



Freedom of the Press 2016 - Kosovo

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Press Freedom Status: Partly Free

Legal Environment: 14 / 30 (0 = best, 30 = worst)

Political Environment: 18 / 40 (0 = best, 40 = worst)

Economic Environment: 17 / 30 (0 = best, 30 = worst)

Press Freedom Score: 49 / 100 (0 = best, 100 = worst)

Quick Facts

Population: 1,802,000

Freedom in the World Status: Partly Free

Overview

Laws protecting press freedom are mostly in line with European Union (EU) standards, but their enforcement is inconsistent. While the media environment is diverse, many private outlets struggle financially, particularly those serving Kosovo's ethnic Serb population. The public broadcaster, Radio Television of Kosovo (RTK), is funded through the state budget, leaving it vulnerable to politicization. Journalists continue to experience death threats and occasional physical attacks in connection with their work.

Key Developments

- In April 2015, 60 RTK editors and journalists publicly accused Mentor Shala, the broadcaster's general director, of censorship and mismanagement. RTK's government-appointed board reelected Shala to another three-year term in October.
- The Association of Journalists of Kosovo (AGK) recorded 27 death threats against journalists in 2015.
- Kosovo missed an internationally agreed deadline on digitalization in June 2015, due in large part to inefficiencies at the Independent Media Commission (IMC), Kosovo's broadcast regulator.

Legal Environment: 14 / 30

Kosovo's constitution provides for freedom of expression and of the press. While media laws are broadly in line with EU standards, such laws are not implemented consistently. Both the police and the judiciary lack experience and training in addressing threats against the media. Journalists say police are often responsive to their complaints, but that prosecutions and investigations move slowly, and that judges and prosecutors have difficulty interpreting Kosovo's body of laws.

Defamation is a civil offense punishable by fines. Journalists note that defamation suits can be onerous because the burden of proof falls on the defendant. A 2013 law mandates that journalists cannot be obliged to reveal their sources without a court order, and protects journalists and media outlets from property searches.

A Law on Access to Official Documents was enacted in 2010. However, full implementation is lacking, and the courts are slow to respond to complaints due to persistent backlogs in the judicial system. After three years of litigation, in October 2015 a court ruled that the prime minister's office must comply with a request by the Balkan Investigative Reporting Network (BIRN) to release documents detailing current and former officials' travel expenses; the government had argued that releasing the documents could infringe upon officials' right to privacy. It was unclear whether the government had complied with the court's decision at the year's end.

Officially, media outlets can enter Kosovo's market without encountering legal hurdles. The IMC, which issues broadcast licenses and is charged with promoting ethical, technical, and professional standards in the broadcast sector, is widely considered to be politicized, and is frequently unable to make decisions in a timely fashion. Delays connected to its role in preparation for the digital switchover caused Kosovo to miss an internationally agreed deadline on digitalization that had been set for June 2015.

Print media and news agencies do not require operating licenses. Print and online media are required to be registered as private businesses, but many are not. The Press Council of Kosovo (PCK) is a self-regulatory body for the print media. However, it lacks power to implement its own rulings, and has experienced difficulty raising funds under the provisions outlined in its statute.

Political Environment: 18 / 40

Political interference, direct and indirect, remains a concern for the public broadcaster, RTK, and private media outlets. RTK, which is financed through the state budget and governed by a board appointed by parliament, is seen as a mouthpiece of the government. In 2015 there was no progress on finding a sustainable source of financing for RTK, leaving it open to political interference. In April 2015, 60 RTK editors and journalists publicly accused Mentor Shala, the broadcaster's general director, of censorship and mismanagement. Later, RTK employees organized a public protest in front of the broadcaster's offices, which drew around 80 of its journalists, or roughly 10 percent of the staff. Nevertheless, in October RTK's board reelected Shala to another three-year term. In July, Kosovo's parliament had appointed four members (out of five) to RTK's governing board, despite concerns that they did not possess required qualifications.

