

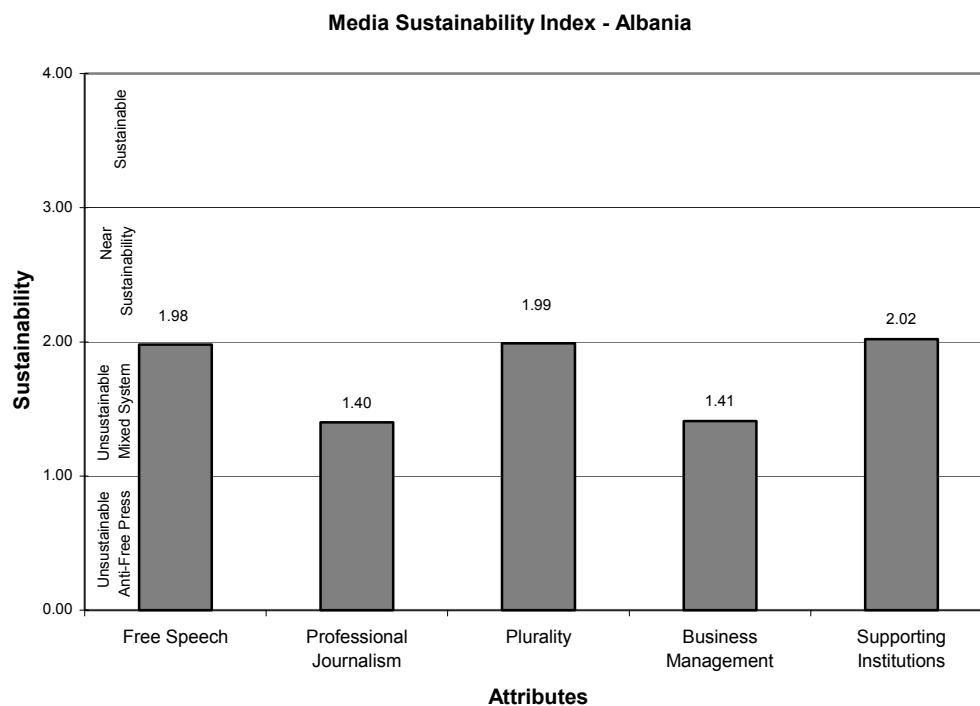
Albania

Introduction

It has been a little over ten years since Albania ended its isolation from the world and began the gradual process of allowing free speech. Unfortunately, Albanian media have not progressed that much in the past decade. Severe backwardness is giving way, from ground zero, to a new economy, with an accepted system of governance with supporting institutions, and an independent judicial system. The media sector is in some ways advancing and in others mired in the problems of transition.

The Fourth Estate is split between right and left political factions: the oligarchs are in control and disinclined to change. Print media are divided and divisive, run either directly by politicians or their friends in business. A Code of Ethics exists, but hardly anyone adheres to it as political interest prevails over notional “fair” editorial policies. Journalism education is far from modern. Legal provisions guaranteeing free expression and access to information exist on paper and remain largely idealistic; bridging the gap between words and deeds would require enormous efforts and probably a lot more time. As one of the journalists in the panel discussion pointed out: “Ideally, I would like media to exist as businesses led by visionaries who love this profession.” But he was, as most of the other participants, acutely aware that this so far remains a dream for Albania.

Still there have been some improvements—things are better than they were three years ago in the aftermath of the pyramid scandals and resulting civil strife. But the road ahead is long and, as every other road in the country, full of potholes and detours.



Scoring System

- 0** = Country does not meet indicator; government or social forces may be actively opposed to its implementation.
- 1** = Country minimally meets aspects of the indicator; forces may not be actively opposed to its implementation but business environment may not support it and government or profession not fully and actively supporting change.
- 2** = Country has begun to meet many aspects of indicator but progress may be too recent to judge or still dependent on current government or political forces.
- 3** = Country meets most aspects of indicator and implementation of indicator has occurred over several years and/or change in government, indicating likely sustainability.
- 4** = Country meets the aspects of the indicator; has remained intact over multiple changes in government, economic fluctuations, changes in public opinion and/or changing social conventions.

