



Journalists' views and perceptions of judicial transparency in the Western Balkans: the study explores the relationships between media and judiciary in Bosnia and Herzegovina, North Macedonia and Serbia

What kind of problems do journalists face when attempting to get access to court files?

What is the role of the judiciary in safeguarding media freedom?

What does it take to improve the relationship between journalists and the judiciary?

These and other important questions were raised by Snežana Trpevska, a researcher from the Research Institute on Social Development - RESIS, in the regional comparative study on journalists' views and perceptions of judicial transparency in three Western Balkans countries: Bosnia and Herzegovina, North Macedonia and Serbia.

The relationship between the media and the judiciary in Western Balkans has long been strained. In her research, Snežana Trpevska delves into the reasons for such tension and argues that both the media and the judiciary to be held accountable for it.

During the past several years, the media was forced to adapt to the competition in the digitalised market environment and to be able to survive opted for easy-to-sell sensationalist or tabloid stories instead of producing costly in-depth journalistic pieces. The judiciary, on the other hand, was often not willing to effectively cooperate with journalists neither allowing them to record during the court hearings nor providing them with sufficient commentary after the hearings. This inevitably resulted in a serious information gap, which has often been filled with incorrect interpretations of the court's decisions and therefore led to the public's distrust in both the media and the judicial system.

To understand what is needed to start successful dialogue and cooperation between journalists and judicial authorities in the three countries, the author of the research first wanted to find out what are the journalists' perceptions and experiences of the work of the judiciary and their views of its role in safeguarding media freedom. In addition, Dr Trpevska explored deficiencies in journalists' knowledge regarding the basic principles and standards of reporting on court proceedings and the judiciary in general.

When looking at the results of this research, there are two factors to take into account. First of all, it is of special interest that none of the interviewed journalists works exclusively on topics related to the judicial system; the majority only occasionally report on court matters. Also, it is important to understand that the process of judicial reforms as well as the level of development of the legislation and the judicial system differs in all three countries and therefore the views of journalists are influenced by these and other socio-political factors.



For that reason, according to Dr Trpevska, journalists from Bosnia and Herzegovina and Serbia criticised their judicial system more than journalists in North Macedonia, where minimal progress has been seen.

All in all, the interviewed journalists from the three countries agreed that judicial institutions fail to fulfil the principle of publicity. The courts are not open and responsive and despite some positive exceptions, the judiciary–media relationship is dominated by secrecy and fear. The use of communication tools by courts is very limited and largely reduced to press releases, information published on the websites and communication with the spokespersons, while judges and court presidents are rarely available to journalists. In addition to that, the documents and information from prosecution offices and courts as well as the minutes from the hearings are difficult to access. Feeling unprotected by the judicial system is another significant issue mentioned by journalists. With the impunity for crimes against journalists remaining very high in the region, there is a climate of fear in the media community, impeding the free circulation of information.

With all the issues that have been identified by Dr Trpevska, it becomes clear that such a puzzle cannot be solved within a day (or even a couple of years). It is a systematic problem created by the ones in power and influenced by the rapidly changing world market. To lay the foundation of the dialogue and a more effective relationship, the author of the research gives a crucial function to journalism organisations to initiate and strengthen this cooperation.

The start of this was already set out in motion during [the Regional Conference “Judicial Communication and Journalists’ Safety”](#) held in Belgrade, Serbia on October 13-14 2022 and co-organised by Free Press Unlimited and Netherlands Helsinki Committee. The event gathered judges, public prosecutors, journalists and journalists' associations/unions who participated in various panel discussions and shared their views on the current state of the relationship between the media and the judiciary and what is needed from both parties to ensure more effective communication in the future.