



On the Record: Civil Society in Kosovo – Rebuilding After the War

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Contents

- **From the AP Editorial Desk**
- **Media Showdown Shakes UN's Relationship with Civil Society**

From the AP Editorial Desk by Iain Guest

In this issue, we report on the extraordinary confrontation taking place between the U.N. Mission in Kosovo (UNMIK) and the media. It has enormous implications for the two main questions asked in this series: how is civil society contributing toward Kosovo's reconstruction, and whether international aid is enhancing or undermining that contribution.

At this moment, it is not a reassuring picture. Recently, in a show of toughness, UNMIK closed down one of Kosovo's daily newspapers for "outing" suspected Serb war criminals. One of those named was subsequently murdered. In another disciplinary measure, UNMIK has also shut down the main media building because the tenants failed to pay electricity bills. (UNMIK denies that this has anything to do with it. Instead they cite the dangers of the wiring in the building.) It has issued tough new regulations aimed at ensuring responsibility in the media.

The dispute has placed another roadblock on the path to peace in Kosovo and created another major irritant in the relationship between UNMIK and civil society. But there are also bigger issues at stake. Does the media have the right to publish and be damned -- or should it exercise restraint in the interests of society?

That question preoccupies countries that are much more stable than Kosovo. Just recently in Great Britain, a tabloid newspaper published the names and photos of alleged pedophiles. As a result, several innocent people have been attacked by bands of vigilantes and one person has committed suicide. This is particularly disturbing because the tabloid in question normally attracts readers by publishing pornography. Similar tragedies have happened in the United States, after individuals were "outed" by lowbrow television shows.

Such controversies are eerily similar to the storm over the outing of alleged war criminals in Kosovo. Even so, there is no question of greater censorship or regulation against the British press or American television. If not in Great Britain and the United States, then why in Kosovo?

UNMIK will answer that much more is at stake in Kosovo. Certainly, the Balkans region presents a good argument for nipping irresponsible journalism in the bud before it gets truly vicious. Before and during the break-up of Yugoslavia, Serbia used the print media to belittle its other partners in the federation. This reached an extreme in Bosnia, where Bosnia's Muslims

were dehumanized and demonized by the Serb press prior to their mass expulsion and murder. It was textbook Nazi propaganda.

It is understandable that Kosovo's U.N. administrators would want to stamp out anything remotely similar in Kosovo, particularly with municipal elections coming up. One recent regulation seeks to ensure "fair and equitable" coverage by the press in the run-up to the October elections. The message is clear: Behave!

All this is of special interest and concern to the Advocacy Project. We have argued in this series that the international community should work with civil society and make a particular effort with indigenous groups that showed their worth in the 1990s under Serbian rule. These groups are more likely to be sustainable and make a lasting contribution to peace than nongovernmental organizations (NGOs) formed to take advantage of international funding.

The media was certainly a prime candidate. For much of the 1990s, the newspaper Koha Ditore was the voice of the parallel society. Veton Surroi, the editor of Koha Ditore, was so influential that he attended the Rambouillet peace conference in early 1999. Another leading media outlet, Radio 21, which broadcast over the Internet during the war, attracted an astounding 2.29 million visitors to its web site in 1999.

This showed the professionalism and influence of Kosovo's media under extreme pressure. Early last year, Bernard Kouchner, head of UNMIK, was advised to impose tough regulations on the media. Sensibly, he refused. To have undermined freedom of the press so early in the mission would have gotten UNMIK off to a bad start -- and in those days, Kouchner could be forgiven for thinking that a free press would be a valuable ally.

Now that decision looks like a miscalculation. Perhaps the media did not grow up under Serbian rule after all.

Then again, perhaps it did. Many feel that DITA, the Kosovar newspaper that published the sensational stories, did so because it was under pressure to compete for readers. There are, after all, six daily newspapers in Kosovo. If that is the case, Kosovo's media may be coming of age, like Britain's. Taste is usually the first casualty in a crowded market.

UNMIK was appalled, and understandably so. But UNMIK's current battles with the media are more about Kosovo than its media. The media holds up a mirror to the society it serves, and society in Kosovo right now is disillusioned, frustrated, and bitter. It is simply not realistic to expect the media to be squeaky clean and responsible when other civic players -- political parties, private sector -- are wallowing in irresponsibility and walking away from the challenges of reconstruction. Very few Kosovars pay their electricity bills, but the media was singled out for punishment.

