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CASE STUDY

Case Study

THE IMPACT OF SOCIAL MEDIA ON THE REALIZATION OF THE RIGHT TO A FAIR TRIAL IN THE REPUBLIC OF KOSOVO

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ABSTRACT

Background: *Social media may create conditions that influence public perceptions and potentially exert pressure on judicial actors. Using statistics obtained directly from citizens of the Republic of Kosovo, this paper examines how social media has influenced the realization of judicial impartiality. However, this paper particularly emphasises the negative role of social media in the realization of judicial impartiality. Another challenge is that public opinion is shaped by how information is distributed through social media and how convictions are formed in society. The impact of social media is inevitable, as we are witnessing enough cases in practice; the prejudices transmitted on social media are reaching their peak and are being perceived by society.*

Method: *This study employed a quantitative survey-based research design complemented by an analysis of selected judicial cases. The study collected empirical data through a structured questionnaire administered to 492 respondents in the Republic of Kosovo. The questionnaire included five-point Likert scale*

items designed to test three research hypotheses concerning public opinion formation, the presumption of innocence, and perceived pressure on judicial actors. The data were analysed using descriptive statistics and interpreted alongside selected high-profile criminal cases and the applicable legal framework.

Results and Conclusions: *The results indicate that social media influences public opinion about judicial processes in the Republic of Kosovo, clearly shaping how the public perceives them. Furthermore, exposing judicial cases on social media jeopardises the presumption of innocence, as public information and commentary can create bias before the judicial process concludes. At the same time, social media can compromise judicial impartiality through public pressure and the influence of social perceptions on judicial decision-making.*

1 INTRODUCTION

The rapid expansion of social media has significantly transformed various sectors of society, including the criminal justice system. Its widespread use has created new opportunities for communication and information sharing while also raising important legal and ethical concerns about its influence on criminal proceedings. Social media platforms increasingly serve as sources of digital evidence, including photographs, videos, location data, and information obtained from users' accounts.[1] At the same time, the extensive dissemination of information through these platforms has intensified public engagement with ongoing judicial proceedings, thereby influencing public perceptions of justice and confidence in judicial institutions.

In the Republic of Kosovo, the growing influence of social media presents significant challenges to the administration of criminal justice. Information circulated on social media platforms can shape public opinion before judicial proceedings conclude, creating risks to fundamental procedural guarantees. Of particular concern is the potential impact of online discussions and media exposure on the presumption of innocence, a cornerstone of criminal justice and fair trial standards. Moreover, widespread public commentary and social media discourse may pressure judicial actors, raising concerns about judicial independence, impartiality, and public confidence in the justice system.

Against this background, this study examines the influence of social media on judicial impartiality and criminal proceedings in the Republic of Kosovo. Specifically, the study investigates whether social media contributes to the formation of public opinion about criminal proceedings, affects respect for the presumption of innocence, and creates public pressure that can influence judicial decision-making.

1 Justin P Murphy and Adrian Fontecilla, 'Social Media Evidence in Government Investigations and Criminal Proceedings: A Frontier of New Legal Issues' (2013) 19(3) Richmond Journal of Law and Technology 4 <https://scholarship.richmond.edu/jolt/vol19/iss3/4> accessed 5 July 2026.

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To address these issues, the study tests the following hypotheses:

H1: Social media use significantly influences the formation of public opinion about criminal proceedings in the Republic of Kosovo.

H2: Public exposure of criminal proceedings on social media undermines the presumption of innocence of accused persons.

H3: Social media influence may compromise judicial impartiality by increasing public pressure and shaping public perceptions of ongoing criminal proceedings.

These hypotheses were tested through an empirical research methodology, the details of which are presented in the following section.

2 METHODOLOGY

This study employed a quantitative research design based on a structured survey to test the proposed research hypotheses. Four hundred and ninety-two respondents from the Republic of Kosovo participated in the study. Of the participants, 59.76% were female and 40.24% were male. In terms of age distribution, 40.85% were between 18 and 25 years, 39.63% were between 26 and 35 years, 11.18% were between 36 and 55 years, and 8.33% were aged over 56 years.

Data were collected through a structured questionnaire specifically developed for this research. The questionnaire consisted of two sections. The first section gathered demographic information, including respondents' gender and age. The second section contained closed-ended questions measured on a five-point Likert scale, designed to assess perceptions regarding the influence of social media on criminal proceedings, the presumption of innocence, and judicial impartiality in the Republic of Kosovo. The collected data were analysed using descriptive statistics to evaluate patterns in respondents' perceptions and test the proposed hypotheses.

