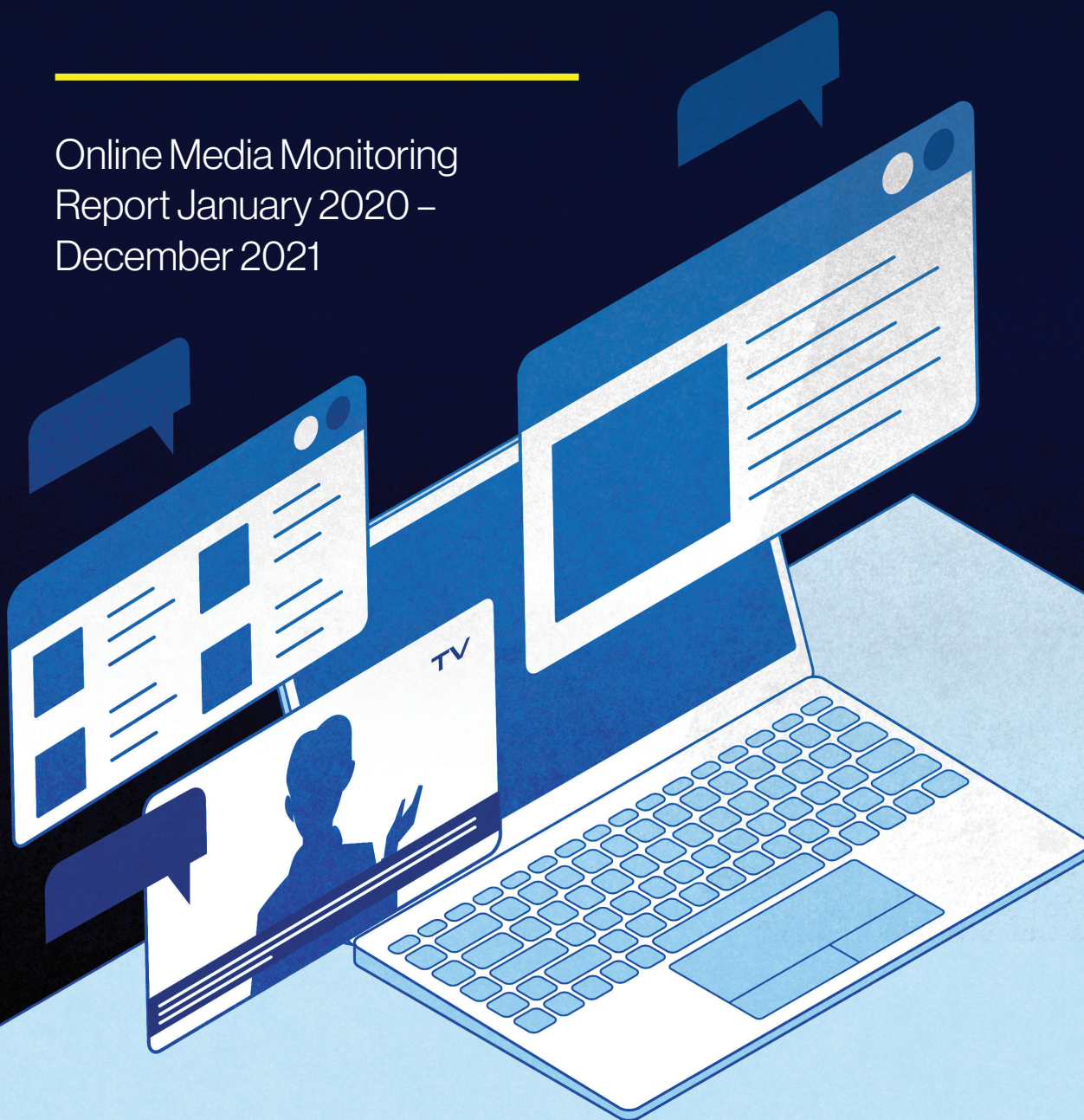




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ONLINE MEDIA MONITOR

Online Media Monitoring
Report January 2020 –
December 2021



Organizata për
Demokraci, Antikorrupsion
dhe Dinjitet, Çohu!

