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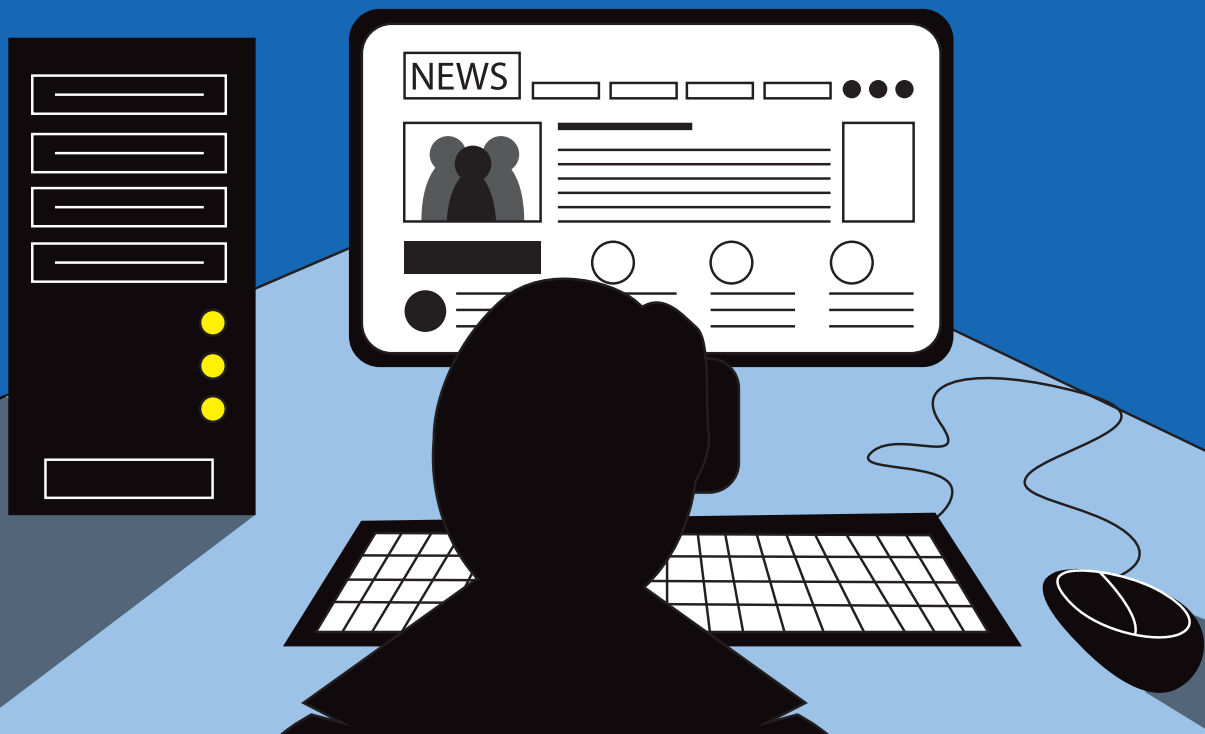
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# MEDIA AND TENDERS

## HOW HAVE GOVERNMENT FUNDS IMPACTED MEDIA EDITORIAL POLICIES?

Report on monitoring of public money spending for publication and marketing expenditures in print and online media (August - December 2018)

February 2019







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February 2019

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# INTRODUCTION

A Government's influence in the media is an incessant concern to the free speech of every country. In the scope of different state capture theories, one of the most common ways that this may occur is through the control exercised over the media by the political party that is running the government. Kosovo is considered to have partially free speech and is ranked 78th out of 180 countries assessed in the Reporters without Borders Press Freedom Index for 2018. Similar to this report, the Freedom House reports named Freedom in the World 2018 ranks Kosovo as a country with partial freedom of speech and religion, with a score of 9 out of 16 total points possible. Some of the main problems mentioned were political interference and financial pressure on Kosovo media.

In this report, Democracy Plus (D+) analysed public money spent through contracts for promotion and advertisement of various announcements and notifications concerning public institutions in the media. The target of this research were all ministries of the Kosovo Government, municipalities, the Kosovo Assembly, Kosovo Judicial Council (KJC), Kosovo Prosecutorial Council (KPC), Central Bank of Kosovo (CBK) and Privatisation Agency of Kosovo (PAK). Several of the main public enterprises in the country such as Kosovo Telecom (TK), Kosovo Energy Corporation (KEC) and Post of Kosovo (Post) were also part of this report.

The report contains information related to the manner in which contracts were made and also analysed the necessity for institutions to conclude such contracts with the media. The purpose of this study is to shed light on any type of influence these contracts might have on editorial policies and fair media reporting on the work and activities of institutions as per their set responsibilities.

Furthermore, through this report, D+ tested the transparency of public institutions and media themselves, in regards to their readiness to provide information on the contracts signed between them and the purpose of those contracts.

# METHODOLOGY

Through the research process for this report a variety of methods were used to collect the data. One of the methods D+ used was direct monitoring of five print dailies: Koha Ditore, Zëri, Epoka e Re, Bota Sot and Kosova Sot. Monitoring focused on all announcements such as vacancies, notifications, invitation for offers of work or service, contract notices or other types of announcements. Additionally, D+ continuously monitored 14 online portals and parts of the websites dedicated to advertisements, which were used by the public institutions targeted by this monitoring. Online portals monitored in this report were: Koha.net, Insajderi, Gazeta Express, Telegrafi, Lajmi.net, Zeri.info, Gazeta Blic, Indeksonline, Bota Sot, Bota Press, Kosova Press, Ekonomia Online, Arbresh.info and Klan Kosova.

D+ also conducted interviews with institutions discussing the methods by which media are contracted. Further, interviews were conducted with media representatives concerning in what circumstances they were awarded contracts, and if these contractual relationships with Kosovo institutions affect their editorial policies.

In addition, media that concluded contracts with public institutions were also monitored in regards to whether they published any critical articles about institutions they have contracts with. This proved difficult, as most articles in online portals were republished from other media without mentioning the original source of the article, hence D+ attempted to monitor original and republished articles as much as possible.

All the data presented in this report was gathered for the period of August – December 2018. For the purpose of gathering this data, apart from direct monitoring and interviews, requests for access to public documents were sent to all institutions and media that were targeted by the monitoring.

This report also includes an analysis of contracts signed between some institutions with radio stations and television channels, while access to contracts was provided through requests for access to public documents. Although these contracts were not the primary interest of this report, nevertheless due to the similarities of these contracts with newspapers and online portals, D+ made sure to analyse their content and see whether their primary purpose was informing the public or influencing media editorial policies.

# EXECUTIVE SUMMARY

The source of financing of the majority of the media in Kosovo remains a continuous mystery, as currently there are no legal or self-regulating mechanisms defined by the Association of Journalists of Kosovo. The lack of these regulations has made it possible for the public to not be informed about the way that the media is financed. Financial transparency of the media is important for a variety of reasons, but the main reason is for awareness of how much the source of financing impacts the editorial independence of the media in question.

The report sheds light on a considerable number of media that have signed advertisement contracts with public institutions, some of which do not include properly defined rules on how contracts should be regulated. Furthermore, there are no defined rules on the types of services that institutions can contract a newspaper or portal on media advertisements for. In at least two cases, D+ found that institutions had received an advertisement space in an online newspaper, but only the logo of the institution was featured without an accompanying announcement or the purpose of the advertisement.

This monitoring process led us to the assumption that a number of public institutions have these contracts with online portals in order to gain space for their press releases, which would otherwise not be published because they would not be newsworthy for the public in normal circumstances. Usually, through these press releases can be read about the protocol meetings of the heads of these institutions and of their specific successes that aim to improve the image of the institution being advertised. On the other hand, this is then paid back as a favour by the portals or newspaper, which do not investigate irregularities of these institutions and do not publish critical articles about the institution.