The research followed established ethical standards for social science research. Before participating, all respondents were informed of the study's purpose and provided informed consent. Participation was voluntary, and respondents could withdraw from the survey at any stage without consequence. To ensure anonymity and confidentiality, the study collected no personally identifiable information. All data were securely stored and processed exclusively for academic and research purposes.

To complement the empirical findings, the study employed a qualitative analytical approach based on selected judicial cases and the applicable legal framework. This analysis provided additional context for interpreting the survey results by examining how social media may influence judicial decision-making, public perceptions of criminal proceedings, and the protection of the presumption of innocence. Where appropriate, the analysis included comparative references to relevant foreign judicial practice to support it.

3 THE IMPACT OF SOCIAL MEDIA ON PUBLIC OPINION

The formation of public opinion derives from human nature, which is that man is social by nature,[2] because he expects relationships which influence or affect him. One of the jurists explained that he likened successive human civilisations to "layers of the earth", explaining that the earth is just like a layer upon a layer, so the path of civilisation consists of a civilisation followed by a civilisation, building on and benefiting from it.[3] This analogy illustrates that societal and intellectual development is a continuous process, where each stage of civilisation contributes to and benefits from the one that precedes it.

Criminal cases have a prominent role in the citizen's interest, writing notes and comments, and agitating and shaping public opinion around them.[4] For example, the case of the former Director of Intelligence in Jordan shows that the widespread publicity of corruption cases in the media influenced public opinion, putting pressure on the judiciary, but also helped to unravel the case and achieve justice.[5] Citizens have gradually become accustomed to the presence of corruption in society, partly as a result of its continuous and extensive coverage in the media, particularly the frequent reporting and emphasis on corruption-related and criminal cases.[6]

Trust and security are essential for a democratic state's justice system, and that indicators that strengthen or weaken credibility in delivering justice come from multiple dimensions. However, the elaborations show that social media strongly influences the perception and formation of public opinion, both through how this is distributed and how social information is transmitted.

The influence of social media on the formation of public opinion regarding criminal proceedings in the Republic of Kosovo: the following survey findings are presented.[7]

2 Tayil Mahmoud Shiyab, 'The Impact of Social Media on the Rights of the Accused in Jordan: Does Public Opinion Matter?' (2021) 8(1) Cogent Arts & Humanities 1994112 <https://doi.org/10.1080/23311983.2021.1994112> accessed 5 July 2026.

3 Husein Mounis, *Civilization: A Study in the Origins and Factors of its Rise and Development* (Alam Al Maarifa series, National Council for Culture, Arts and Letters 1978) 227 [in Arabic].

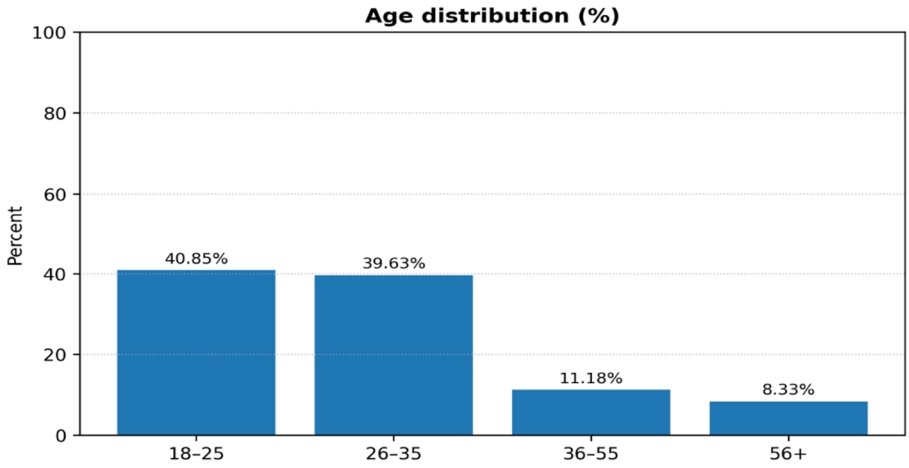
4 Osama Mohmmad and Boushra Awad, 'The Role of Social Communication Websites in Forming the Political Awareness' (2021) 43(1) Tishreen University Journal for Research and Scientific Studies - Arts and Humanities 529 [in Arabic].

5 Pete W Moore, 'A Political-Economic History of Jordan's General Intelligence Directorate: Authoritarian State-Building and Fiscal Crisis' (2019) 73(2) Middle East Journal 242 <https://www.jstor.org/stable/26933061> accessed 5 July 2026; 'Jordan's Ex-Spy Chief Jailed for Corruption' (*BBC News*, 11 November 2012) <https://www.bbc.com/news/world-middle-east-20286407> accessed 5 July 2026.

