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Mapping anti-migrant rhetoric, attacks, and smear campaigns against independent journalists and human rights defenders in Bosnia and Herzegovina

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Introduction

After a key refugee migration route through Serbia and Hungary was closed, Bosnia and Herzegovina (BiH) saw a surge in the number of individuals fleeing hostile conditions in their homelands and migrating towards wealthier European countries in hopes of a new start. Their arrival was met with hostility, not just towards refugees but also towards the human rights activists who worked to support refugees along their journey. Due in large part to growing civic discontent across the country from poverty, political corruption and high unemployment levels, resentment against migrants and those who try to protect them is becoming a humanitarian crisis. Without adequate protection from the evolving and often nuanced ways that these threats occur, human rights defenders are at risk for increased escalation and potential violence.

Understanding Smear Campaigns

Smear campaigns have been used worldwide for years as tools through which public figures are discredited through false accusations that smear their character. Activists, human rights defenders, organizations and journalists have often been targets of organized smear campaigns - first by phone and mail and then online - focusing on invoking fear or intimidation in an attempt to stop the important work these individuals are doing. These campaigns are an effort to sway public opinion away from the

work these individuals are doing by vilifying who they are and what they believe in. Unfortunately, there are instances globally where these campaigns step out of the online sphere of threats and into the real world of actions with dire consequences.

Today we see an international trend in which violent action is preceded by direct and indirect threats against activists, with online platforms increasingly playing a crucial role. According to a report by the United Nations Human Rights Council, during the period of January 1, 2019 - June 20, 2020, reports were received of the murder of more than 100 human rights defenders, including 17 women human rights defenders around the world with the potential for widespread underreporting (United Nations Human Rights Council, 2020). In a tragic example, Fikile Ntsgangase, an environmental rights defender, received death threats by phone for over a year before she was murdered in her home in Mtubatuba, South Africa in 2020. And while there have been widespread high levels of violence against women and girls across the country, there has been no response from the government on Ntsgangase's murder (Segun, 2020). While not all threats are followed by such devastating ends, the reality remains that harassment can lead to a drastic change in the lives of those it targets.

Some countries have stepped in to try to protect these individuals due to this trend in activity escalation. Following the assassination of Sister Dorothy Stang in Brazil, the country enacted the Programme for the protection of human rights defenders of the Secretariat of Human Rights of the Presidency of the Republic (de Marchi Pereira de Souza, Mendonça Dias & Carvalho, 2016). The same year that activist Berta Caceras was murdered, Honduras enacted the Law for Protection of Human Rights Defenders, Journalists, Social Communicators and Justice Workers (United Nations Human Rights Council, 2020). And after an increase in violence against human rights defenders and their murders in Peru, the country enforced the Protocol for the Protection of Human Rights Defenders in Peru in 2019 (Front Line Defenders, 2019). Still, there is much that can still be done to combat the efforts to target these individuals.

In BiH, the rise of civil unrest, widespread corruption and weak rule of law, combined with the need to protect the basic human rights of refugees migration through the country has created a perfect storm for threats to surface against those defending vulnerable populations. Thanks to the

prevalence of and easy access to social media and other online platforms, smear campaigns against those working for the rights of refugees spread and escalate rapidly across not just the general public but also law enforcement. In November 2020, the United Nations Human Rights office of the High Commissioner (OHCHR) formally called upon the government in Sarajevo to investigate a smear campaign against Zehida Bihorac after she received death threats ("UN experts: Bosnia must investigate attacks against woman aiding migrants", 2020). Bihorac, an elementary school teacher in BiH who provided essential provisions to refugees living in poor conditions in camps around her hometown in Velika-Kladusa, is by no means an isolated case in her county ("Zehida Bihorac", n.d.). But to date, despite the UN's calls to action, BiH has yet to respond in ways that could create lasting protections for human rights defenders and the populations they seek to protect.

Examining a Hate Speech Portal: antimigrant.ba

Antimigrant.ba is a website that has been spreading anti-refugee sentiments over the past three years. While it is challenging to find an exact date when the website was activated, activity began to flow through the site in late 2018/early 2019. Due to a brief shutdown of the site in 2019, all previous posts have been deleted and lost, but the site's main messaging has stayed the same and there are some elements that are key to understanding how the site works.

First, its extension: to be able to use extension .ba, the website's owner is required to register it personally with a form of personal documentation, paying a fee for the address creation and annual maintenance. Because of this personal information, the owner is protected by the fundamental right of data, and so critical aspects of the portal's registration are not part of the public record.

Second: When interviewed by media.ba on why the site where he writes was shut down and the archive deleted, Fatmir Alispahic shared following suspicion: "The company [from BiH] with which we rented hosting informed us that they were blackmailed from Germany, where they have rented hosting, that they will be terminated if they do not deny support to the Antimigrant portal, and thus many of the leading pages would be destroyed. Alispahic says that they found another company, but that the company, which has provided them with services so far, informed

that the complete archive of the portal has disappeared. (Sokol, 2019). Despite these suspicions, to this day the details on how and who shut the portal down remain unknown.

Since 2019, the Press Council in Bosnia-Herzegovina (VZS), a self-regulatory body for print and online media in BIH, had eleven cases connected to antimigrant.ba (https://www.vzs.ba/index.php/zalbe-i-prigovori/605-antimigrant-ba), for spreading false information, editorial responsibility, discrimination, etc. The first case against antimigrant.ba dates back to October 18, 2019, and the latest legal case in BiH was on September 26, 2020.

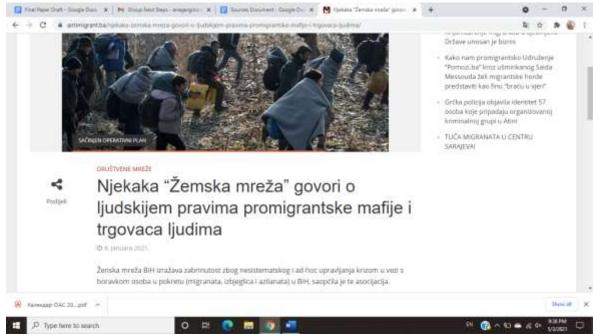
Attacks on Activists Across Antimigrant.ba

To add to the VZS's challenges in addressing the large volume of hate saturating the site, antimigrant.ba has chosen to focus its calls for hate and violence not just against migrants, but against the activists who support them as well. According to the Reporting Diversity Network, portals like antimigrant.ba tend to work at influencing public opinion and then continue targeting humanitarians and journalists that are helping migrants by reporting on migrants positions or organizing humanitarian actions ("Reporting Diversity Network", n.d.). Examples of articles on antimigrant.ba in which human rights defenders and humanitarians are described poorly are numerous.