D+ submitted requests for access to public documents to all public institutions inquiring about notices for contracts and the contract itself that respective institutions had during the last three years, respectively for 2016, 2017 and 2018 for marketing services. Most institutions did not provide answers while in some instances we noted inaccurate answers as they responded that they had no such contracts, while monitoring actually identified cases of these very advertisements occurring.

Another finding of the research was related to public money spent on the logo of the institution. The posting of the logo in portals raises suspicion, not only about the institution but also the portal publishing the advertisement. Clientelism and politicisation of the media also leads to obsequiousness of the media, which in principle ought to be independent institutions.



# ABBREVIATIONS

<b>PAK</b>	Privatisation Agency of Kosovo	<b>MCYS</b>	Ministry of Culture, Youth and Sports
<b>AMA</b>	Audio-visual Media Authority	<b>MESP</b>	Ministry of Environment and Spatial Planning
<b>CBK</b>	Central Bank of Kosovo	<b>MIA</b>	Ministry of Internal Affairs
<b>D+</b>	Democracy Plus	<b>MLSW</b>	Ministry Labour and Social Welfare
<b>KEC</b>	Kosovo Electricity Corporation	<b>MoH</b>	Ministry of Health
<b>KJC</b>	Kosovo Judicial Council	<b>MTI</b>	Ministry of Trade and Industry
<b>KPC</b>	Kosovo Prosecutorial Council	<b>MED</b>	Ministry of Economic Development
<b>KTV</b>	Kohavision	<b>MRD</b>	Ministry of Regional Development
<b>LPP</b>	Law on Public Procurement	<b>Post</b>	Post of Kosovo
<b>MPA</b>	Ministry of Public Administration	<b>RTK</b>	Radio Television of Kosova
<b>MLGA</b>	Ministry of Local Government Administration	<b>RTV 21</b>	Radio television 21
<b>MEST</b>	Ministry of Education, Science and Technology	<b>KT</b>	Kosovo Telecom
<b>MAFRD</b>	Ministry of Agriculture, Forestry and Rural Development		
<b>MoJ</b>	Ministry of Justice		
<b>MDSI</b>	Ministry of Diaspora and Strategic Investments		
<b>MF</b>	Ministry of Finance		
<b>MSF</b>	Ministry of Security Force		
<b>MI</b>	Ministry of Infrastructure		
<b>MEI</b>	Ministry of European Integrations		
<b>MIN</b>	Ministry of Innovations and Entrepreneurship		
<b>MKK</b>	Ministry for Returnees and Communities		

# INSTITUTIONS WITH CONTRACTS ON MARKETING SERVICES

According to D+ findings during data gathering, it emerged that many institutions do not sign contracts with media companies at all for the services they agree on, either for publication or overall for advertisement. Institutions that almost every day have various publications in daily newspapers or portals have no signed contracts in writing, as required by the provisions of the Law on Public Procurement (LPP). Absence of contracts between institutions and media companies may bring about

consequences either during conducting services or even after their completion.

In the answers received by D+ from public institutions, it turns out that the majority of public money is spent without procurement procedures, which is in contradiction not only with the LPP but also with the principles of transparency and accountability. In the graphic below, the number of contracts of institutions is based on responses provided by them.

**GRAPHIC 1.** Number of contracts for marketing services signed by the ministries of Kosovo Government

## MINISTRY OF DIASPORA AND STRATEGIC INVESTMENTS



## MINISTRY FOR COMMUNITY AND RETURN



## MINISTRY OF REGIONAL DEVELOPMENT



## MINISTRY OF PUBLIC ADMINISTRATION



## MINISTRY OF AGRICULTURE FORESTRY AND RURAL DEVELOPMENT



MINISTRY OF LOCAL GOVERNMENT ADMINISTRATION



3

MINISTRY OF ECONOMIC DEVELOPMENT



1

MINISTRY OF INTERNAL AFFAIRS



1

MINISTRY OF INNOVATION AND ENTREPRENEURSHIP



1

MINISTRY OF JUSTICE



0

MINISTRY OF EUROPEAN INTEGRATION



12

MINISTRY OF CULTURE, YOUTH AND SPORT



11

MINISTRY OF HEALTH



3

MINISTRY OF FINANCE



0

MINISTRY FOR THE KOSOVO SECURITY FORCE



11

In the above graph, it may be noted that the Ministry of Justice (MoJ) and the Ministry of Finances (MF) stated they do not have contracts for advertisement services. Nevertheless, despite these two ministries having no contracts with print media, they use them for various publications, whether vacancies, announcements or notifications. The MoJ used newspapers such as: KOHA Ditore, Zëri, Epoka e Re and Kosova Sot to publish their activities, while the MF published its material in every newspaper. In the responses provided by officials of these two ministries, they use the method of rotation for publications, so that each selected newspaper would publish one after the other according to a rotation order.

The problem with this approach that, at first glance, it seems fair is that no media is left out from bene-

fitting from the publication opportunity, as the media are not selected either based on their readership or circulation. So, for example, 200 copies of one newspaper may be sold in a day and in only 30% of the cities or locations in Kosovo, and this newspaper will still benefit from these contracts. So, what remains unfulfilled with this method is the purpose of the advertisement itself, which is for as many people as possible to see the notification, vacancy or news published by these institutions. Annunciation of certain information in the media is mandatory by law for all institutions, such as for vacancies, some types of announcements, privatisations et cetera. With other types of advertisements other than vacancies, and in particular when using online portals, the publication is not obliged by law, hence this is done by the institutions merely as “good practice.”

**GRAPHIC 2.** Number of contracts signed by the municipalities of the Republic of Kosovo

**MUNICIPALITY OF DEÇAN**



**MUNICIPALITY OF GJAKOVA**



**MUNICIPALITY OF GLOGOC**



**MUNICIPALITY OF ISTOG**



**MUNICIPALITY OF KAÇANIK**



**MUNICIPALITY OF KLINA**



**MUNICIPALITY OF FUSHE KOSOVA**



**MUNICIPALITY OF KAMENICA**



**MUNICIPALITY OF LEPOSAVIQ**



**MUNICIPALITY OF LIPJAN**



MUNICIPALITY OF OBILIQ



3

MUNICIPALITY OF RAHOVEC



2

MUNICIPALITY OF PEJA



X

0

MUNICIPALITY OF PRISTINA



X

0

MUNICIPALITY OF SHTËRPCË



1

MUNICIPALITY OF SUHAREKA



1

MUNICIPALITY OF FERIZAJ



16

MUNICIPALITY OF VUSHTRRI



2

MUNICIPALITY OF MALISHEVA



X

0

MUNICIPALITY OF NOVOBËRDA



X

0

MUNICIPALITY OF SOUTH MITROVICA



1

MUNICIPALITY OF JUNIK



X

0

MUNICIPALITY OF ELEZ HAN



2

MUNICIPALITY OF MAMUSHA



1

MUNICIPALITY OF GRAÇANICA



X

0

MUNICIPALITY OF RANILUG



X

0

MUNICIPALITY OF PARTESH



X

0

Looking this graphic, it may be noted that a considerable number of municipalities do not have advertisement contracts, thus spending on these services without using public procurement procedures. According to this graph, 13 municipalities have no such contracts: the Municipality of Pristina, Fushë Kosova, Lipjan, Kamenica, Klina, Malisheva, Lipjan, Junik, Novobërdo, Partesh, Ranilug and Graçanica, not including here another 10 municipalities that did not respond to the request for access to public documents.

