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KOSOVO

Indicators on the level of media freedom and Journalists' Safety Index 2023

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About the Project

BACKGROUND OF INDICATORS

The journalists' associations from the Western Balkan countries, supported by the European Commission¹, have established the platform [Safejournalists.net](https://safejournalists.net) to jointly monitor media legislation and practice in their countries and engage in advancing the legal and institutional environment in which the journalists and other media professionals work. Every year, based on a carefully designed methodology², the Safejournalists.net partners conduct advocacy research which has provided journalists' associations with evidence-based, reliable, and relevant data on the main problems and obstacles in the implementation of the EU standards in the field of media and journalists' freedom and safety in the Western Balkans. The results of the advocacy research give substance to partners' activities, providing them with new evidence and examples that refine and strengthen their advocacy positions.

The first qualitative research tool – *Indicators on the level of media freedom and journalists' safety*, was first developed in 2016 and gradually fine-tuned over the years. It is composed of three groups of indicators: (A) Legal protection, (B) Journalists' position in the newsroom, and (C) Journalists' safety. Based on this monitoring tool, a total of seven assessments were published, the last one for 2022.

The quantitative research tool – *Journalists' Safety Index*, was developed in 2020 and tested in 2021. It is designed to 'measure' the changes in the environment that have direct or indirect impact

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- 1 In December 2022, the European Commission approved a new three-year cycle of the Project [Safejournalists.net](https://safejournalists.net), which is a continuation of the previous two phases: the project Western Balkan's Regional Platform for advocating media freedom and journalists' safety (01.2016 – 12.2018) and Safejournalist.net (02.2020–03.2023). The main objective of the Project is to empower and strengthen the role of the national journalists' associations, members of the Platform [Safejournalists.net](https://safejournalists.net), to become effective and accountable independent actors in advocating and creating relevant media policies in their countries: Independent Journalists Association of Serbia (IJAS), Association of BH Journalists (BHJ), Croatian Journalists Association (CJA), Association of Journalists of Kosovo (AJK), Association of Journalists of Macedonia (AJM) and the Trade Union of Media of Montenegro (TUMM). The project is funded under the EU Civil Society Facility and Media Programme in favour of the Western Balkans and Turkey for 2021-2023 (IPA III).
 - 2 The advocacy research is designed and coordinated by Snežana Trpevska and Igor Micevski, research fellows of the Research Institute on Social Development RESIS, from North Macedonia (www.resis.mk).

on how safe journalists and other media actors feel when practicing their profession. It is composed of four groups of indicators: (1) Legal and Organisational Environment, (2) Due Prevention, (3) Due Process, and (4) Actual Safety. Based on this tool, a total of three research cycles were implemented: 2020 (pilot year), 2021 and 2022.

Starting from 2023, the [Safejournalists.net](https://www.safejournalists.net) will combine the two (qualitative and quantitative) research tools into one single advocacy research project - *Indicators on the level of media freedom and Journalists' Safety Index*. The platform monitors the situation in seven countries: Albania, Bosnia and Herzegovina, Croatia, North Macedonia, Montenegro, Kosovo³ and Serbia.

METHODOLOGICAL NOTE

The entire research process has been divided into two phases: in the *first phase*, data has been collected for all qualitative indicators - both for media freedoms and for the safety of journalists, while in the *second phase*, the qualitative indicators for the safety of journalists have been converted into quantitative ones and the procedure of scoring and calculation of the Journalists' Safety Index has been carried out.

A range of various research methods were applied to collect and analyze data related to each specific qualitative indicator:

- Review of studies, analyses, research reports, policy papers, strategies and other documents;
- Qualitative analysis of legal documents;
- Retrieval and analysis of information published on the web sites of public institutions and other organizations and bodies;
- Retrieval and analysis of press releases, announcements and other information produced by professional organisations;
- Secondary data collected by journalists' associations;
- In-depth-interviews with experts, journalists, policy makers etc.;
- Focus groups with journalists, and
- Surveys with journalists (in some of the countries).

At the national level, the advocacy research has been conducted by national researchers who carry out the data collection and draft the narrative reports, which were then reviewed by local media and legal experts and by the lead

³ This name is without prejudice to the status and in accordance with United Nations Security Council Resolution 1244 and the opinion of the Tribunal on the Declaration and Independence of Kosovo.

researcher. In Kosovo, the Association of Journalists of Kosovo nominated Getoarbe Mulliqi as the national researcher and Leonita Morina, as the assistant researcher. Two national experts were also nominated to review the report: Abit Hoxha as a media expert and Yll Zekaj as a legal expert.

QUALITATIVE INDICATORS ON THE LEVEL OF MEDIA FREEDOM AND JOURNALISTS' SAFETY

The following table presents all qualitative indicators for the level of media freedom and safety of journalists, divided into three areas. These qualitative indicators are presented in descriptive or narrative form. The parts of the indicators that are used in the conceptual framework for the Journalists' Safety Index are marked on the table in grey colour.

Overview of all qualitative indicators (Indicators on the level of media freedom and journalists' safety)

A. Legal safeguards and their implementation	B. Journalists' position in the newsrooms	C. Journalists' safety
A.1 Basic guarantees for media and journalists' freedom and their application in practice	B.1 The job positions of journalists are stable and protected at the workplace	C.1 Journalists and media actors have access to immediate and effective protective measures
A.2 Independence and efficiency of the regulatory authority	B.2 Editorial independence in the private media	C.2 Journalists and other media actors have access to special protection or safety mechanisms
A.3 Independence and autonomy of the public service media	B.3 Editorial independence in the public service media	C.3 Female journalists have access to legal measures and support mechanisms
A.4 Financial support to quality journalism and media content of public interest	B.4 Editorial independence in the not-for-profit media sector	C.4 The practice of regular public condemnation of threats and attacks on journalists and media
A.5 State advertising in the private media sector	B.5 Freedom of journalists in the news production process	C.5 Police authorities are sensitive to journalists' protection issue
A.6 Legal provisions related to defamation and their application do not create a chilling effect on journalists and the media	B.6 Economic position of women journalists	C.6 Specialised units/officers are equipped with expertise for investigating attacks and violence against journalists
A.7 Other laws are enforced objectively and allow journalists and other media actors to work freely and safely		C.7 Investigations of serious physical attacks on journalists and other media actors are carried out efficiently
A.8 The confidentiality of journalists' sources is guaranteed in the legislation and respected by the authorities		C.8 Journalists and other media actors are efficiently protected from various forms of online harassment
A.9 Journalists are free to pursuit their profession and to establish, join and participate in their associations		C.9 Investigations of all types of attacks and violence against journalists and other media actors are carried out transparently
A.10 Right to access official documents and information		C.10 Quality statistics collection systems established by state authorities to stem impunity
		C.11 Non-physical threats and harassments
		C.12 Threats against the lives and physical safety of journalists
		C.13 Actual attacks
		C.14 Threats and attacks on media outlets and journalists' associations

JOURNALISTS' SAFETY INDEX

Taking into consideration the standards and recommendations established by the Council of Europe and other international organisations, the concept of "journalists' safety"⁴ was operationalized by considering the following four dimensions:

- I. **Legal and Organisational Environment** – the existence and implementation of legal safeguards relevant for the safety of journalists.
- II. **Due Prevention** – the existence and implementation of a set of preventative measures that have direct effects on journalists' protection and safety.
- III. **Due Process** – the behaviour of state institutions and public officials towards journalists and the efficiency of the criminal and civil justice system concerning the investigations of threats and acts of violence against journalists.
- IV. **Actual Safety** – incidents and instances of various forms of threats and acts of violence against journalists and media.

The table below presents the four dimensions and indicators that make up the theoretical model of the "journalists' safety" concept. Data for all these indicators were collected in the first phase of the research, and in the second phase, based on the collected research evidence, nine members of the Advisory Panel from each of the countries⁵ assessed the situation and assigned scores for each of the 19 indicators:

Overview of indicators related to the Journalists' Safety Index

I. Legal and organisational environment	II. Due Prevention	III. Due Process	IV. Actual Safety
1.1 Legal provisions related to defamation and their application do not create a chilling effect on journalists and the media	2.1 Journalists and media actors have access to immediate and effective protective measures	3.1 Specialised units/officers are equipped with expertise for investigating attacks and violence against journalists	4.1 Non-physical threats and harassments
1.2 The confidentiality of journalists' sources is guaranteed in the legislation and respected by the authorities	2.2 Journalists and other media actors have access to special protection or safety mechanisms	3.2 Investigations of serious physical attacks on journalists and other media actors are carried out efficiently	4.2 Threats against the lives and physical safety of journalists
1.3 Other laws are enforced objectively and allow journalists and other media actors to work freely and safely	2.3 Female journalists have access to legal measures and support mechanisms	3.3 Journalists and other media actors are efficiently protected from various forms of online harassment	4.3 Actual attacks
1.4 Journalists are free to pursue their profession and to establish, join and participate in their associations	2.4 The practice of regular public condemnation of threats and attacks on journalists and media	3.4 Investigations of all types of attacks and violence against journalists and other media actors are carried out transparently	4.4 Threats and attacks on media outlets and journalists' associations

4 Researchers from the RESIS Institute (www.resis.mk), Snežana Trpevska, Igor Micevski and Ljubinka Popovska Toševa developed the [conceptual and methodological framework](#) for the Index and the model for its aggregation, weighting, and calculation.

5 Members of the Advisory Panel in Kosovo were: Albana Rexha Raca, Aleksandra Jovanovic, Besian Beha, Imer Mushkolaj, Labinot Leposhtica, Latif Mustafa, Leonora Dalipi, Mexhide Demolli Nimani, Serbeze Haxhijaj Isufi.

I. Legal and organisational environment	II. Due Prevention	III. Due Process	IV. Actual Safety
1.5 The job positions of journalists are stable and protected at the workplace	2.5 Police authorities are sensitive to journalists' protection issue	3.5 Quality statistics collection systems established by state authorities to stem impunity	

Note: When the male form is used in this report, it always refers simultaneously to female, male and diverse individuals. Multiple designations are omitted for the sake of better readability.

— LIST OF ABBREVIATIONS

IMC – Independent Media Commission

AJK – Association of Journalists of Kosovo

RTK – Radio Television of Kosovo

KLI – Kosovo Law Institute

PCK – Press Council of Kosovo

PSB – Public Service Broadcasting

KP – Kosovo Police

KJC – Kosovo Judicial Council

Introduction

Kosovo is a parliamentary democratic republic; the President of Kosovo is the head of the state and the Prime Minister of Kosovo is the head of the government. The parliament of Kosovo has 120 seats, out of which 20 are guaranteed for the representation of non-majority communities in Kosovo, 10 for the Serbian community, and 10 for other communities such as Bosnian, Turk, Ashkali, Roma, Egyptian and Gorani. Demographically, Kosovo is quite diverse in its composition. Kosovo Albanians make up the majority of the population, and the rest of the population is made up of other non-majority communities such as Serbs, Bosnians, Turks, Romani, Ashkali, and Gorani. Albanian and Serbian languages are the official languages in the country. However, Turkish, Bosnian, and Roma languages have an official status in some municipalities. Regarding its political culture, corruption remains a major concern, thus the efforts to strengthen democratic institutions and combat corruption continue to be crucial for the country's political development.

Kosovo's media landscape is considered quite diverse and dynamic. The media landscape in Kosovo consists of two levels, national media and regional/local media. Regarding the TV sector, the public broadcaster RTK plays a crucial role, even though this sector is mainly dominated by private-based channels. In Kosovo, there are nineteen (19) licensed television channels, five (5) of which provide Serbian-language television broadcasting services. Additionally, there are eighty-nine (89) radio stations, twenty-two (22) are broadcasting in Serbian, three (3) in Bosnian, two (2) in Gorani, and one (1) in Turkish. During the last years, new TV channels have been established, such as ATV and TëVë1. Moreover, new online media outlets have been established as well, such as Nacionale and Paparaci. Regarding the regulation of media in Kosovo, media in Kosovo is regulated by the Press Council of Kosovo (PCK) and the Independent Media Commission. The IMC is an independent body responsible for the management, regulation, and oversight of the broadcasting frequency spectrum. On the other hand, PCK is a self-regulatory body that was established by the sector of print media in

Kosovo. It is important to note that the board members of the IMC and RTK are elected by the Parliament of Kosovo and are responsible for the management of these institutions.

Regarding the economic crisis, Kosovo has seen a constant economic crisis. However, a quite severe setback was experienced in 2020 with the outbreak of the COVID-19 pandemic, which had a great impact on the operation of the entire media sector. Newspapers were one of the main sources of information in Kosovo, though, this has changed due to the eruption of COVID-19, leaving Kosovo without printed media. In addition, the number of online media outlets has increased greatly during these times.

Furthermore, journalists in Kosovo continue to be the targets of the political attacks and the situation of journalists' safety in the country remains disturbing, with the highest number of attacks recorded this year. One of the most disturbing cases regarding political attacks was the withdrawal of Klan Kosova's business license. Such administrative harassment by the government has threatened media plurality in Kosovo. Moreover, due to the constant verbal attacks by the government toward the media, journalists are very often targets of insults by the wider public, being accused of collaboration with the enemy.

Freedom of speech, protection of sources, and access to information are just some of the legal rights guaranteed under the Kosovo legal framework. However, an increasing number of journalists have faced SLAPPs filed by different business groups and politicians.



Media Freedom and Journalists' Safety in Kosovo – Indicators

A. LEGAL SAFEGUARDS AND THEIR IMPLEMENTATION

– A.1 BASIC GUARANTEES FOR MEDIA AND JOURNALISTS' FREEDOM AND THEIR APPLICATION IN PRACTICE

Kosovo in its Constitution in Article 22, has accepted as a part of its legal order several international instruments and agreements regarding the protection of fundamental freedoms and human rights. These International agreements and instruments, find direct application in Kosovo and have priority over the provisions of laws and other acts of public institutions⁶. One of the main International acts is the European Convention for the Protection of Human Rights and Fundamental Freedoms. Article 10 of this convention, guarantees the right to freedom of expression⁷. The European Court of Human Rights' interpretation of Article 10 extends freedom of expression to include both the freedom of publication and the freedom of investigation, which are very important for investigative journalism. Thus, the Constitution of the Republic of Kosovo not only guarantees freedom of expression but also freedom of information, freedom of the press, and similar rights. Although not explicitly stated, these legal safeguards include the right to internet access.

Furthermore, in addition to the rights guaranteed in the Constitution, there are additional laws and acts for the implementation of constitutional rights. These include the Law on Independent Media Commission, the Law on Access to Public Documents, the Law on Protection of Journalists' Sources, and the Criminal Code (prohibition of incitement of hatred). However, it is widely perceived that despite the thorough formulation of these acts in legislation, there are still cases where they lack implementation or are not implemented

6 Assembly of the Republic of Kosovo. [Constitution of the Republic of Kosovo with Amendments I-XXV](#), 2017.

7 Council of Europe. [European Convention for the Protection of Human Rights and Fundamental Freedoms](#), 1950.

properly. No significant violation of these laws and guarantees has been recorded, such as the state trying to restrict the internet through content blockages or filters.

During 2023, there were no new initiatives introduced aimed at amending media legislation. So, during this period there were no changes or updates to existing legal frameworks governing media operations in Kosovo. However, throughout 2021, the National Assembly of Kosovo undertook several initiatives behind closed doors that proposed changes to the Law on the Independent Media Commission (IMC).

During 2023, there were no attempts by state authorities to impose licensing or other strict requirements for the establishment of print and Internet-based media. In addition, according to the AGK database, there is no record of state authorities enforcing licensing or strict requirements for the establishment of print and internet-based media in previous years.

