



# **2nd ACADEMY ON MEDIA LAW IN SOUTH EAST EUROPE**

Under the auspices of the Regional Cooperation Council

With support of the Friedrich Ebert Foundation, the OSCE Representative on Freedom of the Media, the European Broadcasting Union, the European Association of Public Service Media in South East Europe, Article 19: Global Campaign for Free Expression, the United States Embassy in Bosnia and Herzegovina, and the OSCE field missions in South East Europe: the OSCE Mission to Bosnia and Herzegovina, the OSCE Mission in Kosovo, the OSCE Mission to Montenegro, the OSCE Mission to Skopje, the OSCE Presence in Albania, and the OSCE Mission to Serbia

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**TABLE OF CONTENT**

INTRODUCTION .....3

CONCLUSION OF THEMATIC SESSIONS & RECOMMENDATIONS .....4

A. Media pluralism through ownership transparency .....4

B. Public service remit and the role of the public in assessing the  
role and quality of public service broadcasting .....6

C. Internet freedom / freedom of online media .....9

**ANNEX**

I. AGENDA .....11

II. LIST OF PARTICIPANTS .....15

III. SPEAKERS’ BIOGRAPHIES .....18

## INTRODUCTION

The Academy on Media Law in South East Europe is a project promoting regional cooperation of media experts. The First Academy on Media Law in South East Europe took place in Zagreb from 3 to 8 June 2012. From 2 to 5 September 2013, the participants in the project - media professionals, practicing media lawyers, legislators/parliamentarians, government officials, members of media regulatory and self-regulatory bodies, civil society and academia from South East Europe dealing with media freedom issues – gathered for the 2<sup>nd</sup> edition of the Academy in Sarajevo, Bosnia and Herzegovina, to exchange views and discuss ideas for solution of common challenges in media policy and regulation.

The Academy on Media Law is unique forum of regional media cooperation. It provides a platform for media experts from Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Greece, Kosovo\*, the Former Yugoslav Republic of Macedonia, Moldova, Montenegro, Romania, Serbia, Slovenia, and Turkey for enhancing cooperation and professional exchange in South East Europe, for identifying and sharing best practices in line with European media freedom standards, and for increasing capacity of media lawyers and other professionals in order to speed up stalled media reforms in the respective countries. It also fosters dialogue between regulators, academics, NGOs and legislators in order to capture policy and regulation challenges, examine current issues and their impact on media freedom in individual countries, and propose a course of action informed by the best practice in the region. The project was launched in 2012 in Zagreb where the first Academy on Media Law took place. The participants meet regularly to discuss a set of selected issues.

This year, Academy on Media Law participants examined three topics: media pluralism and transparency of media ownership; the role of public institutions and civil society in assessing the role and quality of public service broadcasting; and freedom of expression on the Internet/freedom of online media. The Academy lasted for three days, each day being dedicated to one of the three topics.

The sessions were a mixture of academic presentations, exchange of experience and practical workshops relating to the respective topic of the day. The morning sessions were devoted to academic presentations and introductions into the respective topic, providing food for thought for the following debate and group work. Experienced media experts delivered the introductions into the topics and led the workshops in the afternoons. The group work was based on questions prepared by the organisers in cooperation with the international experts before the start of the Academy. At the end of every day, the groups presented conclusions and recommendations. To ensure continuity of the project, the sessions on media pluralism and public service broadcasting in addition included short presentations of the findings and conclusion of the first edition of the Academy.

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

## CONCLUSIONS OF THEMATIC SESSIONS & RECOMMENDATIONS

### A. Media pluralism through ownership transparency

- The region has one of the highest, if not the highest, concentration of media outlets per capita in Europe.
- The high number of media outlets in the region does not equal plurality of views, content and sources. Although viewers can choose between plenty of channel, the media are highly politicised and fragmented along political lines.
- Media owners often dictate editorial policies.
- The media in the region functions more and more as a watchdog in the service of the media owners and not in the service of the society as a whole.
- The trust in media, including in public service media, is very low in the region.
- Media ownership remains opaque.
- There is a lack of qualitative data on media pluralism.
- Regulatory agencies do not monitor strictly concentration of ownership and fail to sanction cross-ownership and anti-trust rules.
- Regulatory agencies do not monitor whether broadcasters meet their obligations for original programmes, which affects media pluralism and unfair competition in the market.
- Non-transparent state advertising practices lead to favouritism, politicisation, partisan editorial policies and indirect censorship, thus endangering media pluralism.
- Off-shore ownership of media companies presents a problem in some countries of the region.

### Recommendations

1. Surveys are needed to evaluate both internal and external media pluralism.
2. The legal and regulatory frameworks on transparency of media ownership should be analysed against regional standards and best practices in Europe, and strengthened.
3. Governments should establish public registries of media ownership.
4. General competition rules cannot ensure media pluralism and therefore are not suitable for the media market.
5. In order to ensure independence of regulatory agencies, members of governing bodies should be appointed by civil society organizations (which are not dominantly financed from public funds) rather than by public institutions or the parliament.