There are four other institutions that have contracts with the media. Privatisation Agency of Kosovo (PAK) has the biggest number of contracts, having signed 47 such contracts within a period of three years, amounting to a little more than half a million euros. The Kosovo Judicial Council (KJC) has only one such contract, with *Kosova Press* news agency, while the Central Bank of Kosova (CBK) and the Kosovo Assembly have no such contracts at all. Despite stating that they do not have such a contract, the Kosovo Assembly put out 12 publications within the six month period, primarily employment vacancies in *Epoka e Re*, *Zëri* and *Bota Sot* newspapers. While as far as the CBK is concerned, we have noted 40 such publications in four newspapers, namely in *KOHA Ditore*, *Epoka e Re*, *Zëri*, *Kosova Sot* and *Bota Sot*.

D+ also requested access to these types of contracts of the Kosovo Prosecutorial Council but received no response. However, our monitoring revealed that in the same period of time, this institution published 28 publications, vacancies and different types of announcements. These publications were featured in *KOHA Ditore*, *Epoka e Re*, *Zëri*, *Kosova Sot* and *Bota Sot* newspapers.

For purposes of this research, D+ also requested access to public documents in the three main public enterprises of the country, Kosovo Telecom, the Kosovo Energy Corporation and Post of Kosovo, however only the latter responded, stating that they have no contracts for advertisement or publication services. During the monitoring of newspapers, we noted only two publication of Kosovo Post, both in *Epoka e Re* newspaper. Additionally, publications of KEC and Kosovo Telecom were encountered as well. We noted that KEC published 10 announcements, decisions and vacancies in *KOHA Ditore*, *Epoka e Re* and *Zëri* newspaper. Meanwhile, Kosovo Telecom put out 11 publications, primarily vacancies and holiday greetings in *KOHA Ditore*, *Epoka e Re*, *Zëri*, *Kosova Sot* newspapers.



D+ also requested access to these types of contracts of the Kosovo Prosecutorial Council but received no response. However, our monitoring revealed that in the same period of time, this institution published 28 publications, vacancies and different types of announcements. These publications were featured in *KOHA Ditore*, *Epoka e Re*, *Zëri*, *Kosova Sot* and *Bota Sot* newspapers.

# MARKETING IN ONLINE PORTALS

Our requests for access to public documents and information that were submitted concerning the number and value of public institution contracts with the media, very few institutions provided responses. In doing so, they did not only disrespect the Law on Access to Public Documents, but they also shed light on a tendency of institutions to hide this information from the media as well. This is particularly concerning for institutions that have contracts of a higher value, such as the Ministry of Infrastructure (MI), which did not provide access to its data. A similar research found that this ministry in 2018 spent around 100,000 euros for the same services.<sup>1</sup>

A number of institutions have only placed their logos in banners of portals, but without mentioning the purpose of such a display, any information or notification. D+ concludes that this practice is harmful considering that taxpayer money is spent on this, but it is also harmful to the media-institution relationship itself. Contracting media companies for advertisement services may only strengthen the conviction that simply placing banners in online portals is about clientelism between respective media and the institutions.

Out of all the contracting authorities advertising in portals, all have web banners that redirect to the website of the institutions. None of them promote a special event that took place. Almost all the banners are static pictures with no information, and when clicking on them, they simply redirect to the web page of the respective institution. While publication of vacancies in newspapers is mandatory and justifies the money spent, advertising without a message in portals in no way provides a credible justification for the existence of monitored contracts.

MI, as one of the institutions with the most advertisements in portals, did not publish any notification that contracts were awarded either in the e-procurement platform or the PPRC web page. Also, this ministry did not respond to our request for access to public documents either. In the portals monitored by D+, this ministry had its banner placed in six portals, but as D+ had no access to the contract, it does not possess any further data. The table below lists all institutions with advertisements in the portals that were part of our research.

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1 Arta Berisha, Dialog Plus, Hundreds of thousands of euros for Governments non-transparent advertisements. <http://dialogplus.ch/qindra-mijera-euro-per-reklamata-jotransparente-te-qeverise-se-kosoves-132206>

Institution	Types of advertising	News Portal
MI	Web banner	<ol style="list-style-type: none"> <li>1 Ekonomia Online</li> <li>2 Botasot</li> <li>3 Blic</li> <li>4 Arbresh.info</li> <li>5 Gazeta Express</li> <li>6 Botapress</li> </ol>
MCYS	Web banner	<ol style="list-style-type: none"> <li>1 Ekonomia Online;</li> <li>2 Gazeta Express;</li> <li>3 Kosova Press</li> </ol>
MLSW	Web banner	<ol style="list-style-type: none"> <li>1 Ekonomia Online dhe</li> <li>2 Kosova Press</li> </ol>
MTI	Web banner and customer notice	<ol style="list-style-type: none"> <li>1 Ekonomia Online</li> <li>2 Gazeta Express dhe</li> <li>3 Kosova Press</li> </ol>
MAFRD	Advertising for consuming local products	<ol style="list-style-type: none"> <li>1 Ekonomia Online</li> <li>2 Kosova Press</li> <li>3 Lajmi.net</li> <li>4 Gazeta Express</li> <li>5 Indeksonline</li> <li>6 Insajderi</li> <li>7 Telegrafi</li> <li>8 Gazeta Blic</li> </ol>
MUNICIPALITY OF GJAKOVA	Web banner	<ol style="list-style-type: none"> <li>1 Kosova Press</li> </ol>
MUNICIPALITY OF SUHAREKA	Web banner	<ol style="list-style-type: none"> <li>1 Ekonomia Online</li> </ol>
MUNICIPALITY OF DEÇAN	Web banner	<ol style="list-style-type: none"> <li>1 Ekonomia Online</li> </ol>
MUNICIPALITY OF FERIZAJ	Web banner	<ol style="list-style-type: none"> <li>1 Ekonomia Online</li> </ol>
KOSOVO TELECOM	Web banner / ad for Vala	<ol style="list-style-type: none"> <li>1 Koha.net</li> <li>2 Insajderi</li> <li>3 Gazeta Express</li> <li>4 Lajmi.net</li> <li>5 Zeri.info</li> <li>6 Gazeta Blic</li> <li>7 Indeksonline</li> <li>8 Kosova Press</li> <li>9 Ekonomia Online</li> <li>10 Arbresh.info</li> </ol>
KOSOVO ENERGY CORPORATION	Web banner	<ol style="list-style-type: none"> <li>1 Gazeta Express</li> <li>2 Ekonomia Online</li> <li>3 Indeksonline</li> <li>4 Zëri.info</li> <li>5 Koha.net</li> <li>6 Insajderi dhe</li> <li>7 Gazeta Blic</li> </ol>

**TABLE 1.** Publications of institutions on online portals



# MARKETING IN PRINT MEDIA

During the monitoring period, D+ monitored all printed dailies and noted 1,684 publications by public institutions in the selected period of time.





These publications by the institutions in five printed daily newspapers were for various purposes and reasons, depending on the needs of the institutions. They primarily used their funds for different notifications, vacancies, recruitment calls, decisions, announcements, invitation for offers, auction calls etc. D+ also measured the space within the page used by the institutions in these daily newspapers, where various differences in the amount of space used for the same of similar publications was noted. It is also worth noting that the space used by the institution also fixes the price offered for such a service by the media company. During the monitoring, Epoka e Re was ranked first for the number of publications, with 543 publications in total, while Bota Sot was ranked second. However, this newspaper would come first

when taking into consideration the space provided, with about 667 pages in total. Meanwhile, other newspapers by number of publications and space are ranked as: *Zëri*, *KOHA Ditore* and *Kosova Sot*.

The data generated from the continuous six months of monitoring, we have calculated an estimated total amount of public funds spent on such publications. The method of calculation we used was based on the pricelist the media usually provide. It is worth noting also that different media use different prices for the same space used, hence the total amount was calculated by multiplying the space used by institutions with the price that the particular newspaper offers. Hence, the amounts presented in the table do not necessarily provide the accurate amount the newspaper benefited through the provision of these services, but simply an estimate amount calculated by D+ researchers.



