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KOSOVO

Three different people occupied Kosovo's presidency in 2011. In January the speaker of parliament, Jakup Krasniqi, served as acting president after the resignation of Fatmir Sejdiu in September 2010. In February Behxhet Pacolli was elected, but almost half of the members of parliament contested his candidacy. A strong media reaction followed, with particularly scathing criticism from the print media. One month later, the Constitutional Court ruled the election unconstitutional because not enough members of the opposition were present in parliament the day of the vote. Pacolli offered his resignation. In April the coalition parties and an opposition party found consensus to appoint a nonpolitical figure president, and Atifete Jahjaga, formerly the deputy director of the Kosovo police, became Kosovo's first female president.

The Prishtina-Belgrade technical dialogue—the first negotiations between the two countries since Kosovo declared independence in 2008—soon replaced the political saga involving presidents and stole most of the media headlines in 2011. The European Commission pressed for the dialogue, considered desperately necessary for Serbia's EU candidacy, but Kosovo's opposition criticized the process heavily. Eventually, EU officials mediated a set of meetings in Brussels, and a number of agreements were signed between the two parties. But as 2011 came to a close, no concrete results were evident.

In August the government made the difficult decision to send special police troops to the northern part of Kosovo, which is inhabited mainly by Kosovo Serbs, to get two customs points in the North under control and to enforce the rule of law in the territory. Serbian parallel institutions have existed for many years in North Kosovo, where the authority of Kosovo institutions has been rejected, and there has been no judicial or police presence. A Kosovo police officer was killed when Serbs responded violently by burning the customs point and setting up blockades. The panelists underscored the media's crucial role in reporting the events and preventing further escalation of the conflict. In their view, media reporting was very fair.

Two important laws related to the media unexpectedly did not pass in 2011: the Law on the Independent Media Commission (Kosovo's broadcast regulatory agency) and the Law on Public Broadcasting. The public broadcasting bill failed to properly regulate some pressing issues, such as public-television financing. International institutions and civil-society organizations, including the Association of the Independent Electronic Media, opposed the content of these bills, and eventually the bills were withdrawn for further revisions.

The panelists concurred that the media sector did not improve significantly from last year. In fact, Kosovo's overall MSI score declined moderately from 2.54 last year to 2.34 this year. Although there are legal and social protections of free speech, more than 30 cases of assaults, threats, and intimidation against journalists were reported. Professional standards of journalism also slipped this year, and business management continues to be a particularly weak area, drawing its second-lowest score since 2001. The only improvement from last year is the strengthening of media-support institutions.