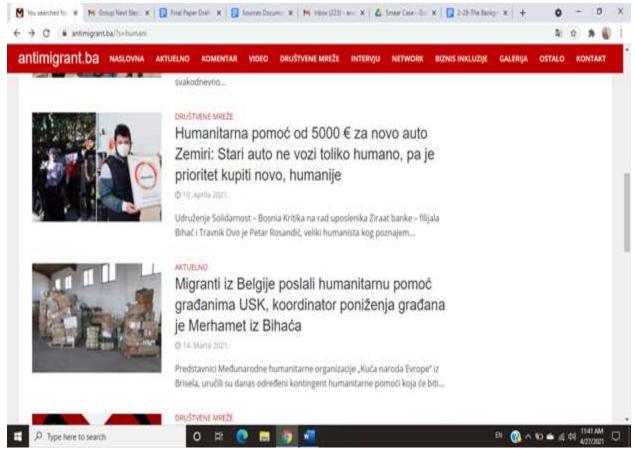


"Journalists associations stood up for the protection of Nidzara

Ahmetasevic, a proven hater of her own nation". (Antimigrant.ba, 2021)



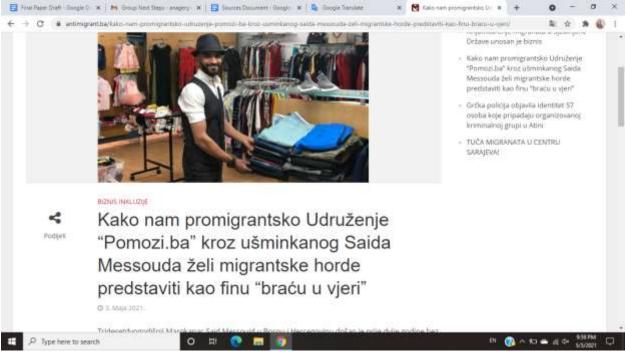
"Some 'Female Network' talks about human rights of **pro-migrant mafia** and human traffickers" (Antimigrant.ba, 2021).



"Humanitarian aid, 5000€ for a new car for Zemiri, her old car doesn't drive so humanely, so priority is to buy a new, more humane one" (Antimigrant.ba, 2021).

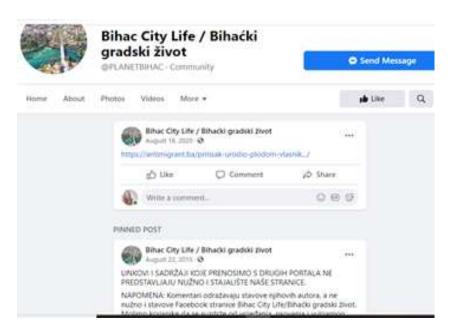


"We are telling "humanitarians" SOS Balkanrout: Do not try to show occupiers migrants as poor refugees!" (Antimigrant.ba, 2021).



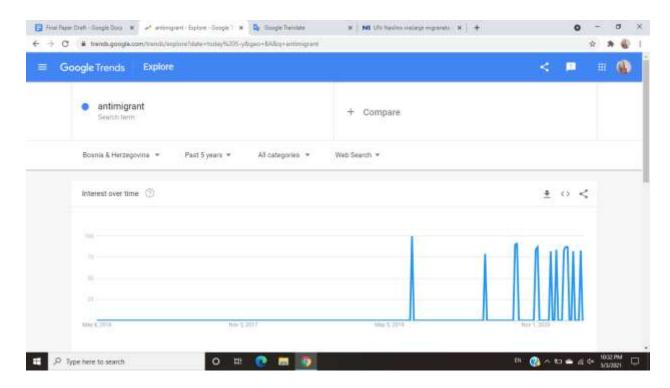
"How is pro-migrant association "Pomozi.ba", through polished and slicked up Saida Messouda, trying to represent hoards of migrants as nice "brothers in religion/faith" (Antimigrant.ba, 2021).

The acts of sharing posts and media also serve as powerful tools to spread hate speech. The impact of websites like Antimigrant.ba is much wider than it might appear at first glance. The site's messages are picked up and reshared by other sites and social media accounts read by audiences that typically do not follow anti-migrant webpages. An example of this can be seen below, where an article from antimigrant.ba from 2020 is right above a post shared by the account Bihac City Life. Despite claiming the articles they repost do not always represent their own opinion, they still share them and perpetuate the spread of hate and division ("Facebook Community: Bihac City Life / Bihaćki gradski život", n.d.).



Trends show us that higher volumes of online research regarding anti-migrants occur when there is increased mention of migrants on television or when events connected to migrants take place. On July 17, 2019, the news outlet Deutsche Welle posted an article sharing that around 8,500 migrants were camping close to Croatia's border, but they could not enter Croatia due to its police force (Savić, 2019). Around the same time, Turkey announced its suspension of the 2016 agreement with the EU in response to sanctions placed on the country by Brussels, preventing the readmission of migrants (AzilSrbija, 2019), which could potentially affect and change the Balkan route. The next visible peak in interest happened right after a shooting in the migrant camp known as Lipa near Bihac (Radio Slobodna Evropa, 2020). The incident was the result of a serious clash between Pakistani and Afghan migrants in the temporary reception center,

resulting in two refugees being killed, 18 wounded and 10 severely wounded (Kovacevic, 2020). Aside from clearly profiling the ways in which the country's authorities were not managing a growing refugee crisis, it also fed into the destructive and harmful narratives that were proliferating online.



Analytics of search trends of BiH through Google Trends.

In moments like the ones mentioned above, web portals like antimigrant.ba are not helping the situation. Antimigrant.ba often borrows articles that have been shared on other sites. But it publishes them with different headlines, trying to affect and change public opinion on topics regarding human rights activists and migrants. The underhanded approach to these topics, combined with ease of accessibility to these articles and headlines stands as a potential threat for the future due to how easily hateful and divisive thinking can be spread. Ultimately, having easy access to articles and headlines of the news, portals and posts that call for hate and violence or speak poorly of different groups of people will not help build a more peaceful, acceptable and welcoming environment.

Social Media Platforms as Tools for Harassment and Threats

Social media platforms are also key tools for users to easily incite hate, share violent content and spread hateful messages aimed at migrants and the activists working to help them. In searching through the platforms, we identified several examples of this harassment taking place as well as potential automated bots.