During the monitoring, Epoka e Re was ranked first for the number of publications, with 543 publications in total, while Bota Sot was ranked second. However, this newspaper would come first when taking into consideration the space provided, with about 667 pages in total. Meanwhile, other newspapers by number of publications and space are ranked as: *Zëri*, *KOHA Ditore* and *Kosova Sot*.

 Newspaper	 Total publications	 Newspapers Advertising Space (Page)	 Approximate amount in Euro
Koha Ditore	269	240	43,200.00
Zëri	320	322	45,080.00
Epoka e Re	543	572	80,080.00
Bota Sot	342	667	66,700.00
Kosova Sot	210	205	41,000.00

**TABLE 2.** Total number of publications in print newspapers and approximate amounts paid

We looked at the financing of media companies and the contracts public institutions concluded with them for publication services from another angle as well. Apart from notifications, vacancies and other announcements, the media are also used for advertising the institutions' logos. This spending of public money for displaying banners is unnecessary, except in cases where citizens are actually informed about important events through these banners.

Overall, tenders for advertising in newspapers have very few technical specifications. However, these should include a number of specifications, such as

what space the advertisement should occupy within the page, how many publications there must be, or whether it will be in colour print or black and white. Contracting authorities do not require that, for a newspaper that also has a portal, to advertise in the portal as well. In these cases, when the service is combined for publication in print and online, there is opportunity to get a better and higher offer. This was demanded only in a tender from Kosovo Customs, for the "Publication of announcements in daily press for the needs of the KC" tender, which was won by Kosova Sot amounting to 10,250 euros for a period of 36 months.

# Publication in print media for central and local level institutions

The regulation of the procedure related to publication of vacancies in public institutions is foreseen by the Labour Law, thus obliging the public sector employer to launch publicly open vacancies for each new employee.<sup>2</sup> Additionally, based on this law, the Ministry of Labour and Social Welfare issued an Administrative Instruction last year that regulates the procedures of public sector vacancies. Article 4.3. of the law, amongst others, stipulates that a public vacancy must be published in at least one informative media outlet. D+ during the monitoring period,

took note of every announcement, vacancy, etc., in all print media for all public institutions.

Another legal obligation for the public sector when publishing any announcement is that they must do it in all official languages of the Republic of Kosovo. This has not been complied with by some institutions as they have published it in only one of the languages.

In this report, D+ paid special attention to the space and size of public announcements in newspaper, as this affects the amount that the institution ought to pay to a media company directly. Prices are usually defined through an agreement between the institutions and the providers of the publication service. Hence, during the monitoring we have also noted the advertisement space used in order to then see the approximate monetary value of public funds spent.

Institution	Number of advertising	Newspapers	Type of advertising
MKSF	7	<ol style="list-style-type: none"> <li>1 KOHA Ditore</li> <li>2 Epoka e Re</li> <li>3 Zëri</li> <li>4 Kosova Sot</li> <li>5 Bota Sot</li> </ol>	Notifications
MI	34	<ol style="list-style-type: none"> <li>1 Epoka e Re</li> <li>2 Zëri dhe</li> <li>3 KOHA Ditore</li> </ol>	Primarily vacancies and recruitment openings
MF	42	<ol style="list-style-type: none"> <li>1 KOHA Ditore</li> <li>2 Epoka e Re</li> <li>3 Zëri</li> <li>4 Kosova Sot</li> <li>5 Bota Sot</li> </ol>	Primarily vacancies and notifications
MOH	18	<ol style="list-style-type: none"> <li>1 KOHA Ditore</li> <li>2 Epoka e Re</li> <li>3 Zëri</li> <li>4 Kosova Sot</li> <li>5 Bota Sot</li> </ol>	Vacancies and notifications

<sup>2</sup> Labour Law, 03/L-212, 2010.

MCYS	22	<ol style="list-style-type: none"> <li>1 KOHA Ditore</li> <li>2 Epoka</li> <li>3 Bota Sot</li> </ol>	Vacancies, notifications and open calls
MEI	15	<ol style="list-style-type: none"> <li>1 Epoka e Re</li> <li>2 Bota Sot</li> </ol>	Vacancies and notifications
MoJ	10	<ol style="list-style-type: none"> <li>1 KOHA Ditore</li> <li>2 Epoka e Re</li> <li>3 Kosova Sot</li> <li>4 Zëri</li> </ol>	Auction invitations, vacancies and notifications
MIE	5	<ol style="list-style-type: none"> <li>1 Epoka e Re</li> <li>2 Bota Sot</li> </ol>	Vacancies and notifications
MLSW	9	<ol style="list-style-type: none"> <li>1 Epoka e Re</li> </ol>	Vacancies and notifications
MEST	57	<ol style="list-style-type: none"> <li>1 KOHA Ditore</li> <li>2 Epoka e Re</li> <li>3 Zëri</li> <li>4 Kosova Sot</li> <li>5 Bota Sot</li> </ol>	Vacancies, notifications and invitations for offers
MTI	14	<ol style="list-style-type: none"> <li>1 KOHA Ditore</li> <li>2 Epoka e Re</li> <li>3 Kosova Sot</li> <li>4 Bota Sot</li> </ol>	Recruitment openings and public calls
MIA	19	<ol style="list-style-type: none"> <li>1 Epoka e Re</li> <li>2 Bota Sot</li> </ol>	Primarily vacancies
MFA	5	<ol style="list-style-type: none"> <li>1 Epoka e Re</li> </ol>	Vacancies and notifications
MED	16	<ol style="list-style-type: none"> <li>1 KOHA Ditore</li> <li>2 Zëri</li> <li>3 Epoka e Re</li> </ol>	Public calls, notifications and recruitment calls
MESP	20	<ol style="list-style-type: none"> <li>1 Bota Sot</li> <li>2 KOHA Ditore</li> </ol>	Decisions, notifications and vacancies
MLGA	4	<ol style="list-style-type: none"> <li>1 Zëri</li> </ol>	Vacancies
MAFRD	33	<ol style="list-style-type: none"> <li>1 KOHA Ditore</li> <li>2 Epoka e Re</li> <li>3 Zëri</li> <li>4 Kosova Sot</li> <li>5 Bota Sot</li> </ol>	Vacancies and public calls

MPA	12	<ol style="list-style-type: none"> <li>1 KOHA Ditore</li> <li>2 Epoka e Re</li> <li>3 Zëri</li> <li>4 Kosova Sot</li> <li>5 Bota Sot</li> </ol>	Vacancies and congratulations
MRD	3	<ol style="list-style-type: none"> <li>1 Bota Sot</li> </ol>	Vacancies
MRC	2	<ol style="list-style-type: none"> <li>1 Epoka e Re</li> </ol>	Vacancies
MDSI	2	<ol style="list-style-type: none"> <li>1 KOHA Ditore</li> </ol>	Recruitment openings and notifications

**TABLE 3.** Advertisements of ministries in daily newspapers for the period of August – December 2018

Municipality	Number of publications	Newspapers	Type of publications
Municipality of Deçan	21	<ol style="list-style-type: none"> <li>1 Kosova Sot</li> </ol>	Vacancies and notifications
Municipality of Gjakova	29	<ol style="list-style-type: none"> <li>1 KOHA Ditore</li> </ol>	Vacancies and notifications
Municipality of Glogoc	31	<ol style="list-style-type: none"> <li>1 KOHA Ditore</li> <li>2 Zëri</li> </ol>	Primarily vacancies and notifications
Municipality of Gjilan	8	<ol style="list-style-type: none"> <li>1 Bota Sot</li> <li>2 Epoka e Re</li> </ol>	Vacancies, decisions and notifications
Municipality of Dragash	8	<ol style="list-style-type: none"> <li>1 Epoka e Re</li> </ol>	Vacancies and notifications
Municipality of Istog	26	<ol style="list-style-type: none"> <li>1 Bota Sot</li> </ol>	Notifications
Municipality of Kaçanik	25	<ol style="list-style-type: none"> <li>1 Epoka e Re</li> </ol>	Vacancies and notifications
Municipality of Klina	25	<ol style="list-style-type: none"> <li>1 Epoka e Re</li> <li>2 Bota Sot</li> </ol>	Vacancies, notifications, invitation for offers