6 Shiyab (n 2).

7 Source: Author's elaboration.

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Note: n=492

Figure 1. Age Distribution of Survey Respondents

To understand how prevalent social media is, it helps to know how often people visit social networks. To measure social media use, we asked respondents how often they use social networks; the figure below shows that most respondents use social networks daily.

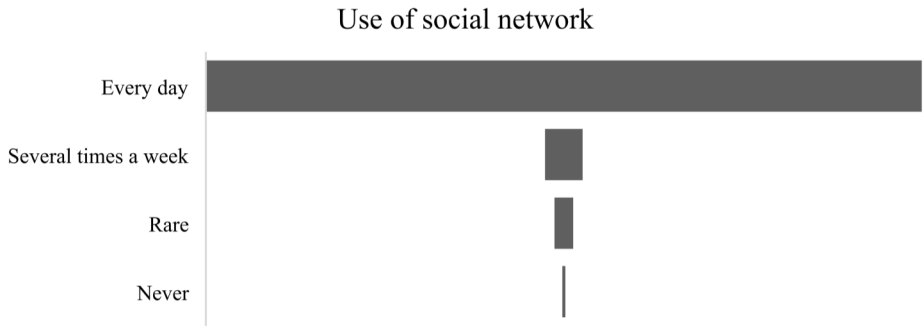


Figure 2. Frequency of Social Media Usage Among Respondents

Frequent social network use shows that they are "overpopulated", and users can obtain information from social media every day without knowing whether it is true or false.

The frequent use of social media reflects that respondents spend time on social networks.

When asked whether social media influences the formation of public opinion about judicial processes in the Republic of Kosovo, respondents said social media plays a considerable role in shaping public opinion about the development of court cases.

Based on the data, 65% of respondents (35% "Very" and 30% "Extremely") assess that social networks exert a great or extraordinary influence in this regard.

Meanwhile, 20% of participants consider the influence average, while only 15% (5% "Not at all" and 10% "A little") think social media plays little or no role in forming public opinion about judicial processes.

The results show that respondents affirm the influence of social media in shaping perceptions of judicial cases.

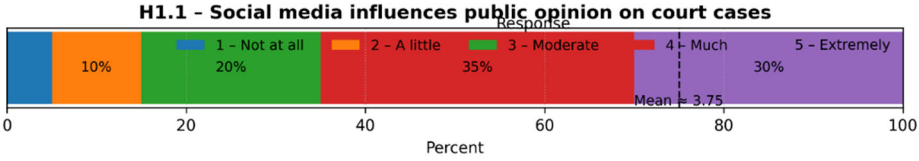


Figure 3. Public Assessment of Social Media's Influence on Court Cases

Regarding whether social media reporting influences perceptions of an accused person's guilt or innocence, the results show that most respondents believe it does. Specifically, 59% of respondents (33% "A lot" and 26% "Extremely") consider social media's influence to be great or extraordinary.

Of the remaining respondents, 22% assess the influence as average, while only 19% (7% "Not at all" and 12% "A little") think that social media reporting has a small or negligible influence.

These findings show that reporting on social media is often perceived as influencing public prejudice before judicial decisions are made. This indicates a real risk of violating the presumption of innocence, especially when information is disseminated in a biased, emotional manner or without verification. The danger of media outlets publishing news related to the accusation and the investigation gives the direct impression that this defendant is the real perpetrator of the crime.[8]

8 Al-Sayed Mohamed Hassan Sherif, *General Theory of Criminal Evidence* (Dar Al-Nahda Al-Arabiya 2002) 446 [in Arabic].

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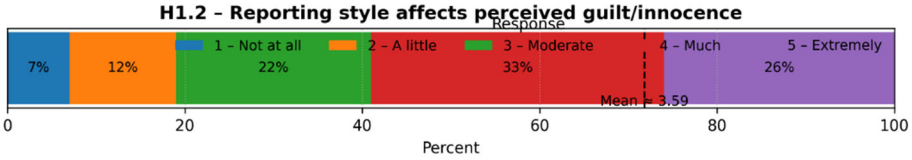


Figure 4. Impact of Media Reporting Style on the Perceived Guilt or Innocence of the Accused

Building on the previous analysis, in which most respondents acknowledged that how cases are reported on social media affects perceptions of the accused's guilt or innocence, the results of this question further reinforce this finding.

The data show that publicising court cases on social media is seen as a direct factor that jeopardises the principle of the presumption of innocence.

Specifically, 70% of respondents (40% "Very much" and 30% "Extremely") assess that exposing cases on social media significantly affects the public's prejudice against the accused before a judicial decision is made.