In our research, our group identified the Twitter account *Kritičar* (@*Kriticar24*), with only 5 followers and following 18 accounts ("Twitter User: @Kriticar24", n.d.). The description of the account contains a link leading to a blog under the same name with only 2 articles, one of them addressing the migrant issue. The link of the translation is located in Appendix A along with the link to the original post.

We also identified a Twitter account by the name of *Prorok bez maske (@Romanijski)*, which posted a very graphic video of multiple Bosnian men assaulting several migrants, claiming that they have "touched their children and molested them" ("Twitter User: @Romanijski", n.d.). It is less likely that this account is a bot, due to the fact that it has 1,667 accounts following it. The incident reportedly happened in Bihać, BiH on February 10, 2021. The tweet has 25.2k views, received 231 likes, and approx. 79 quoted retweets, where the comments were split between the criticism of the assaulters for lacking Muslim solidarity and the support of the assault, implying that what is allowed in Serbia and Croatia will not be tolerated in BiH (the video also exists on a YouTube page called *AntiMigrant BiH*, where most of the comments are in support of the Bosnian men ("YouTube Channel: AntiMigrantBiH", n.d.)).



Translation:

@Kimi: "May God give you health, brothers, and may your hands be gilded." (an expression commonly used in the Balkans to describe when someone's doing a very good job as an incentive to keep it up) @COOLL "Muslim brothers, the Serbs are ready just call and we'll send that scum back to China"

@N P "I am against violence, but when someone touches your child you're ready to gouge someone's eye, no matter who it is.
Unfortunately, the citizens have to defend themselves. No one is protecting them, whereas the migrants are protected like Lika bears"

A Facebook group by the name of Migranti BIH (Migrants BiH) has about 500 followers and is also sharing content on migrants. The number of likes/reactions on the post does not usually exceed 10, with approximately one comment per post, mostly ones criticizing the regime that has supposedly "brought the menace into the country" ("Facebook Community: Migranti BIH", n.d.).

Vanja Stokic, a journalist from Banja Luka, was targeted on social media platform Facebook, and received death threats for her work with migrants. Stokic shared a picture on her private Facebook profile, where, in

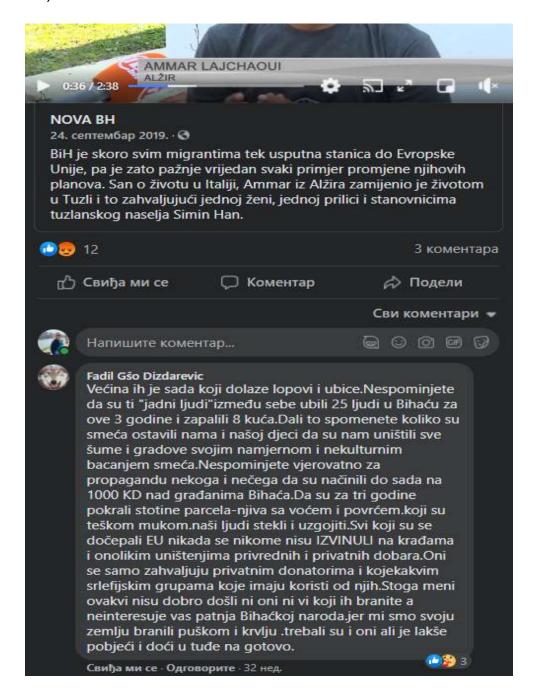
the comments section she later received threats of beheading (Čitanje, 2020).



A video report on a young refugee man in Algeria who found his home in Tuzla was posted by a BiH commercial television channel NOVA BH on their official Facebook page and then reposted by Migranti BiH. To keep the flow of ridicule and harassment going, the group's administrator keeps the thread alive by posting photo posts with random letters and emojis, which have no interaction or relevance. The last one was posted on April 22, 2021, by the admin, where he pleads help for a young man asking them to donate after he posted the bank account information.

@Fadil Gšo Dizdarevic: Most of those who are coming in now are thieves and murderers. You fail to mention that these "poor people" have killed 25 of their own and burned 8 houses in Bihać over the course of these 3 years. Are you going to mention the amount of garbage they left us and our children, that they destroyed our forests and cities with their intentional and uncultured littering. You also probably fail to mention the propaganda of someone and something that they have done so far for 1000KD to the citizens of Bihać. In three years they have robbed hundreds of parcels-fields of fruit and vegetables that our people have grown with great distress. All of them who got to the EU never APOLOGISED for stealing and destroying economical and private goods. They only thank the private donors and various [untranslatable] groups that benefit from them. Therefore, these people are unwelcome, neither them nor you who defend them but won't take an interest in the suffering of the Bihać people. because we defended our land with guns and blood. They

were supposed to do that too but it's easier to run and come to someone else's where everything is served on a platter (Dizdarevic, 2019).



Attacks have been aimed at human rights activists in the region, like renowned activist Nidžara Ahmetašević. Ahmetašević is a BIH journalist and activist known for supporting and fighting for the rights of refugees in BiH through organizing various drives, holding the authorities accountable for their negligence and lack of initiative, as well as through being a guest on national and international TV shows, news stations, radio stations, etc. On March 2, 2021, Ahmetašević was arrested without appropriate reason after approaching two policemen parked near her place of residence to alert them of some improperly parked cars. The police officers started assessing the issue Ahmetašević reported, but when she pulled out her phone to record them, the policemen arrested her for disturbing public order and peace, forcefully taking the phone she used to record the encounter. Ahmetašević's legal representative, Transbalkanska Solidarnost ("Transbalkanska Solidarnost", n.d.) posted the video (Bajrović, 2021) that Ahmetašević managed to take while being arrested, alongside an official statement (see Appendix B for the translation).



Video (CRD Europe, 2021).

After being released from prison, Nidžara took to her Facebook account to talk about her experience (Ahmetasevic, 2021). In the post (see Appendix C for the translation), she described scenes of mistreatment by the police, who ordered her to strip naked and treated her poorly, consequently abusing their power. (Article in Dnevni Avaz on 6 March 2021:https://avaz.ba/kantoni/sarajevo/635683/nidzara-ahmetasevic-

zakljucali-su-me-i-skinuli-do-gola-spominjali-su-mi-i-majku). She further explains other examples of power abuse by the police in BiH, specifically in camps for refugees.



Hands of a refugee boy named Hamza who reached out to Nidžara about the treatment he received when he was unlawfully arrested (Ahmetasevic, 2021).