6. Clear legal provisions on state advertising and criteria thereof are needed. State advertising should be regulated and monitored by independent public bodies according to transparent and clear criteria. Public institutions, including ministries, should be required by law to make public and transparent all advertising expenditure in public and private media. An example of good practice comes from Bulgaria where public institutions are obliged to publish to the National Central Register a report on their use of state advertising funds.
7. State advertising should be linked to the real circulation and footprint of a medium. The audience share should be one – although not the only – criterion for state advertising.
8. Media audience share data should be made public in an understandable and easily comprehensible way.
9. Public service media should develop a set of clear and simple indicators for their own contribution to media pluralism.
10. Online media should be obliged to publish on their websites an impressum, including full data on their ownership structures and editorial responsibilities.
11. Regulators and public service media should embark on awareness raising campaigns on the importance of transparency of media ownership, preferably by including the non-governmental sector.
12. Publicly funded media should report and publish their data concerning the amount of funds and the cause for which they have spent the state aid that they received.
13. Emerging “Open Data” initiatives should be used as a vehicle for more transparency of ownership, state advertising and state funding. Representatives of regulatory agencies and public service media should join Open Data commissions.
14. The Academy on Media Law should provide expertise on media ownership by off-shore companies.
15. The Academy on Media Law should next year invite representatives of anti-trust agencies or design particular projects between media (regulatory) bodies and anti-trust agencies in order to ensure the sharing of experience and increase of co-operation. The Academy on Media Law should consider offering basic trainings on media pluralism to anti-trust agencies.

## B. Monitoring the performance of public service broadcasters

- The political interference in the editorial policy of public service broadcasters still presents a major obstacle for meeting the remit. Business interference is another emerging obstacle.
- Public service broadcasters are not sufficiently transparent with respect to their editorial policies and do not engage in dialogue with the audience.
- Public service broadcasters do not reach out to stakeholders, including parliamentarians, media councils and civil society regarding their role and responsibilities.
- Public service broadcasters do not reach to the young audience.
- The audience's trust in public service media depends on to what extent public media meets its remit, to what extent it is transparent and accountable.

### Recommendations

1. In order to reaffirm the remit, public service broadcasters together with the audience and the parliament need to engage in a debate on redefining the remit in the Internet age focussing on quality and content, and on ensuring sufficient funding to meet this remit.
2. The digital switchover should be used for reaffirming the public service remit and to increase the genuine awareness and understanding of as well the commitment to the public service broadcaster (PSB) remit.
3. While new technology and formats are important for the PSB position in the new environment, any debate about the remit review (redefinition) must aim at improving the quality of the content and strengthening the independence of PSB. The content needs to ensure quality, distinctiveness, reliability and objectivity.

In order to achieve the above goals, the **public service broadcasting councils** in the region **are encouraged to:**

- a. Initiate and (or) have an active role in the digital switchover debate, planning and implementation.
- b. Develop or revise (modify) the PSB strategies to address the PSB position in the new multiplatform and multimedia environment (ensure presence on new platforms such as mobile, Internet, Twitter, Facebook; address new or underrepresented target groups and develop tailored formats).
- c. Public service broadcasters need to initiate – in a process of self-reflection – the debate on the remit and invite different stakeholders to the process.

- d. To this end, PSBs should present their annual strategies to the public and oblige themselves to respect any comments by the audience/public and also reply to those comments with clear arguments. These comments/replies should equally be made public as they can serve as a strong argument for the PSBs when defending the annual strategies to parliament, thus reducing attempts of politicization.
  - e. Develop new content formats to contribute to media literacy in order to understand, access and use opportunities and benefits offered by new information society services and audio-visual media services.
4. In order to ensure the independence of PSB, members of governing bodies (council) should be appointed by civil society organizations (which are not dominantly financed from public funds) rather than by public institutions or the parliament.
  5. The governing bodies (council) further need to enable interactive communication allowing for accessible channels for public participation in the PSB governance that could contribute to more accountability and transparency of PSBs.
  6. There is a lack of genuine understanding of the PSB remit, roles and responsibilities by the members of the parliament and staffers that often causes rushed and unfounded legislative intervention or measures that jeopardise PSB sustainability and independence.

In order to address these issues, **public service broadcasting councils** in the region **are encouraged to:**

- a. Either by laws or by themselves, allow for the public (civil society representatives) to participate in the operational and financial plans development and implementation.
- b. Ensure that relevant strategies are developed, implemented and monitored with the participation of the public (civil society representatives).
- c. Develop (introduce), promote and implement a consultation process with various channels (mechanisms) allowing for public participation in the drafting and implementation of strategies.
- d. Ensure that results of the public participation in the consultation process are published, considered, and reported on.
- e. Develop awareness-raising / outreach campaigns on the public service remit in order to raise expectations by the public. This could be done in cooperation with the EBU / EU. PSBs should set indicators for this outreach campaign.

**The Academy on Media Law and its partners should:**

7. Develop and conduct a survey about the awareness and needs of the members of the parliaments and staffers about the role, rights and responsibilities of the PSB. Focus on the importance of this issue within the framework related to the process of Stabilisation and Accession to the EU.
8. Develop, mobilise participation and organise tailored (regional) events for members of parliaments and staffers as well as for members of PSB councils in order to:

- i. Strengthen their knowledge and understanding of their role in the process of defining, monitoring and evaluating the PSB remit; increase accountability and transparency of PSBs while preserving their political and financial independence.
  - ii. Provide assistance (support) to develop and monitor a set of indicators for measuring the PSB remit achievement and PSB contribution to media pluralism.
9. Any event suggested above should be developed to empower the MPs, staffers and PSB councils to actively and constructively participate in any debate about the PSB and avoid any unjustified interference. Any event should include the presence of regulatory bodies and PSB members. Academy on Media Law participants should be included in identifying the right parliamentarians and staffers and in providing training for them.
10. Commission a study on financing models for public service broadcasters.

