

CHAPTER VIII MEDIA DURING THE ELECTORAL CAMPAIGN

Article 47 General Provisions

47.1 The Code of Conduct for Broadcast Media and the Code of Conduct (CoC) for Print Media as issued by the Independent Media Commission, shall be applicable to all aspects of campaign coverage and advertising. This Code of Conduct shall be applicable for all journalists, editors, broadcast managers and publishers.

47.2 All broadcast public media shall air voter education material free of charge as requested and provided by the CEC.

47.3 Journalists, editors, broadcast managers, publishers and media owners standing as candidates to be elected in a public office, shall not contribute to or otherwise influence the content of their respective media.

47.4 All media shall accept paid advertising in the language(s) in which they normally broadcast or publish.

47.5 The publication or broadcast coverage of opinion polls and surveys during the campaign period and relating to the elections shall be accompanied by the total number of respondents, the name of the implementing company, the name of the party responsible for it, and the margin of error.

Article 48 Equitable and Fair Treatment by the Media during the Electoral Campaign

All media shall ensure that all certified political entities receive fair and equitable coverage during the electoral campaign, and all broadcast media shall ensure fair and equitable access to political discussion shows and debates for all certified political entities.

Article 49 General Rules for Political Advertising on Radio and Television

49.1 Political advertising spots shall be no longer than 2 minutes (120 seconds).

49.2 Broadcasters which choose to air paid political advertising are required to offer a minimum number of minutes of free airtime to each certified political entity during the campaign period as following:

- a) 20 minutes for private Kosovo-wide television broadcasters;
- b) 40 minutes for the Public Service Television Broadcaster;
- c) 15 minutes for private Kosovo-wide radio stations;
- d) 30 minutes for each of the two Public Service Radio channels;
- e) 15 minutes for all other television stations;
- f) 10 minutes for all other radio stations.

49.3 This free airtime may be provided, at the discretion of individual broadcasters, in the form of participation in debates, discussion shows, interviews outside regularly scheduled news programs, or as free political advertising spots.

49.4 Coverage in regularly scheduled news programs shall not be counted as free airtime.

49.5 No political advertising spots shall air within news programs. For this Article, news programs are defined to include sports and weather components of news broadcasts.

49.6 Broadcasters shall ensure that every political advertising spot is clearly identified as such and shall clearly indicate the organization or individual responsible for it.

49.7 Broadcasters are required to keep separate daily logs, provided by the IMC, of free access provided and advertising time sold to each certified political entity. These logs are to be prepared and submitted weekly to the IMC in accordance with the instructions provided. These logs shall be open for public inspection upon receipt.

49.8 Broadcasters which choose to air paid political advertising shall offer one week prior to the start of the campaign period an unbiased and equitable schedule of free air time, for political advertising spots, in writing to all certified political entities.

49.9 Broadcasters shall not be penalized if a certified political entity fails to use time offered on equitable terms.

49.10 The total time of aired free political advertising spots on one broadcaster shall have a maximum of 20 minutes per certified political entity.

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49.11 Broadcasters which choose to air paid political advertising but fail to offer the minimum required free air time to certified political entities over the course of the campaign period shall be considered in violation of this Law.

49.12 Private broadcasters which choose not to air paid political advertising time to any certified political entity are not required to offer the minimum free airtime as specified in paragraph 2 of this Article.

49.13 Private broadcasters which choose not to air paid political advertising but do offer free airtime to any certified political entity shall provide similar free airtime to all certified political entities.

49.14 The price per second charged for paid political advertising spots shall be no higher than the lowest rate charged for that time and day of the week in the past six (6) months.

Article 50

Paid Political Advertising in the Print Media

50.1 Print media shall provide equitable access to all certified political entities that request advertising space.

50.2 A print medium shall apply the same rate without discrimination to all certified political entities.

50.3 Each paid political advertisement shall clearly indicate the organization or individual responsible for it.

50.4 Free advertising space provided to a certified political entity shall be clearly identified as such. Similar free space shall be promptly provided to all other certified entities that request it.

51.5 Print media shall charge advertising rates to certified political entities that are no higher than the lowest officially listed and published advertising rates offered to all other advertisers for similar space and lineage which are in use thirty (30) days prior to the campaign period.

Article 51
Regulating Regime and Complaints Procedure

51.1 All complaints regarding violations of this Chapter by political entities shall be directed to the ECAC, whereas violations by media outlets shall be referred to the Independent Media Commission (IMC) in accordance with provisions of the Law on the Independent Media Commission.

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51.2 All complaints that allege violations of this Chapter by the media shall be forwarded by the ECAC to the IMC for review and adjudication.

51.3 A violation of the duties and responsibilities of the media, as stated in this Chapter, may result in sanctions by the IMC.

51.4 The ECAC shall have authority to impose sanctions on certified political entities in respect of violations of this Chapter in accordance with the provisions of Chapter XX. Other violations of this Chapter shall be referred to ECAC.

Article 52
Prohibition of Media Coverage

52.1 No person or media outlet shall broadcast or publish any material pertaining to campaign activity during the period commencing twenty-four (24) hours prior to the opening of the polling stations until the official close of the polling stations.

52.2 No publication or broadcast of opinion poll and survey results relating to the election campaign, including exit polls, shall take place in Kosovo during the period commencing 24 hours prior to the official close of the polling stations and until the official closing of the polling process.

Article 53
Maintenance of Media Coverage Log

The Independent Media Commission shall make sure that media maintain a log to record the air-time, and other media exposure, for paid and non-paid advertising, of the campaign activities of each political entity. The log needs to measure all relevant indicators of exposure, separately for each Political Entity, in the manner set forth by IMC rules.