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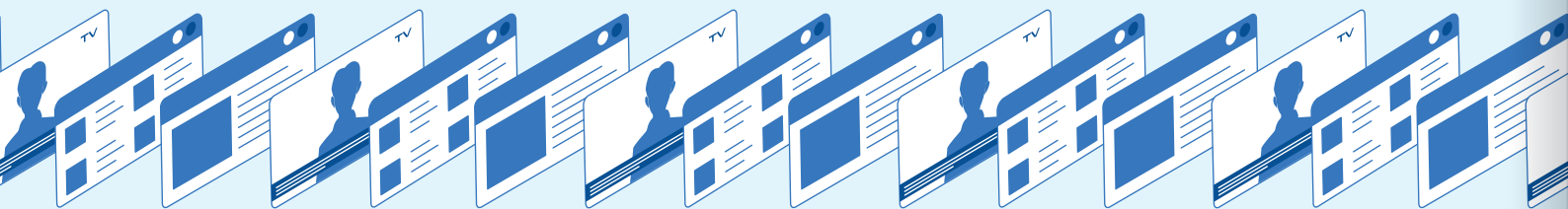
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Contents

Introduction.....	6
Methodology	8
Breaches of the code of ethics	9
Chapters with the most violations.....	11
Violation of truth during reporting.....	13
Conclusions.....	16
Recommendations for the PCK.....	17



Introduction

The role of the media is crucial in our society, as they have a great impact on our daily lives. This is because of the fact that they inform and educate citizens. The media also seek responsibility and accountability from political and public institutions for various issues related to the public interest, thus playing a key role for a society and its development, since in one way or another they express the concerns and needs of citizens.

Since the post-war period, many media outlets in Kosovo have been developed and built with the support of the international community, and this has had a positive effect in terms of their ability to withstand and maintain a lot of pressure - to the extent that this was possible - their financial independence and editorial policy. Five years after the end of the war, during 2004 the (self) regulation of the media begins. This started in line with the specifics and differences between audiovisual and print media (mainly newspapers at the time), and it was decided that radio and television should be regulated through the establishment of the Independent Media Commission (IMC).¹

Established in 2005, the Independent Media Commission (IMC) is the competent body for the regulation, management and supervision of the broadcasting frequency spectrum in the Republic of Kosovo. In line with Article 141 of the Constitution of the Republic of Kosovo², the IMC becomes an independent body. Under the Law for the Independent Media Commission³, this institution licenses public and private broadcasters, defines and implements broadcasting policy, as well as regulates the rights, obligations, as well as the responsibilities of physical and legal persons which provide audio and audiovisual media services.

The responsibility of the IMC is to promote and maintain a fair and open system for licensing and regulation of audiovisual media services and for managing the spectrum of transmission frequencies in accordance with the best international standards.

The Press Council of Kosovo is a self-regulating body established for and by the written media sector. Its mission relies on the beliefs of the Press Code of Kosovo. The PCK was founded with the assistance of OSCE in Kosovo in September 2005, while the PCK Office began its regular activity in December 2005. Press Council at that period had 7-8 members of the daily newspaper outlets signatory of the Press Code of Kosovo⁴ and consisted of a board of editors of those media led by an independent body, the Presidency of the Board.

¹ <http://www.kpm-ks.org/>

² <https://www.kpm-ks.org/assets/cms/uploads/files/Kushtetuta.e.Republikes.se.Kosoves%281%29.pdf>

³ <https://www.kpm-ks.org/assets/cms/uploads/files/Ligji.Nr.04.L-44%281%29.pdf>

⁴ http://presscouncil-ks.org/wp-content/uploads/2019/11/Kodi-i-Mediave-te%CC%88-Shkrura-te%CC%88-Kosove%CC%88s_2019.pdf



Since its establishment of the PCK until today, the media scene in Kosovo has undergone many changes. Written media (daily newspapers and magazines) have suspended their print versions, switching only to online versions (Gazeta Express, Voice, Koha Ditore, Kosovo 2.0 etc.). Today, all print media in Kosovo have switched to online. In recent years, the print media scene has been filled with online media with hundreds of thousands of clicks (as the new meter that indicates 'readability', or visits to these portals), and the Press Council already has 43 members. This number may change in the meantime, as some newly established or even existing media outlets may become members of the PCK.