The Commissioner of the Council of Europe on Human Rights, Dunja Mijatović, took to Twitter to condemn such actions (Mijatović, 2021) :



However, this tweet stirred some hateful comments in the comment section ("Twitter Post: @Madd_Nel", 2021):



A group by the name of *Doček migranata (Welcoming Migrants)* that is now shut down, has been the main platform for spreading hate towards asylum seekers and activists that try to help them. In addition to this research above, we have created a document in Appendix D, containing screenshots of the above-mentioned comments, targeting activists and planning to incite violence on asylum seekers. In Appendix D, the comments are in Bosnian, but translation is provided alongside the screenshot.

Understanding Existing EU Human Rights Defenders Law

Article 6 of the European Convention on Human Rights states: "In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a

reasonable time by an independent and impartial tribunal established by law" (Council of Europe, 2010). The European Court on Human Rights is an integral mechanism in this sense; the European system of human rights has been applicable to BiH since 2002 when the European Convention on Human Rights went into force in the country.

Considering this, we believe it is important to analyze the existing European case law on human rights defenders as it establishes clear, consistent, and credible rules and instructions within the legal system. Key case law in this regard is Intigam ALIYEV v. Azerbaijan, which created an important precedent for acknowledging the vital role of human rights defenders and the need to facilitate their work ("Case History: Intigam Aliyev", n.d.). Aliyev, Azerbaijani human rights lawyer and civil society activist, was arrested on August 8, 2014, after he and other human rights activists participated in a side event organized in the Parliamentary Assembly at the Council of Europe. Aliyev spoke about numerous human rights violations in Azerbaijan. It resulted in smear campaigns in the media against him and his fellow activists and eventually by his detention.

According to the Prosecutor General's Office, Aliyev was detained in connection with alleged financial irregularities in the Legal Education Society, an NGO of which Aliyev is a chairman. However, the Council of Europe Commissioner for Human Rights expressed the concern that "the arrest and detention of the applicant is an attempt to silence his efforts to report on human rights violations and aims to prevent him from continuing his work." The commissioner also emphasized the short time period between Aliyev's participation in the above-mentioned event and his arrest (Commissioner for Human Rights, 2015).

Aliyev appealed to the European Court on Human Rights based on inhuman and degrading treatment during detention; lack of adequate medical assistance; unjustified arrest and pre-trial detention and interference with his rights to respect for his private life, home and correspondence and to freedom of assembly; and that his rights had been restricted for purposes other than those prescribed in the European Convention on Human Rights ("Case History: Intigam Aliyev", n.d.).

The Court based its decision on numerous international materials on the protection of human rights defenders. Notably, the UN Resolution on Human rights defenders in the context of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms which among other statements "calls upon all States to take all measures necessary to ensure the rights and safety of human rights defenders who exercise the rights to freedom of opinion, expression, peaceful assembly and association, which are essential for the promotion and protection of human rights." Moreover, the Court relies on the Declaration on Council of Europe action to improve the protection of human rights defenders and promote their activities and thus "condemns all attacks on and violations of the rights of human rights defenders in Council of Europe member States or elsewhere, whether carried out by state agents or non-state actors;" as well as Resolution 1891 (2012) on the situation of human rights defenders in Council of Europe member States.

Another important international document for the Court was Guidelines on the Protection of Human Rights Defenders published by the OSCE Office for Democratic Institutions and Human Rights (ODIHR). It reads: "human rights defenders face specific risks and are often targets of serious abuses as a result of their human rights work. Therefore, they need specific and enhanced protection at local, national and international levels" (OSCE Office for Democratic Institutions and Human Rights (ODIHR), 2014).

Based on these and other materials the Court found violations of the European Convention on Human Rights, specifically, Article 3: Prohibition of torture; Article 5: Right to liberty and security § 1 and § 4; Article 8: Right to respect for private and family life and Article 18: Limitation on use of restrictions on rights. Therefore, the Court held Azerbaijan to pay the applicant compensation (Council of Europe, 2010). There are several similar cases in the Court's judgments and decisions database. For example, Ilgar Mammadov v. Azerbaijan (no. 15172/13) and Rasul Jafarov v. Azerbaijan (no. 69981/14) are considered within the same case group as these applicants were arrested in the context of the same events and based on similar charges.

These cases are clear examples of how international jurisprudence can be applied towards and facilitate the national legal system as the Court effectively applied international documents towards the protection of human rights defenders. Moreover, it has created a precedent that is actively referenced. Specifically, Mehmet Osman KAVALA v. Turkey (28749/18) is another example of existing case law on human rights defenders and its foundations are set out in the Aliyev v. Azerbaijan judgment. In this regard, the case law of the court is constantly evolving parallel to new developments and new cases concerning the protection of human rights defenders.

Regarding the situation in BiH, the Constitution here states that the country takes responsibility to ensure implementation of internationally recognized standards on human rights and that "the rights and freedoms set forth in the European Convention for the Protection of Human Rights and Fundamental Freedoms and its Protocols shall apply directly in BiH. These shall have priority over all other law" (Constitutional Court of BiH, Article 2, 2009). The Constitution gives equal rights to life, freedom of speech and association, etc. to all persons living in BiH.

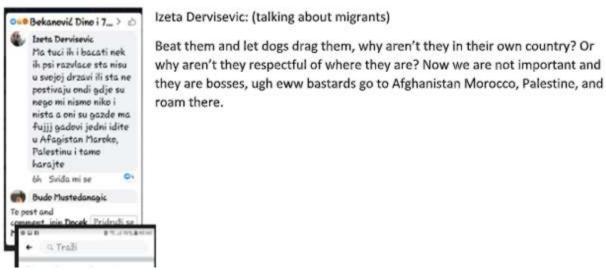
Apart from this, BiH has ratified and implemented different international documents regarding not just the human rights of all persons but also documents that specifically talk about human rights defenders and the importance of protecting them and facilitating their work. In fact, BiH was one of the first countries to vote in favor of the UN Resolution on human rights defenders which can be considered a promising sign.

Moreover, by ratifying the UN Universal Declaration of Human Rights (UDHR), BiH took responsibility to ensure the protection of refugees, as well as those fighting for their rights i.e. human rights defenders. Civil rights and social activism were one of the bases for creating this declaration and, naturally, it is embedded in every aspect of it. It is based on equality and fair treatment. According to Article 12, UDHR prohibits any intrusion into one's personal or family life as well as attacks on one's reputation and honor (The United Nations, 1948). The principle was violated by the Twitter account - Prorok bez maske (@Romanijski) when they posted a video and accused refugees of physically assaulting their children (for more details on this user, please see the previous section on Social Media Platforms).

Moreover, Article 29 states: "In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a

democratic society" (The United Nations, 1948). Individuals have duties to the society they live in, but in turn, everyone should by law be ensured fundamental human rights and mutual respect. This article was openly violated with regards to activist Nidžara Ahmetašević, whose case was discussed above.