— A.2 INDEPENDENCE AND EFFICIENCY OF THE REGULATORY AUTHORITY

The appointment procedures for the Independent Media Commission (IMC) members have not been fulfilled, which shows a lack of transparency and accountability. This view is supported by several sources including Kosovo Law Institute (KLI) in a public statement on 16 July 2021⁸. The statement notes that the Kosovo Assembly did not fulfil its constitutional obligations in an open and transparent manner during the appointment process. None of the dates for interviewing the candidates were communicated to members of civil society who therefore considered the process non-transparent⁹. Furthermore, during May 2023 there was a lack of integrity in the process of appointing new IMC members. The assembly appointed IMC members who were known publicly to be affiliated with Lëvizja Vetëvendosje political party in power in Kosovo. This issue caused public reactions from independent media, NGOs in Kosovo, and international organizations who saw this as a politicized process^{10,11}.

The Independent Media in Kosovo had significant operational challenges due to the Assembly's failure to appoint new members on time. The IMC was not functional for more than seven months, from October 16, 2022, until May 24, 2023. According to Miftaraj from the Kosovo Law Institute, before October 16, 2022, the IMC consisted of six members. Since, the mandates of both the Chairman and the Vice Chairman concluded on October 16, 2023, IMC was left with only four members¹². According to the Law on IMC, the quorum for holding meetings is four members, nevertheless, for the election of the Chairman and Vice Chairman, five members

8 Kosovo Law Institute. [IKD publikon gjetjet e monitorimit të punës së Kuvendit të Kosovës për sesionin pranveror 2024](#).
9 Miftaraj, Ehat. "Interview with Ehat Miftaraj - Executive Director of the Kosovo Law Institute (KLI)." February 2, 2024.
10 Prishtina Insight, [Kosovo Government Faces Backlash Over Media Licensing Draft Law](#), 2024
11 KOHA Ditore, [The government defends the IMC Law despite international criticism](#), 2024
12 Ibid.

are required¹³. Therefore, while the IMC met the quorum for holding meetings, it was unable to meet the quorum for electing its leadership. Due to the lack of legal alternatives, the IMC remained non-functional until May 24, 2023, when eventually Ms. Luljeta Aliu was elected as a new member of the IMC by the Assembly. Then, on June 6, 2023, the first IMC meeting was held, during which Mr. Jeton Mehmeti was elected as the Chairman and Mr. Fatih Basha as the Vice Chairman.

For almost the first half of 2023, the IMC was non-operational due to the Assembly's failure to appoint new members within the deadlines. This inaction by the Assembly hinders the functioning of a crucial constitutional institution like the IMC, as it fails to address the requirements that the IMC must decide on. From the KLI monitoring, the findings provide that IMC in general performs its activities and mission independently and fairly. Furthermore, Mushkolaj says that it is difficult to say that the regulatory authority performs completely independently, given the form of election of members. However, no discriminatory approach to the process has been reported¹⁴. Broadcasting licensing and other regulations in Kosovo are generally administered in a fair and impartial manner. Also, Imer Mushkolaj, the Executive Director of Kosovo's Press Council, confirms that, for the most part, broadcasting licensing and other regulations are carried out fairly and neutrally.

— A.3 INDEPENDENCE AND AUTONOMY OF THE PUBLIC SERVICE MEDIA

Complying with the legal mandates, RTK serves as Kosovo's public broadcaster. RTK has been criticized a lot in recent years for allegedly supporting political objectives and serving as a vehicle for government propaganda, despite Law No. 04/L-046's guarantees of its autonomy and independence¹⁵. On the other hand, RTK's advancement was positively assessed in the EU Progress Report of 2022¹⁶. As such, the latest adjustments to RTK's management have been well-received.

RTK's independence in Kosovo is still incomplete, mainly because of its heavy reliance on state funding. In the IREX Kosovo Vibrant Information Barometer Report 2023, it is stated that despite efforts, RTK's editorial autonomy and long-term financial stability are compromised due to its funding being determined annually by the Assembly¹⁷. Thus, such dependency on direct state financing poses a significant challenge to RTK's independence. Furthermore, RTK is often underfunded and, like much of the media in Kosovo, lacks financial self-sustainability, often being perceived as vulnerable to political and business influences. Moreover, according to an article by Bami (2022), the allocated budget for 2023 is considered the smallest ever allocated to RTK in the last decade. The budget

13 Ibid.

14 Mushkolaj, Imer. "Interview with Imer Mushkolaj - Executive Director of the Press Council of Kosovo." February 2, 2024.

15 Republic of Kosovo. [Law No. 04/L-093 on Banks, Microfinance Institutions, and Non-Bank Financial Institutions](#). Official Gazette, 2012.

16 European Commission. "[Kosovo Report 2022](#)".

17 IREX. [Vibrant Barometer Information 2023](#).

of 8.96 million euros for 2023 remains the same as the one for 2022 and is quite lower than the allocation for 2021¹⁸.

According to the IREX Vibrant Barometer Information 2023, the process of electing the newly constituted board of the public broadcaster, Radio Television of Kosovo (RTK), was seen as transparent and merit-based by both local and international organizations involved in monitoring. However, consultations with civil society organizations are not a common practice. Nevertheless, media freedom activists, in collaboration with local and international representatives, regularly monitor these board meetings. Among them is Flutura Kusari, who is particularly vocal on such matters. She does this through social media channels actively informing citizens as well as those interested on these issues¹⁹.

— A.4 FINANCIAL SUPPORT TO QUALITY JOURNALISM AND MEDIA CONTENT OF PUBLIC INTEREST

As of March 2020, with the widespread of COVID-19, print media stopped with its production. Until March 2020, Kosovo had five daily newspapers Koha Ditore, Zeri, Kosova Sot, Epoka e Re, and Bota Sot. While this decision was supposedly made to control the spread of COVID-19, it is widely perceived that the primary motivation comes from the financial challenges faced by print media outlets in Kosovo for a very long time. As a result, there are no more newspapers physically printed in Kosovo, but only the online editions.

Due to the lack of funding, civil society organizations very often emphasize the need for an institutional funding scheme, especially for local or non-majority community media. In addition, based on the report conducted by IREX in 2023, private media outlets in Kosovo are heavily dependent on sponsorship and advertising to finance the content they produce, consequently leaving them to struggle further to find other sources of funding²⁰.

The Association of Journalists of Kosovo, in cooperation with the National Democratic Institute, organized a discussion with local media outlets in Kosovo, to address the challenges and difficulties they face²¹. During the discussion, it was discussed about the frequent need for such media to operate without compensation and the struggle to ensure journalists' salaries on time. The operation of those serving non-majority language communities is particularly difficult due to the lack of financing mechanisms. Fatmir Menekshe, a journalist from Radio Romano Avazo, speaking on behalf of a media outlet targeting the Roma community in Kosovo, talked about the difficulty in achieving financial stability and generating profit from advertising. Furthermore, most Serbian-language media outlets are registered as non-profit organizations, relying on operational funds from international and local

18 Bami, Xhorxhina. "[Kosovo Public Broadcaster Complains of 'Smallest Ever' Budget](#)", November 18, 2022.

19 ECMPF, [Kosovo: ECMPF welcomes shortlisting of new RTK Board members](#), 2024

20 IREX. [Vibrant Barometer Information 2023](#).

21 Ibid.

donors. According to IREX, independent Serbian-language media are primarily project-financed, with minimal income from marketing, leading to the closures of some outlets²².

— A.5 STATE ADVERTISING IN THE PRIVATE MEDIA SECTOR

There is no practice of state advertising in Kosovo since the last government change. The current government has completely abandoned advertising in private media. State advertisements no longer exist. Instead, governmental bodies promote their work through social media or their websites. However, this shift has significantly hindered the operations of local media.

It is stated by the Vibrant Barometer Information 2023 that more than two-thirds of the media outlets are relying on the local advertisement market and International donor finance²³. This puts them in a very challenging position in trying to get the required funding to sustain their content. The only media outlet that can guarantee secured funding and finances for operations is the public media which is financed by the state budget.

The amount spent by government institutions on advertising for job vacancies, tender calls, or public awareness campaigns on various issues throughout 2023 remains undisclosed. Also, data regarding media allocation budgets by government institutions is not accessible to the general public.

— A.6 LEGAL PROVISIONS RELATED TO DEFAMATION AND THEIR APPLICATION DO NOT CREATE A CHILLING EFFECT ON JOURNALISTS AND THE MEDIA

In Kosovo, the Civil Law against Defamation and Insult, established in 2008, mandates that its provisions be interpreted to prioritize the principle of freedom of expression in line with the European Convention for the Protection of Human Rights and Fundamental Freedoms, as elaborated in the jurisprudence of the European Court of Human Rights²⁴. Moreover, based on this legislation, in cases of conflict between domestic law and the European Convention, the latter takes precedence alongside the legal precedents of the European Court of Human Rights.

According to Miftaraj from the Kosovo Law Institute, KLI monitors around 5 thousand court hearings annually across all Kosovo courts, including those in civil matters related to defamation²⁵. In 2023 alone, KLI observed around 60 court hearings involving defamation complaints primarily brought by public officials against journalists and civil society activists²⁶. In many cases, KLI encountered Strategic Lawsuits Against Public Participation (SLAPP) indictments targeting journalists and civil society activists²⁷. From KLI's monitoring, it is evident that courts handle all cases with professionalism and fairness.

22 Ibid.

23 Ibid.

24 [LAW NO. 02/L-65 CIVIL LAW AGAINST DEFAMATION AND INSULT](#)

25 Miftaraj, Ehat. "Interview with Ehat Miftaraj - Executive Director of the Kosovo Law Institute (KLI)." February 2, 2024.

26 Ibid.

27 Ibid.

However, concerns persist regarding the efficiency of the justice system in handling such cases within a reasonable timeframe. Also, Mushkolaj argues that sometimes the provisions of defamation laws are harsh towards journalists and there is a tendency to protect public officials²⁸.

The precise number of defamation lawsuits against journalists remains unknown. Despite our communication with both the Prosecution Council of Kosovo and the Supreme Court of Kosovo²⁹, we were unable to obtain this data. According to AJK's findings, there were no cases of defamation lawsuits initiated against journalists by state officials and/or politicians during 2023, nor were there any court verdicts in which the plaintiff was a politician or other influential individual.

Journalists do not perceive defamation laws as discouraging; however, it is concerning to them such laws might unintentionally sanction inaccurate information, whether intentionally or not³⁰. AJK has established an internal database documenting lawsuits filed against journalists, which consists of over 35 such cases. In an in-depth interview with Labinot Leposhtica from Kallxo.com, we were informed that Kallxo alone has more than 13 lawsuits³¹.

— A.7 OTHER LAWS ARE ENFORCED OBJECTIVELY AND ALLOW JOURNALISTS AND OTHER MEDIA ACTORS TO WORK FREELY AND SAFELY

SLAPP lawsuits are not recognized in the legislation of Kosovo, and there are no safeguards for journalists and media from such legal actions.

As of 2023, no cases of discriminatory or arbitrary application of other laws aimed at intimidating and silencing journalists by burdening them with the cost of a legal defence have been identified or reported³².

There have been instances where journalists have faced multiple defamation lawsuits. However, due to public backlash, journalists are often hesitant to make their cases public. For instance, journalist M.B. accepted two lawsuits one after the other for defamation, while he was also warned about the third lawsuit³³. He believes these lawsuits are aimed at silencing journalists and making it difficult for them to perform their professional duties. Although these lawsuits have been referred to as defamation lawsuits, very often legal experts refer to them as Strategic Lawsuits Against Public Participation (SLAPP) suits. These suits aim to intimidate journalists by imposing significant financial burdens.

28 Mushkolaj, Imer. "Interview with Imer Mushkolaj - Executive Director of the Press Council of Kosovo." February 2, 2024.

29 AGK requests access to data and information but most times, this information is inaccessible by the institutions. During the first part of 2024, AGK communicated several times with spokespersons of both Prosecution Council of Kosovo and the Supreme Court of Kosovo.

30 Focus group with journalists from broadcast, NGO's and online media outlets, conducted by Getoarë Mulliqi on 29.12.2023.

31 Leposhtica, Labinot. "Interview with Labinot Leposhtica - Coordinator of Court Monitoring and the Legal Office of BIRN Kosova." Interviewed by Getoarë Mulliqi. January 16, 2024.

32 Focus group with journalists from broadcast, NGO's and online media outlets conducted by Getoarë Mulliqi on 29.12.2023.

33 M.B. Journalist. Interviewed by Getoarë Mulliqi. January 7, 2024.

— A.8 THE CONFIDENTIALITY OF JOURNALISTS' SOURCES IS GUARANTEED IN THE LEGISLATION AND RESPECTED BY THE AUTHORITIES

In the Republic of Kosovo, the confidentiality of journalists' sources is regulated by law. In particular, in Article 4 of Law No. 04/L-137 on the Protection of Journalism Sources, journalists and other media workers are granted the right to maintain silence regarding their sources of information³⁴. As a result, they cannot be obliged to reveal their sources or provide materials that may expose the identity or origin of their information. They might be obliged to reveal a source's identity only when ordered by a competent court and when essential to prevent a serious threat to physical integrity, potentially leading to fatalities. Furthermore, these guarantees are upheld by authorities in practical application (LAW NO. 04/L-137, 2013, Article 4).

In 2023, there were no cases recorded in AJK's database of journalists being obliged to reveal their sources³⁵. However, as mentioned above if there are cases where there is danger to individuals' lives or a threat to the state, the court holds the authority to demand such information.

Journalists say that they feel free to communicate with sources of information, considering that the laws in Kosovo guarantee the confidentiality of journalists' sources³⁶. Most journalists agree that the legal framework provides solid protection however in practice, it is difficult to maintain silence about their sources of information and keep the identity of informants confidential.

— A.9 JOURNALISTS ARE FREE TO PURSUIT THEIR PROFESSION AND TO ESTABLISH, JOIN, AND PARTICIPATE IN THEIR ASSOCIATIONS

Journalists are not required to obtain state licenses to carry out their professional responsibilities, as the state does not mandate any form of licensing. The freedom to work is unrestricted for journalists and other media professionals. However, they are encouraged to carry identification issued by the media organization they work for when reporting on specific events. Also, there have been no efforts in recent years to introduce state licensing.

Usually, journalists do not have a problem being recognized as journalists in relevant proceedings before public authorities. In 2023, there have been no instances where journalists were denied to report on specific events during the reporting period³⁷.

Last year, there were no pressures or obstacles reported from the authorities, media owners, or other influential

34 [LAW NO. 04/L-137 ON THE PROTECTION OF JOURNALISM SOURCES](#)

35 Association of the Journalists of Kosovo. "Database of Association of Journalists of Kosovo." 2023.

36 Focus group with journalists from broadcast, NGO and online media outlets conducted by Getoarbé Mulliqi on 29.12.2023

37 *ibid.*

figures for journalists to join their associations³⁸. Furthermore, there is no indication of parallel or fake media organizations whose activities undermine the crucial role of genuine journalistic associations³⁹.

— A.10 RIGHT TO ACCESS OFFICIAL DOCUMENTS AND INFORMATION

The access to official public documents, as well as the right to re-use such documents, is guaranteed to everyone, without discrimination on any grounds by The Law on Access to Public Documents⁴⁰. However, according to the Human Rights Report on Kosovo by the State Department (2022), the Ombudsperson Institution has found that public institutions in Kosovo often lack the necessary expertise and personnel to address requests for access to public documents⁴¹. Then, this leads to significant delays or cases where legal justification for denying or limiting access to information is not provided.

There is no evidence to suggest preferential treatment towards particular media. However, when journalists from the focus group were asked whether the government and its ministries maintain open and non-discriminatory relations, they complained about the lack of transparency by these bodies⁴². Often, they are obliged to address these concerns to the information and privacy agency. Journalists are provided with equal and unrestricted access to court sessions, excluding instances where protective measures have been ordered by judges. Throughout the reporting period of 2023, there has been no evidence of journalists being denied access to open court cases.

