

# **The Case of the Sarajevo Eight**

**Dismissal of TV Journalists from the Open Broadcast Network,  
Sarajevo, Bosnia-Herzegovina, February 1998**

**Overview, Analysis, and Recommendations  
Presented to the  
Independent Union of Professional Journalists of Bosnia-Herzegovina  
(*Nezavisna Unija Profesionalnih Novinara B-H*)**

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**Sarajevo, Bosnia-Herzegovina  
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## Background and Overview

At the 62<sup>nd</sup> international convention of The Newspaper Guild (TNG), the trade union of print journalists in the United States and Canada, which was held in Puerto Rico in June 1997, delegates voted overwhelmingly to provide financial assistance to the media workers of Bosnia-Hercegovina, through the new *Nezavisna Unija Profesionalnih Novinara* (NUPN) or Independent Union of Professional Journalists. The convention voted a total contribution of USD25.000, of which some USD3.000 had been transferred by January 1998.

In the context of this decision, the author of this document visited members of the NUPN during a two-person monitoring mission to B-H, in which I participated, in September 1997, focusing on the role of local, Bosnian-language media in the elections held in the country that month. That mission produced a report issued in December 1997 by the International Federation of Journalists (IFJ) with support from the Council of Europe, *Media and the September 1997 Municipal Elections in Bosnia-Hercegovina*.

I returned to Bosnia-Hercegovina in February 1998 with the aim of assessing the impact of TNG assistance to the NUPN and the possibility of broader cooperation between the two unions. However, while visiting the IFJ headquarters in Brussels, on the way to Sarajevo, I was apprised of a crisis in Bosnian media, beginning on February 4, 1998, with the dismissal of eight employees from the Open Broadcast Network (OBN), an internationally-funded television facility, in the administration of which IFJ is perceived as playing a major role. I was asked by IFJ to interview the affected parties and to analyze the character of the dispute.

The dismissed employees are:

- Mr. Konstantin Jovanović, news editor, a well-known local figure of considerable experience and credibility.
- Ms. Azra Alimajstorović, on-screen broadcaster.
- Ms. Merima Sijarić, reporter.
- Ms. Jasna Kasalo, reporter.
- Mr. Almir Šarenkapa, reporter.
- Mr. Benjamin Filipović, executive.
- Ms. Sandra Mijatović, secretary.

- Mr. Mirza Karačić, driver.

The dismissal of these employees caused a considerable uproar in Bosnian media, beginning with a press release dated February 5 and signed by Mr. Mehmed Husić and Ms. Borka Rudić, the newly-elected president and general secretary, respectively, of NUPN. Mr. Husić is director of the ONASA news agency, affiliated with the internationally-acclaimed Sarajevo daily *Oslobođenje*, while Ms. Rudić is employed as a media expert with a refugee agency. Both are respected and experienced journalists and committed trade-unionists.

In the press release, NUPN stated that Mr. Michael Challenger, a foreign citizen and director of OBN, had dismissed the workers without explanation, had blocked their access to the network's computers, had barred them from collecting their personal possessions, and had engaged two security guards to exclude Mr. Jovanović and Ms. Alimajstorović from the workplace.

Furthermore, NUPN declared that the firing of Ms. Alimajstorović and Mr. Jovanović was not the first instance where "foreign residents or representatives of international organizations in Bosnia" acted in a crude manner to dismiss local journalists. NUPN pointed out an earlier such incident at Radio FERN, a similar internationally-funded media service.

The Bosnian union strongly condemned "many examples" of the "exploitation" of Bosnian journalists, and called on the IFJ to assist them in correcting the alleged injustice of the dismissals. On February 5, in response to the NUPN appeal, Mr. Aidan White, IFJ general secretary, sent a letter to Mr. Simon Haselock, chairman of the governing council of OBN and chief press spokesman for the Office of the High Representative (OHR), demanding clarification of the incident. OHR is the main foreign administrative-political body for implementation of the Dayton peace agreement. The Dayton agreement, signed in 1995, serves as the interim basis for constitutional law in postwar Bosnia. It is intended, under policies later adopted, that OHR management will be extended throughout local Bosnian media.

The controversy, including the IFJ letter, was widely covered in Bosnian media. The incident called forth criticism of the OBN administration from media institutions that had previously paid little attention to trade-union issues, such as the Islamic weekly *Ljiljan*, which is considered to reflect the thinking of circles close to Bosniak President Alija Izetbegović.