It is asking a lot to expect newspapers to bear the weight of such failures -- particularly when the U.N. administration has itself manifestly failed in so many different ways. The U.N.'s inability to prosecute war criminals is particularly disturbing.

Furthermore, Kosovo's donors have done very little to frame a coherent media policy. Instead, they have used subsidies to help favorites (including Koha Ditore), thus causing great distortions and inflating what is already a very crowded market. That adds to the pressure on papers like DITA to compete. This is not the kind of climate that nurtures a "responsible press."

In short, it is fine -- even essential -- to hold Kosovo's media to high standards. But the international community should not expect the media to bear the entire burden of Kosovo's reconstruction, and to pay for its failures. (Iain Guest)

Media Showdown Shakes UN's Relationship with Civil Society

The U.N. Mission in Kosovo is locked in a bitter struggle with Kosovo's media that has raised profound questions about whether the press has a responsibility to promote ethnic responsibility in Kosovo. It has also tested UNMIK's commitment to press freedom.

The confrontation came to a head recently with a decision by UNMIK's Temporary Media Commissioner, Douglas Davidson, to suspend the operations of a Kosovo daily newspaper, DITA, for publishing the names of suspected Serb war criminals. Staff at DITA responded by threatening to hold a hunger strike in protest. Kosovo's leading daily newspaper Koha Ditore allowed DITA to use its printing presses in apparent solidarity.

Neither side appears ready to back down. In another sign of impatience, the Organization for Security and Cooperation in Europe (OSCE) (which has responsibility for the media within the UNMIK structure) has closed Kosovo's so-called "media" building, also known as Rilindja, whose tenants include a score of magazines, papers, and radio stations. Several were forced to suspend operation at least temporarily.

The ostensible cause was faulty electrical wiring in Rilindja, but the OSCE has been trying for weeks to get tenants to pay their electricity bills. The OSCE cut off electricity to the building on July 28, after 21 of the 43 tenants had failed to pay their bills.

For their part, Kosovo's journalists appear ready to take their fight outside Kosovo. Haqif Mulliqi, president of the independent Kosova Media Association, told 'On the Record' in a recent interview that they might appeal to the U.N.'s Human Rights Commission or even the International Court of Justice.

This is far and away the most serious confrontation between the United Nations and civil society in Kosovo since the United Nations deployed last year. It has significance precisely because the media is so extensive and outspoken. There are six daily newspapers in Kosovo and at least 40 radio stations broadcasting. Another 70 new radio stations have applied to the OSCE for a license.

The crisis began in May after DITA published a detailed article about a Serb employee of UNMIK, Petar Tupolski, alleging that he had been prominent in the paramilitary and responsible for acts of violence during the war. Two weeks later Tupolski was dragged from the apartment he was renting and killed.

UNMIK's chief Dr. Bernard Kouchner reacted with fury and ordered DITA closed for eight days. At the same time, he instructed the OSCE to draw up regulations on the print and broadcasting media that authorized Douglas Davidson (the Temporary Media Commissioner) to prohibit the publication of material that could threaten a person's life, safety, or security. The regulations allowed the Commissioner to issue sanctions and temporary codes of conduct. The regulation on the print media (2000/37) was issued on June 17, 2000.

In a recent interview with 'On the Record,' Mr. Davidson insisted that while these measures might seem an infringement on press freedom, they were appropriate and necessary. He accused DITA of practicing "vigilante journalism" that had almost certainly cost Tupolski his life.

Davidson said that UNMIK had also been persuaded by three other recent incidents:

- Kosova Press, an Albanian language news service that operates from Switzerland, called for the assassination of Veton Surroi, the highly respected editor of Koha Ditore, on its website. Surroi had written an editorial criticizing former Kosova Liberation Army (KLA) leaders
- Bota Sot, a Kosovo newspaper, ran a series of vitriolic articles that were highly derogatory to Serbs.
- A Serbian journalist who worked for Radio Kontakt, which has a multiethnic staff, was shot and wounded in the middle of Prishtina late in June.

Mr. Davidson expressed profound disappointment at the lukewarm response to these events of the independent media association, which was set up by Kosovo journalists under the presidency of Haqif Mulliqi at the end of last year to implement a self-regulating code of conduct. The failure of the association, he said, showed the need for a decisive intervention by UNMIK.

