

Kosovo

INTRODUCTION

At end of the war, a major concern in Kosovo was the lack of media outlets and an appropriate environment for their development. Extensive funding from donor governments has created an environment that on the surface diminishes the concern for the existence of independent outlets. During the past three years, an extensive number of licenses were issued: three province-wide television licenses (one public, two private), 34 local television licenses, more than 80 radio stations (including four province-wide: two public and two private), and seven daily newspapers. The terrestrial broadcast network, virtually non-operational after the war, has been rebuilt and restructured under an independent entity, the Kosovo Terrestrial Transmission Network (KTTN), with the help of the United States Agency for International Development (USAID) and the Japanese government. KTTN today covers more than 75 percent of the territory.

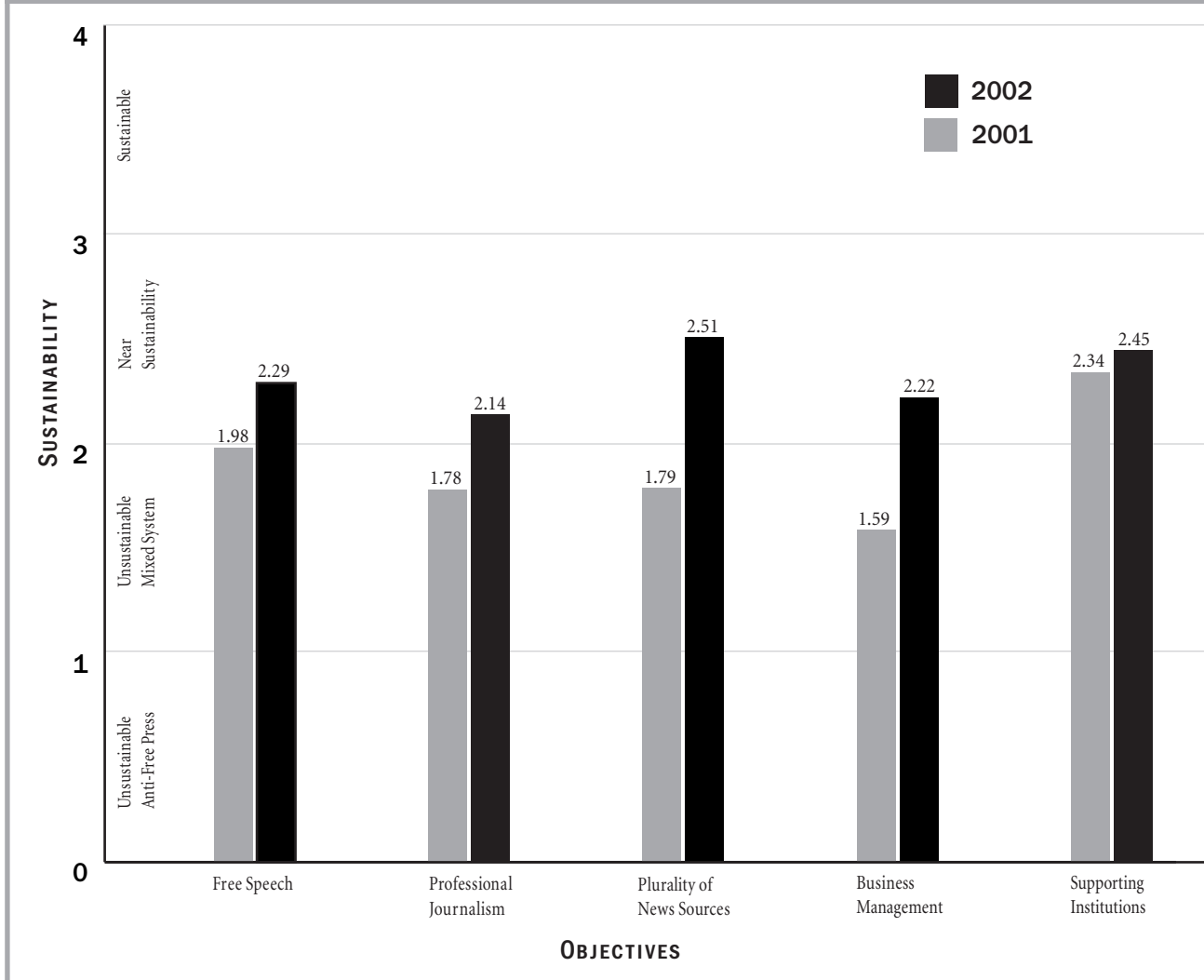
The United Nations Mission in Kosovo (UNMIK) continues to be the head administrative body for Kosovo, and the Organization for Security and Cooperation in Europe (OSCE), through the Temporary Media Commissioner's Office, still manages media licensing and regulation for it. As part of its mission, OSCE also took responsibility for transforming the existing public media outlet, Radio-Television Kosovo (formerly known as Radio-Television Prishtina). This transformation process is continuing, and no long-term operational strategy, or firm mission statement, has been defined yet. However, there is a legal framework that sets the issue of its independence and governance. This has been a particularly sensitive issue in the media community because it directly relates to the operational effectiveness of private media outlets.