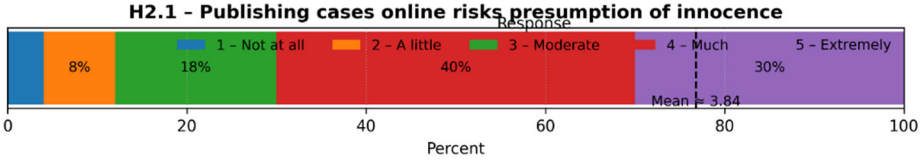


Figure 5. Perceived Risk to the Presumption of Innocence Due to Online Case Publication

This result shows a clear interdependence between reporting and its effect on public opinion. When court cases are publicised without balance and neutrality, social networks become a "parallel judicial system" that creates preliminary perceptions of the guilt or innocence of the individuals involved. The survey data reflect a serious challenge to implementing the principle of presumption of innocence as a core principle of criminal procedure and show that social media, without professional ethics, can exert direct pressure on judicial processes.

Meanwhile, on whether user comments influence opinions about the defendant's guilt, 67% of respondents believe user comments significantly shape perceptions of the accused's guilt. This shows that not only media reporting, but also user interactivity, through comments, reactions, and online discussions, can form preliminary opinions about the guilt or innocence of individuals involved in court cases.

This highlights a significant phenomenon: social networks are not only a source of information but also a space where public opinion is actively created and disseminated, often exerting indirect pressure on perceptions of justice.

The presumption of innocence is also protected under the constitutional and legal framework of the Republic of Kosovo. Kosovo's legal framework provides that criminal responsibility may be established only through a final court decision and guarantees the presumption of innocence throughout criminal proceedings. Accordingly, public statements should not prejudice ongoing judicial proceedings.[9]

Several high-profile criminal proceedings in Kosovo have generated extensive media coverage and public debate. Cases such as the murder of Oliver Ivanović,[10] the murder of Liridona Ademaj,[11] and other widely reported criminal proceedings attracted intense attention from both traditional and social media platforms. Public discussion often included speculation about suspects' guilt before judicial proceedings concluded, raising concerns about respect for the presumption of innocence. Social media platforms have increasingly become arenas for public discussion of ongoing criminal cases in Kosovo. Users frequently share opinions, allegations, and unofficial information regarding suspects and judicial proceedings. Such discussions may shape public perceptions before courts reach a final decision, creating a risk of prejudgment in the public sphere.

One of the most prominent criminal cases in Kosovo that generated extensive media and social media attention was the murder of Liridona Ademaj in November 2023. The case attracted widespread public discussion on online platforms and in traditional media even before the conclusion of judicial proceedings. The intensity of public reaction illustrates how social media can shape public perceptions regarding criminal responsibility and judicial outcomes before the decision of the court is made.[12] The public debate surrounding the Liridona Ademaj case became so intense that state institutions acknowledged the extraordinary public attention devoted to the proceedings. Public authorities noted the extensive media discussion and public interest surrounding the case. According to statements by Kosovo prison authorities, the suspects were placed in

9 Constitution of the Republic of Kosovo (2008) art 31 <https://old.kuvendikosoves.org/?cid=2,1058> accessed 5 July 2026; Criminal Procedure Code of the Republic of Kosovo no 04/L-123 (2012) art 3 <https://gzk.rks-gov.net/ActDetail.aspx?ActID=2861&langid=2> accessed 5 July 2026.

10 Shyhrete Maliqi, 'Vrasja e Oliver Ivanoviqit, shtyhet seanca e planifikuar për nesër' (*Kallxo*, 10 December 2020) <https://kallxo.com/lajm/vrasja-e-oliver-ivanoviqit-shtyhet-seanca-e-planifikuar-per-neser/> accessed 5 July 2026.

11 'Liridona Ademaj' (*Kallxo*, March-April 2026) <https://kallxo.com/tag/liridona-ademaj/> accessed 5 July 2026.

12 The case was widely followed in Kosovo and received extensive media coverage throughout the investigation and trial proceedings. See: 'Verdict for the Murder of Ljiridona Ademaj: Two Life Sentences and 30 Years in Prison, Reactions from Institutions' (*KoSSev*, 21 April 2026) <https://kossev.info/en/presuda-za-ubistvo-ljiridone-ademaj-dve-dozivotne-kazne-i-30-godina-zatvora-reakcije-iz-institucija/> accessed 5 July 2026.

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separate institutions while authorities considered the exceptional public and media attention generated by the case.

Another example frequently discussed in the context of media influence and public opinion is the assassination of Oliver Ivanović. The case generated extensive domestic and international media coverage and substantial public debate regarding responsibility, accountability, and the administration of justice. The murder of Oliver Ivanović attracted prolonged public discussion and extensive media attention in Kosovo and beyond, with judicial proceedings and investigations being matters of considerable public interest.