# KOSOVO AT A GLANCE

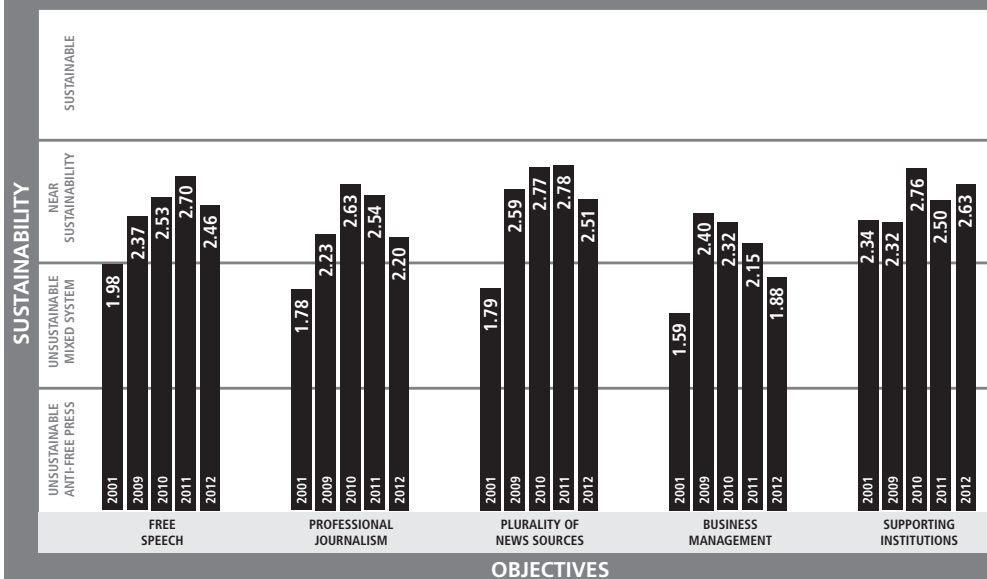
## GENERAL

- > **Population:** 1,836,529 (July 2011 est., *CIA World Factbook*)
- > **Capital city:** Prishtina
- > **Ethnic groups (% of population):** Albanians 92%, other (Serb, Bosniak, Gorani, Roma, Turk, Ashkali, Egyptian) 5% (*CIA World Factbook*)
- > **Religion:** Muslim, Serbian Orthodox, Roman Catholic (*CIA World Factbook*)
- > **Languages:** Albanian (official), Serbian (official), Bosnian, Turkish, Roma (*CIA World Factbook*)
- > **GNI (2010-Atlas):** 5.981 billion (World Bank Development Indicators, 2011)
- > **GNI per capita (2010-Atlas):** \$3,300 (World Bank Development Indicators, 2011)
- > **Literacy rate:** 91.9% (male 96.6%, female 87.5%) (2007 Census, *CIA World Factbook*)
- > **President or top authority:** President Atifete Jahjaga (since April 7, 2011)

## MEDIA-SPECIFIC

- > **Number of print outlets, radio stations, television stations:** Print: 9 daily newspapers; Radio Stations: 92; Television Stations: 22 (Independent Media Commission, 2009)
- > **Newspaper circulation statistics:** *Koha Ditore* is the leading newspaper, followed by *Kosova Sot* (Index Kosova, July 2009)
- > **Broadcast ratings:** RTK 52%, KTV 28%, RTV21 49%; Radio Dukagjini 8%, Radio Kosova 5%, Radio 21 2% (Index Kosova, 2009)
- > **Annual advertising revenue in the media sector:** N/A
- > **News agencies:** Kosova Live, Kosova Press
- > **Internet usage:** 53% of households have Internet access (INDEX Kosova, 2009)

## MEDIA SUSTAINABILITY INDEX: KOSOVO



Scores for all years may be found online at [http://www.irex.org/system/files/EE\\_msiscorers.xls](http://www.irex.org/system/files/EE_msiscorers.xls)

### Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

### Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

### Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

### Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

## OBJECTIVE 1: FREEDOM OF SPEECH

### Kosovo Objective Score: 2.46

Freedom-of-speech scores slipped from 2.70 last year to 2.46—the lowest score for objective 1 since 2009. With the exception of indicator 6 (libel), which received a slightly higher score compared with last year, the rest of the indicators fell. Indicator 8 (media access to domestic and international news sources) and indicator 9 (free entry into the journalism profession) both received the highest scores in objective 1, each scoring roughly a point higher than the objective score. Indicator 5 (legal guarantees of editorial independence for public media) scores declined as well, and the indicator finished slightly more than half a point behind the objective score. All other indicators scored close to the objective score.

Both the constitution of Kosovo and additional media legislation are harmonized with standards for international human rights and freedom of expression. The panelists agreed that in general, the legal environment is satisfactory, with guaranteed free speech and a set of media laws that regulate and promote the freedom of speech. The implementation of the law, however, leaves room for improvement, especially with regard to the confidentiality of sources. Ardita Zejnullahu, the executive director of the

#### LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

##### FREE-SPEECH INDICATORS:

- > Legal and social protections of free speech exist and are enforced.
- > Licensing or registration of media protects a public interest and is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against media professionals, citizen reporters, and media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > The law protects the editorial independence of state of public media.
- > Libel is a civil law issue; public officials are held to higher standards, and offended parties must prove falsity and malice.
- > Public information is easily available; right of access to information is equally enforced for all media, journalists, and citizens.
- > Media outlets' access to and use of local and international news and news sources is not restricted by law.
- > Entry into the journalism profession is free and government imposes no licensing, restrictions, or special rights for journalists.

*“One of my journalists received death threats a few times from a businessman, who was eventually found guilty and was fined only €300. With such light punishments we cannot prevent crimes against journalists,” said Ispahiu.*

Association of the Independent Electronic Media of Kosovo, said that although the law respects the confidentiality of sources, in practice journalists must automatically reveal the source when a prosecutor demands it.

The Independent Media Commission (IMC) is the body tasked with licensing electronic media. Under the law, civil society nominates IMC officials, and the parliament endorses the candidates. For some years now, there have been no available terrestrial frequencies for new television or radio stations, and digitalization of electronic media is not yet under way in Kosovo. In recent years, the IMC has been providing licenses for cable operators. The panelists say the IMC has failed to regulate the cable market, by issuing licenses without any serious criteria, which led to a significant growth of content providers—mostly foreign.