Ignoring the new regulation, DITA returned to the theme soon after resuming publication. On June 26, it published the name of a Serb living in Kosovo Polje. On July 4, it printed the names and photos of several other Serbs. All were accused of being war criminals.

Under the newly enacted regulation, Davidson ordered DITA to publish a reply from the first Serb. Two weeks later, he imposed a fine of 20,000 DM (\$10,000) on DITA. When the fine was not paid, Davidson ordered DITA closed. He also issued warnings to two other Kosovo publications, which included a women's magazine named "Kosovarja."

In spite of this sudden spurt of disciplinary measures, it has taken UNMIK months to bite the bullet and clamp down. UNMIK was given the authority to regulate the press by the U.N. Security Council, and Dr. Kouchner was advised by an expert mission to use this authority decisively in the U.N. mission last year.

But UNMIK and the OSCE backed down after an outcry from international press organizations, including the International Federation of Journalists and Article 19. Instead, the OSCE agreed to give Kosovo's journalists time to form their own association and adopt their own code of conduct. Kouchner did, however, issue a regulation prohibiting hate speech in February.

Haqif Mulliqi, a veteran war reporter who now heads the Kosovar association, told 'On the Record' that this process had been extremely successful. He said the statutes of the new association were agreed in January by 218 working journalists, who elected a board of seven.

The association now has 1,600 members, each of whom pays a membership fee of 36 DM (\$18) a year. Thirty percent of the money will help to support the families of three journalists who were killed in the war.

The association has also adopted a code that Mr. Mulliqi said was based on the media codes of Germany and Slovenia and drafted with the help of international experts. As with all press codes, it attempts to balance a journalist's responsibilities -- to provide information -- against his or her obligations to society.

Difficult at the best of times, this has proved excruciatingly difficult in Kosovo. Like many Albanians, Mr. Mulliqi feels that DITA was probably justified in "outing" Tupolski, even if the article itself could have been more professional. Tupolski is said to have been prominent in the Serb paramilitary before the war and used his large dog to terrorize children. He changed his name and rented an Albanian apartment. According to DITA six witnesses identified him.

According to Mulliqi, DITA did not publish Tupolski's actual address (something that had been alleged by UNMIK.) If UNMIK had been worried, he said, they should have provided Tupolski with protection. Almost two weeks passed between the publication and his murder.

But the crux of the matter for Mulliqi, as for many Albanians, is that UNMIK has done so little to bring Serb war criminals to justice. Meanwhile, mass graves are still being opened and hundreds of prisoners are still in Serbian jails. Against this background, the fact that a suspected Serb war criminal could work openly for UNMIK and earn a fat U.N. salary was at the very least provocative. To DITA, it probably had all the hallmarks of a juicy exclusive.

In publishing the story about Tupolski and the other alleged war criminals, said Mr. Mulliqi, DITA had been reflecting the public's anger and frustration over war criminals. DITA had also tried to print the facts without inciting readers to violence, or hatred, as required by the UNMIK regulation.

Furthermore, he said, the article had remained within the bounds of the association's new code, which opposes hate speech and incitements to violence and revenge but does not prohibit investigative reporting -- even on something as controversial as war criminals. "That would be like expecting the Jews not to name Nazis," he added.

Mr. Mulliqi said that after Tupolski's murder, the new association held an animated meeting but decided not to issue a protest. He himself had urged participants not to encourage acts of violence.

He also said that the association had issued a public protest against the shooting of the Serb radio journalist and also had criticized Kosova Press for its comments about Veton Surroi. But, he said, such comments were an occupational hazard for prominent journalists in Kosovo. He

himself had been savaged by Bota Sot.

None of this has impressed Douglas Davidson and his colleagues at UNMIK, who have become increasingly disillusioned at the tone of journalism in Kosovo and what they see as the lack of responsibility by journalists. The failure to pay electricity bills at the Rilindja building was merely one example.

"Think of the investigative reporting to be done in Kosovo," said Mr. Davidson. "Why hasn't anyone written about the poor performance of the power plants or the garbage in the streets?"

As for self-regulation by the press, Mr. Davidson said that the Tupolski killing had shown the new code to be a sham, without any possibilities of enforcement.

The larger issue is whether the press in Kosovo should be expected to play a "responsible" role and actively assist UNMIK's vision of a multiethnic, tolerant Kosovo.