Judicial and prosecutorial institutions in Kosovo have, on several occasions, issued public statements emphasising that criminal proceedings must be conducted independently of public opinion and media pressure. Such statements underscore the importance of safeguarding judicial impartiality and ensuring that decisions are based solely on evidence presented during the proceedings.

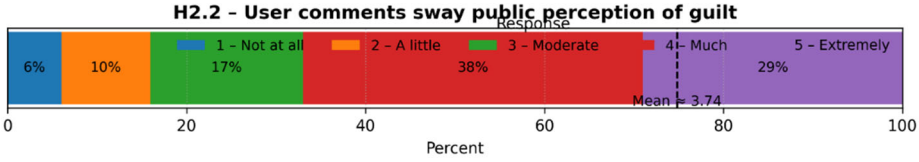


Figure 6. Influence of User Comments on the Public Perception of Guilt

In this way, the results further strengthen hypothesis H2, showing that social media's impact on perceptions of the accused's guilt is multidimensional: it comes from both case reporting and publicity, as well as from users' comments and discussions.

4 MEDIA REPORTING AND THE PERCEPTION OF GUILT OR INNOCENCE

Because most of the public has little direct experience with the justice system, public knowledge and view of law and the legal system are largely dependent on media representations.[13] Developments in the media also make it possible for criminal cases to be publicised and commented on through social networks. It is no coincidence that these comments and reactions are leading to a trial by the media, where guilt or innocence becomes a topic of discussion before a judicial epilogue. The way of

13 Valerie P Hans and Juliet L Dee, 'Media Coverage of Law: Its Impact on Juries and the Public' (1991) 35(2) American Behavioral Scientist 136 <https://doi.org/10.1177/0002764291035002005> accessed 5 July 2026.

commenting on social media can weaken the fundamental principle in criminal law, namely the presumption of innocence.[14]

The media tends to bias and manipulate how people think and make decisions.[15] An illustrative case of media influence on wrongful convictions is that of several well-known cases in Canada, such as the case of Guy Paul Morin, Robert Baltovich and James Driskell.[16] These errors can lead to the execution of innocent people,[17] because the writing and manner of reporting sentences and punishments can lead media users to support a punishment, depending on how the media reports on criminal cases.

Media coverage has the potential to impact not just the behaviour of juries but also judges and legal experts engaged in cases.[18] Courts' assessments of the likelihood that pretrial publicity has resulted in prejudice against a defendant and of jurors' ability to disregard any prejudice are often based on judicial common sense and often reflect a misappraisal or misunderstanding of the capabilities and weaknesses of human inference and decision-making.[19]

We can take, for example, the effect of dramatising crime and the increase in crime in the US. Violent crime rates in the US are escalating as law enforcement is de-policing,[20] and false narratives from the media about law enforcement against black men have led to protests. Not only that, increases in violence are negatively affecting law enforcement.[21] Incitement to hate is seen when Americans post or are likely to see racially charged

14 Gimson Rachel, 'Captured Red Handed: The Impact of Social Media on the Evolving Concepts of the Criminal Defendant and the Presumption of Innocence' (PhD thesis, University of Sussex 2017).

15 Allison Kozlowski, 'Perceptions of Guilt in Sensational Cases: The Influence of Media' (Master's thesis, Texas Tech University 2013).

16 Lauren Chancellor, 'Public Contempt and Compassion: Media Biases and Their Effect on Juror Impartiality and Wrongful Convictions' (2019) 42(3) Manitoba Law Journal 427 <https://doi.org/10.29173/mlj1121> accessed 5 July 2026.

17 David P Fan, Kathy A Keltner and Robert O Wyatt, 'A Matter of Guilt or Innocence: How News Reports Affect Support for the Death Penalty in the United States' (2002) 14(4) International Journal of Public Opinion Research 439 <https://doi.org/10.1093/ijpor/14.4.439> accessed 5 July 2026.

18 Ebenezer Kojo Gyesi Mensah, 'Assessing the Role of Media Influence and Public Perception in Legal Decision-Making' (*SSRN*, 29 April 2024) <https://dx.doi.org/10.2139/ssrn.4811277> accessed 5 July 2026.

19 Christina A Studebaker and Steven D Penrod, 'Pretrial Publicity: The Media, the Law, and Common Sense' (1997) 3(2-3) Psychology, Public Policy, and Law 428 <https://doi.org/10.1037/1076-8971.3.2-3.428> accessed 5 July 2026.

20 Justin Nix and Scott E Wolfe, 'Sensitivity to the Ferguson Effect: The Role of Managerial Organizational Justice' (2016) 47 Journal of Criminal Justice 12 <https://doi.org/10.1016/j.jcrimjus.2016.06.002> accessed 5 July 2026.

