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Freedom Of The Press - Kosovo (2011)

Status: Partly Free
Legal Environment: 14
Political Environment: 19
Economic Environment: 18
Total Score: 51

Article 40 of the constitution provides for freedom of expression, but the lack of international consensus or Kosovo's independence hinders efforts to improve democratization and protect political, civil, and media rights. A weak judiciary and underdeveloped civil society present further obstacles for media freedom. Defamation and insult remain part of the criminal code, although the penalties do not include imprisonment and journalists are infrequently targeted for prosecution. Freedom of information legislation has not been properly implemented.

Broadcast media are regulated by the Independent Media Commission (IMC), whose board had two vacancies beginning in March that went unfilled by the Assembly. In August, the IMC approved 12 new long-term broadcast licenses. The government has begun amending the IMC law, and it remains to be seen whether the independence of the IMC will be preserved during this process. Broadcasters in the Serb-controlled north of the country are not licensed by the commission. Print media self-regulate through the Press Council, which can require newspapers to print the text of judgments against them. According to new rules adopted in January, the Press Council can no longer issue fines.

Security remains a serious concern for media workers, and there were several reported incidents of violence in 2010. On two occasions, the editor of Radio Kosovska Mitrovica in Zvečan, Časlav Milisavljević, reported that explosive devices were thrown outside his home. No one was injured, but several cars, including one belonging to Milisavljević's son, were damaged or destroyed. The police opened an investigation, but no suspects were apprehended by the end of the year. In February, a journalist for the daily newspaper *Koha Ditore*, Vehbi Kajtazi, reported being threatened by a former commander of the Kosovo Liberation Army in response to an article. The journalist further reported that the police encouraged him not to file a complaint.

Both the Serb-language media, present in the Serb-majority areas of northern Kosovo, and the Albanian-language media suffer political pressure and are often forced to practice self-censorship and avoid covering politically sensitive topics. Ethnic tension has eased since Kosovo declared independence in 2008, but this is largely a result of the growing geographic separation between the different ethnic and religious communities. The media environment remains highly politicized. *Koha Ditore* and the television station Kohavision reported that they felt threatened by an ethnically motivated smear campaign. Several journalists reported pressure from the authorities and members of political parties ahead of the December parliamentary elections. In November, one episode of the show *Debate Zone* on TV Klar Kosova was canceled due to alleged threats from a former

lawmaker.

Media outlets are for the most part privately owned, and media diversity in Kosovo continues to grow. All nine national dailies are privately owned, but some are linked to political parties, which exchange their financial backing for favorable media coverage. Local newspapers rely on government advertising, and the government has continued to distribute advertising purchases disproportionately, favoring friendly print outlets. There are 104 licensed terrestrial broadcasters, of which 39 broadcast in minority languages. The constitution and legislation provide for strong protection of minority languages in the media, and in December 2009 the government launched a Media Minority Fund.

The law establishing the public broadcaster Radio Television of Kosovo (RTK) has still not been properly implemented. As a result, there are concerns regarding the independence and impartiality of RTK. A member of the government participates in selecting RTK's board, in violation of the rules of procedure. The license fee for RTK was collected through energy bills until the procedure expired in November 2010, and financing for the station going forward remained unclear in the absence of implementing legislation. There were no reports of government restrictions on the internet. According to the latest statistics from Internet World Stats, 20.7 percent of the population accessed the internet as of 2008.