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Europe/Ex-USSR - Bosnia-Herzegovina

Draconian law

Republika Srpska adopts law criminalizing social network content

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A new public order law in the Republika Srpska extends the definition of public spaces to online social networks and makes it a crime to post content that "disturbs social order."

Articles 7 and 8 of the law, which the Republika Srpska parliament adopted on 5 February, [criminalize posting text, symbols, images or cartoons that are obscene or offensive](#), content that is embarrassing or insulting, or content that incites uncouth or insolent behaviour.

Anyone posting content that "disturbs social order" in this way [could be fined 300 Bosnia marks \(about 150 euros\)](#). Insulting or threatening other persons would be punishable by a fine of up to 800 marks (400 euros) – almost the average monthly salary – and 30 days in prison.

"*This law opens the way to legal restrictions on free speech on social networks and could result in the disappearance of any opinion critical of the Republika Srpska government,*" Reporters Without Borders research director Lucie Morillon said.

"*If interpreted in such a way as to punish and limit freedom of expression and information online, it will endanger the dissemination of views that do not suit the authorities.*"

This law violates article 19 of the Universal Declaration of Human Rights and article 10 of the European Convention on Human Rights.

Article 10 allows free speech restrictions only when "*necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or the rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.*"

The new law could foster a climate of self-censorship among users of online social networks and sets a bad precedent in the region.

Its adoption follows months of harassment of news outlets, [including Klix.ba](#), a Sarajevo-based news website that police searched on 29 December with the aim of identifying the source of a recording in which Republika Srpska Prime Minister Željka Cvijanović is heard [acknowledging that she bought votes during recent elections](#).

The Republika Srpska is part of Bosnia and Herzegovina, which is ranked 66th out of 180 countries in the [2015 Reporters Without Borders press freedom index](#).