The Parliament of the Republic of Kosovo is considered the most transparent institution in the country⁴³. All Assembly sessions, committee meetings, and other gatherings are scheduled and announced beforehand through the activities calendar and the Assembly's official webpage⁴⁴. Furthermore, meeting minutes, and transcriptions from plenary sessions, together with different daily work documents, can be found on the Assembly's website. With more than 400 accredited journalists attending the sessions, the Assembly ensures media access in accordance with the regulations established. Journalists, representatives from citizens' associations and non-governmental organizations, are allowed to observe meetings, public hearings, and roundtable discussions of the Assembly⁴⁵. Moreover, the Assembly's plenary sessions are broadcast live by the public Radio Television of Kosovo (RTK), with access to the broadcast signal granted to all accredited media outlets.

Furthermore, the Assembly extends its reach by live-streaming sessions on its YouTube channel and official website, providing

38 Ibid.

39 Ibid.

40 Assembly of the Republic of Kosovo. [Law No. 06/L-081 on Access to Public Documents](#). Official Gazette of the Republic of Kosovo.

41 U.S. Department of State. "[2022 Country Reports on Human Rights Practices: Kosovo](#)" March, 2022.

42 Ibid.

43 Association of the Journalists of Kosovo. Database of Association of Journalists of Kosovo. Kosovo, 2023.

44 Assembly of the Republic of Kosovo. [Rregullore për Rendin dhe Qasjen e Mediave dhe të Publikut në Punën e Kuvendit të Kosovës](#), 2020.

45 Ibid.

a platform accessible to all media. The space behind the plenary session hall is available to journalists to follow the proceedings of the Assembly. On the balcony of the plenary session, the media can only place one camera during the session⁴⁶. Thus, an issue raised by journalists in discussions with the AJK was about the insufficient space available to accommodate all journalists at the National Assembly. Specifically, audio and video journalists require more space and equipment. Furthermore, the lack of updated lists of accredited journalists by the National Assembly contributes to unnecessary difficulties and unhealthy working conditions for journalists.

46 Ibid.

B. LEGAL SAFEGUARDS AND THEIR IMPLEMENTATION

— B.1 THE JOB POSITIONS OF JOURNALISTS ARE STABLE AND PROTECTED AT THE WORKPLACE

Based on the gathered data, it was found that approximately 25 percent of journalists operate under fixed-term contracts, while the majority of them are engaged with temporary contracts mostly for one year⁴⁷. Less than 10 percent of them have alternative contracts, such as three-month short-term contracts or service-based contracts. The sample size for these journalist respondents consists of 212 individuals, including both members and non-members of AJK. Currently, PSB journalists are operating without social security coverage; however, it is important to mention that the conditions for private sector workers have improved compared to previous years.

Based on the feedback from 212 respondents, including individuals from public, private, non-profit, and freelance sectors, it has been concluded that salaries have experienced an increase of 28 per cent. In previous years, media workers received a compensation of up to 350 euros. However, a significant change happened in 2023: 12 percent of the respondents reported earning up to 350 euros, while the majority stated that their salaries ranged up to 600 euros⁴⁸. A minority said that their salary exceeded 800 plus euros. Nonetheless, the situation of freelance journalists has deteriorated due to the lack of compensation for pensions and extra working hours, they have to cover it by working anything, not related to journalism.

Despite these challenges that the journalists have been going through until now, media owners have added one more obstacle by tracking their working hours within the newsroom. Journalists are required to fulfil their working hours for the day as defined by their employment contract, and if these working hours are not met they are automatically reflected in their salaries. Nevertheless, when they exceed working hours while conducting their stories in the field, there is no compensation as required by law. Regarding whether they receive regular payments or not, according to the respondents, the majority are paid regularly⁴⁹. However, smaller media journalists, such as those in local media and newly established portals, encounter difficulties in terms of salaries.

No trade unions have been established in the private media sector yet; that is, this situation has lasted for several years, and not only in 2023. Additionally, there is a lack of available information regarding whether owners support or obstruct journalists in forming associations or unions. Furthermore, it is important to mention that the collective agreement in Kosovo applies only to employees of PSB.

47 Getoarë Mulliqi Bojaj. "Survey with 212 Kosovar Journalists." 2023. This survey was conducted by the Worlds of Journalism study and is expected to be published in 2025. The Association of Journalists of Kosovo participated as a partner in this survey.

48 Ibid.

49 Ibid.

— B.2 EDITORIAL INDEPENDENCE IN THE PRIVATE MEDIA

There is no evidence supporting the existence of organizational documents that strictly separate between the marketing and newsrooms⁵⁰. Although it is the practice of the media to separate sponsored content from informative articles. Despite private media in Kosovo being entirely dependent on sponsorship, journalists unanimously claim that the newsroom is never directly influenced⁵¹. Although, journalists are not familiar with any internal regulations regarding the separation of the newsroom and the marketing department private media are doing their utmost to provide their income. However, they are aware of the biggest sponsors and would prefer to abstain from conducting a story rather than giving a positive tone to their sponsors.

Most of the media in all sectors only comply with the general code of conduct⁵². A positive development has taken place during 2023 as more journalists claim to be introduced to those ethical standards by their superiors. On the other hand, experienced journalists do not accept to violate those ethics and codes. According to "Vibrant Barometer Information 2023", conducted by IREX, "In Kosovo, there are rarely any consequences for media that make mistakes because of a lack of media education, the fragile rule of law, and the weakness of regulators"⁵³.

When asked about the most common forms of pressure exerted by their superiors, journalists from the private media argue that time pressure is the most common one. Therefore, the investigative sector in Kosovo is quite limited and very hard to pursue. In comparison to previous years, besides online media journalists, even television journalists are required to conduct more than one story per day. While in the previous years, the deliverable quotas that were to be met during one working day were an issue only for journalists who work exclusively for private online portals. During 2023, journalists who work for televisions/radios are also required to conduct more than one story which they should also adapt for the online portal of the respected media and/or their social media.

— B.3 EDITORIAL INDEPENDENCE IN THE PUBLIC SERVICE MEDIA

The ethical principles and professional standards of journalism within the PSM are regulated by internal documents. Unanimously, journalists who were part of the survey conducted by the AJK in 2023 argued that the code of ethics is respected and that the editorial staff makes sure these principles and standards are met⁵⁴. RTK has also a disciplinary committee that is in charge of handling ethical concerns.

50 Focus group with journalists from broadcast, NGO's and online media outlets conducted by Getoarë Mulliqi on 29.12.2023.

51 Ibid.

52 IREX, [Vibrant Barometer Information 2023](#).

53 IREX, [Vibrant Barometer Information 2023](#).

54 Getoarë Mulliqi, Survey with 212 Kosovar journalists, 2023.

Nonetheless, no other organizational rules to keep the newsroom independent from the managing bodies have been identified⁵⁵.

When it comes to the most common forms of pressure the government applies to RTK newsrooms, budget cuts are among them. Some journalists argue that the government's pressure is directly impacting managerial bodies rather than journalists. This is evident through another budget cut imposed on RTK by the government. In 2021, RTK received a budget of 11.2 million, but for 2024, it was decided to reduce this budget by 2.2 million. In this case, RTK becomes more prone to political pressure due to its dependence on public funds. Flutura Kusari notes that this is the lowest budget RTK has received in the last decade⁵⁶.

On February 4, 2023, AJK, in collaboration with local and international partners, expressed concern over the appointment of Rilind Gervalla as the director of the public service television. According to AJK, Gervalla's election, given his affiliation with Vetëvendosje, constitutes a conflict of interest and seriously undermines the independence of public television⁵⁷.

— B.4 EDITORIAL INDEPENDENCE IN THE NON-PROFIT MEDIA SECTOR

The non-profit media sector in Kosovo has experienced an expansion but is not as big in comparison to the private sector. There is no registry that reflects the exact number of non-profit media; however, BIRN & Kallxo.com, K2.0, Betimi per Drejtesi are some of the most prominent non-profit online media in Kosovo. It is believed that this increase has taken place due to the fact that media registered as businesses, i.e private sector media are facing big financial struggles, while non-profits are eligible to apply for grants, institutional support, and international open calls.

In comparison to the private sector, all bigger non-profit media in Kosovo have adopted internal codes of conduct. Furthermore, BIRN has its own statute which is non-profit.

In recent years, with the shift from print to online media, journalists often complain about the time constraints and the need to publish many articles quickly. Some also note the pressure to generate clicks, leading to unofficial rankings based on publication frequency and popularity⁵⁸. This emphasis on clicks has become standard in online media, often resulting in fewer field reports from many journalists unless they're also creating audio-visual content.

55 Focus group with journalists from broadcast, NGO's and online media outlets conducted by Getoarë Mulliqi on 29.12.2023.

56 "[Kusari tregon recetën për shkatërrimin e RTK-së nga partitë politike, thellësisht e zhgënjyer](#)" (Kusari reveals the formula of the RTK's destruction by the political parties, deeply disappointed) Nacionale, 2023.

57 AJK, [New Process for the Election of RTK's Television Director](#), 2023.

58 Focus group with journalists from broadcast, NGO's and online media outlets, conducted by Getoarë Mulliqi on 29.12.2023.

— B.5 FREEDOM OF JOURNALISTS IN THE NEWS PRODUCTION PROCESS

The extent of freedom that journalists claim to have in the news production process is somewhat limited⁵⁹. While they argue that they feel free to propose a story, they often hesitate when it comes to deciding the perspective from which the story will be covered. Journalists tend to refrain from adopting a critical standpoint, indicating that there exists a practice of self-censorship. This phenomenon, characterized by a reluctance to go into critical viewpoints, is particularly present among journalists who join particular media under the impression that such media lean toward businessmen who use these media as a platform for marketing.

Journalists are mostly influenced by factors within the newsroom, like self-censorship, which they feel starts when they begin working in media. They are aware of what topics they avoid discussing. When it comes to outside influences, most journalists in the survey say that they are not affected by public pressure, even if they have faced criticism from different groups like politicians or businessmen. Under conditions of anonymity, the journalist M.B. who has changed his workplace (media) three times during 2023, says that the biggest problems come from media owners who are businessmen and do not know and understand the nature of work in the media sector⁶⁰. The pressure did not come directly from the editors or editors-in-chief but was done by the directives of the owners who do not understand the profession and responsibilities of journalists.

Journalists in Kosovo claim that self-censorship is one of the issues they face in their daily work, but this does not seem to be a problem given that there is media pluralism and due to the establishment of a large number of new media in the country, they do not risk not finding another workplace⁶¹. Almost unanimously, the journalists from the focus group expressed that in all media, journalists are required to censor themselves, and even refrain from posting on their social networks⁶². While over 35% of the survey respondents do not accept that they are self-censored, the rest are not aware if they are being censored, and the majority accept that there is censorship⁶³. In comparison to previous years, most journalists have become self-aware of self-censorship as a result of censorship exerted either by their superiors or the "silent censorship" imposed on them by the marketing departments within their media.

— B.6 WORKING POSITION OF WOMEN JOURNALISTS

Not only have the working conditions for women journalists not worsened but there is a perception that their positions have improved, surpassing those of men over the years⁶⁴. According to AJK's database, where over 65% of members

59 Focus group with journalists from broadcast, NGO's and online media outlets conducted by Getoarë Mulliqi on 29.12.2023.

60 M.B. journalist interviewed by Getoarë Mulliqi 07.01.2024

61 Focus group with journalists from broadcast, NGO's and online media outlets conducted by Getoarë Mulliqi on 29.12.2023.

62 Ibid.

63 Getoarë Mulliqi, Survey with 212 Kosovar journalists, 2023.

64 Peaceful Change Initiative. "[Kosovo: Local Infrastructure Needs Assessment Report](#)", March 2023.

are women, it suggests an absence of gender-based discrimination, both in terms of working conditions and income are somewhat equal but women are still discriminated when it comes to maternity leave and other gender-based discrimination and face harassment more than men.

A positive change has taken place since journalists in the focus group have stated that more managerial positions are entrusted to women than in previous years⁶⁵. The majority of journalists reporting from the field on most Kosovar television networks are women⁶⁶. The majority of editors are women, and the number of women and men in leading positions in media is perceived to be equal with RTV21 being owned by women. Nevertheless, according to the Women in Media Kosovo survey, it is still hard to conclude if women face enormous odds like the glass ceiling in media jobs due to the lack of statistical data on leading editorial positions in order to see if there is any disparity in leading positions⁶⁷.

One of the most serious concerns to be found in a Kosovo 2.0 investigation on women journalists⁶⁸ is sexual harassment. The survey suggests that 26.4 % of 265 respondents have experienced sexual harassment in the newsroom. Additionally, facilitating work-life balance for mothers in journalism is essential for a more inclusive and diverse media environment⁶⁹.

65 Focus group with journalists from broadcast, NGO's and online media outlets conducted by Getoarbë Mulliqi on 29.12.2023.

66 Ibid.

67 Peaceful Change Initiative. "[Women in Media Kosovo Survey](#) ", March 2023.

68 [The invisible burden on women journalists](#), April 2023.

69 Ibid.

C. JOURNALISTS' SAFETY

— C.1 JOURNALISTS AND MEDIA ACTORS HAVE ACCESS TO IMMEDIATE AND EFFECTIVE PROTECTIVE MEASURES WHEN THEY ARE THREATENED

Kosovo Police is the only public institution through which journalists or all individuals can report incidents of hate speech and serious threats to their lives. Such incidents can be reported either by phone or email. Moreover, both the Police and the Prosecution have appointed a coordinator to deal with the cases of attacks and threats against journalists. Journalists report cases in the same way as any other citizen.

Apart from the Kosovo Police, another address that journalists tend to report hate speech and serious life-threat cases is the Association of Journalists of Kosovo, which in most cases is their primary point of contact and even the main address to report their cases to. AJK's and KP's databases have discrepancies, as journalists tend not to report all of the cases to both AJK and KP. Journalists reported a total of 31 cases to KP, whereas 74 cases were reported to AJK⁷⁰.

By the end of 2023, 11 of the cases reported to KM were under investigation, while 20 cases have been referred to the Prosecution. KP is considered the most effective institution in investigating cases against journalists. There are no known instances of relevant authorities failing to respond or refusing to process/accept reports from journalists or media outlets regarding the violations of their rights.

— C.2 JOURNALISTS AND OTHER MEDIA ACTORS (WHOSE LIVES OR PHYSICAL INTEGRITY ARE AT REAL AND IMMEDIATE RISK) HAVE ACCESS TO SPECIAL PROTECTION OR SAFETY MECHANISMS

There exist legal provisions within the legal system, particularly in the Criminal Code of the Republic of Kosovo which entered into force on April 14th, 2019. Thus, these safeguards protect every person who may be a victim of a criminal offense, including journalists. Nevertheless, there are no specific mechanisms developed by the state institutions aimed at supporting the safety of journalists in particular.

In Kosovo, the absence of a systematic risk-assessment procedure for journalists and citizen protection shows a potential gap in ensuring their safety. Establishing such a procedure is important for identifying specific threats and formulating effective mitigation strategies.

70 Association of the Journalists of Kosovo. Database of Association of Journalists of Kosovo. Kosovo, 2023.

— C.3 FEMALE JOURNALISTS HAVE ACCESS TO LEGAL MEASURES AND SUPPORT MECHANISMS WHEN FACED WITH GENDER-BASED THREATS, HARASSMENT, AND VIOLENCE

Article 22 of the Constitution of the Republic of Kosovo stipulates that eight international instruments, including the Istanbul Convention, are guaranteed and are directly applicable in the country and, in the case of conflict, have priority over provisions of laws and other acts of public institutions. On September 25, 2020, the Assembly of the Republic of Kosovo, through constitutional amendments, incorporated the Istanbul Convention to this list of international instruments for human rights. Several obligations arise with the implementation of this convention for each state. According to Article 5 of the Convention, paragraph 1, "parties shall refrain from engaging in any act of violence against women and ensure that State authorities, officials, agents, institutions and other actors acting on behalf of the State act in conformity with this obligation"⁷¹. In addition, paragraph 2 of the same Article, states and obliges that investigate, punish and provide reparation for acts of violence covered by the scope of this Convention that are perpetrated by non-State actors⁷²." Also, Article 7 of the Constitution guarantees gender equality as a fundamental value. Gender-based violence is recognized as a form of discrimination under the Law on Gender Equality.