Zejnullahu said the IMC has never conducted research to determine the exact population of a particular region, how many electronic media should exist in that region, and if there is fair competition among the media. “The IMC’s job is to provide licenses for electronic media and to monitor them, but it has not functioned properly for more than a year,” said Goran Avramovic, from Radio Kim. Currently, there are only three television stations in Kosovo that have nationwide frequencies: Radio Television of Kosovo (RTK), KTV, and TV21. Rrahman Pacarizi, chair of the board of directors at RTK, points to the IMC’s renewal of the operating licenses of these three stations for another 10 years as further evidence that it is failing to develop competitive policies. “In this way, the IMC has monopolized the market, and no new television station can enter the market,” said Pacarizi. The panelists also noted that for more than a year, the IMC has essentially been without a functioning Council—its decision-making body—after the mandate of some of its members expired.

Apart from the licensing and registration process, there are no requirements for media organizations to register as a business. Indeed, no national or local radio/television station has been licensed since 2005 due to the lack of frequencies. The only exception has been the registration of a few cable operators and print media, for which the law does not require a media organization to post capital to a greater

*During 2011 two ministers publicly declared that they will not give any comments to Zeri for at least a year, as revenge for allegedly incorrect reporting.*

degree than other businesses. Similarly, media outlets are obliged to pay the same taxes as other private businesses. Electronic media, believing that media organizations should have lower taxes than private businesses, have repeatedly asked for tax breaks, and the panelists wish that the government would consider their request.

Far more journalists were assaulted in the past year. Although there were no fatal crimes against journalists, a number of journalists and photographers were threatened, physically confronted, and beaten. A journalist working for Albanian TV Klan was beaten, and his camera broken, by a Serb mob in the northern part of Kosovo. Another journalist and his cameraman were badly beaten by firefighters as they were filming a fire in a cemetery in Vushtria. Another photographer, from *Zeri*, was dragged by her hair out of the Kosovo Assembly by the information officer of the Assembly, preventing her from taking close-ups during the inauguration of Kosovo's new president. The information officer later tried to justify his brutal intervention by saying that the reporter had moved from the journalists' area within the parliament.

The panelists fear that apart from public statements denouncing attacks on journalists that come from media associations, crimes against journalists do not cause much public outcry. They expressed concern that attacks against journalists in Kosovo are becoming normal to the public. Threats against investigative reporters, mostly coming from business representatives, are frequent. The panelists say that such crimes are prosecuted, but the fines are too symbolic. Faik Ispahiu, from Balkan Investigative Reporting Network (BIRN), explained how the maltreatment of journalists is becoming normal in Kosovo. "One of my journalists received death threats a few times from a businessman, who was eventually found guilty and was fined only €300. With such light punishments we cannot prevent crimes against journalists," said Ispahiu.

Financing of the Radio Television of Kosovo (RTK) is still problematic; no adequate solution has been found. This year the government attempted to pass a new law on the public broadcaster, which aimed to regulate the financing of the public television and to create a second public television channel in the Serbian language. The bill generated enormous debate and was highly criticized by civil-society organizations, like GAP Institute and BIRN, which suggested

that a citizen's subscription fee should replace direct state funding as soon as possible. The bill says that public television will be funded directly from the state budget for the next three years until a new form of subscription is found. Kosovo has one public broadcaster, composed of one television channel and two radio channels. Pacarizi admits that there is political pressure from all political parties with regard to the appointment of the managerial staff of the public media, but not to the level that citizens assume. Although the law protects editorial independence, the fact that RTK has been primarily financed from the state budget in the past two years and that there is an initiative from the government to continue state funding for the next three years will jeopardize the editorial independence of RTK, the panelists fear. There is no media law that explicitly favors public media over private media; on the contrary, public television allows other private media to borrow certain important programs.

A very disturbing prospect for the media is the government's newly introduced draft of the penal code. The panelists feel that if the bill is passed next year, it will seriously threaten the freedom of the press—particularly articles 37 and 38. Article 37 speaks about the responsibility of editors-in-chief, publishers, and printing firms, maintaining that "the author of the information will be penalized if a penal act is committed based on the information published in newspapers or aired on television..." According to article 38, the court may ask a journalist to give up the confidentiality of sources. This article aims to threaten both the journalist and the information source—often someone from inside public institutions. On the other hand, one progressive aspect of the new penal code is that it does not include libel for journalists.