Municipality of Fushë Kosova	7	1 Zëri	Primarily notifications
Municipality of Kamenica	11	1 Bota Sot	Primarily vacancies and notifications
Municipality of Leposaviq	6	1 Zëri	Vacancies
Municipality of Lipjan	36	1 Zëri	Vacancies and notifications
Municipality of Obiliq	20	1 Kosova Sot	Vacancies, notifications and congratulations
Municipality of Rahovec	24	1 Epoka e Re	Vacancies, notifications and decisions
Municipality of Peja	38	1 KOHA Ditore 2 Kosova Sot 3 Bota Sot	Decisions, vacancies and notifications
Municipality of Podujeva	20	1 Botapress	Vacancies, notifications and public calls
Municipality of Pristina	32	1 KOHA Ditore 2 Epoka e Re 3 Zëri	Vacancies, notifications, invitations for offers
Municipality of Prizren	25	1 Epoka e Re	Vacancies and notifications
Municipality of Skenderaj	17	1 Epoka e Re	Vacancies and notifications
Municipality of Shtime	10	1 Bota Sot	Decisions, vacancies and notifications
Municipality of Shtërpce	4	1 Epoka e Re	Notifications
Municipality of Suhareka	34	1 Epoka e Re 2 Bota Sot	Vacancies, auction invitations and notifications
Municipality of Ferizaj	37	1 KOHA Ditore 2 Epoka e Re	Vacancies and notifications

Municipality of Viti	13	1 Zëri 2 Bota Sot	Vacancies and greetings
Municipality of Vushtrri	34	1 Kosova Sot	Vacancies and notifications
Municipality of Zubin Potok	3	1 Bota Sot	Vacancies
Municipality of Zveçan	0	/	/
Municipality of Malisheva	45	1 Epoka e Re	Vacancies and notifications
Municipality of Novobërdo	7	1 KOHA Ditore	Vacancies and notifications
Municipality of North Mitrovica	3	1 Zëri 2 Bota Sot	Vacancies, auction announcements
Municipality of South Mitrovica	19	1 Epoka e Re; 2 Zëri 3 Bota Sot	Vacancies and notifications
Municipality of Junik	11	1 Epoka e Re	Vacancies
Municipality of Hani i Elezit	10	1 Zëri	Vacancies and notifications
Municipality of Mamusha	2	1 Bota Sot	Vacancies
Municipality of Graçanica	2	1 Epoka e Re	Vacancies
Municipality of Ranilug	2	1 Zëri	Vacancies
Municipality of Partesh	0	/	/
Municipality of Klokot	1	1 Bota Sot	Vacancies

**TABLE 4.** Number of advertisements by municipalities in daily newspapers for the period of August – December 2018

Institution	Number of advertising	Newspapers	Type of advertising
Assembly of Kosovo	12	<ol style="list-style-type: none"> <li>1 Epoka e Re</li> <li>2 Zëri</li> <li>3 Bota Sot</li> </ol>	Vacancies
Kosovo Judicial Council	12	<ol style="list-style-type: none"> <li>1 Kosova Sot<sup>3</sup></li> </ol>	Vacancies and notifications
Kosovo Prosecutorial Council	28	<ol style="list-style-type: none"> <li>1 KOHA Ditore</li> <li>2 Epoka e Re</li> <li>3 Zëri</li> <li>4 Kosova Sot</li> <li>5 Bota Sot</li> </ol>	Vacancies and notifications
Central Bank of Kosovo	40	<ol style="list-style-type: none"> <li>1 KOHA Ditore</li> <li>2 Epoka e Re</li> <li>3 Zëri</li> <li>4 Kosova Sot</li> <li>5 Bota Sot</li> </ol>	Contract notice and vacancies

**TABLE 5.** Number of advertisements in other important institutions

Public Enterprises	Number of publications	Newspapers	Type of publications
Kosovo Telecom	11	<ol style="list-style-type: none"> <li>1 KOHA Ditore</li> <li>2 Epoka e Re</li> <li>3 Zëri</li> <li>4 Kosova Sot</li> </ol>	Vacancies and greetings
Kosovo Energy Corporation	10	<ol style="list-style-type: none"> <li>1 KOHA Ditore;</li> <li>2 Epoka e Re</li> <li>3 Zëri</li> </ol>	Decisions, vacancies and notifications
Post of Kosovo	2	<ol style="list-style-type: none"> <li>1 Epoka e Re</li> </ol>	Vacancies

**TABLE 6.** Usage of daily newspapers for advertisements of various notifications by the three biggest public enterprises

<sup>3</sup> Three of the advertisements of this institution were published jointly with the KPC in *KOHA Ditore* and *Zëri*.



# LACK OF TRANSPARENCY OF INSTITUTIONS IN CONTRACTS FOR MARKETING SERVICES

DIIn regards to advertisement service contracts, D+ submitted requests for access to public documents to all ministries, all municipalities, the Assembly of Kosovo, KJC, KPC, CBK, KPA and three major public enterprises, KEC, Post of Kosovo and the KT.

Through the requests submitted for access to public documents, notification of the contract made and the signed contracts concluded either with print media or online portals was requested in relation to publication services and advertisements in general. Out of the 66 institutions where these requests for access to contracts were submitted, 18 institutions did not respond at all, thus resulting in a violation of the Law on Access to Public Documents.<sup>4</sup> Out of the central level institutions, the following did not provide any response: Ministry of Infrastructure (MI), Ministry of Labour and Social Welfare (MLSW), Ministry of Education, Science and Technology (MEST), Ministry of Trade and Industry (MTI) and Ministry of Environment and Spatial Planning (MESP).

No response was provided by the Kosovo Prosecutorial Council (KPC) either. Meanwhile, out of 38 municipalities, responses were not provided at all by ten, namely: municipalities of Gjilan, Dragash, Podujeva, Prizren, Skenderaj, Viti, Klokot, Zubin Potok, Zveçan and North Mitrovica.

On the other hand, out of the three public enterprises to whom we submitted requests for access to public documents, Kosovo Telecom, Kosovo Energy Corporation and Post of Kosovo, only the latter responded in regards to the contract.

Regardless of the fact that the number of institutions which responded to inquiries for the purpose of this report compared to the number of submitted requests is satisfactory, some of them did not respect the legal deadline,<sup>5</sup> which slowed down the process of gathering and analysing the data.

4 Law no.03/L-215 on Access to Public Documents, 2010.

5 Ibid, article 7 and 8.

# LACK OF MEDIA TRANSPARENCY ABOUT CONTRACTS FOR MARKETING SERVICES

Apart from submitting requests for information to public institutions, for the sake of transparency, we submitted information requests to the media targeted for this research as well. We requested information from the media about whether they had such contracts with public institutions, the value of the contracts and the total number of the contracts. Most of them did not respond to our requests.

Based on the number of responses received, the transparency of public institutions surprisingly turns out to be of a better level than that of the media, which conduct all their work while calling upon the principles of transparency. Such an approach of the media may be considered a disproportionate act, as while they demand transparency, they themselves do not offer it to the public.