There are established state mechanisms for dealing with cases of gender-based violence. Within the State Prosecutor's Office there is an Office for Victim Protection which also represents cases of gender-based violence, while within the Agency for Free Legal Aid, free legal aid is provided to victims of gender-based violence when victims are unable to pay for it. There is also the Ombudsperson Institution where victims can seek help. The existing institutional arrangements apply also to journalists. Also, there is no special legal support offered to female journalists in reporting these cases.

Based on the gathered information by AJK concerning female journalists reporting their cases within institutions, it is concluded that institutions are responsive. In addition, female journalists have access to the same legal measures and support mechanisms as their fellow female citizens. Although female journalists believe that gender-based distinctions do not exist in how institutions handle their cases, the nature of the threats they encounter suggests that they are more likely to be targeted on a personal level rather than solely professionally, as seen in cases involving male journalists. In AJK, 11 attacks have been reported against female journalists, 17 attacks against male journalists, and 46 attacks against groups and media crews⁷³.

71 Council of Europe. "[Council of Europe Convention on preventing and combating violence against women and domestic violence](#)" H(1995)010. Strasbourg: Council of Europe, 1995.

72 Ibid.

73 Association of the Journalists of Kosovo. Database of Association of Journalists of Kosovo. Kosovo, 2023.

— C.4 THE PRACTICE OF REGULAR PUBLIC CONDEMNATION OF THREATS AND ATTACKS ON JOURNALISTS AND MEDIA HAS BEEN ESTABLISHED

Government institutions acknowledge attacks on the safety of journalists as violations of freedom of expression, human rights law, and criminal law. However, they offer limited public support for journalists. Neither state institutions nor the majority of influential political parties have established practices to consistently condemn cases of attacks and other threats against journalists. Besides, the government has taken minimal action to counter negative narratives against journalists.

Public officials typically refrain from making statements unless there have been serious physical attacks against journalists. Such statements are not a regular part of their communication but are only made in instances where physical attacks occur. Their statements often call for the punishment of perpetrators, but they do not address cases involving derogatory language by politicians or public/state officials.

As registered in AJK's database, 16 out of 74 cases that took place during 2023 involve public figures, high-ranking officials, and individuals related to these actors in Kosovo. According to focus-group respondents, in general, they feel safe and the environment is not perceived as very harsh⁷⁴. However, it is perceived that investigations related to public officials, high-ranking officials, or influential individuals in politics tend to attract threats and denigratory campaigns⁷⁵.

— C.5 POLICE AUTHORITIES ARE SENSITIVE TO JOURNALISTS' PROTECTION ISSUE

The Kosovo Academy for Public Safety (KAPS) offers "Human Rights Courses" covering international human rights standards. International human rights are integrated into professional police training, with media topics included at the management level and in official police training. The Kosovo Police (KP) has made efforts to organize media relations training for police officers. Furthermore, the Department for Security and Public Safety within the OSCE Mission in Kosovo has organized, supported, and financed several training programs for police officers across all regions in Kosovo. Overall, while these efforts have contributed to improving the knowledge of police officers, there is still a recognized need for further trainings to ensure that police officers are educated and familiar with basic international human rights standards and the role of journalists in a democratic society⁷⁶.

The Kosovo Police (KP) has enforced guidelines and protocols against acts of harassment, intimidation, or physical attacks on journalists. It has also appointed a coordinator to monitor and handle all cases to ensure the

74 Focus group with journalists from broadcast, NGO's and online media outlets conducted by Getoarë Mulliqi on 29.12.2023.

75 Ibid.

76 OSCE (date 2024, February), Interview with OSCE in Kosovo Communication Office.

safety and protection of journalists. Furthermore, the KP is in close cooperation with other important bodies, such as media organizations and civil society organizations, in making sure to address any incidents of harassment, intimidation, or physical attacks on journalists effectively.

In 2023, a group of journalists, as well as a cameraman, were obstructed and thrown tear gas by members of the Kosovo Police (KP) while covering a protest in Prishtina. AJK informed the Kosovo Police Inspectorate, and immediate measures were taken to identify the police officers involved. Nevertheless, there have been no reported cases of journalists being subjected to underground detention by the police during the reporting period.⁷⁷

According to AJK, the Kosovo Police (KP) stands out as the most cooperative institution. In addition to the designated contact point within the KP, AJK has the freedom to reach out to the Information and Public Relations office of this institution for cases related to journalists. AJK consistently monitors journalists' cases every six months and as needed⁷⁸.

— C.6 SPECIALISED INVESTIGATION UNITS AND/OR OFFICERS ARE EQUIPPED WITH RELEVANT EXPERTISE FOR INVESTIGATING ATTACKS AND VIOLENCE AGAINST JOURNALISTS

There are specific employees within both police and prosecutor's offices, and the state prosecutor prioritizes cases involving journalists, especially those where journalists are the victims. Within all prosecutions, there are responsible prosecutors and I.E coordinators. AJK monitors all cases concerning journalists on a six-month basis and works closely with the prosecution, police, and KJC representatives to align their databases. However, within Kosovo's justice system, there is a lack of a dedicated unit solely focused on the investigation, prosecution, and protection related to journalists' safety⁷⁹. Additionally, coordinators within the rule of law institutions play a vital role in monitoring prosecutors' work in cases involving journalists⁸⁰.

In Kosovo, institutions do not sufficiently allocate resources for investigations or provide adequate measures to protect journalists. However, in 2023, a dialogue initiated by AJK and rule of law institutions is in the process of being established. Through this dialogue, the capacities of officials from all institutions will improve, and a special mechanism is intended to be established⁸¹.

Throughout 2023, a couple of closed meetings took place between representatives of AJK, KPC, and KJC. The objective of these meetings was to establish a mechanism for prioritizing

77 Beka, Arbër. "Interview with Arbër Beka – Chief of Division for Public Relations and International Cooperation." February 1, 2024.

78 Rexha, XH. (2024, February 1). Interview with Xhemajl Rexha – President of the Board of AJK.

79 Kozmaqi, L. "Request for Data." Head of the Office for Public Communication, Office of the Chief State Prosecutor, February 2, 2024.

80 Ibid.

81 Zekaj, Ylli. "Interview with Ylli Zekaj – Lawyer." February 2, 2024.

cases involving journalists, with a primary focus on creating a monitoring system for threats and attacks against journalists.

— C.7 INVESTIGATIONS OF SERIOUS PHYSICAL ATTACKS ON JOURNALISTS AND OTHER MEDIA ACTORS ARE CARRIED OUT EFFICIENTLY (INDEPENDENTLY, THOROUGHLY AND PROMPTLY)

Kosovo Law Institute (KLI) monitors the performance of the police, prosecution, and courts in handling attacks, threats, hate speech, and other criminal offenses against journalists. According to KLI, during 2023, journalists in Kosovo were subjected to systematic violence by politicians, mainly the political party in power, as well as individuals who publicly support that party⁸². In some cases, ordinary citizens or criminal groups in the northern part of the Republic of Kosovo were also responsible. The number of criminal cases proceeded in 2023 is very minor compared to the significant amount of digital threats and other types of violence against journalists reported in media.

Through a project supported by the Dutch Embassy in Pristina, KLI has an obligation, among others, to provide free legal aid for journalists who are victims of crime and subject to defamation indictments. They also analyze indictments and court decisions when journalists are crime victims. KLI's analysis of court judgments and indictments reveals that investigations are not conducted professionally and sentencing policies are low⁸³. The prosecution mainly focuses its investigations on the criminal offender. Court-imposed sentences generally consist of fines, conditional release, and very rarely effective imprisonment. Furthermore, according to Imer Mushkolaj, investigations are often influenced by different actors, failing to take into consideration all relevant circumstances as a basis⁸⁴.

Although the Acting Chief State Prosecutor has assigned high priority to the handling of criminal offenses, the practice shows that prosecution offices rarely adhere to such directives. Both police and prosecutors often lack the necessary professional experience and expertise to conduct thorough and proficient investigations and effectively represent cases in court⁸⁵. Furthermore, Mushkolaj states that investigations are frequently subject to significant delays, resulting in cases remaining unsolved in time and making the work of journalists even more difficult.

According to Miftaraj, the Criminal Procedure Code of Kosovo provides clear deadlines and procedures for handling all criminal cases by the police, prosecution, and courts. However, attacks and threats against journalists in Kosovo are not consistently assessed in accordance with the severity of the criminal offense as stated in the Criminal Code. This comes as a result of the failure of the police and prosecution

82 Miftaraj, Ehat. "Interview with Ehat Miftaraj - Executive Director of the Kosovo Law Institute (KLI)." February 2, 2024.

83 Ibid.

84 Mushkolaj, Imer. "Interview with Imer Mushkolaj - Executive Director of the Press Council of Kosovo." February 2, 2024.

85 Interview with Ehat Miftaraj - Executive Director of the Kosovo Law Institute (KLI)." February 2, 2024.

to conduct thorough and professional investigations and prosecutions of such cases. Attacks on journalists often do not receive the necessary priority, and the penalties for those responsible for such attacks do not align with the severity of the offense committed. This lack of appropriate response encourages potential perpetrators to act against journalists without fear of significant consequences.

— C.8 JOURNALISTS AND OTHER MEDIA ACTORS ARE EFFICIENTLY PROTECTED FROM VARIOUS FORMS OF ONLINE HARASSMENT

General provisions concerning harassment fall under the Criminal Code of Kosovo, Code No. 06/L-074. Additionally, cases of defamation, insult, and offenses against journalists' reputation and safety can be applied in cases of online harassment. Moreover, if an instance of online harassment involves the unauthorized processing of personal data of journalists, it can be addressed under the regulations outlined in Law No. 03/L-172, which concerns the Protection of Personal Data. Also, if online harassment includes elements of discrimination based on race, ethnicity, gender, religion, or other protected characteristics, the special law for Protection against Discrimination applies. In addition, sexual harassment is regulated by Code No. 06/L-074 Criminal Code of The Republic of Kosovo, particularly Articles 182 and 183⁸⁶.

In 2023, AJK's database documented 10 cases of online harassment and threats against journalists. These threats were primarily carried out through social media platforms, including public posts and private messages directed at the journalists or their social media accounts⁸⁷. The cases involved a range of individuals, including citizens, political activists, and even public officials, engaging in online harassment, smear campaigns, and making direct threats. One notable case involved Burim Pacolli from Nacionale, who not only encountered harassment in private messages but also faced direct threats through an Instagram story where an individual publicly asked for his home address⁸⁸. Another journalist, Fatlum Berisha, received a death threat on his TikTok page, with the perpetrator stating that he should have been shot 31 times⁸⁹.

An issue that arises is the lack of sufficient measures taken by institutions to address online threats against journalists. An investigation conducted by Betimi per Drejtesi revealed that in most cases of online harassment towards journalists, the consequences only involve fines, ranging from 250 to 500 Euros. This indicates the necessity for stronger measures and consequences to deter such behaviour and protect journalists from online threats.

86 [Official Gazette of the Republic of Kosovo, Criminal Code of the Republic of Kosovo](#),

87 Association of the Journalists of Kosovo. Database of Association of Journalists of Kosovo. Kosovo, 2023.

88 Association of Journalists of Kosovo. "[Threat against Journalist Burim Pacolli, Prishtina, 14.12.2023](#)".

89 Association of Journalists of Kosovo. "[Journalist Fatlum Berisha Threatened with Death](#)".

— C.9 INVESTIGATIONS OF ALL TYPES OF ATTACKS AND VIOLENCE AGAINST JOURNALISTS AND OTHER MEDIA ACTORS ARE CARRIED OUT TRANSPARENTLY

Courts are obliged to provide information to victims, as required by the law. For example, the Criminal Procedure Code No. 08/L-032, specifically Article 63 outlines this obligation⁹⁰. In accordance with the provisions of this article, victims are entitled to timely and immediate information from the police, state prosecutor, or other competent bodies involved in the proceedings (Code No. 08/L-032 Criminal Procedure Code⁹¹. What's more, a victim also has the right to seek support from the Victim Advocacy and Assistance Office which is established within the Office of the Chief State Prosecutor. In addition to offering the victim of crime professional support, this office is required to ask the courts and the prosecution to uphold and defend the victim's rights throughout the entire legal process.

However, courts often fail to provide the necessary information for the cases of journalists and the level of transparency in the legal proceedings concerning attacks on journalists and the media is insufficient. The AJK representatives met with both Kosovo Judicial Council and Kosovo Prosecutorial Council and they were open to collaborating and coming up with modalities to gather and prioritize data that affect journalists' safety.

There is no evidence that any journalist sought help from the Victim Advocacy and Assistance Office which is established within the Office of the Chief State Prosecutor. According to the information at hand, State Prosecutors in Kosovo hardly ever notify the public or media about any phase of the criminal proceedings nor do they usually grant access to the case file. Based on the input from the prosecutor or the judge, respectively, the spokeswoman for each prosecution and court office updates the public on the case's status. Journalists are granted unrestricted, non-discriminatory access to court sessions, except in the cases involving protection orders from judges.

— C.10 QUALITY STATISTICS COLLECTION SYSTEMS ESTABLISHED BY STATE AUTHORITIES TO STEM IMPUNITY

For the purposes of this report, the AJK sent official e-mail to the Supreme Court, requesting information. The response received by the Supreme Court indicated that they do not possess statistical data recorded by state authorities. This is because such data is also owned by the police and the prosecutor's office⁹². Based on the data provided by the Supreme Court, the information is partially disaggregated. The data includes details on court proceedings regarding journalists, such as the number of complaints reported, investigations opened, prosecutions, and convictions. However,

90 OFFICIAL GAZETTE OF THE REPUBLIC OF KOSOVO. (2022). [CODE NO. 08/L-032 CRIMINAL PROCEDURE CODE](#).

91 Ibid.

92 Uka, A. U. "Request for Data." February 1, 2024

there is no specific classification distinguishing whether these cases involve threats, attacks against, or killings of journalists and other media actors⁹³. The information and data obtained from the interview with the Supreme Court's representative regarding the cases involving journalists and their proceedings reveal that the data has not been disaggregated based on gender, ethnicity, and other socio-demographic criteria⁹⁴.

In correspondence with the Acting Head of the Public Communication Unit at the Secretariat of the Prosecution Council of Kosovo, detailed information and data about criminal acts regarding violence against journalists for 2023 were provided. Based on the given information, it was seen that all recorded cases were handled⁹⁵. The data provided by The Prosecution Council of Kosovo was thoroughly disaggregated. The information on court proceedings concerning journalists included details on the number of complaints reported, investigations opened, prosecutions, and convictions related to journalists' cases. Additionally, the cases were classified, for example, into categories such as intimidation, harassment, assault, minor body injury, and serious body injury⁹⁶.

To further add to this issue, it is important to note that courts and other institutions often do not provide detailed data regarding cases involving journalists in Kosovo. Therefore, the Association of Journalists of Kosovo has conducted interviews with several media in Kosovo to gather more information on such cases. Kallxo.com informs that they have more than 13 lawsuits with different people or companies. This situation is also a result of the nature of Kallxo.com as an investigative media outlet⁹⁷.