The panelists said that contrary to the repressive features of the penal code, it should protect the journalism profession. Arbana Xharra, the editor of *Zeri*, said that some media professionals are planning a campaign to modify the penal code, which they believe should also cover attacks on journalists. "Today if something happens to a journalist, even while on duty, he/she is not treated as a journalist but as a lay citizen. There are no specific departments at police stations or in courts that deal specifically with assaults on journalists," Xharra said. This is why it is very hard to determine the exact number of journalists assaulted or threatened during a year, because no department tracks this information. The panelists agreed that this year, there have been a lot of crimes committed against journalists, but the extent of unreported cases is unknown.

Access to public information, in many cases, turns to be a difficult task for journalists in Kosovo. Although a new Law on Access to Public Documents came into force last year, shortening the waiting period for a response from 15

working days to seven calendar days, there are cases when public institutions try to avoid access to public information by referring to the old law (and sometimes to the new). In many cases, journalists have to count on an inside source to obtain a public document or get some important information. During 2011 two ministers publicly declared that they will not give any comments to *Zeri* for at least a year, as revenge for allegedly incorrect reporting. The Association of Professional Journalists of Kosovo called this “an irresponsible act from a government official that damages media freedom.”

There is no restriction whatsoever placed on the media by government when it comes to accessing and using any news and news sources. There is no restriction to Internet access, either; it is widely used as a news source by both journalists and editors.

Despite the challenges journalists face on the job, entry into the journalism profession is free, and the government imposes no licensing or other restrictions on journalists.

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

### Kosovo Objective Score: 2.20

The overall score for professional journalism slightly declined compared with last year, reaching almost the same level of the 2004 score. This indicates that journalism in Kosovo lacks professional commitment. Indicator 7 (modern facilities and equipment) received the highest score, remaining more or less unchanged compared with last year, and exceeded the objective score by nearly a full point. Most other indicators

#### 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 and retain qualified personnel within the media profession.
- > 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 exist (investigative, economics/business, local, political).

*“I haven’t heard of a case when a local media outlet has investigated or reported on a scandal,” said Ispahiu. Xharra said also that local media are under more pressure, and are more discouraged, since they operate in a smaller territory.*

lost ground. Indicator 3 (practice of self-censorship) lagged behind the objective score by the widest margin, slightly more than half a point.

As in the previous MSI studies, for panelists the weakest part of the overall media sector in Kosovo is the lack of professional journalists. With regard to the consultation of a variety of sources, or conducting necessary background research, the overall situation is not very good. There are good professional journalists, but professional standards are generally very low and not improving. Technical experts are usually consulted on stories, but the problem is that some journalists establish good contacts with experts and offer them space to comment on various issues, even beyond their field of expertise. For Goven Avramovic, editor-in-chief of a Serbian outlet, the quality of journalism in a country is reflected by its quality of living standards.

Ethical violations, such as accepting payments and gifts by media professionals in exchange for certain types of coverage, are not uncommon in Kosovo. Xharra said there are a number of journalists who are very close to some political parties. These journalists have a fairly high standard of living, despite receiving very modest salaries, she remarked. The panelists acknowledge a number of cases when journalists have accepted jobs in the very public institutions that they have been covering and criticizing for a long time, thus shifting from critics to spokespersons. The reason for doing this could be a lack of determination for the journalism profession and a desire for higher salaries.

The two journalists’ associations that exist, the Association of Professional Journalists of Kosovo and the Union of Kosovo Journalists, are not known for developing and imposing ethical standards. The observation of ethical standards varies according to the editorial policies and the financial security of media outlets.

Another ethical problem the panelists raised is the failure of web news portals to respect conventions on plagiarism. Blogging and citizen reporting are not very common in Kosovo, but web news portals are increasing and becoming more attractive, as the number of Internet users has rapidly increased in recent years. Some news portals are run by just

a couple of people, who copy and paste online news from other sources, violating citation standards severely, noted Pacarizi. The panelists propose that online news portals should be regarded as electronic media and fall under the supervision of the IMC.

The lack of strong editorial policies is responsible, in most cases, for the increase in self-censorship. Pacarizi said that when pressure comes from public and private companies, some media choose to stifle unflattering news in exchange for their ads and commercials. Self-censorship is very common in local electronic media. "I haven't heard of a case when a local media outlet has investigated or reported on a scandal," said Isphiu. Xharra said also that local media are under more pressure, and are more discouraged, since they operate in a smaller territory. Mifal Bytyqi, the director of a local television station, added that journalists in local media are concerned about their personal safety and must think twice about whether it is worth the risk involved in covering certain stories. Overall, self-censorship is pervasive in Kosovo, because of the media's unstable financial situation, the malfunctioning of the judicial system, and the tendency of political and business entities to have control over the media.