While in Sarajevo, I interviewed Mr. Jovanović, Ms. Alimajstorović, NUPN president Husić and secretary-general Rudić, and Mr. Haselock. Mr. Haselock has accepted primary public responsibility for the decision to fire the eight media workers, and for that reason I did not see a necessity, after a discussion of more than an hour with him, of also discussing the case with Mr. Challenger or other foreign officials.

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It should be noted that Mr. Haselock did not respond to the IFJ letter until 12 days had passed, on February 17, when he communicated with Mr. White in Brussels. This delay contributed considerably to the bitterness of Bosnian commentators on the case, as well as to the insecurity felt by the eight fired workers. When Mr. Haselock finally formulated a commentary on the affair, which, given the circumstances, also represented the only formal explanation given to the eight for their dismissal, he stated that the firings were motivated by:

- “lack of commitment to the OBN aims and charter” on the part of the dismissed workers;
- “non-cooperation” of the dismissed, who were based in Sarajevo, capital of the Muslim and Croat Federation with personnel of the OBN branch in Banjaluka, in the Republika Srpska;
- “misconduct” in the form of abuse of alcohol during working hours and private use of newsroom equipment.

In the meantime, however, Mr. Haselock publicly disparaged the work of the dismissed, labelling them “second-league” (second-rate, in American parlance) journalists. Mr. Challenger was also reported to have told Ms. Alimajstorović that her dismissal was motivated by his perception that she was “neglecting her personal life.”

#### The Incident and Its Outcome for the Image of IFJ and Related Foreign Media NGOs in Bosnia-Herzegovina

In addition to the difficulties experienced by the eight dismissed workers, the conduct of Mr. Haselock and, by association, Mr. Challenger, in this incident has had a disastrous effect on Bosnian perceptions of the role of IFJ and related foreign media NGOs in the country, including, by association, TNG. Among the eight, opinions have frequently been expressed that IFJ failed in its duties in handling the case, since, although it is an international trade union body, it did not appear to have acted aggressively in defense of the fired workers, or to have provided sufficient support to NUPN in their efforts to defend the workers’ rights. Worse, IFJ is perceived as a participant in the management of OBN, so that, in the words of NUPN general secretary Rudić, “Everywhere else in the world IFJ acts to defend workers and unions, but in Bosnia-Herzegovina it functions as an exploiter.”

## Substance of the Complaint Regarding the Firing Process

While I hasten to admit I am not competent to judge any of the internal, ethical, or quality issues involved in the running of the OBN, certain charges about the dismissal, if true, merit the strongest possible condemnation.

- While Mr. Haselock has the right to express himself disparagingly about the supposed “second-league” status of the dismissed workers, it is unacceptable in any modern industrial democracy, such as the United States, to publicly charge a fired worker, whether a journalist, driver, or janitor, with abuse of alcohol. Indeed, in California, for example, it is strictly illegal to publicly reveal or otherwise comment on any such details of an employment relationship, including alleged use of alcohol or misuse of newsroom facilities, or any other alleged misconduct.
- The use of security guards to exclude dismissed workers from a workplace, except in the most extreme circumstances, must be condemned in the most strenuous terms.
- The failure to provide the dismissed employees with a written explanation for their dismissal is also unacceptable. Under current American law and practice, commentary by an employer on the personal life of an employee, such as Mr. Challenger is alleged to have made to Ms. Alimajstorović, is unacceptable.
- Finally, it is alleged that the eight dismissed workers were denied their wages for the four days in February preceding their firing. This is rigorously illegal under the labor law of every modern country.

Further considerations about the dismissal involve the impact of such an incident on the reputation of the British Broadcasting Corporation’s training program in Sarajevo, of which five of the eight (Ms. Sijarić, Ms. Kasalo, Mr. Šarenkapa, Mr. Filipović, and Ms. Mijatović) are graduates. The effect of such dismissals is to diminish public perception of the value of the BBC program, which is subsidized by the Soros Open Society Fund, as well as the competence of the dismissed personnel.