— C.11 NON-PHYSICAL THREATS AND HARASSMENTS

In 2023, a total of 20 cases were recorded in AJK's database. This number has increased by one in comparison to the previous year⁹⁸. However, despite not representing a significant change in numbers, the severity and frequency of these threats have increased. Furthermore, the number of cases reported does not reflect the true extent of non-physical threats and harassment, as journalists may hesitate to report all cases, especially those involving online harassment.

No cases of surveillance or trailing have been reported in AJK. In addition, respondents say that they are unaware of any such cases towards journalists and other media workers in the past.

In 2023, journalist Erjola Cacaj from Nacionale Portal received threats from a company that had won a tender in Kosovo. The incident took place while she was investigating a tender in the Podujeva municipality. The owner of a company based in Prizren, who was the winning bidder, made threatening

93 Ibid & Uka, A. U. "Request for Data." February 1, 2024.

94 Ibid.

95 Gashi, B. G. "Request for Data." February 2, 2024.

96 Ibid & Gashi, B. G. "Request for Data." February 2, 2024.

97 Leposhtica, Labinot. "Interview with Labinot Leposhtica - Coordinator of Court Monitoring and the Legal Office of BIRN Kosova." Interviewed by Getoarbë Mulliqi. January 16, 2024.

98 Association of the Journalists of Kosovo. Database of Association of Journalists of Kosovo. Kosovo, 2023.

phone calls to journalists at Nacionale. This stands as the only registered case of harassing phone calls during 2023⁹⁹.

No cases of arbitrary judicial or administrative harassment have been reported or identified during 2023¹⁰⁰.

Minister of Interior, Xhelal Sveçla, used dangerous and unacceptable language towards the media and journalists. He said that the audio recordings of the Head of the Parliamentary Group of his party, Mimoza Kusari Lila, with the former deputy of Srpska, Simic, were given to the Kosovo media by the Serbian president, Vucic¹⁰¹. Additionally, a ruling party's MP, Mefail Bajqinovci, revealed internal documents from the Tax Administration of Kosovo to discredit journalists and the owner of Nacionale, Berat Buzhala. Bajqinovci said that the latter had evaded taxes¹⁰².

When the Ministry of Trade attempted to revoke the license of Klan Kosova Television, journalists protested during a press conference led by Minister Rozeta Hajdari¹⁰³. All attending journalists collectively boycotted the conference. Following this, a smear campaign targeted Edona Podvorica, a journalist from the Public Television, RTK. Members of Parliament Valon Ramadani and Enver Dugolli from Vetëvendosje (VV) used Facebook to pressure and denigrate the journalist¹⁰⁴.

99 Ibid.

100 Focus group with journalists from broadcast, NGO's and online media outlets conducted by Getoarbë Mulliqi on 29.12.2023.

101 Association of Journalists of Kosovo. "[Dangerous Language by Minister Sveçla towards Journalists](#)", Prishtina, 15.07. 2023.

102 Association of Journalists of Kosovo. "[Further Threats against Journalist Berat Buzhala](#)", Prishtina, 12.07.2023.

103 Association of Journalists of Kosovo. "[Kosovo: EFJ, AGK, and Media Freedom Groups Welcome Klan Kosova Court Injunction Decision](#)", Prishtina, 3.08.2023.

104 Association of Journalists of Kosovo. "[Public Pressure by Vetëvendosje Deputies on RTK Journalist](#)", Prishtina, 2.08.2023.

Category	Number	Brief description of the cases
<p>Non-physical threats and harassments</p> <p>The non-physical threats and harassments include:</p> <ul style="list-style-type: none"> – surveillance or trailing. – harassing phone calls. – arbitrary judicial or administrative harassment. – aggressive declarations by public officials. – other forms of pressure that can jeopardise the safety of journalists in pursuing their work. <p>These types of threats do not include mobbing and bullying in the working environment</p>	20 Cases	<ul style="list-style-type: none"> – In 2023, journalist Erjola Cacaj from Nacionale Portal received threats from a company that had won a tender in Kosovo. – Minister of Interior, Xhelal Svecla, used dangerous and unacceptable language towards the media and journalists. He said that the audio recordings of the Head of the Parliamentary Group of his party, Mimoza Kusari Lila, with the former deputy of Srpska, Simic, were given to the Kosovo media by the Serbian president, Vucic. – A ruling party's MP, Mefail Bajqinovci, revealed internal documents from the Tax Administration of Kosovo to discredit journalists and the owner of Nacionale, Berat Buzhala. – A smear campaign targeted Edona Podvorica, a journalist from the Public Television, RTK. Members of Parliament Valon Ramadani and Enver Dugolli from Vetëvendosje (VV) used Facebook to pressure and denigrate the journalist. – On January 12, 2023, journalist Bujar Vitija reported a series of insults and threats directed at him following his articles about alleged corruption in the Public Hospital of Vushtrri. – On January 26, 2023, journalists in Kosovo were left uninformed about the time and location of the Extraordinary Assembly of the Football Federation of Kosovo (FFK). – On February 24, 2023, Agron Beka, a member of the Kosovo Prosecutorial Council (KPC), made derogatory remarks about the TV show "Betimi për Drejtësi" during a KPC meeting. This followed the airing of an episode featuring Beka, who was implicated in alleged misconduct. – On March 2, 2023, Hasime Qyqalla, an official from the Municipality of Fushë Kosovë, attempted to intimidate KALLXO.com journalist Behar Mustafa by threatening to initiate criminal prosecution. This intimidation followed an investigation by KALLXO.com involving her son. – On April 3, 2023, former NISMA deputy Zafir Berisha accused Ermal Panduri, a journalist for RTV Dukagjin, of being "the most loyal voice of Serbian politics" regarding his coverage of war topics and the Hague. – On May 12, 2023, journalists Kosovë Gjoci from Euronews Albania and Besarta Hoti from the Periskopi portal faced obstruction while covering events involving Kosovo's Prime Minister Albin Kurti and Minister of Economy Artane Rizvanolli. Gjoci reported that members of Kurti's defense pushed him, damaged his equipment, and threatened him. – On May 28, 2023, Dafina Demaku, editor-in-chief of the Periskopi portal, reported a derogatory campaign against her on social media, especially TikTok. She was labeled a "pro-Serbian journalist" and a "suspected agent of the Serbian BIA." – On May 31, 2023, journalists Berat Buzhala, Bekim Kabashi, and Lavdim Hamidi were targeted by manipulated images circulating on social media. Buzhala's image falsely suggested that Serbian President Aleksandar Vučić praised him as one of the best Kosovar journalists. On June 7, 2023, Artan Abrashi, an MP from the ruling Vetëvendosje party, used derogatory language against the "Albanian Post" portal after it published an article on potential sanctions against Prime Minister Albin Kurti. Abrashi stated on Facebook, "Sanishic's Albanian portal writes about sanctions against Kosovo. Its name is Albanian, but it has nothing to do with Albania." – On July 11, 2023, derogatory language was used by Feim Kelmendi, the Director of Finance at Post and Telecommunication of Kosovo, towards journalists from "Front Online." – On July 27, 2023, journalists covering the Assembly of Kosovo faced restrictions during a session, with a bar placed over their reporting area, blocking their view of the Assembly and deputies. – On August 15, 2023, the Association of Journalists of Kosovo expressed deep concern over a derogatory campaign against the web portal Nacionale and its journalists. A banner in Prizren featured images of journalists Vullnet Krasniqi and Berat Buzhala, with the message, "Justice for the people, punishment for the slanders. Boycott Nacionale."

Category	Number	Brief description of the cases
		<ul style="list-style-type: none"> – On September 9, 2023, the Association of Journalists of Kosovo expressed disappointment over gender discrimination in recent managerial positions at RTK. Despite being top scorers, journalists Ilire Zajmi and Flora Masurica Durmishi, along with lawyer Mihrije Beiqi, were not selected for the positions. – On October 3, 2023, football coach Ismet Munishi used sexist comments directed at sports reporter Qëndresa Krelani during a televised program. – On December 1, 2023, the Association of Journalists of Kosovo expressed concern over accusations by journalist Behare Bajraktari from Radio Kosovo regarding her working conditions. Bajraktari reported that her personal and work belongings were removed from her office after her radio show was allegedly cut off. – On December 28, a video released by journalist Blerta Dalloshi-Berisha showed a member of Prime Minister Albin Kurti's protection team grabbing and pushing her while she was trying to ask the prime minister a question.

— C.12 THREATS AGAINST THE LIVES AND PHYSICAL SAFETY OF JOURNALISTS

In 2022, no cases of threats against the lives and physical safety of journalists were reported in Kosovo. However, the media community is alarmed by the total number of 11 cases that occurred in 2023¹⁰⁵. It is concerning that online threats towards journalists are not taken as seriously as those directed at politicians. Journalists believe that citizens do not hesitate to make such threats via social media because the rule of law institutions do not handle them with the seriousness and priority they deserve¹⁰⁶.

On March 16th, journalist and editor of the Public Broadcaster, Alban Selimi, reported on Facebook that someone tried to intimidate him by setting his garage on fire. The Basic Court in Pristina has approved the request from the Basic Prosecution in Pristina, leading to the detention of the suspect A.L (42 years old) for 30 days on suspicion of burning down the garage of the Radio Television of Kosovo (RTK) editor, Alban Selimi¹⁰⁷.

Furthermore, the T7 crew experienced a disturbing incident in Leposavic, where they were chased by armed individuals brandishing firearms, demanding that both journalist Unitet Berisha and camera operator Përparim Gashi stop their vehicle¹⁰⁸. Additionally, the KIKS team faced threats on two occasions in 2023. Journalist Herolind Ademi received multiple threatening messages on Facebook from the same individual related to an investigation he was conducting¹⁰⁹. Subsequently, the authors of the investigative show Ardiana Thaci Mehmeti and Erjona Gjokolli were threatened by another person, including threats directed at them and their families¹¹⁰. Nationale's Burim Pacolli received persistent threats on his Instagram profile, with someone publicly posting threatening messages and requesting his home address, tagging him in public stories¹¹¹.

105 Association of the Journalists of Kosovo. Database of Association of Journalists of Kosovo. Kosovo, 2023.

106 Ibid.

107 Association of Journalists of Kosovo. "[Threat against Editor Alban Selimi](#)", Prishtina, 16.03.2023.

108 Association of Journalists of Kosovo. "[T7 Team Threatened with Firearms in Leposavic](#)", Prishtina, 8.02.2023.

109 Association of Journalists of Kosovo. "[Journalist Herolind Ademi Threatened with Death](#)", Prishtina, 8.11.2023.

110 Association of Journalists of Kosovo. "[Threat against Journalists Ardiana Thaci Mehmeti and Erjona Gjokolli](#)", Prishtina, 30.11.2023.

111 Association of Journalists of Kosovo. "[Journalist Burim Pacolli Threatened](#)", Prishtina, 14.12.2023.

Moreover, journalists Fatos Hetemi and Irfan Maliqi from local media outlet Plus TV were threatened with death due to an article about two mosques in the Vitina municipality¹¹².

Category	Number	Brief description of the cases
<p>Threats against the lives and physical safety of journalists</p> <p>This category may include:</p> <ul style="list-style-type: none"> – references to killing journalists, journalists' friends, family, or sources. – references to making physical harm against journalists, journalists' friends, family, or sources. <p>These threats may be:</p> <ul style="list-style-type: none"> – made directly or via third parties. – conveyed via electronic or face-to-face communications. – may be implicit as well as explicit. 	11 cases	<ul style="list-style-type: none"> – The attempted arson attack on Alban Selimi's garage/house. – The T7 crew were chased by armed individuals brandishing firearms in Leposavic, demanding that both journalist Unitet Berisha and camera operator Përparim Gashi stop their vehicle. – The KIKS team faced threats on two occasions in 2023. Journalist Herolind Ademi received multiple threatening messages on Facebook from the same individual related to an investigation he was conducting. – Ardiana Thaci Mehmeti and Erjona Gjokolli were threatened by another person, including threats directed at them and their families. – Nacionale's Burim Pacolli received persistent threats on his Instagram profile, with someone publicly posting threatening messages and requesting his home address, tagging him in public stories. – Journalists Fatos Hetemi and Irfan Maliqi from local media outlet Plus TV were threatened with death due to an article about two mosques in the Vitina municipality. – On April 27, 2023, Edmonda Avdija, a journalist at Syri Television in Gjakovë, reported receiving threats from an individual identified as B.A. while in Meje. – On June 2, 2023, the RTV 21 team, including journalist Venhar Isufi and camera operator Olti Pacolli, was followed and threatened by masked individuals in Leposaviq. They were obstructed while trying to film negotiations between the former mayor Zoran Todiq and KFOR officials. – On July 29, 2023, Alberta Hashani, a journalist, and Dituron Aliu, a camera operator for "Betimi për Drejtësi," received death threats while working on an investigation set to be published in September. They were threatened by a salesman of illegal goods, who sent a message to Aliu implying he "owed him some blood". – On October 20, 2023, journalist Agim Ademi received a threat from an individual identified as S.B. during a public nursery inauguration in Godanc, Shtime. S.B. warned him against writing about the mayor or local officials. – On December 14, 2023, journalist Fatlum Berisha reported receiving death threats on TikTok, including a comment that stated, "I should have given you 31 bullets."

— C.13 ACTUAL ATTACKS

During 2023, 20 cases of actual attacks have taken place in Kosovo, with some involving more than one media crew at the same time. The majority of these attacks took place in the northern part of Kosovo¹¹³.

Compared to 2022, the number of cases increased, with the majority of these attacks concentrated on May 29 and 30, as well as June 16. Eleven out of the 20 cases occurred in Leposavic, Zvecan, Zubin Potok, and the municipality of North Mitrovica. One of the worst cases involved camera operator Bardh Bekteshi, followed by Pleurat Salihi, who suffered a broken arm¹¹⁴. Dorentina Thaqi was hit on the head with a stone, alongside other journalists and cameras in front of the Leposaviq town hall¹¹⁵.

112 Association of Journalists of Kosovo. "[Death Threats against Plus TV Journalists Fatos Hetemi and Irfan Maliqi](#)", Viti, 11.11.2023.

113 Association of the Journalists of Kosovo. Database of Association of Journalists of Kosovo. Kosovo, 2023.

114 Association of Journalists of Kosovo. "[Media Attacked in Leposaviq: RTK Cameraman Bardh Bekteshi Suffers Serious Head and Body Injuries](#)" and "[Physical Assault on Journalist Pleurat Salihi](#)", Leposaviq, 16.06.2023.

115 Association of Journalists of Kosovo. "[RTV Dukagjini Journalist Dorentina Thaqi Attacked with a Stone to the Head](#)", 16.06.2023.

One of the most significant cases involved journalist Valon Sylva, who was assaulted by a group of three individuals following his appearance on a television debate, which he attends regularly¹¹⁶. Vullnet Krasniqi and camera operator Arber Latifi were also physically attacked by a group of protesters on August 11th in Prizren¹¹⁷. Additionally, the same camera operator from Nacionale was assaulted three weeks prior in Gjakova. During a protest organized by the PSD Political Party, a group of journalists were attacked by Kosovo Police members, who used tear gas against them¹¹⁸. The Kosovo Police Inspectorate promptly initiated proceedings in relation to this incident.

116 Association of Journalists of Kosovo. "[Physical Assault on Journalist Valon Sylva](#)", Prishtina, 11.04.2023.

117 Association of Journalists of Kosovo. "[Physical Assault on Journalist Vullnet Krasniqi and Cameraman Arbër Latifi](#)", Prizren, 11.08.2023.