Freedom of speech, generally speaking, is not a major concern today. The penetration of media outlets, foreign and domestic, has created a constant source of programming representing various viewpoints that cover the whole spectrum of Kosovar opinion, relative to the recent past. Yet, the lack of certain laws and the mechanisms for enforcing existing ones does hamper the effort of creating an appropriate media environment.

The number of existing licenses, although issued with the idea of impartiality and fairness, has reached saturation levels to the point where it has become virtually impossible for many media outlets to

The fact that media outlets are not financially viable also hampers objectivity and fairness. They must receive funding from different sources to survive. This automatically makes the outlet very vulnerable.

KOSOVO-MEDIA SUSTAINABILITY INDEX



OBJECTIVE SCORING

The averages of all the indicators are averaged to obtain a single, overall score for each objective. Objective scores are averaged to provide an overall score for the country. IREX interprets the overall scores as follows:

3 and above: Sustainable and free independent media

2-3: Independent media approaching sustainability

1-2: Significant progress remains to be made; society or government is not fully supportive

0-1: Country meets few indicators; government and society actively oppose change

INDICATOR SCORING

Each indicator is scored using the following system:

0 = Country does not meet indicator; government or social forces may actively oppose its implementation

1 = Country minimally meets aspects of the indicator; forces may not actively oppose its implementation, but business environment may not support it and government or profession do not fully and actively support change

2 = Country has begun to meet many aspects of the indicator, but progress may be too recent to judge or still dependent on current government or political forces

3 = Country meets most aspects of the indicator; implementation of the indicator has occurred over several years and/or through changes in government, indicating likely sustainability

4 = Country meets the aspects of the indicator; implementation has remained intact over multiple changes in government, economic fluctuations, changes in public opinion, and/or changing social conventions

become commercially viable in the near term. Most of them operate with help from various international non-governmental organizations (NGOs) and other organizations operating in Kosovo; other funds are made available from various interest groups whose views are represented by specific media outlets. Not only has this skewed media markets, but it also has a large impact on the quality of journalism and the professional standards prevalent in Kosovo's media environment. The number of media outlets is expected to dramatically decrease once market economics become the decisive factor for an outlet's survival.

OBJECTIVE 1: FREE SPEECH

Kosovo Objective Score: 2.29/4.0—The provisional institutions of Kosovo have established various regulations necessary to provide a healthy legal framework for the development of an appropriate media environment. However, the predominant opinion is that more needs to be done to ensure future certainty relating to the basic right of free speech and accessibility of public information. A number of major factors create

Legal and social norms protect and promote free speech and access to public information.	
Free Speech Indicators	Legal/social protections of free speech exist and are enforced.
	Licensing of broadcast media is fair, competitive, and apolitical.
	Market entry and tax structure for media are fair and comparable to other industries.
	Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
	State or public media do not receive preferential legal treatment, and law guarantees editorial independence.
	Libel is a civil law issue; public officials are held to higher standards, and the offended party must prove falsity and malice.
	Public information is easily accessible; right of access to information is equally enforced for all media and journalists.
	Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
	Entry into the journalism profession is free, and government imposes no licensing, restrictions, or special rights for journalists.

uncertainty regarding the acceptance of these freedoms by future Kosovar bodies.

Kosovo's undefined permanent status has created a situation where the country's applicable law is based on Yugoslav laws, complemented by various UNMIK regulations. Most of the laws governing media regulations in Kosovo currently are not based on acceptable social norms; rather, they are derived from UNMIK, the country's administrative body. Frequently, UNMIK regulations 2000/4 and 2000/37 are regarded as not on par with Western democratic standards.