Still, the presence of local, national, and international media in Kosovo makes reporting on all key events possible. Covering the riots in the northern part of Kosovo was one very challenging assignment for Kosovo media. Still, the panelists praised Kosovo media's reporting on the barricades, the burning of a customs point, and street protests carried out by Kosovo Serbs in the north; they feel that the reporting was fair and objective despite the dangers to many reporters. Avramovic explained that even Radio Kim, a Serbian-language radio, had to be very careful when reporting from the north. "The mob broke our camera, and many Kosovo-Albanian journalists risked their lives reporting from there," said Avramovic.

There is a disparity in salary levels of public and private media; media professionals working for the public media receive higher salaries than their counterparts in private media. But, there is not much difference between entry-level salaries and those of experienced journalists. Bytyqi said that salaries for journalists in local media are very low, though, and differ extremely from salaries working in the public media. Television reporters receive €150 per month at local television stations, said Bytyqi. Overall, pay levels for journalists are not sufficiently high to discourage corruption, the panelists feel, but in general journalists are paid more or less equally to other professionals, such as teachers and civil servants, whose average salary is €350–€400.

In general, news and entertainment content is balanced at national television stations, but local television stations

generally air more entertainment programs, like music and movies, than news and information programming. Media in Kosovo generally use modern and efficient facilities and equipment for gathering, producing, and distributing news.

Quality niche reporting exists but is limited mainly to certain topics. For example, there are qualified journalists specializing in economics, education, and culture. Health issues are covered as well, such as the technical problems that the main hospital in Prishtina faces, the lack of basic medicine in public hospitals, the operation of private clinics, etc. Still, there are almost no journalists specializing in this field or other uncommon fields, like technology and science.

### OBJECTIVE 3: PLURALITY OF NEWS

#### Kosovo Objective Score: 2.51

Relatively high scores for objective 3 show that Kosovo citizens continue to have access to multiple news sources, and they enjoy free access to domestic and international media. Most of the indicators scored within half a point of the objective score. However, the panelists gave their lowest scores to indicator 3 (public media serve the public interest), but it stayed almost at the same level as last year: about a point lower than the objective score. This low score reflects panelists' concern over two consecutive years that the independence of the public media is not observed accordingly.

Overall, there is a plurality of news sources, allowing people to check and compare the objectivity of news. The variety of private news sources—in print, broadcast, and Internet news portals—gives citizens a choice.

While at first blogging appeared to be an attractive activity, it has declined slightly. Nowadays, citizens tend to prefer to give their comments in online news portals and through Facebook, rather than prepare journalistic articles for blogs. Audiences of social networks, such as YouTube and Facebook, are rising rapidly. Gentian Lluka, the owner and editor of Telegrafi, an online news portal, said that more than 60,000 visitors tune in to his website every day, and more than 30 percent of visitors flow from Facebook. Online media is becoming a very attractive news source, especially among youth.

SMS alerts have not been introduced as a channel to disseminate news yet, while citizen journalism consists mostly of sending pictures and reporting to the national media.

In terms of television, the number of cable operators is increasing, due to a good variety of channels in the package

and the somewhat affordable price. Cable networks cover nearly 65 percent of the territory.

That point raised another critique of the IMC's handling of cable licensing and controlling. A serious defect of the IMC is that it failed to make it mandatory for cable operators to carry all three national television stations, particularly public television, and all local television stations in their respective area, free of charge, Zejnullahu said. Even when a cable subscription ends, the signal for the public television station should stay, she said. All cable packages carry foreign channels, thus making the foreign media available to the public.

There is no restriction whatsoever from the government to any Internet feature of social networking, except that such services are not available in government offices.

Again this year, the panelists raised questions about the editorial independence of public television. Although there is no direct influence or direct government control, the fact that the public media are funded directly from the state budget generates a lot of doubts and concerns. Pacarizi said that RTK tends to offer a balanced amount of time toward covering the government and the opposition. "In terms of quantity, the situation is not bad, but in terms of reporting quality, there is still room for improvement," said Pacarizi. Other panelists agreed that the coverage of political parties in public television is generally fair; what should

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There are two news agencies that provide reports to other media outlets, Kosovalive and Kosovapress, which tend to be editorially independent and nondiscriminatory in terms of news distributions.

Private local radio and television stations produce their own news and information programming, but they also rely heavily on news agencies. Previously, an international organization covered local media subscription fees. Now that support has ended, and these stations pay a monthly subscription fee of around €150 to access news agencies—but local media consider the fee affordable. At any rate, Pacarizi said the widening access to the Internet is changing the role of news agencies, as they prefer to communicate directly with the public by serving the news in real time.

