

# Reporters Without Borders

<http://www.rsf.org/kosovo-returning-to-the-lawsuit-against-11-10-2012,43528.html>

---

Europe/Ex-USSR - Kosovo

Quoting prohibited

## Returning to the lawsuit against Arbana Xharra

11 October 2012

---

The judiciary in Kosovo is expected to pronounce the verdict in the lawsuit for defamation against the journalist **Arbana Xharra** in the next two weeks.

Arbana Xharra, deputy editor-in-chief of the independent daily newspaper *Zeri* is being sued for using one of her articles to highlight the links between Prime Minister Thaçi and certain businessmen. In her article in *Zeri* on 2 April 2012, Xharra commented on a deal the owner of the private company Pejtoni, Bejtush Zhugolli, and his two brothers, had with Prime Minister Hahim Thaçi. [Quoting anti-corruption watchdogs](#) and [public procurement reports](#), she said that the three Zhugolli brothers, each of them with their own private company, were financially supporting the Prime Minister's election campaign. In return, Thaçi is said to have passed the businessmen very lucrative tenders. The private companies of the brothers Ilmi, Bejtushand, and Mehdi Zhugolli form the Kosovo Energetic Corporation (KEK), which was winning tenders worth 70 million Euros.

Little more than a week after the publication of Xharra's article in April, Bejtush Zhugolli sued her and *Zeri* for damaging the image of his business, and asked for financial compensation of 700,000 Euros. Very unusually for the judiciary in Kosovo, the case was accepted and processed at lightning speed; the first court session took place on 25 April, and two more followed. Within the next two weeks, the judiciary will announce its final decision.

When Selvije Bajrami, a journalist at *Zeri*, published a report on the first court session, Zhugolli also sued her, demanding compensation of 300,000 Euros. Her trial will take place on 12 October.

Reporters Without Borders condemns in the strongest possible terms the pressure that Bejtush Zhugolli put on editorial staff and particularly on Xharra: "We express our full support for Arbana Xharra. She based her article on independent reports and public data. As far as we know, Bejtush Zhugolli never started proceedings against these sources. The accusations against Selvije Bajrami, who has done nothing but report on the legal steps that the businessmen have undertaken, show the concerns of the latter. This case is very important for the independence of the judiciary in Kosovo, which ranks at number 86 in our Worldwide Press Freedom Index."

Many private companies fund the political parties in power in Kosovo and win tenders in return. As soon as journalists report on these deals, they face threats and defamation charges. Xharra herself called the lawsuit absurd. "Rather than investigating this case of corruption, they're sending a message to investigative reporters not to tackle sensitive topics. The aim is to knock you down and to show other investigative reporters what will happen to them if they don't shut up." Xharra doesn't rule out political influence "from the top."

Unfortunately, even EULEX, the mission of the European Union in Kosovo, has dashed the hopes of the community of independent journalists there. Xharra contacted them for a reaction to her mistreatment but has yet to receive any reply. Reporters Without Borders calls on the Kosovar authorities and the EULEX delegation to respond to this situation. That they remain silent on the issue is unacceptable."

Winner of the UNDP Price for the best article on corruption in Kosovo three times (2006-2008), Xharra won't give up. "I will continue with investigative journalism, they cannot frighten me.

But don't believe young reporters will do the same, as they can see that they don't enjoy any support from the judiciary."

Two lawsuits against investigative journalists brought by the same businessman within one year show how desperate Zhugolli and his friends are to keep the story hidden. We keenly await the verdict.

---

You can download those documents on our website :

- Audit Report on political parties, (PDF - 1.3 Mb)
  - Report on penalised companies, (Excel - 156 kb)
-