21 Shawn S Morrow, 'Social and New Media's Effects on Law Enforcement' (2019) 1(4) Global Journal of Forensic Science and Medicine 1 <https://doi.org/10.33552/GJFSM.2019.01.000516> accessed 5 July 2026.

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content.[22] The incitement of hatred can have the growth factor from dramatic media reports followed by public riots.

5 THE IMPACT OF SOCIAL MEDIA ON JUDICIAL IMPARTIALITY

The third hypothesis examines the impact of social media on judicial impartiality and whether public pressure can influence the decision-making of judges and prosecutors. The survey results indicate a clear public perception that social media can compromise judicial neutrality.

There is no doubt that the freer a judge is from suspicion and away from influences, the more their judgement is fair and equitable.[23] As for the judge, they rage and are affected by what is happening around him in society in terms of events, publications, and comments on a case.[24] While the use of social media by judges can enhance transparency and public engagement, it also raises concerns about the appropriateness of their communication, especially regarding impartiality.[25] Potentially, the influence of judges also comes from social networks.[26]

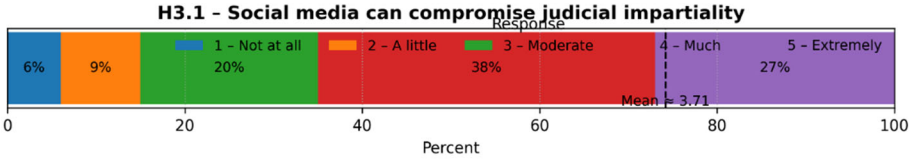


Figure 7. Public Perception Regarding the Compromise of Judicial Impartiality by Social Media

22 Lauren E Beausoleil, 'Free, Hateful and Posted: Rethinking First Amendment Protection of Hate Speech in a Social Media World' (2019) 60(7) Boston College Law Review 2101 <https://lira.bc.edu/works/publication-article/hg2js-yd310> accessed 5 July 2026.

23 Shiyab (n 2).

24 Jeremy M Miller, 'Judicial Recusal and Disqualification: The Need for a Per Se Rule on Friendship (Not Acquaintance)' (2012) 33(3) Pepperdine Law Review 575 <https://digitalcommons.pepperdine.edu/plr/vol33/iss3/3> accessed 5 July 2026.

25 Marina Matic Boskovic and Marko Novakovic, 'Freedom of Expression of Judges and the Influence of Social Media' (2025) 9(1) Bratislava Law Review 681 <https://doi.org/10.46282/blr.2025.9.1.886> accessed 5 July 2026.

26 Kristin R Brown, 'Somebody Poisoned the Jury Pool: Social Media's Effect on Jury Impartiality' (2012) 19(3) Texas Wesleyan Law Review 809 <https://doi.org/10.37419/TWLR.V19.I3.6> accessed 5 July 2026.

The impact is presented through information or reporting of cases, but also through comments, reactions, and active discussions of users, creating both space for judgement and space for pressure on the persons involved in the incidents. Accordingly, the data emphasise that social media, in addition to being the main information tool today, is influencing citizens' perceptions and the environment in which judges and prosecutors must decide impartially.

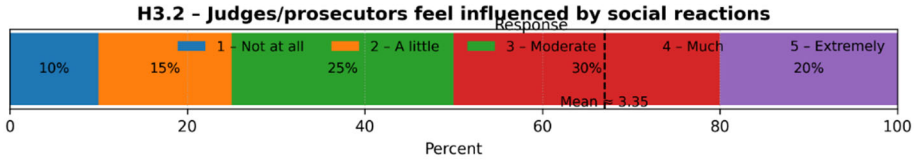


Figure 8. Perceived Influence of Social Media Reactions on Judicial Decision-Makers

Given the frequent use of social media, its role in the criminal justice process is inevitable.

Jurors' decisions may be influenced by a broad range of legally relevant information gleaned from media sources, including newspaper reports,[27] radio and television news, advertising, movies, and televised crime shows and courtroom scenes.[28] As a result, media portrayals may influence juries and the general public, distorting the course of justice.[29] Moreover, the widespread use of social media platforms has increased the media's impact on court procedures.[30]

In the survey results, we concluded that many respondents believe public pressure and social perception are reaching the judiciary, especially when social media is used to develop a trial or media justice; public pressure also takes place. At the same time, what is shared on social media can create a perception of a judicial case.

27 Rhoda Estep and Patrick T Macdonald, 'How Prime-Time Crime Evolved on TV, 1976–1983' in Ray Surette (ed), *Justice and the Media: Issues and Research* (Charles C Thomas 1984) 110.

28 Edith Greene, 'Media Effects on Jurors' (1990) 14 Law and Human Behavior 439 <https://doi.org/10.1007/BF01044221> accessed 5 July 2026.