The general opinion among journalists is that crimes against them are not investigated thoroughly. Cases of violence against journalists are not followed up in an appropriate manner by UNMIK or OSCE and are not treated seriously.

The Temporary Media Commissioner (TMC), an agency created by the OSCE, continues to oversee the media regulatory process. The Independent Media Commission (IMC), planned to have significant Kosovar representation, is supposed to inherit the authority of the TMC. Its establishment is not yet completed, however, and much reservation has been expressed regarding its independence. Media outlets have requested they be consulted about the makeup of the body.

Existing laws are relatively liberal with regard to the establishment of media outlets. The licensing process is generally regarded as fair, and market entry is comparable with other industries. The current applicable laws and regulations are, technically, up to the norms of European standards. But, their enforcement is an issue of concern. Journalists have often complained about being hampered in performing their jobs. Many have been—and continue to be—physically threatened or attacked. According to a December 2001 survey by OSCE, 78 percent of journalists do not feel free to conduct investigative journalism, 20 percent were explicitly threatened, and 9 percent said the threat entailed interference from the authorities; 7 percent were victims of physical attacks.

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up in an appropriate manner by UNMIK or OSCE and are not treated seriously. To this end, many journalists feel that they cannot perform as expected. They suspect social norms forbid them from dealing with controversial topics essential to society.

From a legal perspective, all media receive equal treatment. Independent media outlets sometimes raise issue with the fact that authorities give preference to public media when providing certain information, or when allowing their presence at certain events or in certain places. Legally, however, no public media outlet receives any preference over independent ones.

The concern with libel is covered by the applicable laws, which approach the issue under the criminal law. But libel can then be adjudicated from a civil law perspective. However, no civil law exists to deal with libel. Firm opinions for the existence of a civil defamation law prevail in Kosovo's media industry.

Journalists frequently complain about the lack of cooperation from provisional authorities, local as well as international. As the cited survey shows, a disturbing percentage of journalists report interference from the authorities. The situation can only worsen without the establishment of laws/regulations guaranteeing access to public information (Freedom of Information Act) applicable to national and international authorities.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Kosovo Objective Score: 2.14/4.0—Journalism in the modern sense is a very young profession in Kosovo. Professional journalists have only been present in the country since the war ended in 1999. Traces of “old thinking” remain in almost every article, news program, and the like. Some outlets firmly side with certain opinions; they risk appearing unprofessional in order to support and promote a certain viewpoint. However, fair reporting is quite visible in the work of some outlets that attempt to be objective and professional. Therefore, the Media Sustainability Index (MSI) panel believes that fairness and objectivity can be measured within an outlet; however, it is still too early to measure this relative to Western standards due to the uncertainty of the prevailing situation.

The fact that media outlets are not financially viable also hampers objectivity and fairness. They must receive funding from different sources to survive. This automatically makes the outlet very vulnerable. Certain outlets attempt to cover major events and

Journalism meets professional standards of quality.	
Professional Journalism Indicators	Reporting is fair, objective, and well sourced.
	Journalists follow recognized and accepted ethical standards.
	Journalists and editors do not practice self-censorship.
	Journalists cover key events and issues.
	Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
	Entertainment programming does not eclipse news and information programming.
	Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
	Quality niche reporting and programming exists (investigative, economics/business, local, political).

key issues. In general, however, a number of issues go unnoticed.

Although a journalist's income is about double the national average, the MSI panel does not believe that it is sufficient to discourage corruption. The barriers to entry into journalism are very low. This relative ease of entry into the profession directly leads to lower standards, especially if an outlet is not appropriately managed.

The panel cites quality journalism training as an important factor in developing professional journalists. However, the panel believes that no such permanent programs exist, and private efforts to create them find mixed success.

Although various Kosovar and international organizations have put much effort into journalism training during the past three years, journalists remain poorly trained. Kosovar journalists only now under-

stand the concept of professional standards and quality reporting. Media outlets have received much support and are better than they were three years ago, but much remains to be done.

