actress, complained to the Council about a critical review but the Council took the view that review was merely a robust piece of journalism and that persons in the public eye and on the public stage should be ready to accept robust public criticism. The Council had some sympathy with the complainant but decided that the Press Code had not been breached.

In the second case under adjudication: Mr. Bato Cengic versus Dnevni Avaz, the complainant protested about an article in the newspaper which he felt defamed his person. However, the Council decided that there was no breach under that particular article in the Code and that similar to the Dicklic case, the article was merely a strong criticism about the complainant and was a legitimate view taken by the newspaper. Mr Cengic had sent a letter of denial to Dnevni Avaz but the newspaper chose not to publish it, as it stood by the article. Mr Cengic's complaint was not upheld.

In the final case to be formally adjudicated, the SDP had complained about an article in Dnevni avaz about Foreign Minister Zlatko Lagumdžija, which the party said not only breached the Press Code but also the Law on Public Information. The Council cannot involve itself in matters of law so did not comment on that aspect of the case. However, it felt that the article in Dnevni Avaz was a legitimate piece of journalism and may not have constituted a breach of the code, but as the newspaper had printed – in good time - a response on behalf of the party, the Council felt that the newspaper had in fact discharged its responsibilities under the Press Code. However, citing this case as an example the Council took the opportunity to warn newspapers to refrain from further commenting on complainant's responses. This practice only serves to prolong the procedure and does little to enhance the public's trust in the press.

To date, the Press Council has formally adjudicated on 22 complaints. Four have been upheld in favour of the complainants, 5 were not upheld. One encouraging trend is the increasing amount of successful mediations that the secretariat has been able to carry out in this period. The Press Council successfully mediated three complaints in the past two months which brings the number of mediations in the past year to seven. Mediations are proof that with a spirit conciliation complainants and newspapers can reach a satisfactory conclusion negating the need for formal adjudications. The remainder were returned to the secretariat for further information and future adjudication if appropriate.

The Council meets again in December in Banja Luka.

More detailed information on these and other cases is available from the BiH Press Council Secretariat (Dzenetica cikma 2, Sarajevo, tel/fax: 033 272-270 i 272-271) or at www.vzs.ba