

Article by Simon Haselock, Head of Media Affairs: "The Balkans Need Media Rules"

Letter to the Editor

Stephen Schwartz's article ("Europe Should Leave the Balkan Media Alone," editorial page, Aug. 27-28) suggests there is a trans-Atlantic disagreement over how, and indeed whether, the media in Bosnia and Herzegovina should be restructured and regulated by the international community. It further suggests that we bureaucrats are busily forcing our European system of press regulation on an unwilling media community here.

False on both counts. First, the U.S. is not only supportive of, but deeply involved in media restructuring. For instance, despite its name, the Organization for Security and Cooperation in Europe's mission in Bosnia is headed by an American. And the Independent Media Commission (IMC), the country's new regulatory body disparagingly referred to by Mr. Schwartz, is 50% U.S.-funded.

Second, no-one is forcing anything on anyone. The clamor for a regulatory framework to ensure press freedom has been almost constant, and the international community has responded accordingly. Local media organizations have been consulted at every stage. The new Press Code, for example, was developed and agreed by five journalist's associations – two Serb, two Bosnian and one Croat – quite an achievement in itself.

It is true that the new regulatory regime has a European flavor. But Bosnia, let us not forget, is in Europe. Integration into the European family of nations is accepted by all as the key to its future. The American system of regulation – or lack of it – works in the U.S. because there is a 200-year-old understanding of the First Amendment, and an efficient legal system to back it up.

But such a system could not possibly work here, where the courts in some instances do not function at all. Journalists are routinely manipulated by politicians. Until last month, libel was a criminal, imprisonable offence.

Bosnia both wants and needs media regulation. A good game of soccer requires a marked out pitch, a referee and a clearly defined set of rules. Without these things there is chaos. Imagine an electronic media in the U.S. that was not regulated by the Federal Communications Commission – which, incidentally, was also one of the models for the IMC.

The end goal, in any case, is not simply regulation but self-regulation. That is why the IMC, currently internationally administered, will be staffed exclusively by locals by July 2000. The IMC's enforcement panel, which looks at licensing and broadcast code violations, is already mostly Bosnian.

Self-regulation, contrary to what Mr. Schwartz says, generally works well in Britain, which has been a partial model for our work here. Whatever the status of Freedom of Information legislation in Britain, the fact remains that plans for such legislation here in Bosnia are now well advanced.

Of course a self-regulatory system has its problems. The British press's "hounding to death" of Princess Diana that Mr. Schwartz mentions may or may not be a case in point, though it is a bit rich for an American to point the finger. Domestic coverage of Lewinsky scandal, I think even he would agree, was hardly an example of press moderation. In Bosnia, we aim to help the media to do a lot better.

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