In the table below, media companies that responded to our inquiries may be seen:

Media company	Date of request	Day of response	Type of response
Koha Ditore	13 November 2018	30 November 2018	Positive
Zëri	13 November 2018	/	/
Epoka e Re	13 November 2018	/	/
Bota Sot	13 November 2018	/	/
Kosova Sot	13 November 2018	/	/
Insajder	13 November 2018		
Gazeta Express	13 November 2018	13 November 2018	Negative
Telegrafi	13 November 2018	/	/
Lajmi.net	13 November 2018	/	/
Zëri	13 November 2018	/	/
Gazeta Blic	13 November 2018	/	/
Indeksonline	13 November 2018	13 November 2018	Positive
Ekonomia Online	13 November 2018	27 November 2018	Negative
Bota Sot	13 November 2018	/	/
Botapress	13 November 2018	19 November 2018	Positive
Arbresh.info	13 November 2018	/	/
Kosova Press	13 November 2018	/	/
klankosova.tv	13 November 2018	/	/

**TABLE 7.** Media responses to requests sent for information



We requested information from the media about whether they had such contracts with public institutions, the value of the contracts and the total number of the contracts.

One of the media companies that proved to be highly transparent by showing all income from contracts with public institutions was *KOHA Group*. This company sent all the outgoing invoices for the last three years to us. According to *KOHA Group* invoices for year 2016, they received the amount of 87,622.24 euros from public institutions, for 2017, they received the amount of 103,410.33 euros while up until November 2018, they had received the amount of 94,684.34 euros. Overall, this company received the amount of 285,716.91 euros from public institutions within a three-year period.

Apart from *KOHA Group*, responses were provided by three other media organisations, some of which were revealed to be incorrect later on. In their response provided on November 13th 2018, Indeks-online stated they have no advertisement service contracts with any institutions. However, during the monitoring, D+ encountered such contracts of this company with public institutions. One of these contracts is with the MAFRD. This contract has a one-year duration and amounts to 8,400.00 euros.<sup>6</sup> The contract was concluded between MAFRD and Indeks-online through a negotiated procedure, followed by the publication of an contract award notice.<sup>7</sup> Another portal that responded to our inquiries regarding advertisement service contracts was *Botapress*. According to this company, the only contract with an institution they had in the past three years was in the amount of 350 euros, a contract that had ended in 2017. However, this portal did not disclose the name of the institution.

Meanwhile, two media companies responded negatively, thus not accepting to share accurate information in regards to the institutions they signed contracts with in the last three years, namely *Gazeta Express* and news agency *Ekonomia Online*.

<sup>6</sup> MAFRD framework contract negotiated and "INDEKSONLINE" SH.P.K. 22.10.2018.

<sup>7</sup> [https://eprokurimi.rks-gov.net/SPIN\\_PROD/APPLICATION/IPN/DocumentManagement/DokumentPodaciFrm.aspx?id=260781](https://eprokurimi.rks-gov.net/SPIN_PROD/APPLICATION/IPN/DocumentManagement/DokumentPodaciFrm.aspx?id=260781)

# THE NEED FOR MARKETING

For the purpose of this research, D+ also interviewed officials of some ministries and media representatives, who talked about the experience of institutions in regards to advertisement. One of the interviewees was the secretary general of the Ministry of Public Administration, Arton Berisha.<sup>8</sup> According to him, institutions have no real need for advertisement as they are not targeted by the media either to be attacked or for flattery. He emphasized that they currently have a contract with *Epoka e Re* newspaper that was selected through a tendering procedure, but only in their second attempt, as they were forced to re-tender the procedure as no other media submitted quotations for the tender. Meanwhile, in regards to senior positions within the ministry, they have an agreement to publish the vacancies in the two or three of the most read newspapers.

Another interview was conducted with the former secretary general of the Ministry of Infrastructure (MI), Nebih Shatri. Despite the ministry not responding at all to our requests for information on advertisement service contracts, they agreed to talk to us about it. According to the former secretary, advertising is very important in informing citizens with the work and the achievements of the ministry, which in itself is a type of transparency. During the interview, Mr. Shatri declared that the MI had either three-monthly or six-monthly contracts with some media, while when it comes to vacancies, they publish them in rotation through all the newspapers.

One of the institutions with a large number of contracts is Privatisation Agency of Kosovo (PAK). Taking this into consideration, we conducted an interview with the chairwoman of the Unit for Advertisement and Investor Relationships, Besa Belegu. During this interview, she admitted that they are obliged by the law to publish

calls for auction and announcements in one or two of the most read newspapers, but instead they follow the practice of signing contracts with all five print newspapers in Kosovo, one newspaper in Serbia and one in Montenegro. She stated that in order to promote the sales, apart from newspapers they also have contracts with television channels, such as *RTK*, *KTV* and *RTV 21* but also some radio stations. She noted that they do not open tenders for newspapers, televisions and portals, but use negotiated procedures. Meanwhile, in the last two years, PAK launched a tender for radio stations, but the only bidder was the Media Institute of Kosovo, which was awarded with a contract to provide services covering national and local radio stations. After receiving all contracts by PAK for advertisement services in the last three years and conducting our analysis, it turns out that PAK spent more than half a million euros during this period.

Compared to interviews conducted with institution officials, interviews with the media were very difficult to conduct, as only a handful were willing to talk. There are three media companies overall that agreed to talk about contracts they receive from institutions, namely *KOHA Group*, *Gazeta Express* and *Ekonomia Online*. Some media admitted that it is very difficult to survive without having contracts with institutions, especially in an unregulated media market. Meanwhile, they categorically denied that this affects their editorial policies.

The report follows with its findings from the analysis of specific contracts that was conducted which D+ obtained from some of the institutions. Apart from the prices, this analysis also reviewed issues such as procedures of selecting the winners, the rights and obligations of the contractual parties and other issues related to the influence of these contracts in editorial policies.

<sup>8</sup> Interview with MAP general secretary, Arton Berisha, 16.10.2018.

# Ministry of Agriculture, Forestry and Rural Development

The Ministry of Agriculture, Forestry and Rural Development (MAFRD) signed a contract to the amount of 109,200.00 euros with 16 portals for the purpose of publishing news, banners and other services. The duration of the contract is 12 months. The procedure used was negotiation without publication of contract notice as foreseen in the LPP. One of the criteria of the tender dossier was that a portal should have between 500,000 to 1,000,000 visits a month (which the ministry called clicks in the tender dossier), but it signed contracts with portals with clicks higher than 1,000,000. The Ministry demanded proof of clicks, however, it did not specify how this should be proven. Usually websites integrate tools such as Google Analytics in order to collect information on visits to the page and other data

The only technical specification was for the banner to be 768x90 pixels. Other requirements included:

- Publication of banners/adverts;
- Publication of announcements and press releases;
- Publication of reportages in the field of agriculture;
- Publication of interviews and special topics;
- Following MAFRD activities of special interest (conferences of the Minister etc.);
- Publication of reactions or explanations for citizens.

Out of the abovementioned criteria, publication of announcements, interviews and press releases are senseless as they are usually published for free..

Another issue noted was the choice to have advertisements in 16 different portals. In the opinion of D+ this is a bad choice, as institutions did not conduct any readership analysis for the portals in order to see where it would be more appropriate to advertise. The case is different when it comes to advertisements in newspapers, as the reader incurs a cost to buy the newspaper and each newspaper has a group of its own potential readers, which online media in particular do not have. Hence, publication of an announcement in all newspapers is more reasonable than publishing announcements in all portals.