## C. Internet freedom / freedom of online media

- There are not many clear answers to the topic of Internet freedom and the region.
- As a result, it was difficult to structure the wide debate during the group work as usually there are many similarities in the media field across the region, however, as regards to online media and the Internet, different countries have (very) different approaches.
- Particularly, the role of the regulator and self-regulatory bodies in the online environment needs to be carefully looked at in order to avoid overregulation and attempts to regulate “the Internet” rather than to focus on certain types of Internet media.
- Many aspects of online media already fall under the competence of regulatory bodies and do not need further regulation.
- At the same time, the difficulty of applying editorial responsibility to the online sphere with its increasing number of actors is growing.
- Territorial scope and thus jurisdiction of online media present another difficulty as typically no target test is included in laws regulating online media.
- Anonymity was recognized as a problem, however, anonymity is needed for frank and open debate.
- ‘Hate speech’ is a growing phenomenon on the Internet and needs careful attention as any attempts to regulate content can easily lead to censorship and banning legitimate speech.
- Legislators do not pay sufficient attention to clear definitions and terminology. Different legislators in the region (but also different actors within one country), for example, have different definitions of what is an intermediary and under what circumstances do intermediaries become liable for online content. The EU’s E-Commerce Directive does not provide any assistance as it does not define intermediaries. How to draw the line between an intermediary and a content provider, for example?

### Recommendations

1. Internet regulation / Internet freedom should become a standard topic for the Academy on Media Law.
2. Next year, the Academy on Media Law should invite representatives of ISPs, Internet media and other Internet industries in order for the participants to increase their knowledge.
3. The stakeholders in the region would benefit from more capacity building, training and discussion as well as technical and textual Internet media literacy projects. These should

also include legislators, government representatives, civil servants, teachers, but also media and journalists.

4. The Academy on Media Law should organise training on the technological / technical aspects of the Internet for the Academy participants.
5. The Academy on Media Law, the EU, the CoE and the OSCE should organise Internet literacy trainings for officials (parliamentarians, government representatives, civil servants), media, public service broadcasters, media lawyers and judges.
6. The Academy on Media Law should establish a database on cases of (international and regional) court decisions involving online media, including lessons learned and best practices. This database should be uploaded on the Academy website.
7. Likewise, the Academy on Media Law should develop a database on registration requirements across the region.
8. The Academy on Media Law should assist online media in their effort to raise awareness of ethical behaviour online and explore the most suitable models for handling/moderating user-generated content.
9. The Academy on Media Law should provide seminars/projects and more platforms for debate on different aspects of Internet freedom, such as intermediary liability, anonymity, copyright, and other.
10. Online media should allow for anonymous commenting. In cases where anonymity and freedom to anonymous speech was used/abused to violate the rights of other readers/users, online media should use existing laws (law on defamation, law on protection of personal data, etc.) and revert to self-regulatory systems.
11. As regards 'hate speech', more public awareness is needed, and Internet literacy projects (starting with children) to tackle the problem. Self-regulation was mentioned as the preferred solution to counter hate speech.
12. Pre-moderation of comments should be avoided due to its non-transparency, potential for censorship, openness for manipulation and political control. A possible solution to hateful comments is to disable the commentary function to certain types of articles or media content or, alternatively, to counter hateful comments with dissenting opinions. Notification on a prominent place of websites could be another alternative. These notifications would remind the user of the ethical code of conduct and legal provisions applicable when posting comments.
13. Legislative and regulatory "quick-fix" attempts must be avoided by all actors (legislators, regulators, press councils) as these are the most dangerous to the free flow of information. Any legislative and regulatory reforms or initiatives need to be open for public discussion, follow regular proceedings and be transparent.

## ANNEX

### I. AGENDA

**Monday, 2 September**                      Arrival of participants

19.00 – 21.00                                Welcome reception

**Tuesday, 3 September**

08.30 – 09.00	<b>Registration of participants</b>
09.00 – 09.45	<p><b>Opening Speeches</b></p> <ul style="list-style-type: none"> <li>• Gazmend Turdiu, Head of Expert Pool, Regional Cooperation Council</li> <li>• Dunja Mijatović, OSCE Representative on Freedom of the Media</li> <li>• Judith Illerhues, Director, Friedrich Ebert Foundation, Bosnia and Herzegovina</li> <li>• Richard Burnley, Head of Regulatory Legal Services, European Broadcasting Union</li> <li>• Ibrahim Eren, Deputy Director General, TRT / European Association of Public Service Media in South East Europe</li> </ul> <p>Moderator:     <i>Dinka Živalj, Spokesperson/Head of Media Unit, Regional Cooperation Council</i></p>
09.45 – 10.00	<p><b>Video message by</b></p> <ul style="list-style-type: none"> <li>• Marijete Schaake, Member of European Parliament</li> </ul>
10.00 – 10.30	<p><b>Introductory Remarks – Overview of programme</b></p> <ul style="list-style-type: none"> <li>• <i>Boyko Boev, Senior Legal Officer, Article 19</i></li> <li>• <i>Ženet Mujić, Project Manager, Academy on Media Law in South East Europe</i></li> </ul>
10.30 – 11.00	<b>Coffee break</b>
11.00 – 12.45	<p><b>Module One – Media pluralism through ownership transparency</b></p> <p><b>Presentation of findings and conclusion on media pluralism of the First Academy on Media Law in South East Europe</b>          Presenter:     <i>Razvan Martin, FreeEx Programme Coordinator, Active Watch, Media Monitoring Agency, Bucharest</i></p> <p><b>Presentation on indicators for risks to media pluralism and instruments for the promotion of media pluralism</b>          Introducer:     <i>Joan Barata Mir, Vice Dean for International Relations and Quality, Ramon Llull University, Barcelona; professor in communication and media law</i></p> <p>Moderator:     <i>Dinka Živalj</i></p>