Transparency of media ownership depends on the type of media outlet. The panelists said that the ownership of print and electronic media is quite transparent, allowing the people to know who owns them. The problem is with the online news portals, whose ownership remains largely unknown. This is a consequence of the lack of regulation for online media, Lluka explained. Online media are also prone to plagiarism and spreading fabricated stories, the panelists said. It is difficult to take legal measures against them precisely because of the lack of information on ownership. The public does not have such basic information as who owns the portal, where it is based, and the identity of its journalists. This year, for example, one online news portal published a news story alleging that the prime minister was shot and critically wounded. Other portals rushed to cite the news, which turned to be false. Eventually, no legal measures were taken against that medium, which claimed that the news had been posted by a hacker.

#### MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE, OBJECTIVE NEWS.

##### PLURALITY OF NEWS SOURCES INDICATORS:

- > Plurality of public and private news sources (e.g., print, broadcast, Internet, mobile) exist and offer multiple viewpoints.
- > Citizens' access to domestic or international media is not restricted by law, economics, or other means.
- > State or public media reflect the views of the political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for media outlets.
- > Private media produce their own news.
- > Transparency of media ownership allows consumers to judge the 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
- > The media provide news coverage and information about local, national, and international issues.



*“In theory, advertising for the public television is restricted, but in practice it is not,” noted Zejnullahu.*

Minority-language media exist. There are community radio channels, as well as daily programs shown on public television. These are short television programs that provide brief news and music in minority languages. There are Serbian local television stations, but there is still no Serbian television or radio channel with a national frequency. There is no daily newspaper in Serbian, either. Minorities are guaranteed space on RTK, while the new law on the public broadcaster envisions the opening of a new television channel entirely in the Serbian language, as Serbs make up the largest minority group.

There are issues, such as religion, sexual orientation, and ethnicity, which bring out a certain degree of resistance in the media. Such resistance comes mainly from editorial managers. Ispahiu said that whenever such issues are debated on his show, there has been a strong reaction, sometimes uncontrolled, from the audience. Besides, it is hard to find people to debate on such topics, and some who have the courage to speak ask for identity protection, said Ispahiu.

Overall, there is sufficient news and information in the media about local, national, and international issues. Local television stations move along the formula of having 80 percent local news, 15 percent national news, and 5 percent international news during the news edition, said Bytyqi. National media provide almost the same composition of news coverage.

#### **OBJECTIVE 4: BUSINESS MANAGEMENT**

**Kosovo Objective Score: 1.88**

The panelists gave objective 4 the lowest score of all objectives. Indeed, objective 4 received the lowest score since the initial MSI study in 2001, indicating that media are not well-managed enterprises. All indicators scored within half a point of the objective score.

To a certain extent, some media outlets operate as efficient enterprises. Most of the larger outlets follow business plans that help them secure financing. Except for the most established media outlets, the rest have serious problems with regard to creating and following business plans, especially local television stations and newspapers with low circulation. Local television stations suffer from a lack of efficient business

planning, due to low incomes and heavy competition. Online media are still in an early stage of development.

Trained professionals to manage accounting, marketing, and human resources are usually found at the public media, as well as those with a high viewership and circulation, but not the vast majority of private outlets, especially local broadcast media.

A significant problem raised by the panelists is that most media outlets do not receive substantial revenue from multiple sources, which would prevent any influence over editorial policy. They mentioned the case of RTK, which does not have a guaranteed source of revenue. In 2010 and 2011, nearly 85 percent of their income came directly from the state budget. “The unsustainable financial situation has directly affected the quality of reporting, the dignity of the journalists, and the overall development of RTK,” said Ispahiu. Furthermore, as the transition deadline from analog to digital format approaches swiftly, RTK seems far from ready. The panelists do not see any serious commitment from the government in finding a sustainable financing method for the public television station. If the new bill is passed without modification, RTK will be financed from the state budget for the next three years, receiving 0.9 percent of Kosovo’s budget annually.

Private media mostly rely on advertising, but other substantial sources include subscription fees. Minority and multi-ethnic media this year did not benefit from the guaranteed fund of 5 percent of RTK’s subscription fund, because RTK has not collected subscription fees since December 2009. Most

#### **MEDIA ARE WELL-MANAGED ENTERPRISES, ALLOWING EDITORIAL INDEPENDENCE.**

##### **BUSINESS MANAGEMENT INDICATORS:**

- > Media outlets operate as efficient and self-sustaining enterprises.
- > 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.
- > Government subsidies and advertising are distributed fairly, governed by law, and neither subvert editorial independence nor distort the market.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor the product to the needs and interests of the audience.
- > Broadcast ratings, circulation figures, and Internet statistics are reliably and independently produced.

probably, minority media will not get anything from this fund in the next three years if the bill on RTK is passed unmodified.