In his interview with me, Mr. Haselock stressed that OBN had offered the workers rare opportunities of career development and had paid them handsomely. However, employment relationships, in terms of principle, should never be based on such attitudes. Work is work, not charity, and compensation *per se* should be treated, in all cases, as a matter distinct from the structure of the relationship. In addition, it is well-known in Sarajevo that all foreign NGOs offer extraordinary

opportunities to local personnel, and that they pay advantageously when compared with local enterprises.

Mr. Haselock stated to me that the absence of labor law in Bosnia, as a consequence of the collapse of the state-socialist system and the war, is a major factor in such controversies. However, absence of the rule of law cannot be a pretext for abusive behavior by an employer, no matter the location.

Mr. Haselock also complained that the dismissed employees and NUPN had employed a confrontational language in their protests. However, the correspondence and publicly-printed comments of NUPN did not include direct personal references, by contrast with Mr. Haselock's allegations regarding alcohol abuse, misuse of resources, and personal quality of work.

### Recommendations

In the interest of restoring the image of IFJ in Sarajevo, of strengthening NUPN, and of relieving the pain and anguish of the fired employees, I recommend;

- An immediate public, written retraction by OBN of all charges of misconduct, and an apology for demeaning personal characterizations expressed by OBN management representatives.
- Immediate reinstatement of all the dismissed employees by OBN.
- Immediate payment of outstanding wages by OBN.
- A public pledge by OBN to never again use security guards in an employment dispute, except in the most extreme case.
- Immediate adoption of a standard employment contract for all OBN non-exempt personnel, based on a model furnished by IFJ.
- In accordance with the contract model described above, or in adaptation of it as necessary, institution of a three-month probationary period for new hires, to which the eight dismissed employees will not be subject.
- Further in accordance with the stated contract model, no discipline or dismissal of employees except after three conferences between management and the individual employee, with the participation of an NUPN representative, and no dismissal for minor infractions of enterprise regulations.

- Resolution of all future workplace disputes (hiring, salaries, conditions, workplace safety and environmental/health issues, non-discrimination, taxes, social security) through NUPN.

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## Saopštenje za štampu

### SLUČAJ SARAJEVSKIH OSAM

Stiv Švarc ( Stephen Schwartz ), američki novinar i pisac, iznova je u Sarajevu, sada u svojstvu sekretara Novinarskog udruženja sjeverne Kalifornije ( Northern California Newspaper Guild ), a istovremeno je i predstavnik Međunarodne federacije novinara ( IFJ ). Prvenstven cilj posjete je pomoć Nezavisnoj uniji profesionalnih novinara, naročito u segmentu odbrane njihovih profesionalnih i drugih prava. Spletom okolnosti, ružna događanja sa otpuštanjima na OBN-u, učvršćuju ga u uvjerenju kako je krajnji čas da se ovdašnji novinari organizuju i zaštite.

Istraživši temeljito slučaj, Švarc je Nezavisnoj uniji profesionalnih novinara dostavio materijal naslovljen "Slučaj sarajevskih osam". Po g. Švarcu, nevolje koje su Hejzlok i Čelendžer prouzrokovali otpuštenim, imale su istovremeno i poražavajuće efekte na percepciju uloge IFJ u Bosni, kao i srodnih međunarodnih i domaćih organizacija koje se bave medijima. Ovo mišljenje uglavnom dijele i otpušteni, naglašavajući naročito kako se IFJ nije energično i brzo angažovao u odbrani njihovih temeljnih ljudskih i profesionalnih prava. G. Švarc je posebno neprijatno iznenađen stilom i sadržajem Hejzlokovog pisma ( kao odgovor na pismo g. Eiden Vajta ( Aidan White ), gen. sekretara IFJ ), gdje ovaj mimo svih uzusa civilizovanog svijeta, javno iznosi i komentariše detalje o navodnom lošem ponašanju otpuštenih ( upotreba alkohola na radnom mjestu i u radno vrijeme i dr.).

Na kraju, g. Švarc u oštrim formulacijama predlaže, između ostalog :

- da OBN odmah povuče sve optužbe protiv otpuštenih i javno im se izvini ;
- da se svi otpušteni odmah vrate u OBN ;
- da im se odmah isplate sva zaostala dugovanja ;
- da se odmah usvoje ugovori o angažovanju lokalnog osoblja na OBN ;
- da se svi budući sporovi oko zapošljavanja, plata, uslova rada, socijalnog osiguranja i dr., riješavaju kroz direktno uključivanje Nezavisne unije profesionalnih novinara.