118 Association of the Journalists of Kosovo. Database of Association of Journalists of Kosovo. Kosovo, 2023.

Category	Number	Brief description of the cases
Actual attacks on journalists Types of actual attacks may include actual physical or mental harm, kidnapping, invasion of home/office, seized equipment, arbitrary detention, failed assassination attempts, etc.	20 Cases	<ul style="list-style-type: none"> - One of the worst cases involved camera operator Bardh Bektashi, followed by Pleurat Salihu, who suffered a broken arm. - Dorentina Thaqi was hit on the head with a stone, alongside other journalists and cameras in front of the Leposaviq town hall. - Journalist Valon Sylja, was assaulted by a group of three individuals following his appearance on a television debate, which he attends regularly. - Vullnet Krasniqi and camera operator Arber Latifi were also physically attacked by a group of protesters on August 11th in Prizren. - Additionally, the same camera operator from Nacionale was assaulted three weeks prior in Gjakova. - During a protest organized by the PSD Political Party, a group of journalists were attacked by Kosovo Police members, who used tear gas against them. - In May 2023, journalists from different media outlets were attacked by the Serbian protesters in the Municipality of Leposaviq. While they were on a live broadcast, several women could be seen attempting to obstruct reporters from KOHA, RTV Dukagjini, and other media outlets from reporting in this municipality. - In May 2023, journalists from Tëvë1 informed the Association of Journalists of Kosovo that some individuals had broken their cameras while they were reporting in the Municipality of Leposavic. - In May 2023, journalists from Kanal10 had their vehicles damaged while reporting in the northern part of the country, particularly in Zveçan. - Journalist Lirie Dibrani and camera operator Berat Bahtiri from RTV21 were physically assaulted by the Serbian protesters while reporting in Car Lazar Square. - On May 31, many journalists reporting from the Municipality of Zveçan were attacked by the local protesters while attempting to film the moment of an attack on a Kosovo Police vehicle. Among them, Burim Zariqi from RTV21 was physically assaulted by protesters. - In June, many journalists were attacked in the Municipality of Leposaviq while reporting. Among the injured was camera operator Albin Rahmani, who had leg injuries. - On June 16th, journalist Laura Kerolli and camera operator Ardijan Shala from the IndeksOnline portal were physically assaulted in Leposaviq. - On June 16, 2023, journalist Qendresa Sinani from Klan Kosova was injured in her right leg by masked protesters while reporting in Leposaviq. - On August 16, 2023, Lajmi.net's camera operator was assaulted while filming KRU Prishtina's disconnection of debtors in Shtime. - On September 17, 2023, journalist Ulpiana Emra from ArtMotion was attacked by fans while covering the Super Cup final basketball match between Trepça and Peja in Suharekë. - On November 10, 2023, a crew from the "Insajderi" portal was attacked in Vushtrri by local imam Halili. - On November 29, 2023, during a protest organized by the Social Democratic Party (PSD) in Prishtinë, camera operator Bujar Sylejmani from Voice of America was forcefully pushed while working. - On December 16, 2023, journalist Rinë Haziri from Lajmi.net was obstructed and attacked while reporting from Brezovica. An individual demanded she stop recording, then forcefully took her phone while threatening her.

— C.14 THREATS AND ATTACKS ON MEDIA OUTLETS AND JOURNALISTS' ASSOCIATIONS

During 2023, there were 23 reported cases of threats and attacks on media outlets, with 16 occurring in the north of Kosovo, particularly during May and June¹¹⁹.

119 Association of the Journalists of Kosovo. Database of Association of Journalists of Kosovo. Kosovo, 2023.

The situation has worsened with a 14-case increase compared to 2022. Additionally, the severity of cases has escalated, with these incidents primarily occurring during journalists' reports from the tensions in the north. Journalists faced various threats including damage to personal property, damage to intellectual property, and other forms of aggression. Particularly, a vehicle belonging to TëVë1 was initially damaged and then set on fire¹²⁰. Similar acts of vandalism were seen on other media vehicles, with numerous cameras and phones also being damaged.

One of the most significant incidents in recent years related to the media is the case of Klan Kosova Television. In mid-June, the Ministry of Industry, Entrepreneurship, and Trade suspended the business license of this private media outlet, a decision that was unprecedented and lacked a legal basis and prior notice. Although the Commercial Court overturned this decision in late July, it is widely regarded by relevant actors, both locally and internationally, as a highly dangerous attack on media freedom in Kosovo.

120 Association of Journalists of Kosovo. "[Setting Fire to the Vehicle of the T7 Team](#)", Zubin Potok, 29.05.2023 .

Category	Number	Brief description of the cases
Threats and attacks on media outlets and journalists' associations Actual attacks on property of media outlets and organizations, their personnel, seized equipment, aggressive declarations by public officials etc. Also, threats and attacks might include some of the categories listed above.	23 Cases	<ul style="list-style-type: none"> - A vehicle belonging to TëVë1 was initially damaged and then set on fire. - In mid-June, the Ministry of Industry, Entrepreneurship, and Trade suspended the business license of this private media outlet, a decision that was unprecedented and lacked a legal basis and prior notice. - On March 13, 2023, Vaxhid Rexhepaj, Chief of the Cabinet to the Mayor of Kamenica, Kadri Rrahimaj, used inappropriate language toward Television 7 journalist Çlirimtar Morina. When questioned about a viral photo montage displayed in Rrahimaj's office, Rexhepaj attacked the media instead of answering, stating, "We will send the painting to your owners, such as Aleksandar Vučić." - On March 30, 2023, Blerim Vela, Chief of Staff in President Osmani's office, attacked Kosovo media following reports about a potential Constitutional Court decision that could invalidate Osmani's election. In a series of tweets, Vela described the media's reporting as part of a "special war" orchestrated by Belgrade and carried out by "criminals from the north of Kosovo." - On May 25, 2023, Sami Kurteshi, a member of the Vetëvendosje party in the Central Election Commission, launched a violent attack on the media following the appointment of Luljeta Aliu to the Independent Media Commission. He accused journalists of being part of "political-economic organized crime" associated with "PLANS," stating, "AJK is an inseparable part of their dirty crime machines." - On August 16, 2023, several media teams were threatened and attacked while covering a KRU Prishtina event in Shtime. A camera operator from Lajmi.net was physically assaulted, and other journalists filming a man criticizing the media received threats. - On September 5, 2023, staff at RTV Besa in Prizren reported being threatened by Lulzim Kabashi, the former chairman of the Alliance for the Future of Kosovo (AAK) in the municipality. According to an email sent to the Association of Journalists of Kosovo, Kabashi "raided" RTV Besa's offices, threatening the staff's lives in reaction to media coverage of a former AAK candidate who was arrested on drug possession charges. - On May 26, 2023, the KOHA team was attacked with stones by masked individuals while reporting in Zveçan. Fortunately, no one was injured in the incident. - On May 29, 2023, the vehicles of RTV Dukagjini and KALLXO were vandalized by the protesters in Leposaviq. Videos showed the cars damaged with different slogans in Serbian language. - On May 29, 2023, a vehicle belonging to Top Channel was vandalized by protesters in Zveçan. - On May 29, 2023, two masked individuals attempted to attack the Periskopi team in Zveçan. A photograph sent to the Association of Journalists of Kosovo showed a colleague with a torn shirt from the incident, but fortunately, there were no injuries. - On May 29, 2023, the editorial staff of Gazeta Papyrus reported that three masked individuals knocked down their camera while the media team was filming KFOR vehicles in Zveçan. - On May 29, 2023, a vehicle belonging to the TV Syri team was shot at in Zveçan while returning from reporting. The team heard a strange noise and later found a bullet hole. - On May 30, 2023, the vehicle of the KOHA team, which reported from Zveçan, was found completely vandalized. Photos and videos showed broken windows, nationalist symbols on the vehicle, and missing side mirrors. - On May 30, 2023, the ATV team's vehicle was attacked by Serbian protesters, with photos showing the tires intentionally being left flat to obstruct reporting. The Association of Journalists of Kosovo expressed concerns over the escalating targeting of journalists by local Serb protesters. - On May 30, 2023, the vehicles of A2 CNN and Panorama were vandalized with bricks and stones while their teams were inside Leposaviq. Fortunately, there were no injuries. - On May 30, 2023, the vehicle of the online portal Periskopi was found damaged in Zveçan, showing evidence of bullet holes.

Category	Number	Brief description of the cases
		<ul style="list-style-type: none"> - On May 30, 2023, an explosive device was thrown at a taxi carrying the Radio Free Europe team in Zubin Potok by a group of local Serb protesters. - On May 31, 2023, the RTV Dukagjini team's vehicle was damaged while reporting in Zveçan. Fortunately, there were no injuries, but this marks the second vehicle of the outlet vandalized by local protesters. - On May 31, 2023, the Syri.net team's car was vandalized in Leposaviq when Serbian protesters punctured its tyres. - On June 13, 2023, the ATV team, including journalist Fatlum Jashari, camera operator Blend Thaçi, and driver Enis Sherifi, was attacked with stones in Zveçan while covering local developments. - On June 15, 2023, the vehicle of the Radio Television of Kosovo (RTK) team, including journalist Arbresha Berisha, camera operators Ilir Uka and Bardh Bekteshi, and engineer Mentor Vinarci, was attacked in Zveçan. While live reporting, Berisha reported that several individuals fired shots at the vehicle and punctured its tires. Fortunately, there were no injuries. - On September 18, 2023, Kosovo Deputy Prime Minister Besnik Bislimi attacked the media during a press conference, claiming they are "financed by Serbia."



Conclusions and Recommendations

CONCLUSIONS

LEGAL SAFEGUARDS AND THEIR IMPLEMENTATION

Despite the constitutional guarantees for freedom of speech, access to information, and protection of sources, which are just some of the constitutional guarantees, these guarantees however, fall short in practice. Their existence on paper is not enough to allow the media in Kosovo to do their job freely. As mentioned above, article 41 of the Constitution guarantees access to public documents; however, journalists in Kosovo face many challenges in obtaining important information from public documents, as institutions hesitate in responding to journalists' requests to obtain information. Moreover, one of the main concerns is the inefficiency and politicization of the IMC, which has faced prolonged periods of non-functionality due to delayed appointments and transparency issues in its election process. This non-functionality undermines its role in regulating media and ensuring compliance with media laws. Moreover, an increasing number of journalists have faced SLAPP lawsuits filed by different powerful businesses, individuals, and politicians, intending to intimidate and silence journalists.

JOURNALISTS' POSITION IN THE NEWSROOM

Low wages, absence of contracts, lack of social security coverage, and pressure coming from media owners are just some of the pressing issues journalists face in the newsroom. Around 25% of journalists have fixed-term contracts, and most journalists work under temporary contracts that offer no job security and no social security coverage. It is mostly the freelance journalists who are affected by these issues due to the absence of pensions, forcing them to engage in other non-journalistic activities to earn a living. In the private sector, especially in the journalistic profession, the absence of trade unions leaves journalists without a

proper mechanism to address these matters. Another concern is editorial independence where journalists are subjected to numerous pressures from media owners and sponsors in particular in the private media where attracting sponsorship turns out to be a source of conflict of interest. These challenges undermine the stability and integrity of journalism in Kosovo.

JOURNALISTS' SAFETY

In terms of the safety of journalists, the situation is considered to be quite concerning. The number of attacks on journalists has been the highest in the recent history of the country. However, these attacks on journalists are just one of the several challenges and pressing issues that journalists in Kosovo face when it comes to safety. One of the main issues concerning the safety of journalists is the insufficient system for reporting threats and attacks. Two main places where journalists report their cases are the Kosovo Police (KP) and the Association of Journalists of Kosovo (AJK). However, there are discrepancies in their databases which leads to inefficiencies in tracking and handling these cases. Furthermore, the lack of a systematic risk-assessment procedure and dedicated units for investigating attacks makes it impossible to ensure the safety of journalists and enable them to carry out their work in a safe environment. Though in legal terms, including here Kosovo's legal framework and international agreements, such as the Istanbul Convention, journalists are protected, most of the time this protection lacks consistency, especially when cases of online harassment and non-physical threats are involved.

GENERAL CONCLUSION

In 2023, the media landscape in Kosovo has faced significant challenges, including insufficient access to information, and an increase in verbal and physical attacks. Notwithstanding legal guarantees on press freedom and access to information, applying such in practice would face a variety of obstacles. Even though the constitution of Kosovo is in line with international conventions, its practical implementation remains insufficient as far as access to public documents by journalists is concerned, and ineffective and politicized Independent Media Commission (IMC). SLAPP lawsuits also continue to pose a threat to silencing journalists and critical reporting. The working conditions of journalists have not improved either, characterized by small wages, insecure contracts, and continuous editorial pressure by the owners of media outlets that compromise their independence. Safety concerns are also alarming with emphasis on the attacks against journalists and a lack of proper mechanisms for reporting and investigating these threats undermining the overall environment for free and independent journalism in Kosovo.

RECOMMENDATIONS

LEGAL SAFEGUARDS AND THEIR IMPLEMENTATION

- Enhancing the Impartiality and Sustainability of PSB RTK. Secure the legal and financial sustainability of PSB RTK to uphold its accountability in line with its status. Identify appropriate funding mechanisms to support its operations effectively.
- Ensure that the nomination and appointment of PSB board members are apolitical to mitigate the risk of political influence. The current practice of solely relying on appointments by the Kosovo Assembly could compromise the independence of the PSB.
- Strengthening the Competencies of Self-Regulatory Bodies, as well as empowering its position within the community.
- Reassess the appointment process of the Independent Media Commission (IMC) board to minimize subjectivity and political interference. Implement stricter regulations regarding the political affiliations of board members.
- The Kosovo Judicial Council should establish procedures for handling defamation lawsuits against journalists to ensure fair and impartial treatment of such cases.
- Recognize and combat Strategic Lawsuits Against Public Participation (SLAPPs) to safeguard freedom of expression and prevent the misuse of legal actions to suppress journalistic activities.

JOURNALISTS' POSITION IN THE NEWSROOM

- Media outlets should prioritize the utilization of the Code of Ethics as the cornerstone of journalistic behaviour to enhance the quality of reporting and promote professionalism among journalists.
- Enhance observance to professional standards by implementing Codes of Conduct. Collaborate with organizations such as AJK, EFJ, UN Women, NDI, OSCE, and CoE to conduct training sessions for journalists on best practices in news reporting.
- Encourage media organizations to create their own codes of conduct or adopt existing self-regulatory guidelines to uphold ethical journalism.
- Media entities should invest in enhancing their fact-checking capabilities and combatting disinformation. Ensuring editorial independence by following a clear media hierarchy where managers support unbiased reporting.
- Prioritize the physical, economic, and psychological safety of journalists by implementing safety

mechanisms within media ownership structures.
Establish an inclusive Trade Union for journalists
to advocate for their long-term well-being.

- Develop and enforce regulations governing employment procedures for journalists through the Labour Inspection. Improve efficiency in addressing labour rights violations and strengthen the role of Unions to promote better working conditions in both public and private media sectors.
- AJK should actively support journalists in advocating for improved working conditions, participate in parliamentary discussions on media legislation, and defend journalists' rights when they are at risk of being compromised.