Print media rely heavily on advertisements. Considering that the government is the biggest advertiser, along with some of the main public enterprises, like Kosovo Post and Telecom (PTK), some newspapers openly support the government's agenda in order to receive its ads. Starting next year, the government will cease to advertise in newspapers; its print ads will be published in a special website designed only for governmental ads. The panelists consider this a sound practice that should end the misbalanced distribution of ads.

Apart from the government, some of the biggest advertisers are banks, insurance companies, real estate companies, shopping malls, and private universities. Although there are a number of advertising companies, market research remains a huge problem. Most media outlets do not rely on the available market research, lacking faith in its objectivity.

There is a regulation that restricts advertising for public television to just six minutes per hour, as opposed to 12 minutes per hour for commercial televisions. "In theory, advertising for the public television is restricted, but in practice it is not," noted Zejnullahu. For two years, the public television has been violating this regulation, which they attempt to justify, while the IMC, tasked with enforcing this regulation, has its own justification for allowing RTK to break the rules, said Zejnullahu.

The panelists expressed their concern over the way that government subsidies and advertising is distributed. Loyal media, especially print media, are rewarded, panelists agree. They mentioned *Infopress* again as an example of a "royal" media outlet that receives most of the government ads.

Government ads, in fact, increased the circulation of this newspaper because most people would buy it to view the ads, said the panelists. Major public enterprises, like PTK, tend to provide ads only to those who avoid criticizing its management. PTK has often withdrawn its ads from media outlets that published investigative reports about its activities. The government said that starting in 2012, all ads will be advertised on a particular website; hence, many media outlets, especially print media, will suffer dramatically, and some may even be forced to shut down.

Isphiu said that in the past three years, no reliable research has been conducted to measure newspaper circulation, broadcast ratings, and Internet statistics. Research agencies, like Index Kosovo, provide ratings, but poll results are generally not accepted unanimously by all media outlets, and they often rely on research polls that put them in a more favorable place.

## OBJECTIVE 5: SUPPORTING INSTITUTIONS

### Kosovo Objective Score: 2.63

Objective 5 received the highest score of all objectives, and it is the only objective that showed improvement from last year. Indicator 6 (sources of media equipment, newsprint, and printing facilities are not restricted) scored the highest, nearly two-thirds of a point higher than the objective score, showing that media outlets face no political restriction in terms of importing and purchasing materials that media and journalists need. Indicator 4 (academic journalism programs), scored slightly more than half a point lower than the objective, but still great than 2.00.

Most media outlets have created trade associations. The Association of Independent Electronic Media of Kosovo (AMPEK) represents private electronic media, while the Association of Kosovo Publishers represents Kosovo's publishing houses. There is still no online media association. AMPEK is one of the most active associations, and it has been engaged in different lobbying activities, especially with regard to the public discussion of two laws—the law regarding RTK and the law on the IMC.

Kosovo's journalists are represented by the Union of Professional Journalists (UGP) and the Association of Kosovo Professional Journalists (AGPK). AGPK tends to be quick to issue public statements condemning violent acts against journalists, or any acts that violate the freedom of speech.

### SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

#### SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of media owners and managers and provide member services.
- > Professional associations work to protect journalists' rights and promote quality journalism.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs exist providing substantial practical experience.
- > Short-term training and in-service training institutions and programs allow journalists to upgrade skills or acquire new skills.
- > Sources of media equipment, newsprint, and printing facilities are apolitical, not monopolized, and not restricted.
- > Channels of media distribution (kiosks, transmitters, cable, Internet, mobile) are apolitical, not monopolized, and not restricted.
- > Information and communication technology infrastructure sufficiently meets the needs of media and citizens.

*Avramovic mentioned the case of the Association of Kosovo Serb NGOs, which successfully lobbied Kosovo Serb MPs to reject the way the RTK bill sought to define the opening of the TV Serbian channel. "If the civil society is active, they can have more influence over the decision makers," Avramovic said.*

Their approach tends to be more reactive than proactive, however. In 2011 alone, this association had to publicly condemn 27 cases of violation of journalists' rights, including nine cases of physical attacks on journalists. However, this number is lower than last year, when AGPK reacted in 32 cases. A problem with AGPK is that it does not keep good records and statistics. For instance, it is unable to tell you how many threats and crimes against journalists have been committed since 2002, Xharra noted. Even its website seems rather thin on information. One noteworthy AGPK activity was a one-week seminar that it organized in early December 2011, entitled "Journalists' Week," where journalists discussed all relevant issues pertaining to their profession.