In the mandate of the PCK, there is a possibility for them to initiate cases when the body encounters a violation of the Press Code by a member or a non-member, but this rarely happens. Usually, the PCK receives complaints from 'damaged parties', i.e. institutions or individuals who claim that an online media outlet has violated the Press Code of Kosovo by publishing a piece of news item which implicates the complainant in one way or the other.

As neither the Council (nor any other body in Kosovo) monitors the print (online) media, as the IMC does in the case of audiovisual media, the number of complaints received by the Council under no circumstances reflects the situation with violations of journalistic ethics in Kosovo. This is where the need and possibility for intervention comes into play. The project that produced the report in front of you aims to 'take over' the ex officio competence of the Press Council, monitoring every day about twenty online media in Kosovo, identifying their daily violations and submitting complaints to the Press Council of Kosovo for the most flagrant violations of the Press Code of Kosovo.

So all the complaints that are presented in this report are submitted within the framework of the project, per chapters.

From January 2020 to December 2021, during their online media monitoring work, monitors have found 145 potential violations of the Press Code of Kosovo. All these alleged violations have been submitted to the PCK for review. The latter has approved 88 complaints, another 52 were turned down, while, for 5 complaints there is still no decision.

Methodology

The online media monitoring project aims to monitor online media operating in Kosovo. The project has involved two monitors who have monitored the selected portals, identifying violations of the Press Code of Kosovo.

The monitoring was carried out on a daily basis, identifying around eight violations per month which are then sent in the form of complaints to the Press Council of Kosovo. The Press Code of Kosovo includes a large number of Chapters – a total of 12.

More than 20 portals have been part of this monitoring. Those include: Gazeta Blic, IndeksOnline, KoSSeV, Kosova.info, Insajderi, Bota Sot, Ekonomia Online, Arbresh.info, Gazeta Express, Epoka e Re, Info Sot, Kosovalive, KosovaPress, Kosova Post, Lajmi.net, Periskopi, Rajoni Press, Telegrafi, Tribuna, Zeri.info and Veriu.info.

The selection of portals follows the criteria of their membership at the PCK and if they are portals that are largely clicked by citizens. In order to get a picture regarding clickability, the alexa.com platform was used, which provides data on the trend of clicks and thus can be compared between portals.

Breaches of the code of ethics

During the monitoring of online media, we have often encountered numerous media reports that do not follow the Press Code of Kosovo. Therefore, the purpose of this report is to identify possible violations of journalistic ethics and then send complaints about these violations to the Press Council of Kosovo.

From January 2020 to December 2021 a total of 24 media were monitored, out of which two were local and one in Serbian language.

Based on the findings of this monitoring, in this two-year period a total of 145 complaints were submitted to the PCK. These complaints were sent with the consideration that the media did not abide to the Press Code of Kosovo in their various reports.

Out of all the complaints sent to the PCK, we have received 140 decisions from this institution, of which 88 were approved and 52 were turned down, while the other 5 complaints are still in the process of review.

Complaints submitted to PCK, January 2020-December 2021

News portals	Complaints sent	Approved complaints	Dismissed complaints	Unsolicited complaints
Gazeta Express	18	12	6	0
Veriu.info	19	8	10	1
Periskopi	9	8	1	0
Lajmi.net	3	2	1	0
Bota sot	11	7	3	1
Arbresh.info	2	1	1	0
Gazeta tribuna	4	2	1	1
Epoka e re	4	3	1	0
Zeri.info	3	2	1	0
Kosovapress	0	0	0	0

News portals	Complaints sent	Approved complaints	Dismissed complaints	Unsolicited complaints
Info sot	3	2	1	0
Telegrafi	0	0	0	0
Gazeta Blic	9	6	3	0
Insajderi	6	4	2	0
Kosova.info	9	4	4	1
Kossev	5	2	3	0
Indeksonline	30	18	12	0
Ekonomia online	2	2	0	0
Kosovalive	0	0	0	0
Kosova post	2	1	0	1
Reporteri	1	1	0	0
Rajoni press	0	0	0	0
Gazeta Metro	1	1	0	0
Sinjali	4	2	2	0
Totali	145	88	52	5

From January 2020 to December 2020 a total of 84 complaints were sent to the PCK, out of which 46 were approved and 38 dismissed, while during the monitoring of these media between January 2021 and December 2021, a total of 61 complaints were sent. 42 of them were approved, 14 were dismissed, and 5 have not been handled.