The panel cites quality journalism training as an important factor in developing professional journalists. However, the panel believes that no such permanent programs exist, and private efforts to create them find mixed success. Therefore, more time will be needed before Kosovo can expect journalism that meets the quality standards of Western countries. The panel also cited the relative success stories of Albanian media. Until recently, leading outlets catered to certain interests, but these outlets are now far behind the more objective, market-oriented, and independent outlets.

Technical facilities are much better than they were three years ago and are steadily improving. News gathering and distribution are certainly better than in the recent past. However, much remains to be invested in technology in order to achieve modern standards of news gathering and distribution.

Issues previously cited concern the availability of niche reporting and programming. Programming schedules are mostly saturated with entertainment programming, which frequently eclipses news programming. Niche programming is very limited. The panel believes that specialized niche reporting requires reporters with an understanding of the issues they cover, and this is currently lacking in Kosovo.

OBJECTIVE 3: PLURALITY OF NEWS SOURCES

Kosovo Objective Score: 2.51/4.0—A wide array of news sources exists in Kosovo. There are three national television broadcasters, more than 20 regional television stations, more than 80 radio stations, seven newspapers, and numerous periodicals. However, quality and the financial viability of these outlets are questionable. It is widely expected that once donor funding is reduced, many of these media outlets will go out of business.

According to the most recent available data, RTK is the television station most people watch, *Koha Ditore* is the daily newspaper most people read, and Radio Dukagjini is the radio station most people listen to. RTV-21 and KTV, private stations, attract a sizable audience and compete with RTK for the province-wide television audience. Audience research is not provided regularly, not usually accepted by all outlets, and very commonly unreliable.

Multiple news sources provide citizens with reliable and objective news.

Plurality of News Sources Indicators

A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.

Citizens' access to domestic or international media is not restricted.

State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.

Independent news agencies gather and distribute news for print and broadcast media.

Independent broadcast media produce their own news programs.

Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.

A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

Due to the penetration of satellite dishes, many international news sources are available to the Kosovo audience. Satellite dishes are very common in houses and apartment buildings. Young people with foreign-language skills frequently watch international shows. According to the panel, accessibility of news sources, international or domestic, is not an issue in major cities. The penetration rate of satellite dishes is not as high as in the rural areas. Quality is another issue regarding domestic sources. In addition to satellite-based programming, many foreign public and government outlets broadcast to Kosovo residents in the local languages. For example, VOA broadcasts its daily television news in Albanian. Deutsche Welle and the British Broadcasting Corporation (BBC) also broadcast regularly in Albanian.

News sources are also available through the Internet. The major Kosovar outlets have websites on which they provide information, but they have not been able to use the Internet as meaningful programming outlets. On the other hand, Internet penetration rates remain low because of the high cost of computers, the high cost of access, and the limited coverage area. However, Internet cafés are numerous in the major towns.

There are three news agencies: Kosovalive, Kosovapress, and the Kosova Information Center.

However, the MSI panel hesitates to give the independent mark to anyone but Kosovalive, which constantly struggles to survive financially. The news these agencies collect does not usually provide much added value because they operate with limited resources.

Media ownership is a very sensitive issue. Although the owners of the major outlets are considered to be known, transparency is virtually nonexistent.

News production correlates strongly with the availability of resources. Public broadcaster RTK has the most resources because of generous donor funding of plant, equipment, and operating costs. RTK provides more original news programming than either independent outlet. However, the amount of news programming originally produced is far below Western outlets.

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Programming is available in all local languages. Serbian programming is available in some regional stations, while RTK (the public broadcaster) is required to allocate a certain amount of time to programming in minority languages. The MSI panel accepted the notion that all spectra of interest and opinions receive media coverage.

OBJECTIVE 4: BUSINESS MANAGEMENT

Kosovo Objective Score: 2.22/4.0—Media in Kosovo are still not managed properly as profit-generating businesses, and remain mostly donor-funded. Newspapers are in a better financial state than electronic media. This is due to the nature of the market, since newspapers have more loyal consumers than other media and a steady stream of income from copy sales. Although newspapers cost only 30 euro cents, few people buy more than one.

A major issue is that media organizations continue to be managed by journalists with little or no background in management. Sales and marketing teams are very small. Advertising revenue is generally thought to cover not even 50 percent of the budget, but the data are not readily available in any consistent manner. Donors provide equipment, operational assistance, and management training. The MSI panel is of the opinion, however, that none of the media out-

Independent media are well-managed businesses, allowing editorial independence.	
Business Management Indicators	Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses.
	Media receive revenue from a multitude of sources.
	Advertising agencies and related industries support an advertising market.
	Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets.
	Independent media do not receive government subsidies.
	Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences.
	Broadcast ratings and circulation figures are reliably and independently produced.

lets are able to survive on their own or able to achieve financial sustainability in the near future.