JOURNALISTS' SAFETY

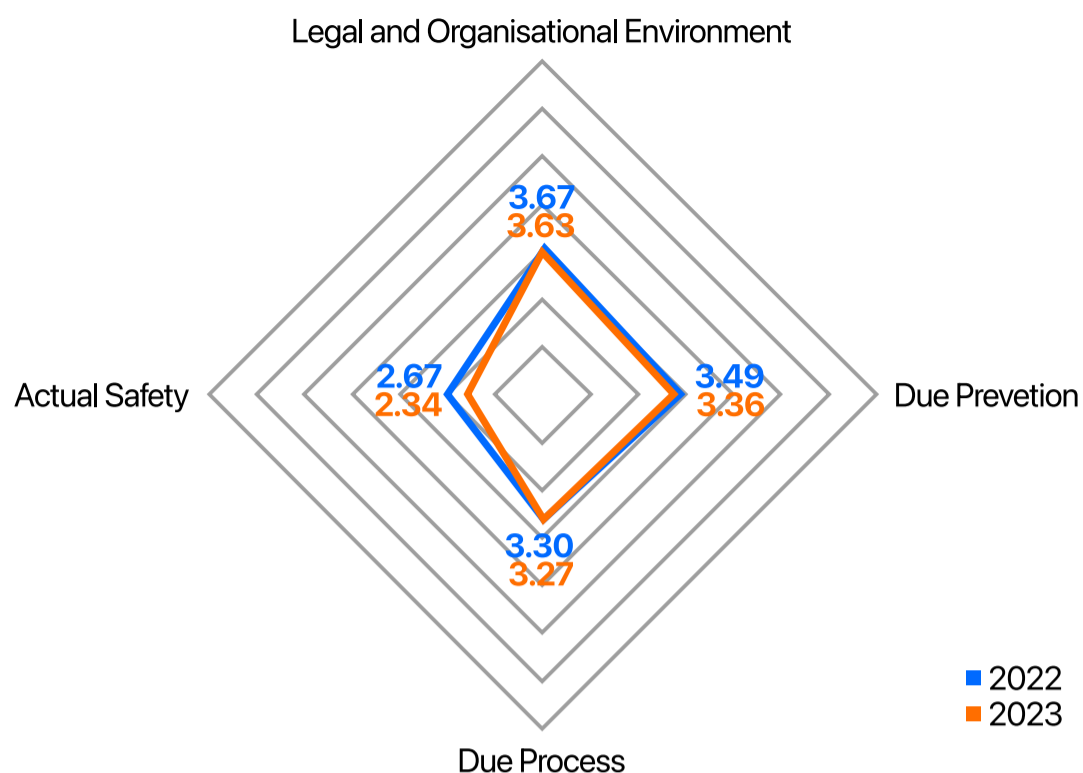
- The government of Kosovo should prioritize creating a secure environment for journalists by granting them access, adopting a friendly approach, maintaining transparency, and, most importantly, providing protection in the line of their duty.
- Cases involving threats and attacks against journalists must be prioritized by the courts in Kosovo. Special policies aimed at safeguarding journalists should be developed through collaboration between the rule of law institutions, judiciary bodies, and AJK.
- Courts should establish a specific framework for collecting data on cases related to the safety of journalists to better understand and address these issues.
- Specific units within the rule of law and judiciary institutions should be dedicated to ensuring the safety of journalists. These units will focus on implementing measures to protect journalists and prevent harm against them.

IV Journalists' Safety Index Kosovo – 2023

This section of the report graphically presents the Journalists' Safety Index in 2023, compared to the previous year 2022. For each of the four dimensions and for all 19 indicators, a brief explanation of the key changes that occurred in 2023 is presented.

A broader explanation of the data and the changes that occurred for each individual indicator of the Index can be read in the narrative section of the report:

Indicator in the Journalists' Safety Index	Narrative report
I. Legal and organisational environment	
Legal provisions related to defamation and their application do not create a chilling effect on journalists and the media	A.6
The confidentiality of journalists' sources is guaranteed in the legislation and respected by the authorities	A.8
Other laws are enforced objectively and allow journalists and other media actors to work freely and safely	A.7
Journalists are free to pursue their profession and to establish, join and participate in their associations	A.9
The job positions of journalists are stable and protected at the workplace	B.1
II. Due Prevention	
Journalists and media actors have access to immediate and effective protective measures	C.1
Journalists and other media actors have access to special protection or safety mechanisms	C.2
Female journalists have access to legal measures and support mechanisms	C.3
The practice of regular public condemnation of threats and attacks on journalists and media	C.4
Police authorities are sensitive to journalists' protection issue	C.5
III. Due Process	
Specialised units/officers are equipped with expertise for investigating attacks and violence against journalists	C.6
Investigations of serious physical attacks on journalists and other media actors are carried out efficiently	C.7
Journalists and other media actors are efficiently protected from various forms of online harassment	C.8
Investigations of all types of attacks and violence against journalists and other media actors are carried out transparently	C.9
Quality statistics collection systems established by state authorities to stem impunity	C.10
IV. Actual Safety	
Non-physical threats and harassments	C.11
Threats against the lives and physical safety of journalists	C.12
Actual attacks	C.13
Threats and attacks on media outlets and journalists' associations	C.14



Journalists' Safety Index Kosovo – 2023

	2022	2023		Main New Developments in Each Dimension
Legal and Organisational Environment	3.67	3.63	↓	Defamation laws in Kosovo prioritise freedom of expression aligning with European standards, but SLAPP lawsuits have been quite common against journalists and activists. Still, although the respective cases pass fairly through the courts, concerns over their efficiency remain, and SLAPP suits as such remain legally unrecognised, leaving journalists without protection. Nonetheless, source protection is guaranteed under the Kosovo laws, and no violations were reported in 2023. Journalists practice their profession freely, and state licenses are not requested; however, many journalists work on temporary contracts, and, particularly in small media, they face other kinds of difficulties such as a lack of social security and problems with salaries. Private media received a 28% increase in the salaries of their employees, but they still lacked trade unions to address journalists' concerns.
Due Prevention	3.49	3.36	↓	Although there is legal protection in the Criminal Code against serious threats to the safety of journalists in Kosovo, the absence of systematic risk-assessment procedures makes this protection considerably incomplete. Regarding gender-based violence, even though the state does provide some mechanisms to deal with it, victim protection offices and free legal aid services are no particular support in terms of providing legal aid for women journalists. Reports indicate that even though the institutions respond to the cases of women journalists, compared to male journalists, they receive special kinds of personal threats. In 2023, public condemnation against attacks on journalists has been inconsistent, and government recognition has largely remained at physical attacks while verbal ones that contribute to the growing climate of harassment have been ignored. Nevertheless, the cooperation with the Kosovo Police remains strong, reflecting the commitment to the protection of journalists' rights, ensuring they will be able to carry out their work without any obstacles.
Due Process	3.30	3.27	↓	In 2023, Kosovo faced major challenges in the protection of journalists and media freedom, with some small improvements in this direction. The Association of Journalists of Kosovo established a database of lawsuits and cases involving journalists; at the same time, specialized investigative units for criminal acts against journalists remain lacking. Coordinators have been appointed within the police and the judiciary, yet professionalism and expert knowledge in handling legal safeguards remain weak. Investigations into physical attacks against journalists remained slow and ineffective, while transparency in court procedures was also limited. The year also saw eight cases of online harassment along with distressing attempts by the government to regulate the content of media outlets, especially Klan Kosova.

	2022	2023		Main New Developments in Each Dimension
Actual Safety	2.67	2.34	↓	In 2023, there has been an extraordinary worsening of non-physical threats and physical attacks against the journalists in Kosovo. While it increased to 20 cases, their severity increased too, since officials and citizens used very dangerous language on social media platforms. Furthermore, this year there was a concerning increase in the level of threats carried out against the life and physical integrity of journalists: indeed, 11 cases were reported, including an attempted arson on journalist Alban Selimi's property. Physical attacks also increased -20 cases were recorded, most of them in northern Kosovo, particularly during May and June, when media crews were repeatedly targeted. Attacks included vandalizing media vehicles and damaging equipment; for example, TëVë1's vehicle was set on fire.
Journalists' Safety Index	3.07	2.87	↓	

Legal and Organisational Environment

Legal provisions related to defamation and their implementation do not produce chilling effects on journalists and media

3.50

Confidentiality of journalists' sources is guaranteed in the legislation and respected by the authorities

4.59

Other laws are implemented objectively and allow the journalists and other media actors to work freely and safely

3.02

Journalists are free to pursue their profession and to establish, join and participate in their associations

3.96

Journalists' job position is stable and protected at the workplace

3.10

1.00 — Neither law nor practice provides any protection in the workplace for journalists, their sources, and their organizations, which creates an extremely chilling effect.

2.00

3.00

4.00

5.00

6.00

7.00

— Both the law and practice provide the highest degree of protection in the workplace for journalists, their sources, and organizations.

INDICATOR 1.1

— LEGAL PROVISIONS RELATED TO DEFAMATION AND THEIR IMPLEMENTATION DO NOT PRODUCE CHILLING EFFECTS ON JOURNALISTS AND MEDIA

Score for 2022: 3.50 / Score for 2023: 3.50

In indicator 1.1, scores remain the same as in 2023 and reflect that Kosovo has done very little to nothing to improve the situation and legal infrastructure to have any effect on the media landscape or improve the working conditions of journalists. In Kosovo, the Civil Law against Defamation and Insult, enacted in 2008, emphasizes prioritizing freedom of expression, aligning with the European Convention for the Protection of Human Rights and Fundamental Freedoms. The European Court of Human Rights' interpretations hold precedence over domestic law in cases of conflict. The Kosovo Law Institute (KLI) monitors thousands of court hearings annually, including defamation cases. In 2023, KLI observed numerous defamation complaints, often involving public officials suing journalists and activists. Some cases were Strategic Lawsuits Against Public Participation (SLAPP) targeting media and activists. While courts generally handle cases fairly, concerns persist about the justice system's efficiency in resolving them promptly. Defamation laws can unfairly penalize journalists, sometimes favouring public officials. The exact number of defamation lawsuits against journalists is uncertain. Journalists are not deterred by defamation laws but worry they might unintentionally punish truthful reporting. Despite efforts, obtaining comprehensive data on defamation lawsuits remains challenging.

INDICATOR 1.2

— CONFIDENTIALITY OF JOURNALISTS' SOURCES IS GUARANTEED IN THE LEGISLATION AND RESPECTED BY THE AUTHORITIES

Score for 2022: 4.61 / Score for 2023: 4.59

Overall, the situation remains similar to 2023 with microscopic improvement. In Kosovo, laws protect journalists' sources, ensuring their confidentiality. According to Law No. 04/L-137, journalists cannot be forced to reveal sources unless ordered by the court to prevent serious harm. In 2023, no instances of source disclosure were recorded. Journalists feel free to access sources, emphasizing Kosovo's laws safeguarding source confidentiality.

INDICATOR 1.3

— OTHER LAWS ARE IMPLEMENTED OBJECTIVELY AND ALLOW THE JOURNALISTS AND OTHER MEDIA ACTORS TO WORK FREELY AND SAFELY

Score for 2022: 3.06 / Score for 2023: 3.02

In Kosovo, SLAPP lawsuits continue to be unrecognized, leaving journalists vulnerable without legal safeguards. However, as of 2023, there haven't been any reported instances of discriminatory application of laws to silence journalists through

legal costs. Some journalists have faced multiple defamation lawsuits, but fear of public backlash often leads to reluctance in making their cases public. For example, journalist M.B. accepted two defamation lawsuits successively and was warned about the third. These lawsuits, commonly known as SLAPP suits, aim to silence journalists by imposing hefty financial burdens, hindering their professional duties.

INDICATOR 1.4

— JOURNALISTS ARE FREE TO PURSUE THEIR PROFESSION AND ESTABLISH, JOIN AND PARTICIPATE IN THEIR ASSOCIATIONS

Score for 2022: 3.98 / Score for 2023: 3.96

In Kosovo, journalists operate without the need for state licenses, enjoying unrestricted freedom to work. While not mandated, they are encouraged to carry media organization-issued identification when covering events. No recent efforts have been made to introduce state licensing. Generally, journalists face no issues being recognized or reporting on events, with no denials reported in 2023. There were no pressures for journalists to join associations, and no signs of fake media organizations undermining genuine journalistic groups.

INDICATOR 1.5

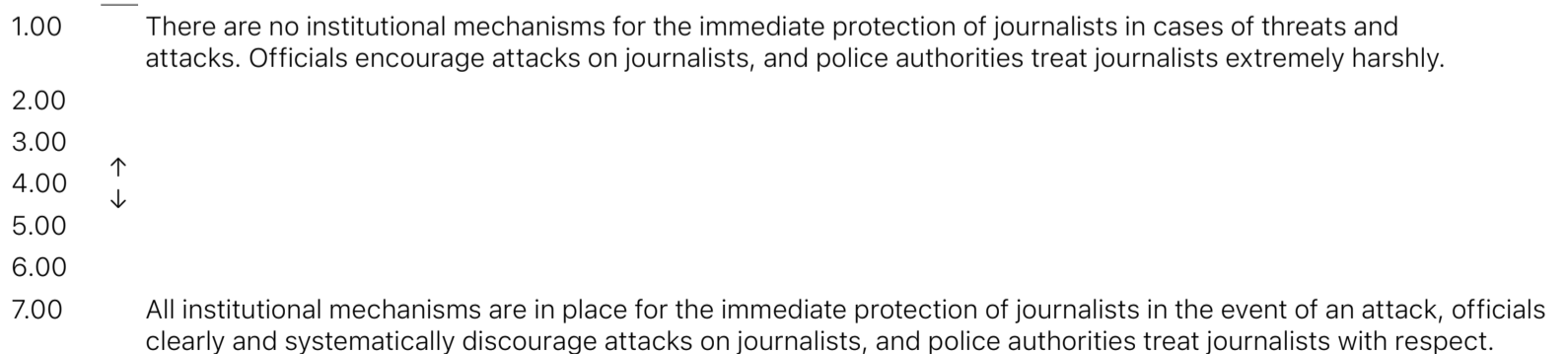
— JOURNALISTS' JOB POSITION IS STABLE AND PROTECTED IN THE WORKPLACE

Score for 2022: 3.20 / Score for 2023: 3.10

A quarter of journalists work on fixed-term contracts, with most of them on temporary agreements which last for a year. Few have other arrangements. PSB journalists lack social security coverage, but private sector conditions have improved. Salaries rose by 28%, with fewer earning up to 350 euros and more earning up to 600 or 800 euros. Freelancers lack pension compensation and struggle with extra work. Media owners monitor newsroom hours, impacting salaries, with no compensation for fieldwork hours. Small media outlet journalists face salary challenges. Private media lacks trade unions, and support from owners for journalist associations is unclear. Kosovo's collective agreement applies only to PSB employees.



Due Prevention



INDICATOR 2.1

— JOURNALISTS AND MEDIA ACTORS HAVE ACCESS TO IMMEDIATE AND EFFECTIVE PROTECTIVE MEASURES WHEN THEY ARE THREATENED

Score for 2022: 3.52 / Score for 2023: 3.51

The protection for journalists and media actors in Kosovo remains the same as in the previous year, and it is quite fast and effective. Apart from the Kosovo Police, another address that journalists tend to report hate speech and serious life-threat cases is the Association of Journalists of Kosovo, which in most cases is their primary point of contact and even the main address to report their cases to. Moreover, AJK and KP's databases have discrepancies because some cases are not reported to both institutions, respectively. There are no known instances of relevant authorities failing to respond or refusing to process/accept reports from journalists or media outlets regarding the violations of their rights. Furthermore, upon the request of AJK's legal advisor, the State Labour Inspectorate has handled three workplace violations reported anonymously by journalists.

INDICATOR 2.2

— JOURNALISTS AND OTHER MEDIA ACTORS (WHOSE LIVES OR PHYSICAL INTEGRITY ARE AT A REAL AND IMMEDIATE RISK) HAVE ACCESS TO SPECIAL PROTECTION/SAFETY MECHANISMS

Score for 2022: 3.48 / Score for 2023: 3.44

In addition to the presence of law enforcement and other state-developed mechanisms aimed at safeguarding journalists' safety, there exists a protective provision within the legal system, particularly in the Criminal Code of the Republic of Kosovo. This framework extends protection to any individual who may fall victim to criminal offenses, including journalists facing serious threats to their lives. In Kosovo, the absence of a systematic risk-assessment procedure for journalists and citizen protection shows a potential gap in ensuring their safety. Establishing such a procedure is important for identifying specific threats and formulating effective mitigation strategies. Based on the Criminal Code of the Republic of Kosovo, any person who may be a victim of criminal offenses due to his/her profession is protected, this legislation applies also to journalists, as there are no legal provisions that protect journalists in particular. In addition, except for the Kosovo Police, there is no other special mechanism developed by the state institutions to support journalists' safety.