The scores for all indicators are totaled and averaged for each objective.

Each of the objectives can receive a score from 0 to 4:

- Above 3: Sustainable and free independent media
- 2-3: Independent media approaching sustainability
- 1-2: Significant progress remains to be made; society or government not fully supportive
- 0-1: Country meets few of indicators and government/society actively opposing changes

Attribute #1: Legal and social norms protect and promote free speech and access to public information

Indicators
1. Legal/social protections of free speech exist and are enforced
2. Licensing of broadcast media is fair, competitive, and apolitical
3. Market entry and tax structure for media are fair and comparable to other industries
4. Crimes against journalists or media outlets are prosecuted vigorously, but occurrences of such crimes are rare
5. State or public media do not receive preferential legal treatment, and law guarantees editorial independence
6. Libel is a civil law issue, public officials are held to higher standards, offended party must prove falsity and malice
7. Public information is easily accessible; right of access to information is equally enforced for all media and journalists
8. Media outlets have unrestricted access to information; this is equally enforced for all media and journalists
9. Entry into journalism profession is free and government imposes no licensing, restrictions, or special rights for journalists

The Albanian constitution guarantees freedom of expression and access to information, including information held by the state. The constitution also states that censorship is prohibited. Though these free speech guarantees exist, they have not produced the qualitative effect on news and information that one would hope for. This is not only because laws are not observed, but because each news outlet can and does provide its own brand of information, which may or may not be based upon fact. Free speech amounts to the freedom of the public to decide what to believe or disbelieve.

The 1997 Law on Public and Private Radio and Television was accompanied by much speculation about its fairness and political aims (it was an attempt to close down “pirate” stations, but criteria for closures were vague and, some thought, political). It was replaced by the 1998 Law on Electronic Media establishing the National Council on Radio and TV, involving a more diverse group of representatives. The new law is an attempt to protect private broadcasters from political interference in their editorial policies by prohibiting political parties, religious organizations, and state institutions from launching private radio or TV stations. The electronic media law declares the transformation of state-run Albanian TV and Radio into a public institution, by establishing an oversight body of people representing non-political and non-governmental institutions. It is yet to be seen whether this transition will happen in reality.

The Parliamentary Commission on Media has been at work on a new law imposing ethics on the sector, but did not include representatives from the industry in the drafting phases. The commission was not willing to open the new law to debate, and instead tried to push it through the then Socialist-controlled parliament quickly. The Organization for Security and Cooperation in Europe (OSCE) became involved in exerting pressure to delay the vote until there was ample time for modifying the law to accommodate the concerns of the media, or perhaps even open a debate to determine if the new law was necessary at all.

Libel and defamation of public figures are criminal offenses and are punishable with fines and/or up to five years imprisonment according to the 1995 Criminal Code. Only two journalists have been sanctioned under the Socialist government in the past three and a half years, far fewer than under the previous right wing government led by the Democratic Party. It is not because the press has been less vituperative, but because the government has a tendency to ignore or ridicule the accusations presented by the opposition media. Socialists keep a very low profile when it comes to responding to attacks against them and their strategy is to ask their supporters to “consider the source.”

The MSI panel discussion on legal issues was lively, with a number of controversial opinions. Some panelists said: “The laws are very good, but not implemented.” Others mentioned “there is a great gap between the freedom guaranteed by law and the freedom of journalists in real life. The way I see it, the Penal Code should be discussed all over again in terms of how to judge a journalist or a politician when it comes to libel.” There was also the opinion that “there is no need for a press law. Experience proves that a press law can turn from guaranteeing press freedom to hindering it. In young democracies laws could easily be misinterpreted.” There were also statements that the “Penal Code is an old-fashioned one and contrary to accepted European standards.”