Based on these data, we can see that there is a decrease in the number of complaints sent, or an improved media reporting in terms of following the Code of Ethics. This is also due to the fact that the media have been extra careful when reporting, after finding out that they are being monitored. This may have happened due to the fact that for every complaint sent to the PCK, the latter contacts the relevant media and get its side of the story regarding the alleged violations.



Chapters with the most violations

During the monitoring of online media, the complaints sent, respectively the alleged violations were divided according to the chapters of the Press Code of Kosovo. All these complaints have been submitted within the framework of the project.

One of the chapters that has been breached the most is Chapter VII (Privacy), point 1 which stipulates that: "The print and online media will avoid intrusions and searches into the privacy of an individual, except in cases where interferences or such inquiries are necessary for reasons of public interest", and out of 36 complaints submitted to the PCK, 26 complaints were approved.

In sensitive cases when reporting deaths, murders, or serious offenses, the impact of the quality of reporting plays a direct role on the parties involved and that the lack of respect for the privacy of the persons involved is human insensitivity.

"The publication of photos of suspects, the publication of funerals, etc., clearly shows that whoever is the editor or the journalist responsible for that story and allows the publication of that story, does not understand the damage it causes to journalism as a profession and on the other hand, if he is aware of the damage, then it shows that s/he has no professional integrity, which is essential for this profession."⁵

⁵ Interview with Gentiana Paçarizi, founder of Checkos platform

Breaches identified and sent to the PCK per the Press Code of Kosovo

Chapter	Complaints sent	Approved complaints	Dismissed complaints	Unsolicited complaints
I	11	1	9	1
II	30	13	17	0
III	8	1	7	0
IV	7	7	0	0
V	0	0	0	0
VI	11	7	4	0
VII	36	26	10	0
VIII	0	0	0	0
IX	0	0	0	0
X	1	1	0	0
XI	10	8	2	0
XII	31	25	5	1

Ethical violations during reporting in journalism are constantly done by online media because the level of journalism we have in Kosovo reflects the general level of any other sector.

"These people, these levels of capacity, human and financial resources that are in all sectors in Kosovo are also in the media, because journalism is a reflection of society, a reflection of the education that people receive which is then translated into how much journalists are paid."⁶

Media experts believe that the quality of reporting is more or less at the level at which we are as a country and the more it is invested in education, media financing, subscription and media independence and sustainable financing, the better the level of journalism we will have.

"Regarding the breaches in the reports related to the privacy of a person, regardless if the person is public or not, these stories are read the most, and consequently the information from a private life of a person is published because the public interest is greater than in other areas."⁷

⁶ Interview with Flutura Kusari, media law expert.

⁷ Ibid

Violation of truth during reporting

Reporting the truth seems to be one of the challenges that online media operating in Kosovo face on a daily basis. In many cases we see that the intention to prioritize the speed of publication of the news rather than its accuracy, respectively the verification of the information, violates Chapter II of the Press Code of Kosovo. This chapter on truth reporting has a total of seven paragraphs, defining the ethics that journalists should adhere to.

During our monitoring it resulted that out of 30 complaints sent for the breach of this chapter, 13 of them were approved.

"The reasons for breaches of the Code of Ethics occur due to the negligence of journalists editors, because in most cases before reporting on an event, they choose speed over accuracy. This is a very big problem and that most media work this way. In many media, many journalists prepare the news and publish it themselves without going through the editing filters."⁸

According to Checkos platform, around 50 percent of the content of news published in online media is the same – often even the headlines do not change, and there are a handful of media that provide original content which is then copied from other outlets, where almost all the articles that are published are three to four paragraphs, at best, and this reduces the quality of a news story.