Clearly, all these fundamental human rights were not equally guaranteed to every person living in BiH. Refugees and their human rights defenders face online media bullying and threats. Therefore, it is also important to analyze the Press and Online Media Code of BiH which is one of the foundations for the print and online media system in the country (The Press Council in Bosnia and Herzegovina, 2010). Article 4 of the Press and Online Media Code forbids any type of discrimination and states that "References to a person's ethnic group, nationality, race, religion, gender, sexual orientation, physical disability or mental disability shall be made only directly relevant to the occurrence being reported." when discrimination is constantly expressed through social media posts and comments. The source below is one of the many examples one can find online:



Hate speech in Facebook

Moreover, article 3 of the Press and Online Media Code refers to and instructs against incitement of hate and violence in the online media (The Press Council in Bosnia and Herzegovina, 2010). Docek Migranata was an active instigator in this sense. The image below shows how the group encouraged aggression against refugees:



Are there any volunteers to ambush them with me? They are going in direction

Hate speech in Facebook posts

All these examples are serious violations of human rights law and the Press and Online Media Code of BiH. What is also important to consider, BiH officially applied for EU membership in 2016 after it was recognized as a potential candidate. However, the country still has a long way to go before becoming an EU member state. It is mainly connected to BiH meeting 'Copenhagen criteria'; Notably, having "stable institutions guaranteeing democracy, rule of law, human rights and respect for and protection of minorities" ("Conditions for membership - European Commission", n.d.).

Harmonization with and effective implementation of the EU acquis is an important legal requirement for the EU membership and the Union pays considerable attention to human rights defenders. It is a big part of the EU's external human rights policy concerning candidate states as well as third countries. The EU perceives human rights defenders as facilitators to governments in promoting and ensuring human rights are respected, even if it means criticizing the authorities and their policies. However, the EU recognizes that these individuals are frequently under threat and attack either from the government or the non-state actors.

With this in mind, the EU embassies and missions to third countries serve the objective to remind the authorities that they have the obligation to guarantee the protection of human rights defenders in potential or actual danger. The EU Guidelines on Human Rights Defenders states: "EU

Missions should therefore seek to adopt a proactive policy towards human rights defenders. They should at the same time be aware that in certain cases EU action could lead to threats or attacks against human rights defenders. They should therefore where appropriate consult with human rights defenders in relation to actions which might be contemplated." The EU suggests four specific measures that its Missions could undertake to support human rights defenders. Such as close coordination and information sharing on human rights defenders; maintaining contact with human rights defenders and when necessary appointing specific liaison officers; providing visible recognition to human rights defenders; and attending and observing trials of human rights defenders (The European Commission, n.d.).

Recommendations: Making a Case Against Antimigrant.ba

Since one of our ultimate objectives is to stop the website from spreading dangerous disinformation about human rights activists and the refugees they strive to protect, we believe it is integral to better understand the site overall, as well as explore any tactics that have been or could be used to issue official complaints.

BiH is one of many signatories of the conventions for the protection of Human Rights and Fundamental Freedoms. However, the relevant governmental institutions have not responded properly to the cases of hate speech and incitement of violence against migrants in the country and the human rights defenders. Only a few institutions including the state's Ombudsperson Office, Communications Regulatory Agency, etc. do react and produce reports addressing the issue but, unfortunately, little is done to eliminate it.

The Press Council in BiH presently has 9 active cases of complaints against antimigrant.ba ("Antimigrant.ba Complaint Portal", 2021). Many of the complaints are submitted by the Network for Building Peace, which is closely monitoring the website. In their 2020 report, *Hate and Propaganda Models of Media and Communication in the Western Balkans and Turkey*, 51 examples of media content were found to violate the Press and Online Media Code of BiH (Petković et al., 2020). Moreover, three of the overall cases currently being reviewed by The Press Council in BiH are appealing that the posts not only incite hate and violence against the migrants but are also targeting individuals and organizations helping the migrants.

The cases against the antimigrant.ba portal are mainly condemned as violating Article 2 - Editorial Responsibility, Article 3 – Incitement, Article 4 - Discrimination and Article 5 - Accuracy and Fair Reporting of the Press and Online Media Code of BiH ("Regulatorna agencija za komunikacije BiH", 2020). However, in terms of action and the actual outcome, these organizations have had little success. The Press Council in BiH, for example, is limited to simply asking "the relevant institutions to shut down the antimigrant.ba portal" while the portal is still running and proving detrimental. Meanwhile, there is no legal action taken against the cases of hate speech and violence against immigrants in the Prosecutor's Office of BiH.

Previous Cases of Website Content Accountability

An example of a United Stated based website and app that recently perpetuated conspiracy theories and brought far-right extremists together to incite violence is Parler. The alt-tech microblogging and social media service has a significant user base of Donald Trump supporters who would often post anti-semitic and dangerous rhetoric. Parler allows users to moderate comments themselves and included in the list of users are individuals banned from mainstream social networks, like Twitter and Facebook, for opposing moderation policies.

After reports that Parler was used to coordinate the attack on the United States Capitol building on January 6, 2021, major companies like Apple, Amazon, and Google removed the app from their app stores. Users on the app were found to incite a "civil war" and encourage violence leading up to the attack. There are strict free speech laws found in United States law, so major companies with pull had to take it into their own hands by banning the app from their users for lack of "moderation policies and enforcement" which posed a "public safety threat". Apple CEO Tim Cook quotes "free speech and incitement do not have an intersection." Although the app went dark on app stores on January 10, the website can still be found through more unknown channels.

Another user-moderated site, 8chan, was linked to white supremacy, hate crimes, and multiple mass shootings, as well as child pornography. As a result, the site was phased out of the Google search engine. Finally, after back-to-back mass shootings in the United States traced back to 8chan,

the network infrastructure provider, Cloudflare, removed the website from their network. Eventually, the site was brought back through a Russian hosting provider six months later.

Due to restrictive free speech laws in the United States, websites and open forums that incite violence or spread propaganda must be held responsible by service providers and major tech companies to ban the sites themselves. When looking at the Antimigrant.ba case, non-government companies must step in to protect immigrants and their users from harassment, violence, and potential death.

Recommendations: Targeting Hosting Services

Because antimigrant.ba's owner is unlikely to take the site down with an appeal detailing related violence as a direct result of the site, the next obvious step is to petition the organization that hosts the site. After an initial query on hostingchecker.com, our team discovered that antimigrant.ba is hosted by a company called Namecheap, Inc. - an American ICANN-accredited domain registrar and technology company founded in 2000 by CEO Richard Kirkendall and located in Los Angeles.