Journalists on the panel stressed the need for “self-regulation.” They called for resisting abuses of freedom of expression and criticized the lack of sound moral principles within the profession. Other participants mentioned that “politicians should help develop the press law, but not by trying to define the path themselves. The press should try to have a greater influence. The specific legal system and the self-regulating code depend on our own emancipation.” The general consensus was that “improvements should be made in the media law and in the Penal Code, not in the constitution.”

Even though access to information is guaranteed on paper, access to print outside the capital city is difficult to obtain. Distribution of newspapers is limited to the major population centers of the country and Tirana is the main focal point. But access has another meaning, which is whether journalists have access to information. Each ministry has been tasked to provide answers to any and all questions posed by the media or, for that matter, any citizen of the country. Unfortunately, few of the ministries adhere to the “freedom of information” mentioned. Surly clerks act as watchdogs for the ministries, either feigning total deafness or conveniently losing request slips.

According to one long time observer of the Albanian media: “It is easy to become a media mogul in Albania. All you have to do is promise allegiance to one political party or another, swear that your programming (news especially) will promote their philosophies, and they will guide you to the right MP who will then accept your token of appreciation for his attention, usually paid in American dollars.” In some cases, media can be a stepping-stone for some journalists to becoming part of the government careers, which obviates the “watchdog” purpose of journalism. Licensing of broadcast facilities can be a hurdle to prospective entrepreneurs. The regulatory body, both by reputation and deed, has so far acted as an independent organization, devoid of political influence. But lately the chairman of the National Council on Radio & Television has come under much pressure and it is not clear how long it can withstand.

Attribute #2: Journalism meets professional standards of quality

Indicators
1. Reporting is fair, objective, and well sourced
2. Journalists follow recognized and accepted ethical standards
3. Journalists and editors do not practice self-censorship
4. Journalists cover key events and issues
5. Pay levels for journalists and other media professionals are sufficiently high to discourage corruption
6. Entertainment programming does not eclipse news and information programming
7. Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient
8. Quality niche reporting and programming exists (investigative, economics/business, local, political)

The notion of professional standards for journalists in Albania does not have much currency. There is a Code of Ethics but no one adheres to it and there is no self-regulatory body to administer the Code. Reportage is mostly based on innuendo, lies, and distortion. The primary content, of both print and electronic, is politics. The country is mired in the diatribes of the two political factions, and media organs are polarized between the two. State broadcasting is not truly public as that is understood in the West, but is actually in the hands of the ruling party.

Reporters are, in their opinion, underpaid and overworked. Few newspapers employ a well-staffed team of journalists and those who are working are forced to fill pages on a daily basis with little or no regard to quality of content. The motto often is: “Just fill that page.” According to journalists, they have no employment contracts, no benefits, deplorable working conditions, and their employers have no respect for the industry.

According to several panel members reportage is usually unfair, not objective, and hardly well sourced. For the most part, especially in print, information often emanates from the headquarters of political parties and is biased towards the ideology of that party. Print media will publish articles impugning the politics of their owners’ opponents with no thought as to whether the inflammatory accusations have any basis; conversely, they will extol their political champions ad nauseam. This produces reprisals from the other side. The politicians themselves never have to reply; their “voices” do it for them. Facts are irrelevant to the positions taken and usually are not present, although journalists have been educated over and over again in the past ten years about the importance of fact-based reporting for credibility.

Newspapers calling themselves independent have a tendency to swing one way or another, depending on whatever support they are receiving at the moment and on where the power is. The parties will “suggest” to their supporters that they advertise in this or that paper, thus providing covert subsidies. The government blatantly manipulates content by using supportive media as advertising outlets for such organizations as Albtelecom (the government-controlled telephone provider), KESH (the government controlled electricity provider), and their advertisements for tenders. Based upon these manipulative practices, information is presented to the viewers, listeners, and readers according to the desires of whoever is “buying” the media.

Electronic media, especially television, have drawn lines politically and do not waver, except superficially. State broadcasting always slants news to support the government in power; government leaders are constantly in favorable view, while the opposition is presented as potential demagogues.

