

MEDIA SUSTAINABILITY INDEX

2006/2007

**The Development
of Sustainable
Independent Media
in Europe and Eurasia**



MEDIA SUSTAINABILITY INDEX 2006/2007

The Development of Sustainable Independent Media in Europe and Eurasia
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ALBANIA

Albania has continued to witness improvement in the media sector since the first Media Sustainability Index (MSI) conducted in 2001. With a score of 2.41, the media sector shows improvement yet remains far from sustainability. The 2006/07 MSI showed improvements in professionalism and business management, most notably, while the other objectives—free speech, plurality of news sources, and supporting institutions—remained relatively stable.

Albanian political life has been characterized by political tensions since 2005, when the democrats of Prime Minister Sali Berisha returned to power after successfully challenging the socialists led by then Prime Minister Fatos Nano. The struggle against corruption remains one of the main challenges of the democrats. Analysts believe that if they cannot address this issue, the public dissatisfaction that brought them to power might turn against them.

The tools and style the government has used to fight corruption and organized crime have been the subject of numerous criticisms, voiced not only by political opposition, but also by civil society. After a promising start, attributed mainly to the arrest of several criminal gangs, the government of Prime Minister Berisha, according to many critics in the country, is increasingly inclined toward authoritarian rule that excludes other political factions. The government and the ruling majority have started to view the battle against these phenomena as their own struggle, leaving out civil society and other parties. This has led to criticism that the battle against corruption will be waged as an extension of politics in order to make political points against opponents, rather than to attack corruption in a nonpartisan manner. The dissatisfaction of an increasing portion of public opinion with the reemergence of authoritarian tendencies was reflected in the local elections of February 2007, where the opposition won most of the municipalities in the largest urban areas in the country.

The political debate on media freedom started to further intensify in late 2006 and in early 2007, when in the name of the war against tax evasion, the tax police audited one of the most powerful media companies in the country and its television station, Top Channel. Because the effort exceeded the legally allowed period and was limited to just this media company, which opposes the government, it is commonly viewed as political.

At the same time, a statement of Prime Minister Berisha caused concern and tension. He spoke of the war the government must wage against those media that serve the mafia. Berisha did not provide any names or facts, but to many it seemed clear he referred only to those media that criticized him and the government. The statement was met by a protest of tens of thousands of citizens in the capital's main square. This was followed by a lively controversy on the licensing of digital broadcasting. Digital broadcasting has started

ALBANIA AT A GLANCE

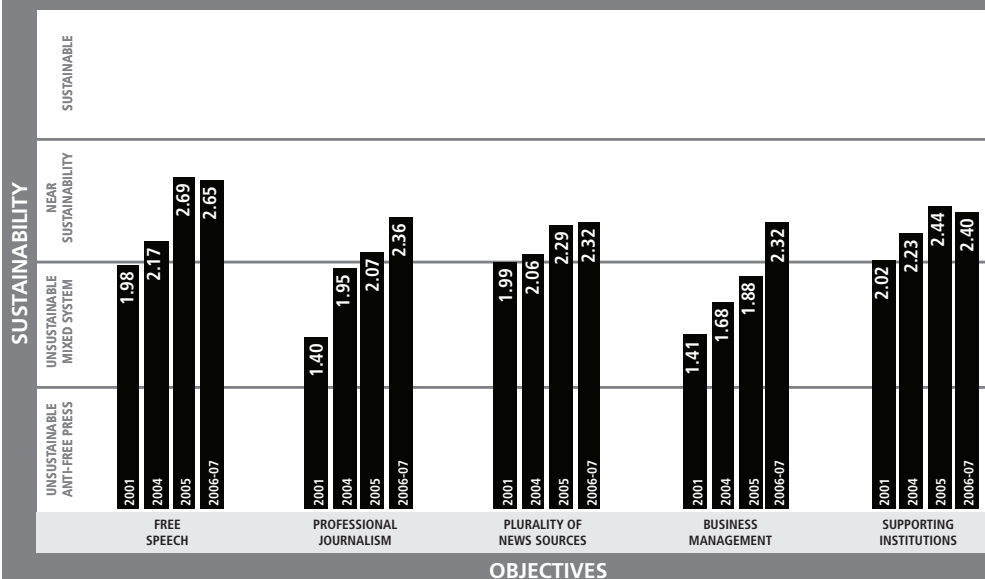
GENERAL

- > **Population:** 3,600,523 (July 2007 est., *CIA World Factbook*)
- > **Capital city:** Tirana
- > **Ethnic groups (% of population):** Albanian 95%, Greek 3%, other 2% (Vlach, Roma, Serb, Macedonian, Bulgarian) (1989 est., *CIA World Factbook*)
- > **Religions (% of population):** Muslim 70%, Albanian Orthodox 20%, Roman Catholic 10% (*CIA World Factbook*)
- > **Languages (% of population):** Albanian (official—derived from Tosk dialect), Greek, Vlach, Romani, Slavic dialects (*CIA World Factbook*)
- > **GNI (2006-Atlas):** \$5.799 billion (World Bank Development Indicators, 2007)
- > **GNI per capita (2006-PPP):** \$5,880 (World Bank Development Indicators, 2007)
- > **Literacy rate:** 98.7% (99.2% male, 98.3% female) (2003 est., *CIA World Factbook*)
- > **President or top authority:** Prime Minister Sali Berisha (since September 10, 2005)