To find out where a website is hosted e	nter the URL address:
www.antimigrant.ba	FIND HO
It is hosted by: Namecheap, Inc.	
WHOIS information: Click here	
Organization name: Namecheap, Inc.	
IP address: 198.54.119.161	
AS(autonomous system) number and c	organization: AS22612 Namecheap, Inc.
AS name: NAMECHEAP-NET	
Reverse DNS of the IP: server269-3.we	-b-hosting.com
City: Newark	
Country: United States	

Screenshot from hostingchecker.com's interface.

On its website, Namecheap, Inc. highlights its key values as a company, prioritizing its belief that "everyone has a right to safety and privacy online" and states they believe deeply in equal treatment for all internet users ("About Namecheap - Our Story and Mission | Namecheap.Com", n.d.). This message is repeated across multiple pages on the site, with the organization listing safety of internet users as a cause they support.

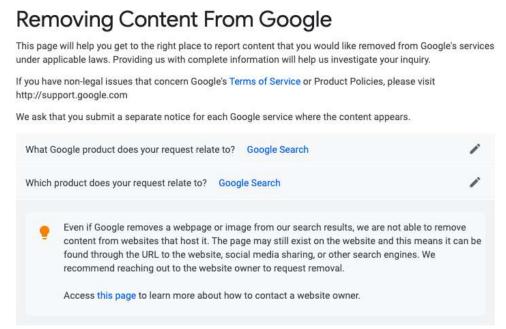
We believe a critical first step to disarm antimigrant.ba would be to reach out to leads at Namecheap, Inc. with key examples of divisive and hateful speech against migrants or activists in BiH that are hosted on the site that are directly against their mission and values. While initial efforts can be made to general support, Namecheap, Inc. currently employs over 1,000 employees. I believe a more effective approach would be to reach out to individuals with leadership positions to flag the ways in which the site compromises their mission and values. At this point in time, both the company's CEO Kirkendall and COO, Hillan Klein, are accessible and available to message on LinkedIn.

If this effort is unsuccessful, initial steps could be taken to raise awareness of this website's divisive approach through social media and media outlets as needed to pressure Namecheap to drop its hosting provisions. At this current moment in our history, American tech companies are showing more leadership around taking action to stop hate speech and the provocation of violence.

Google Search Indexing

Taking down sites that are spreading violent, anti-migrant speech is a long-term goal. In the meantime, focusing on filing complaints and burying prominent sites from appearing on the first page of a Google search is extremely important. Google ranks sites in their search index using the algorithms such as PageRank. Using key criteria such as, "words of your query, relevance and usability of pages, the expertise of sources, and your location and settings" (How search algorithms work, Google Site). Once sites are ranked using these criteria, they are displayed on Google and those with a higher rank are more accessible to users. This is to ensure that users get the most relevant and useful information. On the other hand, the process of removing a site from the search index also seems straightforward: report content that incites hate and violence. However, it is

not that simple, Google does state that while the site can be removed from the results, the content will still remain up (Google, 2021).



Google's Advanced SEO page (Google, 2021).

Unfortunately, as of these current guidelines, the reason for removing a site does not include hate speech, bullying, or violence. In the specific case of online posts spreading violence or hate speech, the best current option to have the post removed is to select "Other legal issue" from the provided menu to further pursue the removal of the post. This can make the process of removing individual posts much more difficult, as it lengthens the process and keeps the post up for longer.

W	nat can we help you with?
0	I would like to report malware, phishing or similar issues
0	A piece of content I am concerned about has already been removed by the webmaster but still appears among the search results
0	Remove personal information from Google under product policies (personally identifiable information, doxxing, non consensual explicit imagery, etc)
0	Personal information: request removal of my personal information from Google's search results
0	Intellectual property issue: report copyright infringement, circumvention, etc.
0	Other legal issue: report content for a legal reason not already listed

Google reporting interface (Google, 2021).

In regards to removing the content itself, if it still exists on the sources webpage, it is advised that you contact the owner. If you cannot contact them, Google offers two options depending on whether the content is on a Google property or not. If it is posted on a Google property, there is the option to file a complaint. If the content is posted on the non-Google property, the only option offered by Google is to remove the content because it is "outdated. This allows the post to slip by reviewers without being flagged as hate speech, giving it another chance to be reposted

Goo	gle Search	
Guideline	8	
	ol works only for pages or images that have already been ad or removed from the web	
	ove personal information or content with legal issues, a legal request instead	
 Read to 	nis doc for more information	

Google's Advanced SEO page (Google, 2021).

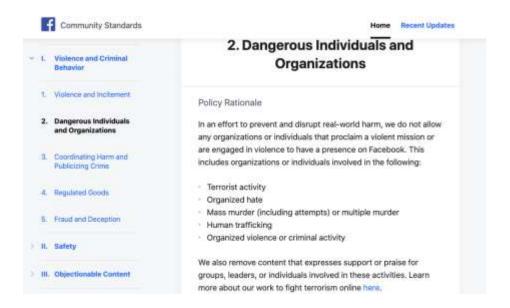
Google does state in their product policies that since they are committed to a "free and open web" which they follow up with, "That's why we do not remove content from search results — except in very limited circumstances, including <u>legal removals</u>, a violation of our <u>webmaster guidelines</u>, or at the <u>request of the webmaster</u> who is responsible for the page" (Google Product Policies page, 2021). There is a tab covering the advanced SEO details of google search indexes as well as policies regarding child sexual abuse imagery, highly personal information, valid legal requests, spam and malware, webmaster requests, potentially offensive content, and explicit content.

Social Media Guidelines and Limitations

Diving deeper, social media outlets that are the direct vessel for many of these posts, have their own guidelines for what is and what is not allowed to be posted. Platforms like Facebook and Twitter carry many posts of hate migrants and their defenders. When the Cambridge Analytica scandal broke in 2018 and over 87 million Facebook users had their private information sold, Facebook has been under the watchful eye of their users in recent years (Confessore, 2018). Until this scandal, the guidelines Facebook provided to their content reviewers had never been public and the criteria of what constitutes a postable piece of content were not disclosed publicly. However, with posts that include hate speech or violence, users have voiced their concerns.