There are no criteria provided in this tender dossier concerning how many times the banner display on the portal will occur. In the online marketing world, this is usually paid according CPM formula (Cost per thousand impressions) meaning the costs for 1,000 displays of the banner. According to the dimensions of the banner mentioned above, a banner would occupy half of the width of the page. However, in the tender dossier it was not stipulated where the banner would be placed, as there is a big difference between placing the banner in the front page and placing it on another page or at the bottom, as the reader would have to go right to the end of the page in order to be able to see it. The prices in portals differ a lot. A 768x90 banner in *Gazeta Express* costs 1,200 euros for 500,000 displays a month, placed on the front page. The same banner costs EUR 800 if it is displayed on other pages of the portal. *Kosovapress* offered 600 euros for publishing a banner with the same dimensions in the front page, but did not stipulate how many displays this would cover.<sup>9</sup> The contract was signed for a year with a monthly amount of 700 euros or 8,400 euros in total.

The banner displayed on all the portals is clickable and redirects to the MAFRD web site. The displayed banner is a message to consume domestic products. The price of the contract for a year per each portal is presented below:

<sup>9</sup> The marketing offerings on the portal of *Kosovapress.com* [http://www.kosovapress.com/public/uploads/document/oferta-2017-finale-1-1-compressed\\_4057.pdf](http://www.kosovapress.com/public/uploads/document/oferta-2017-finale-1-1-compressed_4057.pdf)

Ministry of  
Agriculture,  
Forestry  
and Rural  
Development

Has spent

**109,200 €**

for ads on

**16 news portals**



**INSAJDERI**

**€8,400.00**



**LAJMI.NET**

**€8,400.00**



**EPOKA E RE**

**€4,800.00**



**KOSOVA PRESS**

**€4,800.00**



**INDEKSONLINE**

**€8,400.00**



**GAZETA EXPRESS**

**€8,400.00**



**METRO MEDIA GROUP**

**€7,800.00**



**PERISKOPI**

**€7,800.00**



**INFOKUSI**

**€7,200.00**



**ECO MEDIA GROUP**

**€7,200.00**



**ORA.INFO**

**€6,000.00**



**BLIC MEDIA**

**€6,000.00**



**RADIO KOSOVA E LIRË**

**€4,200.00**



**GAZETA EKONOMIA**

**€4,200.00**



**EKONOMIA ONLINE**

**€8,400.00**



**TELEGRAFI**

**€8,400.00**

**Total 109,200 €**

**TABLE 8.**

Prices for 12 months of contracts between the MAFRD and online portals

## Privatisation Agency of Kosovo

PAK signed marketing contracts with nine portals. What differs between this contract and that of the MAFRD is the significantly lower total amount of 12,747 euros for a period of 12 months. The criteria stipulated in the PAK tender dossier were:

- Interactive banner on the front page – for desktop and mobile versions (banner format: 728x90px);
- Interactive banner within the article – desktop and mobile version (banner format: 300x250px);
- Publication of combined services - Desktop and Mobile versions;
  - Interactive banner on the front page and/or within the article with 300x250px;
  - Publishing live stream – selling of assets, on

- the front page of the portal;
- One sponsored article;
- Sharing different articles through social media channels of the portals.

PAK requirements for awarding the tender were based on the average cost for these services in the market but had higher costs than those of the MAFRD. This is due to PAK requesting live streaming for sales of assets, which has a higher cost than other services. Additionally, PAK requested the display of two banners, while the MAFRD requested only one. The criteria set by PAK did not define how many times the banner should be displayed or where it should be placed. It was not defined whether they should be placed on the front page or on other pages within the portal. The PAK requirements did not foresee how many displays of the banner should be required either. This is similar to the MAFRD tender, as both should have used the CPM formula.



 <b>INTERNEWS KOSOVA (KALLXO.COM)</b> <b>€2,100.00</b>	 <b>RADIO KOSOVA E LIRE</b> <b>€500.00</b>	 <b>INDEKSONLINE</b> <b>€1,500.00</b>
 <b>EKONOMIA ONLINE</b> <b>€1,800.00</b>	 <b>METRO MEDIA GROUP</b> <b>€1,000.00</b>	 <b>PERISKOPI</b> <b>€750.00</b>
 <b>INFOKUSI</b> <b>€1,850.00</b>	 <b>KOSOVA PRESS</b> <b>€1,897.00</b>	 <b>BLIC MEDIA</b> <b>€1,350.00</b>

**TABLE 9.** Prices for 12 months contracts between the PAK and online portals

## Municipality of Prizren

The Municipality of Prizren signed a 12-month contract for the publication of announcements with *Epoka e Re*. The value of the contract was 7,830 euros. They followed an open procedure of price quotation that meant the contracting authority only sent invitations for offers to economic operators. The municipality sent invitations for quotations to *Epoka e Re* and *Zëri* newspapers. *Zëri* newspaper quoted the cheapest price, 7,785 euros.<sup>10</sup> In this particular case, the municipality did not get value for money due to the contract being awarded without looking at the readership numbers that may be potentially reached through one or the other newspaper.

The tender dossier contained no technical specifications or requirements. The measurements forecast in terms of the size of the publications foresaw full page, half page and quarter of a page. The total quantity of publications foreseen by the municipality was 185 per year. This meant that the municipality foresaw one publication every two days. Usually, for publication tenders, contracts are signed without specifying numbers, as it is impossible to know the quantity of publications at the time the tender is awarded, but in a way, this also protects the contracting authority from making unnecessary publications.

*Epoka e Re* quoted manipulated prices as following:

- Full page publication – 45 euros
- 1/2 page – 48 euros
- ¼ page – 20 euros

The price for a half-page publication is higher than the full page. Due to half-pages occurring more often, the company quoted a higher price. The D+ monitoring for the period of August–December 2018 illustrated that the municipality published 25 publications in *Epoka e Re*. Eight out of these 25 notifications took up half of the page, which is more expensive than publishing a full page.



Some media admitted that it is very difficult to survive without having contracts with institutions, especially in an unregulated media market. Meanwhile, they categorically denied that this affects their editorial policies.

<sup>10</sup> Notification of the contracting authority's decision. <https://rebrand.ly/kkprizren>



# MEDIA REPORTING ON INSTITUTIONS THEY SIGNED CONTRACTS WITH

Bearing in mind that establishing contractual relationships may create the perception that media influence their editorial policies in order to benefit from future contracts, or to maintain good relations with the institutions, D+ monitored all selected portals in regards to their reporting on the Ministry of Agriculture, Forestry and Rural Development and the Ministry of Infrastructure. The findings of the monitoring show that none of the monitored portals has written any investigative articles related to these two respective ministries.

The biggest number of negative articles noted during the monitoring were about the Minister of Agriculture, Forestry and Rural Development, Nenad Rikalo, and these stories dealt with third party claims or developments of the Independent Oversight Board on Civil Service (IOBCS). On the other hand, all MA-FRD articles were either positive or neutral, with the exception of a press conference held by the Union of Farmers Federation published on *Ekonomia Online*.<sup>11</sup>

Meanwhile, D+ identified negative articles about the MI only dealing with the failure of cleaning the roads during the winter season. For some articles that were replications, it was difficult to identify the original source, as it was not quoted. Other articles identified that were related to the MI were either promotional news about how the ministry is dedicated to achieve certain things or neutral news conveying different messages to citizens.

In regards to writings about the Minister of Infrastructure, Pal Lekaj, some articles following his indictment and procedural issues related to the court were noted during the monitoring process. Nevertheless, even for this minister, we could not identify any investigative articles shedding light on any potential scandals. Negative articles about Lekaj were also written in regards to the deportation of the Turkish citizens, known as the "Gülenist case". Still, the dominant articles about the minister were positive ones, providing great media space on his visits to municipalities, inaugurating various projects and in particular his cancellation of a planned visit to Gračanica municipality due to the Kosovo flag not being placed in the municipal building

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11 *Ekonomia Online*, Tahiri: Money dedicated for agriculture stolen, institutions must reflect, 05 December 2018. <https://ekonomiaonline.com/ekonomi/bujqesi/tahiri-parate-e-buxhetit-per-bujqesi-po-vidhen-institucionet-te-reflektojne/>

# TV AND RADIO MARKETING

## Enormous expenditures of the municipality of Ferizaj

Based on data gathered from the monitoring and that obtained through access to public documents, the municipality with the biggest number of marketing contracts in the last three years was the municipality of Ferizaj. The municipality spent 127,500.00 euros in one year only, awarding contracts to three different economic operators, one of which won two different lots or contracts. The procurement activity, entitled "Integral broadcasting of Municipal Assembly sessions in Ferizaj, publications, announcements, vacancies and different informative programs on TV for the needs of the municipality" was divided into four different lots. For each of the lots, a three-year contract was signed on 26.06.2015 valid until 25.06.2018 for services requested by the municipality.

