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Freedom of the Press 2013 - Kosovo

While Kosovo's constitution and legal framework provide for freedom of expression and freedom of the press, the media environment continues to be affected by political interference, corruption, and financial pressure. A weak judiciary that is not considered to be fully independent and an underdeveloped civil society present further obstacles to media freedom. Defamation remained an offense in the provisional criminal code in 2012, though the penalties did not include imprisonment and journalists have been infrequently targeted for prosecution. A draft criminal code, initially passed in April 2012, would have held journalists liable for defamation and other offenses "committed through the publication of information" in any medium and for refusing to reveal their sources. In May, President Atifete Jahjaga rejected the bill, sending it back to the Assembly for revisions, but lawmakers adopted it without changes on June 22. Immediately after the vote, Justice Minister Hajredin Kuçi announced his resignation in protest. The resignation, however, was not accepted by the prime minister, and the contested articles were ultimately deleted from the criminal code in October. The new code, which apparently did not include defamation as a criminal offense after the deletions, was set to take effect in 2013. There is a law on access to information, but journalists report that they are often denied access to public sources in practice.

The media are governed by two independent 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 freedom of speech. While the IMC is considered to be largely independent, it does not enjoy full financial autonomy. The public broadcaster, Radio Television of Kosovo (RTK), also 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 and allowed RTK to receive 0.7 percent of the state budget—close to €9 million (\$11.6 million) a year—and establish a second channel in the Serbian language. While the changes were welcomed by the international community, especially the European Union, the establishment of the second channel was criticized by several Serbian journalists. They claimed that the law placed decisions regarding the channel's leadership and finances in the hands of the ethnic Albanian majority.

Political interference, direct and indirect, is a concern for both the public and private media. In 2012, the Association of Professional Journalists of Kosovo (APJK) reported 24 instances of government officials, business interests, or media owners abusing 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 accused of being traitors or Serbian sympathizers. Editors frequently bar their reporters from publishing or broadcasting stories that are critical of the government or particular officials due to the outlets' connections to, or preferences for, certain leaders. 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 blocked from accessing public information.

Although there were no fatal crimes against journalists in 2012, a number of media personnel were threatened and beaten. It remains difficult for both Kosovo-based and Serbia-based media outlets to report in contested border areas, particularly in periods of heightened tension and violence. In January, a Kosovo freelance photojournalist was allegedly struck by the police while covering clashes between the police and demonstrators near the Merdare border crossing into Serbia. The municipal authorities filed charges against a police officer in June, but the case had not been prosecuted by year's end. In March, several journalists from the Pristina-based daily *Express* began receiving threats via telephone after the paper published an article on fuel quality and distribution. Also that month, the television crew of *Justice in Kosovo*, a program dealing with corruption and other legal topics, were allegedly threatened by the mayor of Prizren while trying to get an official statement from him regarding irregular financing of political parties and the apparent misuse of public tenders. In September, the APJK released a statement condemning threats against Adem Meta, a journalist working for the Kosovo daily *Koha Ditore*. Meta and his family had allegedly been threatened several times by Skënderaj (Srbica) mayor Sami Lushtaku. In December, an employee of *Kosovo 2.0* magazine was beaten when a group of 30 protesters entered and damaged property in the building where the magazine was planning to hold a launch party for its latest issue, which focused on the LGBT (lesbian, gay, bisexual, and transgender) community. One person was arrested in connection with the incident, but police released him later that evening.

Kosovo has a large number of media outlets, both in Pristina and in other parts of the country. There are around 10 daily newspapers, approximately 90 radio stations, and 22 television stations. Newspaper readership is low, with about 35,000 copies sold daily. There are three television broadcasters with national reach. Television remains overwhelmingly the top source of information. About 21 percent of the population accessed the internet during 2012, according to Internet World Stats. Ownership structures, particularly for print media, remain unclear. Kosovo lacks a strong and 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. Indirect economic pressure is hard 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 recent past. Journalists have few professional rights, earn low wages, and often work without contracts, leaving them vulnerable to corruption and prone to self-censorship.

2013 Scores

Press Status

Partly Free

Press Freedom Score

49

Legal Environment

14

Political Environment

18

Economic Environment

17