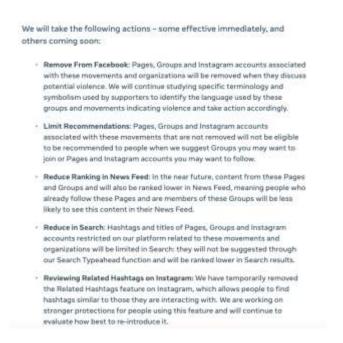
Currently, on Facebook, the process of removal begins with reporting the isolated post. Reporting a post will submit the post for a review of community standard violations which are outlined on Facebook and include both their commitment to expression and acknowledgment of risk of harm. This statement can be found on their site, "We want people to be able to talk openly about the issues that matter to them, even if some may disagree or find them objectionable. In some cases, we allow content for public awareness which would otherwise go against our Community Standards...but we recognize the internet creates new and increased opportunities for abuse" (Facebook Community Standards, 2021).

This does not guarantee the removal, however, because of another policy that exists on the platform: the option to appeal removal - "If your photo, video or post is removed for violating Facebook's rules, you will be given the option to "Request Review." Appeals are conducted by a "community operations" team within 24 hours. If Facebook determines it made a mistake removing content, it will be restored. Before the end of the year, Facebook will extend appeals to people who report the content and are told it does not violate Facebook's rules" (Guynn, 2018). Facebook's policy, specifically, in regards to this case, goes as far as their section on "Dangerous Individuals and Organizations" which outlines that they do not allow, "any organizations or individuals that proclaim a violent mission or are engaged in violence to have a presence on Facebook".



Facebook's Community Standards (Facebook Community Standards, 2021).

However, Facebook has consistently posted updates on how they are handling movements and organizations tied to violence over the past year. They have compiled a running list that is updated with every new action towards censoring posts that can incite violence or hate speech. A part of this list is a summary of the current and future actions in play.



Facebook's Community Standards (Facebook Community Standards, 2021)

Twitter has similar policies when it comes to reporting and removing hateful and violent posts. They also include in their policy that they cannot block an account from making new accounts, which is usually the case when hate is being posted. This policy exists because it can make legitimate accounts that were wrongfully removed, lose access to the platform (Twitter, 2021). In many ways, these policies claim they are in place for the safety and expression of users. However, it seems as though there is not enough thorough review of each individual post that is blatantly spreading hate and violence.

Recommendations: Legislation and EU Membership

Because BiH places such a strong emphasis on its EU membership and in June 2021 is the deadline for fulfilling the Stabilization and Association Agreement (SSA) with the EU, there is an opportunity to utilize this moment to enact change. We recommend that human rights defenders use this foreign policy objective of the BiH authorities and work closely with the EU foreign mission in the country to pressure and convince the government to take more effective measures in this regard.

On Activism for Refugee Human Rights and Their Defenders

Although there is a surge of violent attacks against vocal activists supporting refugees in the region, there is a lot of notable groundwork by larger organizations such as Open Government Partnership, USAID, and UN Human Rights Council, all happening to show support and protect activists and refugees against online threats. But activism is happening at a more grassroots level as well. On a smaller scare, the Media Institute Western Balkans and the Serbian Youth Umbrella Organization (KOMS) launched a four-month campaign rallying young activists #YouthAgainstHate in Serbia. This project aimed to increase the resilience of young people around hate speech, including online hate speech, and to strengthen the role of non-civic education in the prevention of extremism. The role of this campaign was to counter the spread of propaganda and to fight radical views spread by hate speech. ("Youth to Combat Hate Speech in Local Communities in Serbia"). This project was built on experiences from the Stop the Hate project, which implemented fifteen workshops in schools and youth offices about issues relating to hate speech. These workshops enhance counter-narratives in response to intolerance targeting

vulnerable communities like refugees. This organization also created a guide, titled "Tips to Counter Hate Speech on Twitter," to guide social media users to combat hate speech online in the most effective way. ("Stop the Hate: Countering Hate Speech in Serbia").



This is an image shared by Stop the Hate project ("Stop the Hate: Countering Hate Speech in Serbia").

There have also been a number of successful campaigns in the fight against refugee-related hate speech across the EU which should be used as examples of how to support activists across BiH. In 2016, the organization Not Hate Speech Movement Belgium released a video of interviews of activists and youth workers. The interviewees talked about the experience of being asylum seekers and how they have been able to combat hate speech online to bring awareness to communities that may not know about these issues. The organizations Watching Human Rights and Films for Action in the United Kingdom and other Euro-Mediterranean countries launched CineForum: Countering Hate Speech through Film which was used to raise awareness and facilitate dialogue about hate speech through film (Council of Europe 2021a).

These examples prove that storytelling through diverse media outlets is a strong campaign to combat hate against activists and refugees themselves. Other ways BiH can support activists is by education found through street actions, festivals, games, videos and posters to promote

human rights values. By educating youth that online hate speech is unacceptable and that refugees are a positive and value-driven addition to society, there are strong hopes that activists will not be the target of threats in the future and, in turn, there will be more activists supporting the rights of vulnerable communities.

Conclusion

As online spaces and the platforms that create them continue to evolve, so must companies and governments rise to respond to this rapidly changing environment so they can better protect individuals who may be at risk from the proliferation of hate speech, threats and in-person violence. The flows of disinformation have created a crisis within a refugee crisis, putting human rights defenders in BiH and the refugees they seek to protect at risk.

The current rules in place across social media often neatly skip over dangerous language and threats thanks to civil and free speech rights. Additionally, laws are not sufficient to address the ongoing issue, with authorities themselves often buying into the false campaigns and acting on them instead of protecting the lives of those at risk. In response, appropriate action must be taken to address the vast gaps that online users have found to foster their hate, division and threats, and prevent further harm from coming to human rights defenders and the refugees they seek to protect.

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Appendix A

Translation of Kritičar Blog Link

Blog Source: https://kriti.car.blog/2019/12/20/migranti/#more-76

Twitter Account Source: https://twitter.com/kriticar24

As many know, Sarajevo is full of migrants. Someone advised them well, not to beg but to sell handkerchiefs. The people of Sarajevo take pity and give them some money for it. Don't even get me started on the questions about women and children and where they are, etc ... We know that so far. What I am specifically interested in is where are their things? Bags? Most of those who "work" at the traffic lights are there all day and I don't see any of their stuff anywhere. Does that mean they found accommodation in Sarajevo? An abandoned building? How long will they stay in Bosnia? What will happen to them? One thing is for sure, all of this is very shady. Various conspiracy theories are emerging, such as the creation of a Muslim army; the migration of Bosnians to Germany, and the migration of Arabs to Bosnia. I personally think that these people are lost, that their initial destination is the EU, but they got stuck in a black hole. Why don't they defend their countries and were we fools to defend ours 1992 through 1995? One thing is for sure, the state took the money, did not provide anything and who gives a fuck about us, how much evil or good they will bring remains a question still. There is a wide variety of them, from those who attack people to those who are looking for work, of course, the state has no plan for them, and the people of Bosnia are silent and are suffering, until when? Why don't their "brothers" Arabs from the E (i) League help them? As the song "oće ku * ac" says (there is no proper translation for this slur, something along the line of "it'll never happen" but it's a swear word). It is interesting that they do not inhabit the entity of Republika Srpska, so I am really starting to wonder whether this is planned or not. My advice is that they should be ignored and transferred to Croatia or Serbia as soon as possible, because they certainly do not bring anything good.'