Limited marketing revenue is also a result of the market's saturation level. The large number of media outlets results in a lower price for commercial air-time—and, consequently, lower revenue for the media outlets. Revenue sources for media organizations are limited to donors, with small amounts from advertising. Other sources are irrelevant.

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The Kosovo advertising market is small and incoherent. There is basically no structure in the advertising market, and no meaningful research is available. This directly leads to poor programming and low ratings; therefore, advertising revenue is small. The MSI panel believes that media organizations and advertising agencies must define their common interest in establishing acceptable industry-wide research if they are to provide a certain structure to the advertising market. So far, all major television organizations have expressed their willingness to contribute to and support the effort. The International Research & Exchanges Board (IREX) is also providing support.

The MSI panel cites the example of the advertising market in Albania, where appropriate marketing efforts have increased the advertising revenues of media organizations. The total economic output of the country is not much larger than Kosovo's; in fact, per-person consumption is much larger in Kosovo than in Albania. However, the advertising market is much larger in Albania than in Kosovo.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Kosovo Objective Score: 2.45/4.0—Independent associations were only recently established in Kosovo. The concept of such organizations was nonexistent before 1999. Therefore, it is not surprising that there are very few meaningful organizations in the country. The Association of Independent Media of Kosova (AMPEK) is a new broadcast association that has recently become more active and has hired its first executive director. Its mission is to represent the interests of independent broadcast owners and management by lobbying for media legislation that supports independent media. AMPEK also provides training to member outlets.

An association claiming to represent journalists was established during the past three years. However, the absence of meaningful organizations and activities has led to its demise. It became active only when prompted by donors, and it never blossomed. The Association of Professional Journalists of Kosova, a new organization supported by IREX in September 2002, is expected to have its first congress early in January 2003.

NGOs supporting free speech under the Milosevic regime were nonexistent. NGOs, in general, were forbidden to be fully active in the former Yugoslavia. Today, a large number of Kosovar and international organizations work to support and develop a meaningful media environment in Kosovo and to promote free speech. The OSCE is heavily involved in the process of

Supporting institutions function in the professional interests of independent media.	
Supporting Institutions Indicators	Trade associations represent the interests of private media owners and provide member services.
	Professional associations work to protect journalists' rights.
	NGOs support free speech and independent media.
	Quality journalism degree programs that provide substantial practical experience exist.
	Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
	Sources of newsprint and printing facilities are private, apolitical, and unrestricted.
	Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.

developing a sustainable media environment. However, as with the broadcast and journalists association, no NGOs have established themselves as clear representatives of the free-speech lobby.

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There is currently no journalism program at the University of Prishtina. An American University of Kosovo is expected to begin work in September 2003 and is expected to include a journalism program as part of its undergraduate curriculum. The OSCE is also attempting to help begin a graduate program of journalism, but interest among donors has been minimal. The MSI panel believes that what is needed is journalism training at an elementary level, plus reform of the educational system. Students from the current public school system are not up to the standards required for modern journalism. A private journalism school is functioning in Prishtina, but it remains too early to judge its success or its sustainability.

Short-term training for journalists from various organizations has been provided continuously in Kosovo. However, this training focuses on polishing the skills of current journalists and is usually too short to have any sufficient impact. Training has covered such topics as using a computer, searching the Internet, niche reporting, and producing television stories.

Printing facilities are mostly in private hands, recently established, and profit-seeking. They are therefore apolitical, but not necessarily efficient. On the other hand, newspaper distribution is a concern: there is only one national distribution company, Rilindja, the remaining organization from the pre-1989 public organization with the same name. Panelists experienced in dealing with Rilindja claim unprofessional and substandard service. *Koha Ditore* has created its own distribution network throughout the country, at a high price.

Although there are three national television stations, distribution of news for electronic media remains problematic. The KTTN tower network covers only about 75 percent of Kosovo. The Internet is not available everywhere, although in the urban areas there is relatively easy access via Internet cafés and private computers.

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