INDICATOR 2.3

— FEMALE JOURNALISTS HAVE ACCESS TO LEGAL MEASURES AND SUPPORT MECHANISMS WHEN FACED WITH GENDER-BASED THREATS, HARASSMENT, AND VIOLENCE.

Score for 2022: 3.34 / Score for 2023: 3.31

There are state mechanisms for dealing with cases of gender-based violence. Within the State Prosecutor's Office there is an Office for Victim Protection which also represents cases of gender-based violence, while within the Agency for Free Legal Aid, free legal aid is provided to victims of gender-based violence when victims are unable to pay for it. There is also the Ombudsperson Institution where victims can seek help. In addition, women journalists have access to the same legal measures and support mechanisms as their fellow women citizens. Although women journalists believe that gender-based distinctions do not exist in how institutions handle their cases, the nature of the threats they encounter suggests that they are more likely to be targeted on a personal level rather than solely professionally, as seen in cases involving male journalists. In AJK, there have been reported 11 attacks against women journalists, 17 attacks against men journalists, and 46 attacks against groups and media crews.

INDICATOR 2.4

— THE PRACTICE OF REGULAR PUBLIC CONDEMNATION OF THREATS AND ATTACKS ON JOURNALISTS AND MEDIA HAS BEEN ESTABLISHED

Score for 2022: 2.92 / Score for 2023: 2.88

In 2023, the practice of regular public condemnation of threats and attacks on journalists and media in Kosovo remains inconsistent. Despite an increase in awareness of the importance of protecting journalists' rights, there are ongoing challenges. While government institutions recognize physical attacks on journalists as violations of freedom of expression and human rights, they continue to make statements only in these cases, neglecting instances of verbal attacks. This lack of consistent public support for journalists contributes to a concerning trend of increasing verbal attacks, which AJK emphasizes endangers journalists' safety and encourages further threats and harassment, particularly online.

INDICATOR 2.5

— POLICE AUTHORITIES ARE SENSITIVE TO JOURNALISTS' PROTECTION ISSUE

Score for 2022: 3.67 / Score for 2023: 3.65

The cooperation with the Kosovo Police remains consistent in addressing journalists' protection issues. Similar to 2022, the police authorities continue to demonstrate sensitivity towards the profession of journalists. This indicates a continued respect for journalists' rights and a commitment to enabling them to carry out their duties without interference, reflecting a positive trend in the relationship between the police and media workers in Kosovo.



Due process

Specialised investigation units and/or officers are equipped with relevant expertise for investigating attacks and violence against journalists

3.66

Investigations of serious physical attacks on journalists and other media actors are carried out efficiently (independently, thoroughly and promptly)

3.00

Journalists and other media actors are efficiently protected from various forms of online harassment

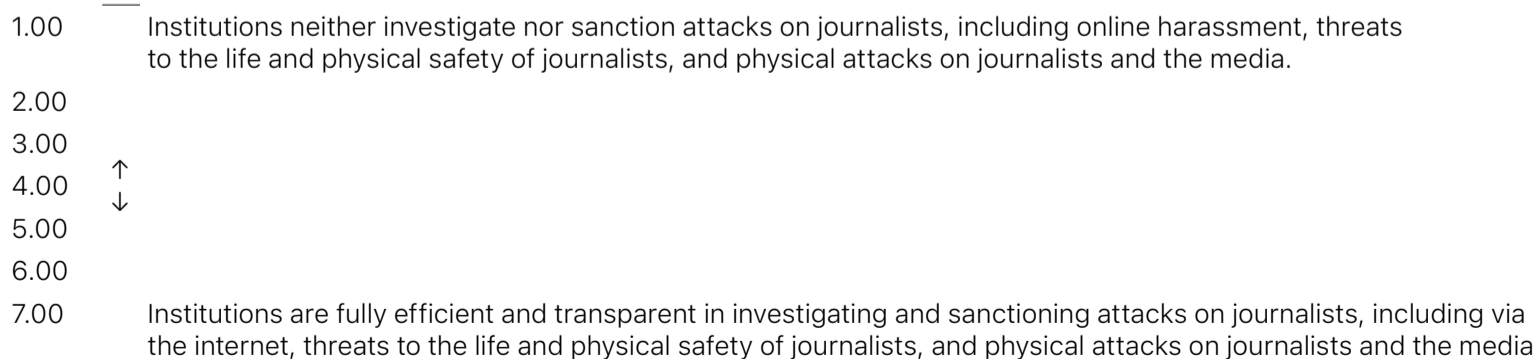
2.94

Investigations of all types of attacks and violence against journalists and other media actors are carried out transparently

3.13

Quality statistics collection systems established by state authorities to stem impunity

3.60



INDICATOR 3.1

— SPECIALISED INVESTIGATION UNITS AND/OR OFFICERS ARE EQUIPPED WITH RELEVANT EXPERTISE FOR INVESTIGATING ATTACKS AND VIOLENCE AGAINST JOURNALISTS

Score for 2022: 3.68 / Score for 2023: 3.66

The situation in 2023 remains quite similar to the previous year, as the institutions in Kosovo continue to deal with challenges in addressing cases concerning journalists and media freedom. Although there have been efforts to improve the situation, such as the creation of a database of lawsuits by AJK, the lack of specialized investigation units or officers equipped with relevant expertise persists. Despite the appointment of coordinators within the Police, Prosecution, and Courts to handle cases of threats, attacks, and harassment against journalists, there is still a notable absence of proper professionalism and expertise regarding the applicable legal safeguards provided by the legislation in Kosovo. Therefore, while some steps have been taken to address the issue, significant improvements are still needed to ensure the protection and proper handling of cases involving journalists.

INDICATOR 3.2

— INVESTIGATIONS OF SERIOUS PHYSICAL ATTACKS ON JOURNALISTS AND OTHER MEDIA ACTORS ARE CARRIED OUT EFFICIENTLY (INDEPENDENTLY, THOROUGHLY AND PROMPTLY)

Score for 2022: 3.02 / Score for 2023: 3.00

The situation regarding the investigation of serious physical attacks on journalists and media actors remains similar to the previous years. Despite some initial urgency in the first reactions of the Police and Prosecution to such cases, the overall efficiency of investigations continues to be slow and ineffective. In cases like Valon Sylja's, where the attackers were identified and sentenced to two years in prison each, the broader trend of slow and ineffective investigations persists even with the unsolved cases from the previous years. While there may be some progress, such as convictions in individual cases, the systemic issues affecting the efficiency, independence, thoroughness, and promptness of investigations remain largely unaddressed.

INDICATOR 3.3

— JOURNALISTS AND OTHER MEDIA ACTORS ARE EFFICIENTLY PROTECTED FROM VARIOUS FORMS OF ONLINE HARASSMENT

Score for 2022: 2.98 / Score for 2023: 2.94

In comparison to 2022, where journalists were subject to 9 online attacks, in 2023, Kosovo journalists faced 8 cases of online harassment, alongside concerning government attempts to control media content, notably targeting Klan Kosova. The Association of Journalists of Kosovo strongly criticized

these actions, highlighting the threats to media freedom. This underscores the ongoing need for robust measures to safeguard journalists and media actors from such interference.

INDICATOR 3.4

— INVESTIGATIONS OF ALL TYPES OF ATTACKS AND VIOLENCE AGAINST JOURNALISTS AND OTHER MEDIA ACTORS ARE CARRIED OUT TRANSPARENTLY

Score for 2022: 3.18 Score for 2023: 3.13

In 2023, transparency in investigations of attacks and violence against journalists and media actors continues to be a pressing issue. Kosovo's Judicial Council may have taken steps towards establishing modalities for gathering data affecting journalists' safety index, but the overall transparency in court proceedings remains below satisfactory levels. Thus, while efforts may have been made, there is still much room for improvement to ensure that investigations and court proceedings are conducted transparently concerning attacks on journalists and media workers in Kosovo.

INDICATOR 3.5

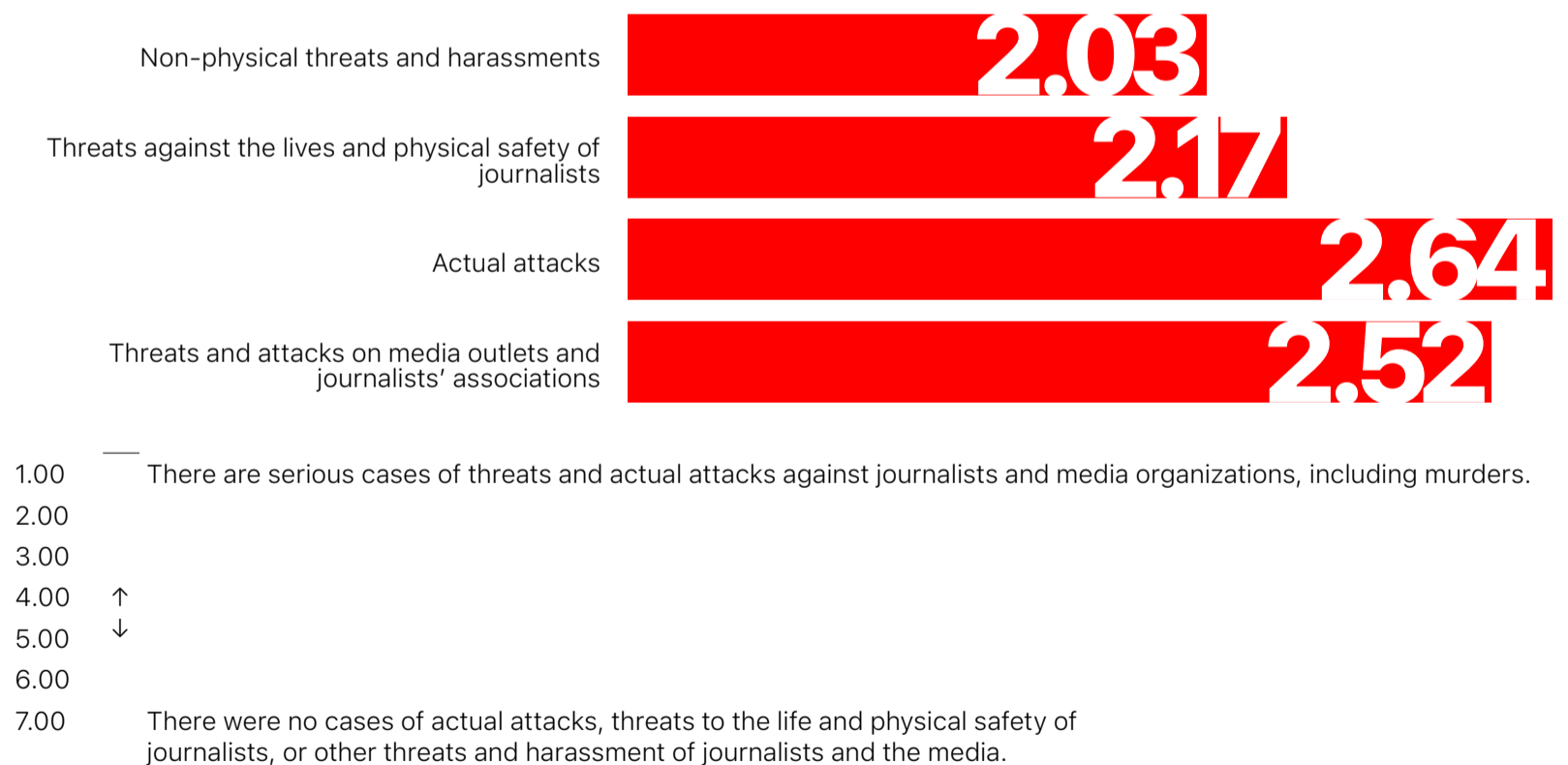
— QUALITY STATISTICS COLLECTION SYSTEMS ESTABLISHED BY STATE AUTHORITIES TO STEM IMPUNITY

Score for 2022: 3.65 / Score for 2023: 3.60

In addition to the unchanged situation regarding the publication of annual statistical reports by the police, prosecutors, and courts in 2023, AJK has taken proactive steps to address this issue. AJK is now creating and updating its own database to document cases of journalists.

IV

Actual Safety



INDICATOR 4.1

— THREATS AND HARASSMENT THAT ARE NOT RELATED TO PHYSICAL SAFETY

This may include surveillance or tracking; harassment by telephone; arbitrary judicial or administrative harassment; aggressive statements by public officials; other types of pressures that threaten the safety of journalists while performing their work. These types of threats do not include mobbing and bullying in the working environment.

Score for 2022: 2.17 / Score for 2023: 2.03

In 2023, the number of non-physical threats and harassment increased by one compared to the previous years. A total of 20 cases were recorded in AJK's database. However, despite not representing a significant change in numbers, the severity and frequency of these threats have increased. The reported number does not accurately reflect the true extent of non-physical threats and harassment, as journalists may not report all cases, particularly those involving online harassment. There were also cases where officials from the party in power used dangerous and unacceptable language towards the media and journalists.

INDICATOR 4.2

— THREATS AGAINST THE LIVES AND PHYSICAL SAFETY OF JOURNALISTS

This may include calling for the killing of journalists, their friends, family, or sources; calling for physical attacks on journalists, their friends, family, or sources. Threats can be direct or sent via third parties; sent electronically or in direct communication; they can be implicit as well as explicit.

Score for 2022: 2.54 / Score for 2023: 2.17

In comparison to 2022, where there were no cases of threats against lives and physical safety of journalists, during 2023 there are 11 reported cases of threats against the lives and physical safety of journalists to AJK during 2023. The majority of these threats came from citizens through various social media platforms, including Facebook, Instagram, and TikTok. The most severe case involved an attempted arson attack on Alban Selimi's garage/house.

INDICATOR 4.3

— ACTUAL ATTACKS

This can include actual physical or mental harm, kidnapping, invasion of home/office, seizing of equipment, arbitrary detention, failed murder attempts, etc.

Score for 2022: 2.98 / Score for 2023: 2.64

During 2023, 20 cases of actual attacks have taken place in Kosovo, with some involving more than one media crew at the same time. The majority of these attacks took place

in the northern part of Kosovo. Compared to 2022, the number of cases has increased, with the majority of these attacks concentrated on May 29 and 30, as well as June 16. Eleven out of the 20 cases occurred in Leposavic, Zvecan, Zubin Potok, and the municipality of North Mitrovica. One of the worst cases involved camera operator Bardh Bekteshi, followed by Pleurat Salihu, who suffered a broken arm.

INDICATOR 4.4

— THREATS AND ATTACKS ON MEDIA OUTLETS AND JOURNALISTS' ASSOCIATIONS

Threats can include harassing phone calls, arbitrary judicial or administrative harassment, aggressive declarations by public officials, and other forms of pressure (inscriptions, threatening posts, etc.). Actual attacks include invasion of offices, seizure of equipment, breaking the equipment, vehicles, etc.

Score for 2022: 2.97 / Score for 2023: 2.52

In comparison to 2021, where there were 3 cases, the number doubled in 2022, reaching 6 cases. However, during 2023, the number of threats and attacks experienced an unprecedented increase. There were 23 reported cases of threats and attacks on media outlets, with 16 occurring in the north of Kosovo, particularly during May and June. This represents a significant escalation, with a 14-case increase compared to 2022. Additionally, the severity of cases has escalated, with these incidents primarily occurring during journalists' reports from the tensions in the north. Journalists faced various threats, including damage to personal property, damage to intellectual property, and other forms of aggression. For instance, a vehicle belonging to TëVë1 was initially damaged and subsequently set on fire. Similar acts of vandalism were observed on other media vehicles, with numerous cameras and phones also being damaged.

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