The MSI panel participants agreed that the level of professional reporting is low. They repeatedly complained about the lack of ethics among the journalistic community. There was a thought that if journalistic self-regulation existed “this would free our profession of the heavy burden of politics.” However, there was also the opinion that it is not sufficient to rely on journalists’ morals, a code of ethics, or good training, “because the editor in chief and especially the publisher have their own policy, interests, and affiliations with powerful clans. You either do as they say, or you resign.”

In the capital Tirana, broadcasters have well-equipped stations. According to panel members there is revenue from advertising in addition to the patronage of political parties (although the operators will deny the second revenue stream.) There is one radio station that has advertising revenue comparable to any major-market station in the United States. They limit their advertising to six minutes per hour and yet their cost per spot is competitive. There is speculation that the station might be involved in one of the money-laundering schemes in the country.

Outside Tirana the facilities degrade quickly. There has not been much improvement in equipment or technology for several years. The smaller cities cannot support broadcast facilities economically, because there is no advertising base; the major advertisers have no need or inclination to place spots on the smaller local broadcasters. Print media have local facilities in Berat and Gjirokastra; otherwise, all information emanates from the center.

Attribute #3: Multiple news sources provide citizens with reliable and objective news

Indicators
1. Plurality of public and private news sources (e.g. print, broadcast, Internet) exist and are affordable
2. Citizens' access to domestic or international media is not restricted
3. State or public media reflect the views of the entire political spectrum, are non-partisan, and serve the public interest
4. Independent news agencies gather and distribute news for print and broadcast media
5. Independent broadcast media produce their own news programs
6. Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates
7. A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources

There is a virtual cornucopia of information available to residents of Albania from foreign news media such as CNN, BBC, Reuters, VOA, EuroNews and Deutsche Welle. But as stated above, the problem is that information is not used: since everything is part of the political struggle, most information presented to Albanian citizenry is politically based and biased. Each news facility prepares its own news agenda following the ideology of the ownership. As recent Albanian Media Institute surveys show, there is little trust in media in general among the population. There are roughly 30 private TV outlets and around 20 radio stations, but many of them are not financially viable and not well managed.

Albanian print editions are available mostly in the largest cities, with Tirana having about 13 daily papers—a fact criticized by panel participants (“four papers are enough, in case they are well done”). The two major distribution companies are private but they are allegedly corrupt and mishandling deliveries. The bad road infrastructure also adds to distribution problems, meaning print editions are almost unobtainable in smaller villages. Though print media is more diverse, readership is declining due to the low purchasing power of the population and a general distrust in papers. There are some minority-language papers—Greek, Vlach, Romanian, and Roma. Independence in print is represented by one paper, *Gazetta Shqiptare*, and that is Italian owned. In broadcast, Television Arberia (located in Tirana) is the most centrist; the others fall on one side or the other of political divisions in a ridiculous fashion. Unfortunately, Voice of America (VOA) also falls into that category since it constantly derides the government in power.

Attribute #4: Independent media are well-managed businesses, allowing editorial independence

Indicators
1. Media outlets and supporting firms operate as efficient, professional, and profit-generating businesses
2. Media receive revenue from a multitude of sources
3. Advertising agencies and related industries support an advertising market
4. Advertising revenue as a percentage of total revenue is in line with accepted standards at commercial outlets
5. Independent media do not receive government subsidies
6. Market research is used to formulate strategic plans, enhance advertising revenue, and tailor products to the needs and interests of audiences
7. Broadcast ratings and circulation figures are reliably and independently produced

Media in Albania is not a well-managed business at all. It was not until August 1999 that members of the regulatory commission, on a visit to the United States, came to realize that broadcasting is a business, and not a political tool. The newspapers run constant deficits and without the support of the political parties they would collapse. There is no interest in actually working for media survival when political leaders are so eager to subsidize both press and broadcast.