12.45 – 14.15	<b>Lunch</b>
14.15 – 16.00	<p><b>Module One – Media pluralism through ownership transparency – Group Work</b>  Explanation of group work assignments and introduction of group leaders</p> <p>Speaker: <i>Ženet Mujić</i></p> <p>Moderators: <i>Snežana Trpevska, School of Journalism and Public Relations, Skopje</i>  <i>Charis S. Tsigou, Legal Advisor, Hellenic National Council of Radio and Television, Athens</i></p>
16.00 – 16.30	<b>Coffee break</b>
16.30 – 18.00	<p><b>Module One – Media pluralism through ownership transparency</b></p> <p>Panel debate on the findings of the groups</p> <p>Panellists: <i>Lela Vujanić, Media Policy Office, Ministry of Culture, Croatia</i>  <i>Joan Barata Mir</i>  <i>Snežana Trpevska</i>  <i>Charis S. Tsigou</i>  <i>Lutfi Dervishi, Director, Transparency International Albania / Professor, School of Journalism, Tirana</i></p> <p>Moderator: <i>Ardita Zejnullahu, Director, Association of Independent Electronic Media, Pristina</i></p>

### Wednesday, 4 September

09.00 – 10.00	<p><b>Module Two – Public service broadcasting: Presentation of international standards on editorial and political independence of public service broadcasters – State of public service broadcasters in South East Europe</b></p> <p>Speaker: <i>Richard Burnley and Anne-Catherine Berg, EBU</i>  <i>Ljubinka Šebetovsky, Secretary General, Croatian Radio-Television</i></p> <p>Moderator: <i>Boyko Boev</i></p>
10.00 – 10.30	<b>Coffee Break</b>
10.30 – 12.15	<p><b>Module Two – Public service broadcasting</b></p> <p><b>Presentation of findings and conclusions on public service broadcasting of the First Academy on Media Law in South East Europe</b></p> <p>Speaker: <i>Isabella Kurkowski, Press Council, Sarajevo</i></p> <p><b>Discussion on the definition and monitoring &amp; evaluation mechanisms, and the role of public institutions and civil society in assessing the state, role and quality of public service broadcasting</b></p> <p>Speaker: <i>Hendrik Bussiek, Broadcast Media Expert, Berlin</i></p>

	Moderator: <i>Boyko Boev</i>
12.15 – 13.45	<b>Lunch</b>
13.45 – 15.30	<b>Module Two – Public service broadcasting – Group Work</b> Explanation of group work assignments and introduction of group leaders  Speaker: <i>Boyko Boev</i>  Moderators: <i>Helena Mandić, Director of Broadcasting, Communications Regulatory Agency, Sarajevo</i> <i>Jadranka Vojvodić, Deputy Director, Agency for Electronic Media, Podgorica</i>
15.30 – 16.00	<b>Coffee break</b>
16.00 – 17.30	<b>Module Two – Public service broadcasting</b> Panel debate on the findings of the groups  Panellists: <i>Ljubinka Šebetovsky</i> <i>Hendrik Bussiek</i> <i>Richard Burnley</i> <i>Anne-Catherine Berg</i> <i>Helena Mandić</i> <i>Jadranka Vojvodić</i>  Moderator: <i>Boris Bergant, President, South East Europe Media Organisation</i>
19.00	<b>Reception hosted by the United States of America Embassy in Bosnia and Herzegovina</b>

#### Thursday, 5 September

09.00 – 10.30	<b>Module Three – Freedom of expression on the Internet / Freedom of online media</b> Introduction of international standards on freedom of expression online and Internet freedom (access, net neutrality, intermediary liability, privacy, etc.)  Speaker: <i>Gabrielle Guillemin, Legal Officer, Article 19</i>  Moderator: <i>Ženet Mujić</i>
10.30 – 11.00	<b>Coffee break</b>
11.00 – 13.00	<b>Module Three – Freedom of expression on the Internet / Freedom of online media – Group Work</b> Explanation of group work assignments and introduction of group leaders  Speaker: <i>Ženet Mujić</i>  Moderators: <i>Dorđe Krivokapić, Associate Lecturer, Faculty of Organizational Sciences, University of Belgrade;</i> <i>Isabella Kurkowski, Press Council, Sarajevo</i>
13.00 – 14.30	<b>Lunch</b>
14.30 – 15.30	<b>Panel debate on the findings of the groups</b>

	<p>Panellists: <i>Irena Malolli, expert on media legislation, Government of Albania</i>  <i>Gabrielle Guillemin</i>  <i>Dorđe Krivokapić</i>  <i>Isabella Kurkowski</i></p> <p>Moderator: <i>Gordana Vilović, Professor, Journalism Department, Faculty of Political Science, Zagreb</i></p>
15.30 – 16.00	<b>Coffee Break</b>
16.00 – 17.00	<p><b>Conclusions and future outlook of the Academy on Media Law</b></p> <p>Format: Panel discussion  Moderator: <i>Dinka Živalj</i></p>
17.00 – 17.45	<p><b>Closing session</b>  <i>Open to the press</i></p> <p><i>Andris Kesteris, Principal Adviser, Civil Society and Media, Directorate General for Enlargement, European Commission</i></p> <p>Speakers</p> <ul style="list-style-type: none"> <li>• <i>Tanja Topić, Head of Banja Luka Office, Friedrich Ebert Foundation</i></li> <li>• <i>Josip Popovac, Secretary General, European Association of Public Service Media in South East Europe</i></li> <li>• <i>Ambassador Fletcher M. Burton, Head of the OSCE Mission to Bosnia and Herzegovina</i></li> <li>• <i>Goran Svilanović, Secretary General, Regional Cooperation Council</i></li> </ul> <p>Moderator: <i>Andris Kesteris</i></p>

