

BOSNA I HERCEGOVINA
CENTRALNA IZBORNA KOMISIJA
SREDIŠNJE IZBORNO POVJERENSTVO



БОСНА И ХЕРЦЕГОВИНА
ЦЕНТРАЛНА ИЗБОРНА КОМИСИЈА

R U L E B O O K
**on media coverage of political entities from the day elections are announced until the
Election Day**

Sarajevo, April 2010

Pursuant to Article 16.18 of the Election Law of Bosnia and Herzegovina (“Official Gazette of BiH”, number: 223/01, 7/02, 9/02, 20/02, 25/02, 4/04, 20/04, 25/05, 52/05, 65/05, 77/05, 11/06, 24/06, 32/07,33/08, 37/08 and 32/10), Central Election Commission of Bosnia and Herzegovina has at its 14^h session held on April 27, 2010 passed following

R U L E B O O K

on media coverage of political entities from the day elections are announced until the Election Day

CHAPTER I. INTRODUCTORY NOTES

Article 1 (Application)

The Central Election Commission of Bosnia and Herzegovina (hereinafter: BiH Central Election Commission) regulates in more detail implementation of the provisions of Chapter 16 “Media in the election campaign” of the Election Law of Bosnia and Herzegovina (hereinafter: BiH Election Law) in the Rulebook on media coverage of political entities from the day elections are announced until the Election Day (hereinafter: the Rulebook),.

Article 2 (Definitions)

For the purpose of interpretation and application of this Rulebook, definitions and acronyms in this Rulebook shall have the following meaning:

- a) **“Election campaign”** is the period of 30 days prior the Election Day in which a political entity in a manner established by the law informs the constituents and the public about its program and candidates for the forthcoming elections.
- b) **“Official start of election campaign”** is 30th day before the Election Day (or the day when election campaign officially starts).
- c) **“CRA”** is Communications Regulatory Agency.
- d) **“CRA rules”** are Broadcasting Code of practice, as well as any other CRA rule regulating the issue of RTV program broadcasting.
- e) **“Political subject”** is a political party, independent candidate, coalition or list of independent candidates certified in accordance with the BiH Election Law. Political subject under this Rulebook shall also be an association, i.e. any other registered form of action of national minorities and groups of at least 40 citizens who have the voting right and who participate in the elections in terms of Article 13.14 of the BiH Election Law.
- f) **“Political advertising”** means broadcast of advertisements, public calls, video spots and any other type of political subject’s promotion.
- g) **“Public advertising”** means advertising through media, billboards, posters, Internet, leaflets, bizz boards and any other type of advertising available to the voters and public.
- h) **“Media”** are all electronic and print media.
- i) **“Electronic broadcast media”** are all public and private electronic broadcast media.
- j) **“Public Broadcasters”** is broadcast media defined by CRA rule 01/1999- Definition and obligations of public broadcasting, including Public Broadcasting Service BiH, Radio Television of the Federation of BiH and Radio Television of the Republika Srpska , and
- k) **“Private Broadcasters”** are any broadcast media, which cannot be classified as public electronic media.

CHAPTER II. PERIOD FROM THE DAY ELECTIONS ARE ANNOUNCED UNTIL THE OFFICIAL START OF ELECTION CAMPAIGN

Article 3

(Prohibition of conducting paid election campaign for political subjects)

(1) In the period from the day elections are announced until the official start of election campaign political subjects are prohibited to conduct paid political advertising through the media or any other type of paid advertising, except for paid political advertising on internal meetings of authorities and statutory bodies of political subjects.

(2) Authorities and statutory bodies of a political subject, within the meaning of the BiH Election Law, shall mean authority and a body defined by the political subject's Statute (presidency, main board, assembly, congress, convention, etc.).

Article 4

(Prohibition to broadcast and publish paid election campaign for the media)

In the period from the day elections are announced until the official start of election campaign the media outlets are prohibited to broadcast and publish paid political advertising of political subjects, except for paid political advertising by which members of authority and statutory bodies of political subjects are informed about time and place of internal meetings of authorities and statutory bodies of political subjects, under equal conditions for all political subjects.

CHAPTER III. PERIOD FROM THE OFFICIAL START OF ELECTION CAMPAIGN

Article 5

(Publicizing results of public opinion research)

(1) With reference to the obligation of all media set in Article 16.5 of the BiH Election Law, term head office of the institution, that conducted the research, shall purport giving the name of the city and the state in which the institution has head office.

(2) Prohibitions set in Article 16.10 and 16.11 of the BiH Election Law shall apply to all media in Bosnia and Herzegovina.

(3) Prohibitions set forth in paragraph (2) of this Article shall also refer to publishing earlier prepared, already broadcasted or printed subject matters.

Article 6

(Informing political entities)

It shall be deemed that the broadcaster informed a political entity about the time of participation in special shows under the condition that the notice can be documented.