The main journalists' association, AGK, alleges that government officials, business interests, and media owners have issued verbal threats against journalists and their employers, and have otherwise obstructed reporters' work. Journalists who criticize public officials are often denounced, sometimes as traitors or Serbian sympathizers. Editors have barred reporters from publishing or broadcasting stories that are critical of the government or of particular officials due to the outlets' political leanings. In some cases, editors have allegedly threatened to fire reporters if they continued to produce such stories. Newspapers that are not aligned with the government or ruling parties have been subject to intimidation through tax investigations, or blocked from accessing public information.

Most print media outlets neglect coverage of news relevant to Kosovo's minority populations. A 2012 law allowed RTK – which mainly carries content in the Albanian language – to establish RTK2, a Serbian-language channel to serve members of Kosovo's ethnic Serb minority, most of whom live in Kosovo's northern provinces. The channel's signal is not sufficient to allow national coverage. A number of Serbian-language print outlets based in northern Kosovo were in danger of closing in 2015, due in large part to dwindling financial support from international donors.

Journalists and media outlets continued to report threats and physical attacks related to their work in 2015. In January, two RTK2 journalists and a journalist from Serbia's public broadcaster were attacked during a demonstration in Priština. The office of the Serbian-language news portal *KoSSev*, based in north Mitrovica, was sprayed with bullets in June, and in November assailants set fire to a vehicle belonging to one of its journalists. No one was hurt in either case. In June, the president of the AGK received a text message threatening his beheading if he continued to pursue an investigation about corrupt practices at a petrol company. Around the same time, the AGK denounced threats directed at a Radio Kosova journalist who had been investigating fraudulent information on official lists of war veterans; those on the list are eligible for certain government benefits. In recent years, journalists covering Islamic radicalism have received death threats. Journalists have reported pressure from police to report attacks and incidents of intimidation as personal rather than related to their profession. In September 2015, the AGK, in cooperation with the Organization for Security and Co-operation in Europe (OSCE), created a hotline for journalists to report threats; they may do so anonymously, if they wish. The AGK recorded 27 death threats against journalists in 2015, and more are thought to have gone unreported.

In 2014, journalist Milot Hasimja was stabbed in the head and neck in an attempted murder by a man unsatisfied with one of Hasimja's reports. In November 2015, his assailant was sentenced to four years in prison. However, successful criminal prosecutions of attacks and threats against journalists are rare.

Economic Environment: 17 / 30

Kosovo has a large number of media outlets representing a variety of political viewpoints. There are 7 daily newspapers, 83 radio stations, and 21 television stations. Three of the television broadcasters have national reach, including RTK. Newspaper readership is low, and television remains the main source of information for most residents. About 84 percent of the population had access to the internet in December 2014, according to Internet World Stats, and the government does not restrict access.

Private broadcast and print outlets are required to register with the Kosovo Business Registration Agency, a process that involves disclosing the names of their owners. Broadcasters must also obtain a license from the IMC, which is required by law to make its license registry public. Journalists say that while ownership transparency rules for the broadcasting sector are effective, it is difficult to determine who is truly backing many print media operations. Online media outlets remain unregulated, making it difficult to determine ownership, which is thought to be highly concentrated. Lawmakers did not take any actions aimed at increasing ownership transparency in 2015.

Kosovo lacks a strong private advertising industry that could support the growth of private media. As a result, private broadcasters have been dependent on international donors. While some outlets have started to rely more on their own revenues from advertising, most remain financially unstable, and very few are able to operate without support from the government or businesses associated with public officials. The government is the country's largest employer and public entities provide the largest amount of advertising revenue. The prospect of securing advertising contracts from public entities has been known to influence editorial policies.

Journalists have few professional rights, earn low wages, and often work without contracts, leaving them vulnerable to corruption and prone to self-censorship. While a number of journalists' associations exist, there is no official journalists' trade union.

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