## II. LIST OF PARTICIPANTS

#	NAME	Organization	LOCATION
1	Aida Mahmutović	OneWorldSEE	Sarajevo
2	Anamari Repić	Deputy Director General, RTK	Pristina
3	Andris Kesteris	European Commission, DG Enlargement	Brussels
4	Anne-Catherine Berg	EBU	Geneva
5	Ardita Zejnullahu	Director, Association of Independent Electronic Media	Pristina
6	Armer Juka	Lawyer	Tirana
7	Boris Bergant	President, SEEMO	Vienna
8	Borka Rudić	Association of BH Journalists	Sarajevo
9	Boro Kontić	Director, Media Centar Sarajevo	Sarajevo
10	Boyko Boev	Senior Legal Expert, Article 19	London
11	Bülent Hüsni Orhun	Senior Lawyer, TRT	Ankara
12	Charis S. Tsigou	Legal Advisor, Hellenic National Council of Radio and Television	Athens
13	Christian Reissmüller	Consul, German Embassy	Sarajevo
14	Deniz Yazici	Assistant Research Officer, Office of the OSCE Representative on Freedom of the Media	Vienna
15	Dina Sehić	Research Assistant, Office of the OSCE Representative on Freedom of the Media	Vienna
16	Dinka Živalj	Spokesperson/Head of Media Unit, RCC	Sarajevo
17	Đorđe Krivokapić	Associate Lecturer, Faculty of Organizational Sciences, University of Belgrade	Belgrade
18	Dunja Mijatović	OSCE Representative on Freedom of the Media	Vienna
19	Elira Canga	OSCE Presence in Albania	Tirana
20	Filip Mejdarski	Media Lawyer	Skopje
21	Fletcher Burton	Ambassador / Head of the OSCE Mission to Bosnia and Herzegovina	Sarajevo
22	Gabrielle Guillemin	Legal Officer, Article 19	London
23	Gazmend Turdiu	Head of Expert Pool, Regional Cooperation Council	Sarajevo
24	Goran Đurović	Member of RTCG Council	Podgorica
25	Goran Svilanović	Secretary General, RCC	Sarajevo
26	Gordana Vilović	Professor, Journalism Department, Faculty of Political Science, Zagreb	Zagreb
27	Helena Mandić	Director of Broadcasting, Communications Regulatory Agency	Sarajevo
28	Hendrik Bussiek	Media Expert	Berlin
29	Ibrahim Eren	Deputy Director General TRT / European Association of Public Service Media in SEE	Ankara
30	Irena Malolli	Expert on media and communications	Tirana

		legislation with the Government	
31	Isabella Kurkowski	Expert, Press Council	Sarajevo
32	Jadranka Vojvodić	Deputy Director, Agency for Electronic Media	Podgorica
33	Jagica Cvrk	Coordinator, European Association of Public Service Media in South East Europe	Zagreb
34	Jasna Jelisić	Political Advisor, EU Delegation to BiH	Sarajevo
35	Joan Barata Mir	Professor of Communication Law, Blanquerna Communication School, Ramon Llull University	Barcelona
36	Josip Popovac	Secretary General, European Association of Public Service Media in South East Europe	Zagreb
37	Judith Illerhues	Director, Friedrich Ebert Foundation	Sarajevo
38	Kristina Ćendić	Annenberg Local Program Coordinator	Sarajevo
39	Lazar Prodanović	Member of Parliament	Sarajevo
40	Lejla Babović	Head of International Relations, BHRT	Sarajevo
41	Lela Vujanić	Media policy office, Ministry of Culture	Zagreb
42	Ljubinka Šebetovksy	Secretary General, HRT	Zagreb
43	Lutfi Dervishi	Director, Transparency International Albania / Professor, School of Journalism	Tirana
44	Maja Maričić	OSCE Mission to Bosnia and Herzegovina	Sarajevo
45	Mehmed Agović	Adviser to the Minister of Communications and Transport	Sarajevo
46	Mehmed Halilović	Expert, Internews, BiH	Sarajevo
47	Meri Musa	OSCE Mission to Bosnia and Herzegovina	Sarajevo
48	Mersiha Causević-Podzić	Spokesperson, OSCE Mission to Bosnia and Herzegovina	Sarajevo
49	Miloš Stojković	Živković & Samardžić Law Office	Belgrade
50	Nina Humo	Intern, OSCE Mission to Bosnia and Herzegovina	Sarajevo
51	Nina Suomalainen	Deputy Head of OSCE Mission to Bosnia and Herzegovina	Sarajevo
52	Oleg Postovanu	Head of Media Law Department, Independent Journalism Center	Chisinau
53	Orlin Spassov	Director, Foundation Mediendemokratie Sofia; Professor, University Kliment Ohridski	Sofia
54	Philip Beekman	US Embassy in BiH	Sarajevo
55	Radka Betcheva	European Broadcasting Union	Geneva
56	Razvan Martin	FreeEx Programme Coordinator, Active Watch, Media Monitoring Agency	Bucharest
57	Richard Burnley	Head of Regulatory Media Services, EBU	Geneva
58	Robert Klute	Law department, German Embassy	Sarajevo
59	Samra Ćampara	OSCE Mission in Kosovo	Pristina
60	Selma Ahatović-Lihić	Public Affairs Assistant, RCC	Sarajevo
61	Snežana Trpevska	School of Journalism and Public Relations	Skopje

