

Ombudsperson Institution

August 1st, 2023

Dear Mr. Qelaj,

We are writing on behalf of the [SafeJournalists Network](#) and partner organisations which act upon violations of journalists' rights, threats to their safety and limitation of media freedoms.

SafeJournalists Network and partner organisations express concern about the case of journalist Svetlana Vukmirovic working for the public broadcaster Radio Television of Serbia (RTS), who has not been allowed to enter Kosovo and do her work on multiple occasions since 2018. Vukmirovic is the editor of the show "Pravo na sutra" ("The Right to Tomorrow"), broadcast on RTS, in which she reports about the Serb population in Kosovo.

According to information received from the Journalists' Association of Serbia, the problem first occurred in 2018, when the TV crew started to be delayed at the border crossing/administrative line. In February 2021, after four days of waiting at the Jarinje border crossing/administrative line, the crew were told that they could not enter Kosovo because, allegedly, they had not submitted a request to Priština [according to the Agreement on Official Visits, the rule of announcing one's entry applies only to two categories of officials, which do not include journalists]. In December 2022, Vukmirovic was again banned from entering Kosovo while the other TV crew members were permitted to enter.

The latest case occurred on 1 May 2023 when Vukmirovic was again banned from entering the territory of Kosovo with the explanation that she is considered a threat to public order, internal security, public health or international relations. The decision by the Ministry of Interior in Kosovo states that the Kosovo Police refused to allow Vukmirovic entry into Kosovo because she presented herself as a foreigner, with an identification document issued by the Republic of Serbia. Vukmirovic's attorney filed an appeal against this decision, but the Appeals Commission on Foreigners confirmed the decision of the Ministry to ban her entry into Kosovo. The Commission emphasizes that the complainant did not meet the conditions for entering Kosovo defined in Article 31 paragraph 1.5. of the Law on Foreigners.

However, in the same decision, the Appeals Commission on Foreigners emphasizes that, based on Article 35 of the Constitution of Kosovo, freedom of movement is guaranteed to the citizens of Kosovo and that Vukmirovic can cross the border crossing/administrative line with the identification document issued by Kosovo, provided that she meets criteria defined by applicable laws.

Countries must ensure that journalists do their work unhindered and the right to free movement, which is one of the basic human rights in a democratic world.

The European Charter on Freedom of the Press states that freedom of the press is essential to a democratic society and the right of journalists and media to gather and disseminate information and opinions must not be threatened, restricted or made subject to punishment.



Also, media and journalists have a right to unimpeded access to all news and information sources, including those from abroad. For the purpose of their reporting, foreign journalists should be provided with visas, accreditations and other required documents without delay.

SafeJournalists Network and partner organisations ask the Ombudsperson to take all measures within its competence to conduct an independent investigation into the facts and rationale behind the decision to refuse Vukmirovic access to Kosovo.

We call on the Ministry of Internal Affairs to provide an explanation why journalist Vukmirovic is not allowed to enter the territory of Kosovo and why she is considered a threat to public order, internal security, public health or international relations, particularly having in mind that she is allowed to enter the territory with Kosovo documents without hindrance.

Also, we remind you that last year Belgrade agreed on free movement through Serbia with Kosovo documents, while Prishtina agreed that Serbs from Kosovo are free to cross the border crossing/administrative line with Serbian documents issued by cities in Kosovo.

In accordance with the Agreement on Official Visits, it is not necessary for media workers to submit a request and notice of arrival.

We look forward to hearing from you.

Sincerely yours,
Marija Babic

On behalf of
BH Journalists Association
Committee to Protect Journalists
Trade Union of Media of Montenegro
Croatian Journalists' Association
Association of Journalists of Kosovo
Association of Journalists of Macedonia
Independent Journalists' Association of Serbia
European Federation of Journalists (EFJ)
OBC Transeuropa (OBCT)
European Centre for Press and Media Freedom (ECPMF)
Free Press Unlimited (FPU)