New Media Commission Law Violates Law on Gender Equality

The Kosovo Women’s Network (KWN) deplores the parliament’s decision to remove prior commitments to gender equality from the new Law on the Independent Media Commission (IMC), adopted Thursday.

Article 10 of the prior Law required that at least two of the IMC’s seven members should be female. The new Law contains no such requirement, even though it increased the quota to three instead of two representatives from minority ethnic groups.

The government and parliament’s failure to require a gender balance in the IMC is in violation of the 2015 Law on Gender Equality, which requires that all bodies in Kosovo maintain a gender balance, defined as 50% of either gender.

KWN is deeply concerned by the parliament’s failure to ensure that the Law on Gender Equality is implemented. Women’s underrepresentation in decision-making can contribute to women’s voices being insufficiently heard in decision-making processes. As a result, the IMC’s work may not adequately reflect women’s needs and priorities in the future.

We further share the concerns expressed by the European Union and OSCE that the Law does not reflect recommendations made by the Council of Europe.

Recalling our recent research that discusses the harms that social media can inflict on women, girls and LGBTI persons, we are also concerned that the Law does not contain clear criteria and procedures for addressing harmful content such as gender-based cyberviolence.

Therefore, KWN urges the parliament to revisit this Law in close consultation with legal, media, gender, and civil society experts; to amend Article 14, ensuring equal participation of women and men in the IMC; and to establish clearer criteria and procedures for addressing harmful content, particularly gender-based cyberviolence.

Moreover, KWN calls on the government and parliament to ensure implementation of the Law on Gender Equality in future legislation and policies by involving a quota for women and men’s equal (50%) participation in all bodies. This is essential for equality, representation, inclusivity and more democratic decision-making that represents the interests of women and men. KWN further calls for a gender quota with regard to minority groups’ participation in commissions like the IMC and other decision-making bodies so that diverse women and men’s voices are heard.

KWN remains committed to supporting the government and parliament to implement the Law on Gender Equality through evidence-based research, commenting on draft laws and further dialogue. We call upon the government and parliament to better utilize our expertise, as well as that of the other civil society organizations, the Agency for Gender Equality and gender equality officers across ministries and municipalities in policymaking processes towards preventing further such violations of the Law on Gender Equality.