Haqif Mulliqi said that many Albanian Kosovars would see this as a form of censorship. The population of Kosovo is 90 percent Albanian, he said, and expecting the press to reflect this makes no sense. UNMIK might want to preach tolerance, but that is not a task for the press. "We print facts," said Mr. Mulliqi. "Our association is professional, not ethnic." He noted that four Serbian journalists had applied for membership.

For Kosovar journalists like Haqif Mulliqi, one of the biggest problems with UNMIK's stern new policy is that it does not emerge out of a consistent strategy on the media by UNMIK or its donors.

If UNMIK were serious about regulating the media, say its critics, it would do something about the proliferation of new media and allocate donor resources in a rational manner. This is important because with a population of less than two million, the market for broadcast and print journalism is already crowded. As noted above, there are six dailies, several weekly magazines, and over 40 radio stations in operation. Kosovo's airwaves are increasingly full of programs transmitted from neighboring countries, and this can be expected to increase. As the market grows tighter, newspapers are forced into ever more sensational and risky areas to compete.

The one exception is television. At present, the only Kosovar station is Radio Television Kosovo (RTK), which is the successor to Radio Television Prishtina (RTP). Before 1990 when it was taken over by the Serbian authorities, RTP was one of the most professional stations in the Balkans, employing a staff of 1,800.

Four hundred of them have agitated to get their jobs back, but the OSCE has only hired 150. Not only is the work not there, but the technology has moved on. Nonetheless, this shutout has caused further friction between the press and UNMIK.

Television is one of the few possible growth areas in Kosovo because RTK only broadcasts two hours of television a day and viewers need a satellite to pick up the signal. At the same time, television requires an extremely large initial investment and the market is not inexhaustible.

Many feel that the U.S. and European governments have missed an opportunity to expand production without exerting control or distorting the market. Instead, they have engaged in a futile and ideological competition to impose different visions on Kosovo that could create further distortions and cost millions. Great Britain and the Netherlands have decided to pump money into RTK in an effort to expand the European model of public broadcasting. But the United States and the (Soros) Open Society Foundation have decided to support the creation of private television at Radio 21 and Koha Ditore.

Both schemes will cost hundreds of thousands of dollars, raising fears that this will swamp such a small market and require indefinite subsidizing.

And donor subsidies, some say, are already distorting the development of the press in Kosovo. Subsidies come in all shapes and sizes -- equipment, contracts, free radio programs, training for journalists, and straightforward handouts.

In one example noted in this series of 'On the Record' (No. 9), Radio 21 received \$41,000 from the Kosovo Women's Initiative to make radio programs on the KWI. Radio 21 has long been a darling of the aid community, but with a stable of experienced journalists and highly sophisticated equipment it could be argued that it has no need of such help.

A different case in point is Kombi, the weekly magazine edited by Haqif Mulliqi. In its heyday, Kombi published under the noses of the Serbian authorities in Kosovo and enjoyed a circulation of 50,000. Mulliqi was the first photographer on the scene at the Racak massacre on March 5, 1999, and one of the only journalists to remain in Kosovo during the North Atlantic Treaty Organization (NATO) intervention. He specialized in covering the KLA.

This independence hurt Kombi badly: the Serbs destroyed \$100,000 worth of equipment, killed Kombi's vendors, and prevented Mulliqi from collecting the money from sales. As a result, Kombi emerged from the war with a brilliant reputation but no money.

Mulliqi says that he asked the OSCE for 15,000 DM (\$7,500) to buy new computers. After three proposals, nothing came of it. Other donors refused support because Kombi was seen as pro-KLA.

But, he complained, competitors like the magazines Zeri and Koha do receive support from the Office of Transitional Initiatives and foundations like Press Now. This allows Zeri to sell for 1 DM, which is half the cost of Kombi. Mulliqi himself receives no salary and has to borrow time from other presses to get his magazine published. Kombi's circulation has fallen from 50,000 to 8,000.

It is not hard to see how this experience would alienate an experienced journalist like Mulliqi, who feels he has paid his dues to Kosovo at a very high risk to himself. It probably makes him even more skeptical about UNMIK's moves to regulate Kosovo's press. As he said in the interview with 'On the Record,' if donors showed more responsibility toward the media, the media might be more inclined to reciprocate.