Appendix B

Translation of the official Statement of Muhamed Čučak, legal representative of Nidžara Ahmetašević

Link to the original post:

https://web.facebook.com/transbalkanskasolidarnost/posts/258620529088269

Dear All,

Acting as Nidžara Ahmetaševićs legal representative, and in connection with her deprivation of liberty, I hereby inform you of the following:

Today, March 6, 2021, at around 1:30 pm, Nidžara Ahmetašević was deprived of her liberty by police officers of the 3rd Police Department, KS Ministry of the Interior, for alleged violation of public order and peace, and she was informed that misdemeanor proceedings had been initiated against her. We have not been officially notified of the reasons for the deprivation of liberty and the initiation of misdemeanor proceedings. It was informally announced that she allegedly obstructed authorized officials in performing official duties and that she did not act in accordance with the orders of authorized officials.

In addition, the mobile phone was confiscated from the named person, and she was ordered to be detained by the police for 24 hours.

What is it really about? Today, Nidžara Ahmetašević found police officers near the residence address, pointing out that there were improperly parked vehicles on the sidewalk. In the first instance, the police officers reacted correctly to Nidžara's statement and started recording improperly parked vehicles and issuing misdemeanor warrants. Nidžara, acting in accordance with her profession as a journalist, recorded the above-mentioned actions of police officers by recording them on her mobile phone. However, police officers opposed this and demanded that he stop filming. After Nidžara reacted by saying that filming was not forbidden, they first tried to physically prevent her from filming them by pulling her arm. When they failed to do so, they told her they were depriving her of her liberty, took her to the police station, illegally confiscated her mobile phone (the order was not presented), and ultimately deprived her of her liberty.

At the time of writing, I have been informed that the KS Ministry of the Interior Commissioner has ordered the release of Nidžara, as well as the initiation of an internal control procedure for the conduct of police officers.

With respect,

Muhamed Čučak, lawyer - legal representative of Nidžara Ahmetašević"

Appendix C

Translation of the official Statement of Nidžara Ahmetašević Link of the original post:

https://web.facebook.com/nidzara.ahmetasevic/posts/10164976505755241

My dears,

Thank you so much for being with me. I need this support and it means a lot to me. I wanted to thank each and every one of you individually, but I'm still tired, and that would last I think all day because I really got a lot of messages. Thank you endlessly.

I would also like to thank all my colleagues from many media who contacted me with the desire to support me and to report on what happened (emphasizing the support

they give me personally and on behalf of the newsrooms they work for). It is impossible for me to give a statement to everyone, and that is why I am writing this status and I hope you will find what you need here. I'm not sure I can retell all of this at this point and traumatize myself even more. I hope you will respect and understand this, and give me some time to come to my senses.

They asked me how I felt this morning. It's hard for me to describe. But I can't say that what happened yesterday I hadn't expected for quite some time. I think I've been targeted by the police for years. They took me to court several times (each time they lost after it was proven that they were not telling the truth). At the same time, all my complaints and grievances, even requests for help, are ignored by the police. So they never investigated any of the god knows how many threats I received because of my work, either journalistic or activism.

But as I went through all that torture yesterday, as I listened to them insult me, yell at me, threaten me, even as they locked me up and ordered me to strip for them to search me, I couldn't stop thinking about all the other people to whom such and similar things are happening, to whom all rights have been annulled, and who have been left at the mercy of the local police and tyrants.

As I sat in the cell I only thought of Hamza, a boy from Morocco who had recently written to me and sent photos of his hands with traces of handcuffs. I have the same clues last night and this morning. And I feel the same pain he must have felt. Only he was worse. He was taken into custody by the police at the same station where I was being held, he was in the same detention unit, but he was beaten during the arrest and then in custody. And he was alone. He could not send a message to either lawyers or friends. He did not understand everything that the police officers told him, but he understood every swear word they uttered because in two years of surviving on the streets of BiH, and in attempts to cross the border, he heard police swearing for who knows how many times. Maybe he was in the same unit in custody? If he is not, he is certainly someone who knows how many migrants were detained, maybe the same police officers who detained me, or any of their colleagues. (One policewoman on the way out told me that not everyone is bad, and I trust her. She's not. A gentleman who treated me extremely professionally in the detention unit, and more than that, he didn't either. A police officer passed me in the station hall and whispered to me 'don't worry, it will be ok, and then he walked away quickly, it's not the same... I know that not everyone's the same. But these very different people must not allow things like this. It's up to you.)

Then I thought about the KS police who regularly enter the camps set up by the IOM in the suburbs of Sarajevo. In those camps, police officers enter when and how it occurs to them, and beat people at random, and no one controls them. K. who survived in one of these camps told me how one morning the policemen broke in around 6, fully equipped, and started beating people with batons, like, at random.

And so regularly. And not just migrants. And not just me. Only I had a camera in my hands and a lot of friends, which seems like a real privilege.

The police will investigate this now. Everyone called, and who knows who else will. And that is the reaction that such a violation of the law and personal freedoms deserves. Just as any violence in this society calls for that reaction. Violence must not become normal for us, never for anyone.

Finally, recently a friend of mine, who was not exactly an activist or ever loudly criticized the government, but has recently become louder than me, said "I stayed and now I will not keep quiet." I think that it is already too much of a sacrifice that we are here and every day we go through various humiliations prepared for us by those who have seized power. They claim that they need more police, which will be even better equipped, and have more power. No! That is the worst thing that can happen to us. We do not need more, but fewer police and their powers need to be reduced. They have a lot of equipment, and too much. The police must learn what their job is, they must know the laws, and they must remember that they are in the service of the public. That's what you need.

Last night, the police followed the vehicle with which my friend and I were returning home. I didn't ask for it. I didn't even need it. In fact, they just wanted to scare me even more. I hope he won't follow me today and in the future.

Do not be silent if you see injustice. And do not suffer injustice. We have the right to life.

And yes, Happy March 8th. Fighting and brave.

(Photo is Hamza's hands. But the fight is common)

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