Article 7

(Direct promotion)

(1) Public electronic broadcast media shall be obligated to establish duration of direct promotion based on present practice, number of political subjects and other relevant circumstances, but in a manner as to provide three (3) minutes of direct promotion in the election campaign to each political entity.

(2) Each political entity shall be provided equal time for direct promotion.

(3) Terms for direct promotion shall be set during the time when it is most probable to have the highest outreach.

(4) Sequence of political entities' participation in direct promotion shall be established by the public broadcaster through lottery no later than seven days prior to the commencement of the election campaign.

Political entities shall be informed about date and time of the draw, and they may be present there.

(5) Once established terms in the broadcaster's show may not be changed.

(6) Public electronic broadcast media shall ensure direct promotion to all political entities registered in the constituency, which is covered by the signal of that media.

(7) Signal coverage of a radio and/or TV station is established based on technical information given in the broadcasting licenses, which were issued by CRA.

(8) Provisions of this article shall be applied to private electronic broadcast media, if they decided to organize direct promotion of political entities.

Article 8 (Paid political advertising)

(1) Paid political advertising shall be allowed in the period from the beginning of official campaign until the start of election silence, namely in the period 30 days before the Election Day.

(2) Prices for political advertising must be the same for all political entities, and the price lists shall be submitted to CRA and to certified political entities 15 days before official commencement of the election campaign.

(3) Terms for paid political advertising shall be established by the broadcaster no later than seven days before commencement of the election campaign. The media shall have clear rules on decision-making regarding sequence and time in which the political advertisements will be broadcasted. In case of controversy regarding the sequence and the time of political advertisements broadcast, the broadcaster shall solve that by agreement with the political entity and subsequently if necessary by the lottery.

(4) Paid political advertisements shall not be broadcasted immediately before, during or after the news broadcast.

(5) The term "immediately" in paragraph (4) of this Article shall mean period of 15 minutes before and after news broadcast.

(6) If political subjects cannot organize production of their political spots by themselves, that can ask electronic media for such services. The media may charge such productions. Fees, which are charged in this case, must be the same for all political subjects the same level of services.

Article 9 (Implementation)

(1) Electronic media shall send the schedule of planned political programs to CRA at least seven (7) days earlier. All changes of planned programs or political shows planned at short notice shall be reported to CRA as soon as possible.

(2) Electronic media shall keep a detailed record of time schedule of political advertisement broadcast, time schedule and the content of political programs, and of political events coverage, and such records shall be available for the public. Such records shall be submitted to CRA every Monday for the previous week. The record shall include a report on received and realized requests for paid political advertising. At any time, CRA can ask the media for the summery report of all political advertisements and political programs, as well as for the report on time provided to each political subject.

CHAPTER IV. PUBLIC ELECTRONIC MEDIA AND THE BIH CENRAL ELECTION COMMISSION

Article 10 (Public electronic media)

(1) The public electronic media shall broadcast radio and TV ads, entire statements and information by the Central Election Commission of BiH free of charge for the purpose of informing voters about all aspects of the electoral process.

(2) If the public electronic media refuse to act in accordance with paragraph (1) of this Article, the Central Election Commission of BiH shall file a report with the Communications Regulatory Agency for competent action.

(3) The BiH Central Election Commission shall inform electronic media in a timely fashion about time period of broadcasting radio and TV ads, statements and press releases of the BiH CEC, including their recurrence.

CHAPTER V. STEREOTYPE AND OFFENSIVE CONTENTS

Article 11 (Prohibition)

No conduct of an election campaign shall be allowed by way of electronic and printed media where the contents are stereotype and offensive against men and/or women or which encourages any stereotype and offensive behavior on the grounds of gender or any humiliating attitude against the members of different genders.

CHAPTER VI. SANCTIONS

Article 12 (Sanctions)

(1) As the body competent for monitoring the work of broadcasters, CRA shall apply its Rulebook for handling the cases of violation of licenses' conditions and regulations of the Communication Regulatory Agency ("Official Gazette of BiH, no.18/05) in case when electronic media fail to respect provisions of Chapter 16 of the BiH Election Law and of the provisions of this Rulebook.

(2) Political entities shall send their objections to the content in print media regarding the election campaign coverage to the Press Council in accordance with the procedures of the Council.

(3) The BiH Central Election Commission shall be responsible for adjudicating complaints of political subjects for violation of provisions of Chapter 16 of the BiH Election Law and of this Rulebook.

CHAPTER VII. FINAL PROVISIONS

Article 13 (Ineffectiveness)

Employment of the Rulebook on media coverage of political subjects from the day elections are announced until the Election Day ("Official Gazette of BiH", number: 52/08 and 65/08) shall be terminated on the day of entry into force of this Rulebook.

Article 14 (Entry into force)

This Rulebook shall enter into force a day after its publication in "Official Gazette of BiH", and it shall also be published in "Official Gazette of RS", "Official Gazette of FBiH", "Official Gazette of BiH District of Brčko", and on the website of the BiH Central Election Commission, www.izbori.ba.

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Sarajevo, April 27, 2010

President

Irena Hadžiabdić