"The media, whether online or in any other format, have the task not only to broadcast, but also to explain to the reader what happened, where, when, why and how all this is related in a broader context, because the speed to launch information which is unverified, out of context, unbalanced, has severely damaged the information."⁹

One of the reasons why these breaches occur is because most online media in Kosovo do not have a defined and organized structure. They do not have editors and function with two or three people, where the owner / founder, often without any journalistic background, is also an editor. This means that s/he sets out the editorial policies and decides which news to publish.

Another breach that has been found during the monitoring of online media is Chapter VI, which deals with the protection of children and minors during reporting. With regard to this chapter, 11 complaints have been sent, while 7 of them have been approved by PCK.

The first paragraph of this chapter stipulates that journalists shall not interview or photograph children under the age of 18 on issues related to their family, without the consent of the parent or an adult who is responsible for the child. The second paragraph stipulates that the media in no way shall identify children under the age of 18 who are involved in criminal activities, whether as witnesses or defendants. The third and the final paragraph stipulates that the confessions of personal tragedies must be carefully tackled, while understanding and discretion should be put in place towards individuals affected by tragedy.

Breaches or errors during reporting involving minors are done more because of carelessness. "The downside is that not even recently is it being noted that there is any progress regarding these sensitive reports – this due to the fact that complaints continue to be made to PCK"¹⁰.

Another chapter that has been breached by the media monitored by the project is Chapter XI involving copyright. It has now become common and a daily practice of online media to take the content from another media outlet which produced the news, and publish them without quoting the original outlet, and what is worse, this often happens by shortening the content, taking the news out of context and losing its meaning.

⁸ Interview with Imer Mushkolaj, director of Press Council of Kosovo

⁹ Interview with Gentiana Paçarizi, founder of Checkos platform

¹⁰ Interview with Imer Mushkolaj, executive director of Press Council of Kosovo

A total of 10 complaints have been sent to PCK regarding this Chapter and 8 of them have been approved.

As for the breach of this and other Chapters of the Press Code of Kosovo, the Press Council does not impose fines or other sanctions, as it is a self-regulating body, functioning voluntarily and does not want to be some kind of burden to the online media.

"There are often complaints about certain media, say recidivist complaints, where the same situations are repeated, but are usually breaches that are made out of carelessness of journalists, for example news that is copied from the media in Albania or other countries of the world and the source is not quoted. So we have many breaches of the copyright Chapter, but over time this section has improved."¹¹

In recent years in online media we see articles which are published in the news category and distributed on social networks as such, and which are actually advertisements. The way this content is published gives the impression that we are dealing with an objective assessment – a private clinic providing health services or a private higher education institution providing education. Usually in such articles nowhere does it say that that content is marketing.

This issue is regulated with Chapter XII of the Press Code of Kosovo, which concerns advertising and sponsorship.

From January 2020 to December 2021, a total of 31 complaints have been sent to the PCK regarding this Chapter and 25 of them have been approved. In other words, 80 percent of our complaints regarding this Chapter have been approved.

There are many such breaches because online media outlets, when publishing such articles for various companies, do not deny that it is advertising. This is because there are qualifications beyond the professional level of those for whom the writing is done. "After reviewing some such cases, there has been a certain improvement in those kinds of reports."¹²



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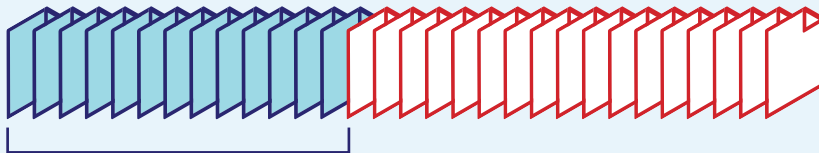
Imer Mushkolaj, executive director of PCK

¹¹Ibid.

