



European Broadcasting Union

Union Européenne de Radio-Télévision

The Director General

Le Directeur général

DG/579
DL/jmc

Mr Hashim Thaci
Prime Minister of Kosovo
Government building
Suite Mother Theresa
10000 Pristina
Republic of Kosovo

26 October 2009

Dear Prime Minister,

I write after receiving alarming news about RTK. The European Broadcasting Union is extremely concerned about the political and financial pressure being exerted by your government on RTK and its staff in the run-up to the first elections in Kosovo since your declaration of independence.

As you are aware from own personal discussions and from your meeting with the EBU's former President, Fritz Pleitgen, RTK was set up by the EBU 10 years ago as an independent, pluralistic and balanced public service broadcaster, to European standards, at the request of the United Nations and OSCE. The international community provided professional assistance, equipment and finance (until the introduction of a licence fee four years ago). What we are now seeing is pressure from the Kosovo government to turn RTK into an uncritical *state* broadcaster - a fact that will be beneficial neither to the citizens of Kosovo nor to your ambitions for more international recognition of your country.

Our own long-time Vice-President, Boris Bergant of Slovenia, sat on RTK's Board of Directors until Parliament elected the new Board on 12 October 2009. And although RTK has not yet been able to become a full Active Member of the EBU – our Statutes permit membership only from countries recognized by the International Telecommunication Union – the EBU has consistently supported RTK through an advantageous Services Agreement covering radio and television programming, sport, news, technical facilities and transmissions. In the context of recent developments, and unless the situation improves substantially and rapidly, the EBU may consider withdrawing from this contract. This would have a very damaging effect on the programming available to viewers in Kosovo.

Until five months ago, despite difficult circumstances and the occasional editorial hiccup, RTK was rightly considered a success story - not least owing to its multi-ethnic character. Soon after the declaration of independence, however, a relentless process of political and economic interference began which led to Director General's resignation. The Board of Directors, whose power had been completely curbed, was close to resigning in protest at that time. In the end it decided to remain in office until the election of its successor, while in the meantime trying to improve the situation.

EBU-UER

Case postale 45 L'Ancienne-Route 17A
CH-1218 Grand-Saconnex
Switzerland / Suisse

Tél.: +41 (0)22 717 20 05

Fax: +41 (0)22 717 20 10

e-mail: reveillon@ebu.ch

Internet: www.ebu.ch

Unfortunately the situation has *not* improved. On the contrary. To the editorial and political interference has been added an alarming state of financial insecurity.

The European Union and the Council of Europe have made quite clear the importance of independent public service media to European democracy. I regret to say that - even before the official start of the current electoral campaign on 15 October - pressure from your government transformed RTK from being a balanced supplier of news into a media arm of the ruling party and of yourself as prime minister. Critical or alternative voices have been suppressed.

The EBU is not alone in criticizing recent moves by the Thaci government to restrict media independence in Kosovo.

In its report on the situation in Kosovo dated 14 October, in the chapter devoted to Freedom of Expression, the European Union stated that the “independence and impartiality of the public-owned RTK are not fully ensured. Three years after its entry into force, the law establishing RTK is still not being adequately implemented...” The report also noted that the deputy prime minister was decisive in selecting the Board of RTK – contrary to both current legislation and best practice.

On 16 October, *Reporters without Borders* found "freedom of media in Kosovo considerably deteriorated". Kosovo's ranking for media freedom fell to 75th place this year from 58th in 2008.

One key element of the pressure being exerted on RTK relates to funding. On 15 October, at its very first session, Kosovo's new Constitutional Court suspended collection of RTK's licence fee pending a decision on 1 December. The same day, the regulatory agency rejected an appeal by RTK against an August decision banning RTK from broadcasting advertisements in prime time (a step towards banning all advertising in the longer term). There is still no solution for how to continue collecting the licence fee beyond November .

On 16 October, the trade unions within the RTK protested against the political pressure and financial uncertainty which they said had deprived the broadcaster of editorial and financial independence.

At a meeting of the incoming and outgoing Board on 21 October, RTK's financial manager stated that the KEK power distribution company has completely stopped all payments of the licence fee it collects on RTK's behalf, and that *RTK next month will not be in the position to pay salaries*. This financial pressure appears to be nothing less than deliberate exhaustion and intimidation of RTK staff who are now intensively providing coverage of the electoral campaign. As indeed is the announcement that the plenary session of parliament scheduled for 27-28 October will appoint a new investigation commission to check the financial management of the previous management – even though all audits, including the recent one conducted by the new state Court of Audit have dismissed any suspicion of errors or dubious operations.

The European Union expects of its Members and candidate Members that they have functioning and well-funded public service broadcasters, not state broadcasters. In order to raise awareness of the damage currently being done to RTK, which has been built up successfully over the past 10 years, I am sending copies of this letter to, among others, Mr Jacob Krasnici, President of the Kosovo Parliament; representatives of the international community in Pristina; the OSCE; Mr Manuel Barroso, President of the European Commission; the Director General of UNESCO; the Secretary General of the Council Europe; and a selection of Members of the European Parliament.

I urge you and your government to re-think the pressure currently being exerted on RTK and to restore the independence RTK requires to perform its proper function as a genuine public service broadcaster and bedrock of democracy at a time when Kosovo is still seeking full international recognition.

I also urge you to take urgent measures to ensure that RTK has sufficient funding for the near and medium term - by prolonging collection of the licence fee through the electricity utility (or another agency), by freeing up the funds held by that utility for RTK, and by postponing the reduction of advertising until a longer-term solution is found.

Yours sincerely,



Jean Réveillon
Director General