Advertising in print is almost nonexistent. Newspaper sales are insignificant and papers rely on other sources of funding—from political parties or foreign donors, for example. Broadcast is a bit different but still has a long way to go. The TV and radio operators have a tendency to court the most influential and powerful because they have the money to spend and it is easy to get their business. Foreign donors stress to media companies the importance of cultivating smaller advertisers and increasing their advertiser base but, as soon as they meet with resistance from potential advertisers, the salespeople quickly revert to their old practices. Owners are interested only in quick gains and are thoughtless about the future, a dynamic that runs now through Albanian society generally.

Independent ratings have never been done. IREX/ProMedia is now working with the Institute for Statistics and Opinion (ISO) to provide an independent survey using 28-day diaries in fourteen population centers in the country. According to ISO, the sample will be large enough to compile representative information reflecting listening and viewing habits. Surveys done in the past have all been commissioned by stations, and the results have always been suspect.

Attribute #5: Supporting institutions function in the professional interests of independent media

Indicators
1. Trade associations represent the interests of private media owners and provide member services
2. Professional associations work to protect journalists' rights
3. NGOs support free speech and independent media
4. Quality journalism degree programs exist providing substantial practical experience
5. Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills
6. Sources of newsprint and printing facilities are in private hands, apolitical, and not restricted
7. Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted

Trade associations in place right now are inadequate, to say the least. One association is a holdover from Communist times with hardly any activity among members, and the other is presided over by a publisher who is not familiar with journalistic problems.

The journalism faculty at the University of Tirana is deplorable. The selection system for the students is a mystery, even to those who administer it. Students lack enthusiasm, as does the faculty. The facility is less than accommodating to teaching; there are no teaching materials, nor any sort of contemporary equipment. In their third year, students drift into various media outlets, ostensibly to obtain some practical training, but in reality they become unpaid or poorly paid employees, adding to the downward spiral of presentation of information. The instructors seem to encourage this practice as it relieves them of any responsibility. Publishers also encourage this practice because they can replace older, more experienced journalists with the new harvest, paying them less and making them conform to political factions.

Participants in the discussion agreed that university education does not provide a good basis for future journalists. There were statements like: “I believe in training, be it long or short term...there is work to be done about the school, so that people are ready when the time is ripe.” But there were doubts about the usefulness of journalism training as long as political clans and groups rule over media. As one panel member said, “the problem is who will control the media, business or politicians? And how do media function as businesses? They do not is the obvious answer. As long as media do not function as businesses there will not be too much of a difference for another 15 years.” Despite such statements, there was confusion about the issue of businesses controlling media and media being run as a business. Besides, panelists seemed to be thinking only in terms of who controls media (with businesses and politics being the two alternatives), while not much thought was given to how media could become less dependent on either.

The Albanian Media Institute does provide mid-career training for journalists as funding allows but it seems that the same faces attend the seminars with no appreciable changes in the presentation of news. As one Albanian journalist put it, “We have been seminared to death.”

List of panel participants

1. Thanas Goga, Assistant to the Press Officer at OSCE
2. Vili Minarolli, Democratic MP, Parliamentary Commission on Mass Media
3. Rezar Xhaxhiu, News Director, TV Arberia
4. Kathy Imholtz, Advisor to the Foreign Ministry, seconded by the OSCE
5. Lutfë Dervishi, Editor in Chief, *Albania* daily Newspaper
6. Leonard Gremi, VP of National Association of Radio and TV
7. Iris Luarasi, Director of Radio Ime
8. Elsa Ballauri, Director of Albanian Human Rights Group
9. Halil Lalaj, Socialist MP, Parliamentary Commission on Mass Media
10. Fatos Bacoko, Editor in Chief of *XXL* weekly
11. Egiell Seriani, Publisher of *Dita Jug* weekly in Gjirokaster
12. Remzi Lani, Director of Albanian Media Institute

Panel moderator

Andrea Stefani, Local Media Coordinator, IREX ProMedia/Albania

Observers

USAID/Albania representatives