¹²Ibid

Most breached chapters

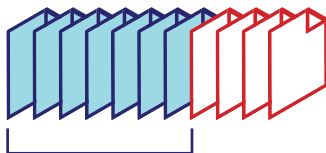
Truth Reporting (Chapter II)



13 të miratuara

30 complaints submitted

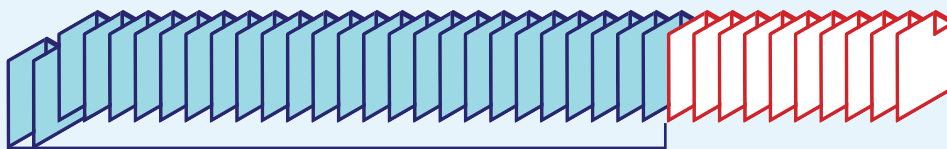
Protection of children and minors (Chapter VI)



7 approved

11 complaints submitted

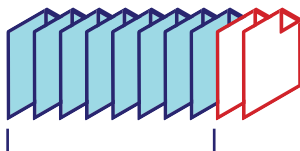
Privacy (Chapter VII)



26 approved

36 complaints submitted

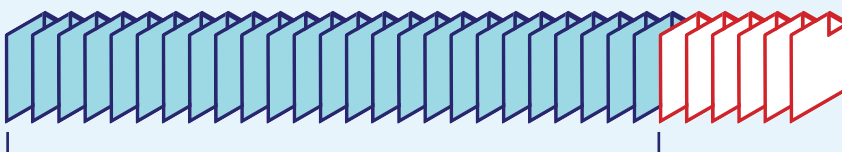
Copyright (Chapter XI)



8 approved

10 complaints submitted

Advertising and sponsorship (Chapter XII)



25 approved

31 complaints submitted

Conclusions

In recent years in Kosovo there has been a great expansion of online media. This expansion has been followed by various breaches of journalism ethics. Everyday, we see news which infringe citizens' privacy, where photos of victims of accidents or murders are published, and reports affecting minors. We also see biased reports, when versions of all parties mentioned in articles are not included in a news report.

In order to emphasize these breaches as concretely as possible, Organization ÇOHU between January 2020 and December 2021 has monitored over 20 online media outlets in order to evidence potential breaches of Code of Ethics and address those breaches to the Press Council of Kosovo.

The aim of this project was to promote citizen activism to report various ethical breaches they encounter in the media. On the other hand, the goal in itself is for the monitored media to understand where they were wrong and also understand that someone is monitoring their news.

Some of those media outlets are among the most clicked ones, while others are news portals that report more for a specific municipality or region in Kosovo. We also monitored an online media outlet which publishes news in Serbian language. Since the beginning of sending complaints against these online media, believing that they have violated the Press Code of Kosovo and after having a number of meetings with PCK, many online media have become more careful when reporting their news. This is also because when a complaint is sent to PCK, this self-regulating body also requires a response on the relevant article from the media outlet against which the complaint has been made.

As for the impact of this, we can refer to the data of our monitoring. From January to December 2020 a total of 84 complaints have been submitted to the Press Council of Kosovo. In the second period, between January 2021 and December 2021, a total of 61 complaints have been submitted, 23 less than the previous period.

Considering that a significant share of the complaints that have been sent to the PCK have been approved, it is necessary for media outlets to raise their awareness and abide to journalism ethics during their reporting. Also, citizens have to be more aware and address their complaints to the Press Council of Kosovo when they believe that certain media reports contain slander or insults against them or any other party. In addition to the right to civil proceedings, they should know that their complaints can and should also be sent to the Press Council of Kosovo. This self-regulatory institution does not currently impose any fines against online media outlets which make various breaches of the code of ethics, but it finds and makes decisions regarding alleged breaches by different parties and publish these decisions on its website. The fact a group of media professionals handles an alleged infringement, can be considered by the courts in cases where the same affected parties have filed civil suits for slander or defamation.

Recommendations for the PCK



✚ Increase its capacity to monitor online media outlets in line with its official duty.

✚ Organize awareness raising campaigns so that citizens know that they can submit their complaints about online media outlets.

✚ Publish its decisions in all online media outlets which are members of the Press Council of Kosovo, in order to inform and raise awareness regarding the breaches of the Press Code of Kosovo.

✚ Hold more trainings with editors and media journalists of online media outlets regarding compliance with the Press Code of Kosovo and the responsibility of media reports.

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