62	Sue Folger	Internews, BiH	Sarajevo
63	Tanja Topić	Friedrich Ebert Foundation	Banja Luka
64	Tom Mesa	US Embassy in BiH	Sarajevo
65	Valentina Pellizzer	Director, OneWorldSEE	Sarajevo
66	Ženet Mujić	Project Manager, Academy on Media Law	Munich
67	Zlatan Begović	Project Manager, RTS	Belgrade

### III. SPEAKERS' BIOGRAPHIES

#### **Joan Barata**

*Professor of Communication Law and Vice Dean of International Relations at the Blanquerna Communication School (Universitat Ramon Llull, Barcelona)*

He was a Professor at the University of Barcelona (2001-2005) and the Universitat Pompeu Fabra (2010-2011), and he has been a Professor at the Open University of Catalonia since 1997. He was also a visiting scholar at the University of Bologna (Italy) (2003) and the Benjamin N. Cardozo School of Law (New York) (2003-2004).

His writings and research interests include topics such as freedom of expression, media regulation, public service broadcasting and political and legal media transitions. He has provided assistance to several institutions and organizations regarding these issues. In particular, his recent writings on Tunisia were commissioned by Internews. He has also provided assistance to the OSCE (2004) and the Council of Europe (2012).

#### **Zlatan Begović**

*Project Manager, RTS*

Zlatan Begović was born in Belgrade, Serbia, where he finished the Faculty of Law.

He works as a Project Manager at Main Office of Serbian Broadcasting Corporation-RTS, Serbian public broadcaster. He is responsible for various kinds of agreements with foreign partners. He is RTS representative at EBU Cable coordination and EBU Bruges group, as well authorized RTS official for maintaining requests for information of public importance and personal data protection.

His professional experience includes former positions of Head of International Cooperation Department of RTS, member of Serbian Government Commission for Copyright and related rights and Legal Adviser and Head of Media Law Unit at Legal Affairs Department of RTS.

#### **Boris Bergant**

*Media Adviser*

Experience in broadcasting: Editor of foreign affairs, Editor in chief news and current affairs, Deputy Director at TV Slovenia, radio programming, Deputy Director General RTV SLO 1969-2006.

1990-1992, President of Circom Regional, European Association of Regional Television.  
1990-1992, and from 1996-2006 member of the Administrative Council of European Broadcasting Union (EBU)

1993-1998 Vice Chairman of the TV Committee of the EBU, on its behalf also member of the EBU Radio Committee

1995-2001 Secretary- General, Circom Regional

1998-2008 Vice President of the European Broadcasting Union (EBU/UER)

Representative of the Republic of Slovenia in different media committees of the Council of Europe (2004-2008 Chairman of the Standing Committee on Transfrontier Television). Member of the International Academy of Television Arts & Sciences in New York. Member of the World Committee ISAS for standardisation of broadcasting, Internet and press.

Experience in journalism: journalist by profession, President of the Slovenian Journalist Association (1986-1990).

Awarded with high remuneration's for journalistic work: Tomšičeva nagrada for the best journalistic achievement in Slovenia, rewards at the TV festivals Monte Carlo, New York, Leipzig. Publishing in the field of foreign politics and broadcasting.

Currently: Adviser of the EBU, Geneva (Special Assistance Program); President, Board of SEEMO, Vienna.

### **Boyko Boev**

*Senior Legal Officer, ARTICLE 19*

Boyko Boev is a legal expert on media regulation, public service media, defamation and transparency of media ownership, he provides legal input to ARTICLE 19's media development projects. He has analyzed the compliance of media laws from more than 20 countries from Europe, Middle East, Africa, Latin America and Asia with international law and freedom of expression standards and has conducted numerous trainings on media law for judges, lawyers, journalists and free media campaigners. Mr. Boev has been a legal counselor for journalists and victims of human rights in court proceedings in Bulgaria and before the European Court of Human Rights.

In 2010, he wrote the chapter on public service media governance in Future or Funeral, A Guide to Public to Public Service Media Regulation in Europe. He is also a co-author of Public Service Media for Human Rights, an issue paper, commissioned by the Council of Europe Commissioner for Human Rights in 2011.

Mr. Boev was a co-organiser of the First Media Law Academy of South East Europe, which was held in Sarajevo in June 2012.

### **Hendrik Bussiek**

*Broadcasting Media Expert*

Mr. Bussiek is public broadcaster by training, profession and conviction. He worked as reporter, editor, moderator, and correspondent (foreign and national) for various public radio stations in Germany. Mr. Bussiek headed a public radio station in Berlin and was later a consultant on media development and media reform projects. In the South Pacific region, including Australia and New Zealand, he built up a news agency. In Southern Africa he has been and still is involved in major projects to transform state broadcasting into public broadcasting, in South Africa in particular. In South East Europe he was a media reform consultant for civil society groups in Montenegro. For the past few years he worked as a media consultant also in several countries in the Middle East.

### **Vuk Cucic**

*Assistant Lecturer, Faculty of Law, University of Belgrade*

Mr. Cucic graduated from and earned his master degree at the Faculty of Law of the University of Belgrade. Within the Erasmus Mundus External Cooperation Window Project Basileus, funded by the European Commission, he was on a 10-months PhD exchange at the Ghent University, Belgium. He is working as an assistant lecturer for Administrative Law since 2008. Before that, he worked at the Belgrade branch of the Austrian law firm Schoenherr.