29 Mensah (n 18).

30 Lawrence Baum, *Judges and Their Audiences: A Perspective on Judicial Behavior* (Princeton UP 2009).

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6 CONCLUSIONS

The impact of social media use and what is transmitted to us is inevitable. While we emphasise how much social media influences the formation of thoughts and opinions, the results show that what is served to us on social media is becoming part of mass opinion.

The survey results show that a significant share of participants affirmed that social media directly influences public opinion in judicial processes in the Republic of Kosovo. While respondents claim that social media plays an influential role in shaping their opinions, they also responded that media exposure of court cases affects the presumption of guilt or innocence in criminal proceedings. In this regard, the claim that social media also affects the presumption of guilt or innocence refers to where a criminal case is tried on social media. There are many cases that are treated as if they are a "media trial" that affects a suspect's presumption of innocence, but commenting and reacting on social media often also violates that presumption. The findings indicate that social media has become an important source of information that shapes public opinion about criminal proceedings in the Republic of Kosovo.

The survey results show that a substantial proportion of respondents perceive social media as significantly influencing public attitudes toward ongoing judicial processes, thereby supporting the first research hypothesis.

Furthermore, the findings suggest that respondents perceive media exposure of criminal proceedings as potentially influencing public perceptions of the guilt or innocence of accused persons before the conclusion of judicial proceedings. This perception is particularly evident in cases that receive extensive attention on social media, where public discussion and user-generated content may shape opinions about the case before a final judicial decision. These findings raise concerns about protecting the presumption of innocence and the potential impact of social media discourse on the fairness and impartiality of criminal proceedings.

REFERENCES

1. Baum L, *Judges and Their Audiences: A Perspective on Judicial Behavior* (Princeton UP 2009)
2. Beausoleil LE, 'Free, Hateful and Posted: Rethinking First Amendment Protection of Hate Speech in a Social Media World' (2019) 60(7) Boston College Law Review 2101 <https://lira.bc.edu/works/publication-article/hg2js-yd310> accessed 5 July 2026
3. Boskovic MM and Novakovic M, 'Freedom of Expression of Judges and the Influence of Social Media' (2025) 9(1) Bratislava Law Review 681 <https://doi.org/10.46282/blr.2025.9.1.886> accessed 5 July 2026

4. Brown KR, 'Somebody Poisoned the Jury Pool: Social Media's Effect on Jury Impartiality' (2012) 19(3) Texas Wesleyan Law Review 809 <https://doi.org/10.37419/TWLR.V19.I3.6> accessed 5 July 2026
5. Chancellor L, 'Public Contempt and Compassion: Media Biases and Their Effect on Juror Impartiality and Wrongful Convictions' (2019) 42(3) Manitoba Law Journal 427 <https://doi.org/10.29173/mlj1121> accessed 5 July 2026
6. Estep R and Macdonald PT, 'How Prime-Time Crime Evolved on TV, 1976–1983' in Surette R (ed), *Justice and the Media: Issues and Research* (Charles C Thomas 1984) 110
7. Fan DP, Keltner KA and Wyatt RO, 'A Matter of Guilt or Innocence: How News Reports Affect Support for the Death Penalty in the United States' (2002) 14(4) International Journal of Public Opinion Research 439 <https://doi.org/10.1093/ijpor/14.4.439> accessed 5 July 2026
8. Greene E, 'Media Effects on Jurors' (1990) 14 Law and Human Behavior 439 <https://doi.org/10.1007/BF01044221> accessed 5 July 2026
9. Hans VP and Dee JL, 'Media Coverage of Law: Its Impact on Juries and the Public' (1991) 35(2) American Behavioral Scientist 136 <https://doi.org/10.1177/0002764291035002005> accessed 5 July 2026
10. Kozlowski A, 'Perceptions of Guilt in Sensational Cases: The Influence of Media' (Master's thesis, Texas Tech University 2013)
11. Mensah EKG, 'Assessing the Role of Media Influence and Public Perception in Legal Decision-Making' (*SSRN*, 29 April 2024) <https://dx.doi.org/10.2139/ssrn.4811277> accessed 5 July 2026
12. Miller JM, 'Judicial Recusal and Disqualification: The Need for a Per Se Rule on Friendship (Not Acquaintance)' (2012) 33(3) Pepperdine Law Review 575 <https://digitalcommons.pepperdine.edu/plr/vol33/iss3/3> accessed 5 July 2026
13. Mohmmad O and Awad B, 'The Role of Social Communication Websites in Forming the Political Awareness' (2021) 43(1) Tishreen University Journal for Research and Scientific Studies - Arts and Humanities 529 [in Arabic]
14. Moore PW, 'A Political-Economic History of Jordan's General Intelligence : Authoritarian State-Building and Fiscal Crisis' (2019) 73(2) Middle East Journal 242 <https://www.jstor.org/stable/26933061> accessed 5 July 2026
15. Morrow SS, 'Social and New Media's Effects on Law Enforcement' (2019) 1(4) Global Journal of Forensic Science and Medicine 1 <https://doi.org/10.33552/GJFSM.2019.01.000516> accessed 5 July 2026
16. Mounis H, *Civilization: A Study in the Origins and Factors of its Rise and Development* (Alam Al Maarifa series, National Council for Culture, Arts and Letters 1978) [in Arabic]