The panelists agree that in general, media associations have shown progress toward fulfilling their roles, despite the fact that their operation largely depends on international grants rather than membership fees. Membership is constantly growing, and cooperation with international professional associations seems strong. For example, some of the media outlets belong to the Vienna-based South East Europe Media Organization (SEEMO), which is a regional nonprofit network of editors, media owners, and prominent journalists. SEEMO has been a very vocal defender of press freedom in Kosovo.

There are a number of local NGOs that tend to be more active than others in cooperating with the media to support freedom of speech and media independence. In general, though, say the panelists, there are many more inactive NGOs. If you take, for example, the discussion of the bill on RTK, Zejnullahu noted, there were only three or four NGOs present in the public hearing at the Assembly. The rest were totally uninterested in participating in such a hearing where the future of the public media was decided, she said. Avramovic mentioned the case of the Association of Kosovo Serb NGOs, which successfully lobbied Kosovo Serb MPs to reject the way the RTK bill sought to define the opening of the TV Serbian channel. "If the civil society is active, they can have more influence over the decision makers," Avramovic said.

There are available journalism degree programs at private and public institutions. The oldest program, and the most popular, is the Department of Journalism at the University of Prishtina. The quality of programs, especially with regard to practice-oriented training, needs significant improvement, especially in the public institutions. Media outlets are in great need of qualified journalism graduates, but the quality is very poor, and that could be a result of the overall poor education system. As for the Kosovo Serbs, new generations choose to study journalism either in Mitrovica or in Serbia, while the elder generation tends to learn the profession on the job or through scattered training, said Avramovic. Among new journalists, there are also those who studied abroad and returned. Many journalists also benefit from short-term trainings, where modern techniques are taught. Such trainings are organized by the Institute for Media, as well as by media associations. The Balkan Investigative Reporting Network (BIRN), said Ispahiu, also organizes such training. "You would be mesmerized by the energy and enthusiasm of journalism students, but at the same time you would feel very bad for the lack of practical knowledge they have," adds Ispahiu. BIRN is turning into a good destination for internships for young journalists.

Apart from the high cost, media outlets in Kosovo face no political restrictions for importing and purchasing media equipment. There is no customs reduction fee or tax exemption for media.

Printing firms, although private, are able to provide services to the media critical to the government without government interference. Although the distribution of print media is monopolized, no print media have ever complained about a bad service. There have been efforts to find alternative ways to distribute the print media, but they have not succeeded so far.

Local television stations are free to join a cable network, but there are limited slots in a cable and it is very costly. Bytyqi said the monthly fee for a local television station in IPKO or Kujtesa, the two biggest cable networks, is €1,200. The panelists criticized this approach and demanded that local television stations should gain free access to the cable networks in their operating geographical area. "It should be the other way around; cable should pay local television stations to use their content," said Zejnullahu. Today, cable operators offer only one package of programs. Cable providers should be divided into a basic package, extended and pay per view, said Zejnullahu. The panelists added that cable providers have not been fair toward all content providers; some have been excluded from the cable package, and some have seen their channel number changed. The panelists again blame the IMC for failing to regulate the

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numerical order of television channels and for failing to create a specific regulation for cable operators.

Other than this, the existing information and communication technology (ICT) infrastructure is good. Internet connectivity has quickened significantly, the free wireless zones are increasing, and the mobile-phone networks are rarely overloaded. Cable operators are expanding their network in rural areas as well, and mobile networks now cover over 90 percent of the territory.

## List of Panel Participants

**Arbana Xharra**, editor, *Zeri*, Prishtina

**Ardita Zejnullahu**, executive director, Association of Kosova Independent Electronic Media, Prishtina

**Faik Ispahiu**, executive director, Jeta në Kosovë, Prishtina

**Gentian Lluka**, editor, Telegrafi news portal, Prishtina

**Goran Avramovic**, editor-in-chief, Radio Kim, Caglavica

**Mifail Bytyqi**, executive director, TV Prizreni, Prizren

**Rahman Paçarizi**, chair of the board of directors, RTK, Prishtina

## Moderators

**Jeton Mehmeti**, policy analyst, Institute for Advanced Studies GAP, Prishtina

**Antigona Berisha**, researcher, Institute for Advanced Studies GAP, Prishtina

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