Since 2011 he coaches the Belgrade Law Faculty team for the Monroe E. Price International Media Law Moot Court Competition, the most renowned moot court competition in media law, which takes place in Oxford each year. In 2011, as a fellow of Internews Network, international organization for media development based in California, he participated at a two-week Annenberg/Oxford Summer Institute in Global Media Policy, organized by the Programme in Comparative Media Law and Policy at the Centre for Socio-Legal Studies of the University of Oxford and The Annenberg School for Communication at the University of Pennsylvania.

In 2012, he was a member of the working group formed by the Serbian Ministry of Culture, Information and Information Society in charge of drafting new Law on Public Information [Zakon o javnom informisanju].

### **Andris Kesteris**

*Principal Adviser on Civil Society and Media, Directorate General for Enlargement, European Commission*

Andris Kesteris was born in Riga, Latvia. At present he serves as Principal Adviser of the European Commission's Directorate General for Enlargement. Before that, from November 2004, he was Head of Cabinet for EU Energy Commissioner, Andris Pielbags. In 1999 to 2003, he was a Chief Negotiator for Latvia's accession to the EU, and afterwards Permanent Representative for Latvia to the EU.

His professional experience also includes position of the Latvian Ambassador to Germany; Chargé d'Affaires at the Latvian Embassy to Austria; Head of Latvian Delegation to OSCE in Vienna; Head of European Division at Latvian Foreign Ministry where he was elaborating and defining Latvia's interests in relation to the EU, NATO and European countries; Desk Officer in European Department in Latvian Foreign Ministry, where he was preparing speeches for the Latvian Foreign Minister; and Lecturer in Political Science at the University of Riga.

### **Helena Mandić**

*Director of Broadcasting, Communications Regulatory Agency (CRA), Bosnia and Herzegovina*

A graduate from the Sarajevo Faculty of Law, Helena Mandić has worked in the CRA since its inception in 1998 where she was successively Head of Legal Department and Head of Division of Programme Standards, Complaints and Broadcasting Regulation.

Helena participated in the work of expert groups drafting the BiH Press Code as well as laws on defamation, freedom of information and communications. She has also been a member of the team representing BiH in cases before the Human Rights Chamber of Bosnia and Herzegovina. She represented BiH in the work of the Standing Committee for Transfrontier

Television and chaired the meetings of the Executive Council of the European Audiovisual Observatory during the BiH Presidency.

Helena is a co-author of *Media Law in BiH*", a comprehensive overview of the media law framework in BiH. In May 2013, Helena Mandić was elected Vice-Chairperson of European Platform of Regulatory Authorities.

### **Dunja Mijatović**

*OSCE Representative on Freedom of the Media*

Dunja Mijatović was appointed OSCE Representative on Freedom of the Media on 11 March 2010. She is an expert in media law and regulation. In 1998, as one of the founders of the Communications Regulatory Agency of Bosnia and Herzegovina, she helped to create a legal, regulatory and policy framework for the media in a complex post-war society. She was also involved in setting up a self-regulatory Press Council and the first Free Media Helpline in South East Europe. In 2007 she was elected Chair of the European Platform of Regulatory Agencies. She was the first non-EU Member State representative and the first woman to hold this post.

Previously, she chaired the Council of Europe's Group of Specialists on freedom of expression and information in times of crisis. During her Chairmanship, the Council of Europe Committee of Ministers adopted the Declaration by the Committee of Ministers on the protection and promotion of investigative journalism and Guidelines on protecting freedom of expression and information in times of crisis. As an expert on media and communications legislation, she has worked in Armenia, Austria, Iraq, Jordan, Montenegro, Serbia, Slovenia, Morocco and the United Kingdom.

### **Ženet Mujić**

*Expert on Media Freedom and Freedom of Expression*

Ženet Mujić is an expert on media freedom in South East Europe, Internet freedom and media regulation. She holds a Magister Artium in German Literature and Media Studies from the University of Konstanz, Germany and an MA in European Studies and International Relations from the Central European University, Budapest.

From 2009 to early 2013 Ženet was the Senior Adviser to the OSCE Representative on Freedom of the Media where she was in charge of Internet freedom issues, including the free flow of information and pluralism on the Internet, and media freedom developments in SEE. Before she worked on freedom of expression in Kosovo, Moldova and Croatia. In Pristina, she was coordinating the work of the Media Unit of the OSCE Mission in Kosovo where she helped in the creation of a media framework in Kosovo, concentrating on the legislative, regulatory and educational aspect.

Currently, she works as a consultant for international organisations, including ARTICLE 19 and the Regional Cooperation Council. In 2013, she wrote a guidebook on ICTs and freedom of expression for Article 19.

Other publication include "The OSCE Representative on Freedom of the Media - An Intergovernmental Watchdog: An Oxymoron?", in: *European Yearbook for Human Rights* 2010; and "Public Diplomacy and the OSCE in the Age of Post-international Politics", in: *Security Dialogue* 34 (3) 2003.

## **Miloš Stojković, LLB**

*Trainee Attorney at Law at Zivkovic-Samardzic Law Office*

Graduated at the Faculty of Law, Belgrade University

Miloš Stojković specialised in International Law, Media Law, Telecom Law, Human rights, Advertising Law and Entertainment Law.