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17. Murphy JP and Fontecilla A, 'Social Media Evidence in Government Investigations and Criminal Proceedings: A Frontier of New Legal Issues' (2013) 19(3) Richmond Journal of Law and Technology 4 <https://scholarship.richmond.edu/jolt/vol19/iss3/4> accessed 5 July 2026

18. Nix J and Wolfe SE, 'Sensitivity to the Ferguson Effect: The Role of Managerial Organizational Justice' (2016) 47 Journal of Criminal Justice 12 <https://doi.org/10.1016/j.jcrimjus.2016.06.002> accessed 5 July 2026

19. Rachel G, 'Captured Red Handed: The Impact of Social Media on the Evolving Concepts of the Criminal Defendant and the Presumption of Innocence' (PhD thesis, University of Sussex 2017)

20. Sherif AMH, *General Theory of Criminal Evidence* (Dar Al-Nahda Al-Arabiya 2002) [in Arabic]

21. Shiyab TM, 'The Impact of Social Media on the Rights of the Accused in Jordan: Does Public Opinion Matter?' (2021) 8(1) Cogent Arts & Humanities 1994112 <https://doi.org/10.1080/23311983.2021.1994112> accessed 5 July 2026

22. Studebaker CA and Penrod SD, 'Pretrial Publicity: The Media, the Law, and Common Sense' (1997) 3(2-3) Psychology, Public Policy, and Law 428 <https://doi.org/10.1037/1076-8971.3.2-3.428> accessed 5 July 2026

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АНОТАЦІЯ УКРАЇНСЬКОЮ МОВОЮ

Тематичне дослідження

ВПЛИВ СОЦІАЛЬНИХ МЕРЕЖ НА РЕАЛІЗАЦІЮ ПРАВА НА СПРАВЕДЛИВИЙ СУД У РЕСПУБЛІЦІ КОСОВО

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АНОТАЦІЯ

Передумови. *Соціальні мережі можуть створювати умови, що впливають на суспільне сприйняття судових процесів і потенційно чинять тиск на представників судової влади. На основі даних опитування громадян Республіки Косово, у цій статті досліджено вплив соціальних мереж на забезпечення неупередженості суду. Зокрема, особливу увагу приділено негативному впливу соціальних мереж на забезпечення судової неупередженості. Ще одним викликом є формування громадської думки під впливом способів поширення інформації через соціальні мережі та формування відповідних суспільних переконань. Вплив соціальних мереж є неминучим, про що свідчить численна судова практика: упередження, що транслюються в мережі, набувають дедалі більшого поширення та сприймаються суспільством як усталені уявлення.*

Методи. *У межах цього дослідження застосовано кількісний дизайн на основі анкетування, доповнений аналізом окремих судових справ. Емпіричні дані зібрано за допомогою структурованого опитувальника, охопивши вибірку з 492 респондентів у Республіці Косово. Анкета містила твердження, оцінювання яких здійснювалося за п'ятибальною шкалою Лайкерта, та була спрямована на перевірку трьох дослідницьких гіпотез щодо формування громадської думки, забезпечення презумпції невинуватості та сприйняття тиску на представників судової влади. Отримані результати було опрацьовано методами описової статистики та інтерпретовано у взаємозв'язку з матеріалами резонансних кримінальних проваджень і чинним нормативно-правовим регулюванням.*

Результати та висновки. *Результати дослідження свідчать про те, що соціальні мережі впливають на формування громадської думки щодо судових процесів у Республіці Косово, істотно визначаючи суспільне сприйняття таких процесів. Окрім того, висвітлення судових справ у соціальних мережах ставить під загрозу дотримання презумпції невинуватості, оскільки поширення інформації та коментарів у публічному просторі може спричиняти упереджене ставлення до особи ще до завершення судового розгляду. Водночас соціальні мережі можуть ставити під загрозу неупередженість суддів через суспільний тиск і вплив суспільних уявлень на процес ухвалення судових рішень.*

Ключові слова: *вплив медіа, громадська думка, захист прав людини, медійний суд, судова система Косова.*

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