Freedom of the Press 2014 - Kosovo

While Kosovo's constitution and legal framework provide for freedom of expression and freedom of the press, the media environment is affected by political interference, corruption, and financial pressure. A judiciary that is not considered to be fully independent and an underdeveloped civil society present further obstacles to media freedom.

Defamation is a civil offense punishable by fines. In late 2012, authorities abandoned proposed changes to the criminal code that would have allowed journalists to be jailed for defamation and other offenses "committed through the publication of information" in any medium, and for refusing to reveal their sources. However, there have been reports that the number of civil libel lawsuits against journalists is increasing, especially cases against online journalists. These suits can be onerous, as the burden of proof falls on the defendant.

Journalists allege that the judiciary is hostile to the media. In January 2013, Etleva Skonja, a well-known journalist from the Pristina daily *Kosova Sot*, was detained twice on the same day for a total of roughly nine hours while investigating several judges' behavior. The first detention took place during a prearranged interview with a member of Kosovo's judicial council. There is a law on access to information, but journalists report that they are often unable to obtain or view public documents in practice.

The media are governed by two regulators: the Independent Media Commission (IMC), which handles broadcast licenses and promotes ethical, technical, and professional standards, and the Press Council of Kosovo, which is focused on print media and advocates for freedom of speech. While the IMC is considered to be largely independent, it does not enjoy full financial autonomy. In December 2013, Kosovo's legislature dismissed two IMC board members, including the head of the board, because their involvement in politics rendered their positions illegal. The move drew praise from the Organization for Security and Cooperation in Europe.

The public broadcaster, Radio Television of Kosovo (RTK), lacks adequate financing and continues to draw funds directly from the state. The Law on the Independent Media Commission and Broadcasting and the Law on Radio Television of Kosovo, adopted in March 2012, changed the way the two institutions appoint their board members; they also allowed RTK to receive 0.7 percent of the state budget—close to €9 million ($12.3 million) a year—and establish a second channel in the Serb language. The changes were welcomed by the international community, especially the European Union, but the establishment of the second channel was criticized by several Serb journalists, who claimed that the legislation placed decisions regarding the channel's leadership and finances in the hands of the ethnic Albanian majority. The channel, RTK2, began broadcasting in June 2013; however, it is available only via cable because it did not have permission to broadcast over a terrestrial frequency. RTK, meanwhile, is available nationwide, and its content is mainly in Albanian.

Political interference, direct and indirect, remains a concern for both the public and private media. The Association of Professional Journalists of Kosovo has complained of numerous instances in which government officials, business interests, or media owners abuse press freedom, including through verbal threats against journalists and their employers, pressure on outlets not to publish stories, and obstruction of reporters' work. Journalists who criticize public officials are often denounced, and at times they are accused of being traitors or Serbian sympathizers. Editors frequently bar their 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 are subject to intimidation through tax investigations or are blocked from accessing public information.

Most print media outlets neglect coverage of news relevant to Kosovo's minority populations. However, according to a study by the Institute for Development Policy, a Pristina-based think tank, media outlets that do cover minority issues generally do so in an unbiased manner. Most are operated by members of the Serb minority, who focus their coverage on events in northern Kosovo, ongoing talks between Kosovo and Serbia, and interethnic relations.

Journalists and media outlets continued to report physical attacks related to their work in 2013, although such crimes have decreased in recent years. In April, the South East Europe Media Organization (SEEMO) reported that unidentified assailants with automatic weapons had attacked the facilities of Radio Kolašin in Zubin Potok, a largely Serb area of northern Kosovo. Also in April, RTK journalist Gëzim Bimbashi was severely beaten in the northern town of Mitrovica. At the time, he was reporting on a demonstration by ethnic Serbs who opposed a political deal to normalize relations between Kosovo and Serbia. In May, assailants threw a firebomb at the home of RTK's editor in chief, Mufail Limani. Police investigated the attack, but no one was arrested. There were also instances of attacks against journalists as they covered stories on municipal elections that took place toward the end of the year. In early December, employees of the Serbia-based Radio Television Puls were attacked by a security guard in an eastern Kosovo village while working on an election-related story. They reported the incident to local police, but were subsequently held at the police station without explanation. No arrests were made in connection with the attack. Also in December, a Pristina-based journalist for the Serbian news agency Tanjug said his vehicle was torched in Gračanica, where he was covering local elections. It remains difficult for both Kosovo- and Serbia-based media outlets to report in contested border areas, particularly in periods of heightened tension. Successful criminal prosecutions of attacks and threats against journalists are rare.

Kosovo has a large number of media outlets, both in Pristina and in other parts of the country. There are 8 daily newspapers, 83 radio stations, and 21 television stations, according to the IMC. Three of the television broadcasters have national reach. Newspaper readership is low, and television remains the main source of information for most residents. About 77 percent of the population had access to the internet as of the end of 2013, according to Internet World Stats.

Ownership structures, particularly for print media, remain unclear. 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. In 2013, the government decided to exempt broadcast media from the value-added tax. 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. Indirect economic pressure is difficult to avoid given that the government is the country's largest employer and public entities provide the largest amount of advertising revenue. Cases of advertising being withdrawn from certain media outlets have been noted in the past. Journalists have few professional rights, earn low wages, and often work without contracts, leaving them vulnerable to corruption and prone to self-censorship.

2014 Scores

Press Status

Partly Free

Press Freedom Score

(0 = best, 100 = worst)
49

Legal Environment

(0 = best, 30 = worst)
14

Political Environment

(0 = best, 40 = worst)
18

Economic Environment

(0 = best, 30 = worst)
17