In his current position, Miloš Stojković is responsible for Telecom and Media Law related cases and member of the Working Group for drafting the new Law on Electronic Communications, as well as member of the Working Group for drafting the new Law on Advertising, DSO in Serbia, assistant on project and a legal expert for the Association of Independent Electronic Media (ANEM).

2008-2012: Ministry of Telecommunications and Information Society (Ministry of Culture, Media and Information society, Ministry of Foreign and Domestic trade and Telecommunications)

- Secretary of the Project for drafting the Law on electronic communications and member of working group for drafting the Law on electronic communications,
- Legal advisor and Head of regulatory department in the Sector for electronic communications,
- Consultant in drafting Media Strategy of the Republic of Serbia as,
- Consultant in drafting of the new Law on electronic media within OSCE working group.

2005-2008: Belgrade Centre for Human Rights (NGO organization), Coordinator on Projects and researcher responsible for:

- analyzing Serbian, European and universal regulatory framework regarding human rights including practice of European Court for Human Rights and UN Human rights Committee,
- organizing Human rights and EU trainings and seminars for students and other young people, publication of reports regarding human rights development in Serbia and participation in other similar projects.

## **Goran Svilanović**

*Secretary General, Regional Cooperation Council*

Goran Svilanović took office as the Secretary General of the Regional Cooperation Council on 1 January 2013, following the appointment by the South-East European Cooperation Process (SEECP) Foreign Ministers in Belgrade on 14 June 2012.

A Serbian diplomat and politician, he previously served as Co-ordinator of the OSCE Economic and Environmental Activities (2008-2012). In November 2004, he became Chairman of Working Table I (democratization and human rights) of the Stability Pact for South Eastern Europe, where he served until the end of 2007. He was member of the Senior Review Group of the Stability Pact, which proposed the transformation of the Stability Pact into the Regional Co-operation Council.

From 2000 to 2004, Mr. Svilanović was Minister of Foreign Affairs of the Federal Republic of Yugoslavia, which was renamed to Serbia and Montenegro in 2003. Between 2000 and 2007, he was a Member of Parliament. He was President of the Civic Alliance of Serbia political party (1999-2004).

With Ph.D. from the Union University in Belgrade, Masters and undergraduate law degrees from the University of Belgrade, Mr Svilanović has also studied at the Institute for Human Rights in Strasbourg, France, the University of Saarland in Germany, and the European University Center for Peace Studies in Staatschlaining, Austria.

Mr. Svilanović has worked with a number of organizations and committees, such as the Centre for Antiwar Action (1995-1999), the International Commission on the Balkans (2004-2006) and the Belgrade Centre for Human Rights (2007-2008). Since 2008, Mr. Svilanović has been Assistant Professor of Law at Union University in Belgrade.

Goran Svilanović speaks Serbian and English. He was born on 22 October 1963. He is married and has two children.

### **Gazmend Turdiu**

*Head of Expert Pool, Secretariat of the Regional Cooperation Council*

Mr. Gazmend Turdiu took office as Head of Expert Pool at the Secretariat of the Regional Cooperation Council (RCC) on 2 September 2013, after serving four years as Secretary General at the Albanian Ministry of Foreign Affairs (2009-2013).

He joined the Foreign Service of his country in May 1992 and held several positions, both in Albania and abroad.

Mr. Turdiu was Ambassador of Albania in Bern, Switzerland (1992-1997), and Ambassador of Albania in Berlin, Germany (2003-2008).

At the Ministry of Foreign Affairs of his country, Mr. Turdiu has held the position of the Director of the Department for Euroatlantic Cooperation (1998-2000), Director of the Department of Europe (2003), and Director General for Legal and Consular Affairs (2008-2009). From 2001 to 2002, Mr. Turdiu served as Director General for Coordination of Foreign Aid at the Albanian Ministry of Economic Cooperation and Trade.

During his career, Mr. Turdiu has been member of the Board of Governors of the International Atomic Energy Agency (2009), President of the 10th Meeting of the Ottawa Convention (2010-2011) and member of the Council of Foundation of the Geneva Center for Humanitarian Demining (2010 to present).

Mr. Turdiu holds a Civil Engineering Degree from the University of Tirana. Born on 6 April 1959, he speaks Albanian, English and Italian. He is married and has two children.

### **Dinka Živalj**

*Spokesperson/Head of Media Unit, Regional Cooperation Council*

Dinka Živalj has been a public relations, communications, public affairs, media development and international relations professional for 16 years. She is also an ECQA Certified EU Project Manager and a member of the Steering Committee of the Association of Public Sector Communicators in South East Europe (SEECOM).

As the first Spokesperson of the Regional Cooperation Council (RCC), Ms Živalj is responsible for designing and implementing the organization's communication strategy. She leads all RCC communication and media development activities, aimed at promoting mutual

cooperation, European and Euro-Atlantic integration, and development of South East Europe. Advises the RCC Secretary General and staff on all public relations and media priorities, and implements relevant actions towards the stakeholders, including general public, media, governments, public officials, civil society, international organizations, business community, etc.

She previously served as Head of Press and Public Information of the OSCE Mission to Serbia (2006-2008), Political Officer at the OSCE Mission to Croatia (2005-2006), Spokesperson/Media Development Officer of the OSCE Presence in Albania (2003-2005), as well as with the public affairs office (2000-2003) and field offices Zadar and Gracac (1997-2000) of the OSCE Mission to Croatia.

Ms Živalj is currently enrolled into the 3<sup>rd</sup> year of PhD studies in Information and Communication Sciences. She holds a Master of Science (mr. sc.) degree in International Relations and National Security; and a double degree MA in English Language and Literature, Latin Language and Literature.