The first lot of the contract was awarded to *QM Tema* to the amount of 37,500.00 euros with the purpose of informing Ferizaj citizens on the developments within the Municipal Assembly through direct TV broadcasting.

The second lot was awarded to *N.SA. Festina* to the amount of 18,000.00 euros, with the purpose of informing Ferizaj citizens on the developments within the Municipal Assembly through direct TV broadcasting.

Meanwhile, for the third and fourth lot, the contract was signed with *Agro Albi Liria* in the amount of 72,000.00 euros that paid for broadcasting televised programs, conferences and different cultural and sports events in the name of public service as well as broadcasting announcements, calls and vacancies for the needs of the Municipality of Ferizaj. In contrast to the first two lots that had prices offered attached to the contract, this was not the practice for the last two lots.

In 2016, the Municipality of Ferizaj signed two other contracts for media services. The first contract was signed with news agency *Ekonomia Online* for the amount of 990 euros for 12 months.<sup>12</sup> According to the contract, the responsibilities of this media company included the publication of press releases and press announcements. Another contract was also signed with the portal *Botapress.info* to the amount of 990 euros for a period of six months.<sup>13</sup> Neither contract had a specific number of publications or price per unit required, a problem encountered by D+ in a variety of contracts that were analysed. The lack of specifying the obligations of the parties to a contract may cause problems during its implementation, which may also lead to uncontrollable and unreasonable expenditures of public funds.

<sup>12</sup> Contract signed between the municipality of Ferizaj and news agency "Ekonomia Online", 12.01.2016-12.01.2017.

<sup>13</sup> Contract signed between the municipality of Ferizaj and Botapress.info, 09.06.2016.

The same municipality signed another three contracts for 2017. Two were signed with *KOHA Ditore*<sup>14</sup> and included the price list and advertisement space, but not the total amount to be paid for these services. Apart from this, the Municipality of Ferizaj signed an agreement with *Bota Sot* which stipulated no data other than the title and duration of services.<sup>15</sup>

For 2018, the municipality signed six contracts, two with *KOHA Ditore* for publication services, one of which will last until April 2019.<sup>16</sup> Additionally, the municipality also signed a contract with *Epoka e Re*, for the publication of material per the needs of the municipality.<sup>17</sup> Other contracts for different services were also signed with media companies *Kosova Press* and *Radio Kosova e Lirë* for displaying the banner of the institution on their portals. *Kosova Press* signed a two-year contract to display the banner on the portal and publish press releases as well as information about activities amounting to 600 euros per month, thus spending thousands of euros from budget of the municipality. Another finding in this contract is the duration of the contract. At one point, the contract states that it will last for two years, while at another point it says the agreement will enter into force as of 17.02.2018 until 17.03.2019, which only creates confusion. This contract would require the municipality to pay 14,400.00 euros for a period of two years.<sup>18</sup> The price that *Kosova Sot* had bid for a total of 12 publications in the newspaper was 470.00 euros. A similar one-year contract was signed by this municipality with *Radio Kosova e Lirë*, for the purpose of displaying the banner and broadcasting activities of the municipality for the

amount of 120 euros per month.<sup>19</sup> Another six-month contract for publication of vacancies and announcements was signed with *Zëri*, which was paid based on the orders and price list it had bid with, but without stipulating the total amount of the contract or number of publications.<sup>20</sup>



Based on data gathered from the monitoring and that obtained through access to public documents, the municipality with the biggest number of marketing contracts in the last three years was the municipality of Ferizaj. The municipality spent 127,500.00 euros in one year only, awarding contracts to three different economic operators, one of which won two different lots or contracts.

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- 14 Publication of announcements contract with KOHA Ditore, no.KD-08/17, dated on 01.03.2017 and nj.KD-10/17, 01.09.2017.  
15 Agreement for publication services with "Bota-Sot" newspaper, 01.10.2017-31.12.2017.  
16 Contract for publication of announcements in KOHA Ditore, no.KD-05/18, 03.01.2018 and no.KD-25/18, 01.04.2018. ed a contract with Epoka e Re, for the publication of material per the needs of the municipality.  
17 Contract signed between the municipality of Ferizaj and "Epokës së Re", 01.07.2018-31.12.2018.  
18 Contract signed between the municipality of Ferizaj and "Kosova Press", 21.02.2018.  
19 Contract signed between the municipality of Ferizaj and "Kosova e Lirë Radio", 23.04.2018.  
20 Contract signed between the municipality of Ferizaj and "Zëri", 03.01.2018-03.06.2018.

# CONCLUSIONS AND RECOMMENDATIONS

Based on this report, D+ assesses that there are many irregularities when it comes to contracting services as seen in the contracts that were analysed in the report, but also in providing publication services for public institutions. The fact that the majority of contracts are concluded with improper procurement procedures that do not specify the rights and obligations of the parties is of concern. Taking this into consideration, it is not clear to the public what the benefit of these contracts is.

Current legislation does not oblige institutions to have contracts with newspapers and media operating in Kosovo, as that should be selected based on certain criteria. Meanwhile, many institutions have established institutional practices, thus signing numerous contracts with newspapers, portals, radio stations and television channels, but still without a procedure. D+ recommends that the selection of media companies for marketing services be conducted by an independent body or the Central Procurement Agency, in order to avoid contracts that aim to influence private media.

From the majority of contracts that D+ was able to access, we have seen many shortcomings, with basic contractual regulation elements very often missing, including prices and total amounts that may be incurred by the contract. Additionally, in many cases, these contracts were not standard and in line with PPRC model. This way, contracts were compiled by the media themselves while they had no sufficient details on the purpose of the publication, when and what exactly should be published.

D+ recommends full implementation of the LPP when it comes to contracts for publication services, as establishing these contracts without an adequate procurement procedure may harm the budget of the country, as well as the right of citizens to accurate information. Signing these contracts may harm serious media companies in Kosovo but also enable the survival of portals that have been created for the mere purpose of benefiting someone, while providing information to their readers comes in second.

Furthermore, D+ invites media companies to become more transparent in regards to their financing from public institutions. Only in this way will credibility be maintained, while at the same time ensuring that media companies that are continuously financed without fulfilling any criteria may be left out of the game.

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## ABOUT DEMOCRACY PLUS

Democracy Plus (D+) is a non-governmental organization that brings together people with a strong belief in democratic values and in a Kosovo with sustainable democracy. The main goal of D+ is to promote democratic values and practices as well as policies that stimulate civic activism. D+ is organized into three programs: Good Governance, Rule of Law, and Elections & Political Parties. D+ supports government institutions, citizens and the media in improving governance, advancing public policy and empowering the rule of law.

Our organization focuses on the use of information technology for the aforementioned purposes, and as a result has built two online platforms, [ndreqe.com](http://ndreqe.com) and [qeverisjatani.info](http://qeverisjatani.info), which provide space for civic participation in decision-making and accountability of government institutions. Moreover, D+ is a member of ProOpen, a coalition of NGOs aimed at increasing transparency in public procurement and preventing the misuse of public money.

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