MEDIA-SPECIFIC

- > **Number of active print outlets, radio stations, television stations:** Approximately 150 print outlets; 86 radio and television stations (*Albanian Media Institute*)
- > **Newspaper circulation statistics:** Approximately 75,000. *Shekulli* is the largest daily paper with 20,000 copies (*Albanian Media Institute*)
- > **Broadcast ratings:** highest-rated television outlets: Top Channel, TVSH, TV Klan (*Institute for Statistics and Opinions*)
- > **News agencies:** ATSH (Albanian News Agency), ALNA, ALP (*Independent News Agency*)
- > **Annual advertising revenue in media sector:** Approximately \$15 million (*Albanian Media Monitor 2004*)
- > **Internet usage:** 75,000 (2005 est., *CIA World Factbook*)

MEDIA SUSTAINABILITY INDEX: ALBANIA



Unsustainable, Anti-Free Press (0-1):

Country does not meet or only minimally meets objectives. Government and laws actively hinder free media development, professionalism is low, and media-industry activity is minimal.

Unsustainable Mixed System (1-2):

Country minimally meets objectives, with segments of the legal system and government opposed to a free media system. Evident progress in free-press advocacy, increased professionalism, and new media businesses may be too recent to judge sustainability.

Near Sustainability (2-3):

Country has progressed in meeting multiple objectives, with legal norms, professionalism, and the business environment supportive of independent media. Advances have survived changes in government and have been codified in law and practice. However, more time may be needed to ensure that change is enduring and that increased professionalism and the media business environment are sustainable.

Sustainable (3-4):

Country has media that are considered generally professional, free, and sustainable, or to be approaching these objectives. Systems supporting independent media have survived multiple governments, economic fluctuations, and changes in public opinion or social conventions.

to develop in Albania over the past four years, and its most spectacular result is the private television station Top Channel and the platform DigitAlb, although there also have been unsuccessful initiatives. Top Channel is today the most highly viewed television station (about 70 percent of the audience), and the same is true for the platform DigitAlb. However, the licensing regime for digital broadcasting is not developed. The bill proposed by the government has encountered strong opposition, as it was perceived as an act that, in the guise of rendering formal digital broadcasting, aims to strike Top Channel and DigitAlb to reduce criticism against government on one hand, and, on the other hand, to support other pro-government investments in the area of digital broadcasting. The swift and nontransparent proceedings of the bill through parliament led to opposition even from within the majority. In the end, the bill could not gather a simple majority, and the ruling majority was forced to go back to the parliamentary commission on media to reexamine the bill.

OBJECTIVE 1: FREE SPEECH

Albania Objective Score: 2.65/4.00

The objective of freedom of expression was relatively unchanged over the past year. The panelists noted that the problem does not lie with the lack of legislation or inadequate legal protections, but rather with poor implementation of laws. Panelists felt that it also should be noted that social norms in Albania support freedom of expression.

LEGAL AND SOCIAL NORMS PROTECT AND PROMOTE FREE SPEECH AND ACCESS TO PUBLIC INFORMATION.

FREE-SPEECH INDICATORS:

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

“We do not have any direct crimes against journalists, but in an indirect manner, there are journalists that have been punished for the work they have done—for example, by removing their relatives from their jobs in the public sector if they appear to be critical to government,” said Bashkim Hoxha.

“It’s not that there are no laws in Albania; the problem is that the laws are not implemented,” said Iris Luarasi. To some of the participants the lack of implementation of laws has started to damage professional standards and the media’s reputation, due to significant abuses of freedom of speech. These abuses frequently have led to intrusion into citizens’ private life. One of the sources of this abuse emanates from the political battles in the country. Political parties have supported the establishment of media, which, disguised as “independent” from the political forces they support, often attack the private life of political rivals and critics to the party or government. Often the main casualty of this media blackmail are opposition or independent journalists.

Participants were critical of licensing standards. To Musa Ulqini, a member of the Parliamentary Commission on Media, there has been a deterioration in the transparency in the work of the National Council of Radio and Television (NCRT), the body that allocates radio and television licenses. Even though NCRT is a body dependent on the parliament of Albania, recently there has been a tendency for this institution to make decisions that are not transparent and that tend to overlap with the narrow interests of the executive.

For example, there has been a debate on the licensing of a Tirana local television station by NCRT. In addition to the charges of favorable treatment and corruption in the process, many media that criticize the government believe this license was granted to increase the number of pro-government stations in order to compete with stations that criticize the ruling party (such as independent television station News 24). “We in the Parliamentary Commission on Media have not had any explanation from NCRT directors on this new license that has been granted recently,” said Ulqini. Most of the panelists thought that the activity of NCRT and its decision-making are increasingly being affected by political factors. “NCRT, similarly to the Steering Council of Public Television, is the main body that regulates media, and these bodies have experienced for years now pressure from politics; and if the

“It’s not that there are no laws in Albania; the problem is that the laws are not implemented,” said Iris Luarasi. To some of the participants the lack of implementation of laws has started to damage professional standards and the media’s reputation, due to significant abuses of freedom of speech. These abuses frequently have led to intrusion into citizens’ private life.

situation does not change, this will not lead us anywhere” said Fatos Baxhaku, one of the most famous journalists in the country.

In the summer of 2006, one of the controversies was an attempt by the government and Prime Minister Berisha to change the structure and composition of NCRT by decreasing the number of members from seven to five. The proposal that NCRT members should not be politically balanced (there would be three nominations from the opposition, three from the government, and one from the President of the Republic) but should originate from civil society and be voted met with strong opposition. This reform, which Prime Minister Berisha justified with the excuse of “small government” and as an attempt to depoliticize the regulatory bodies of the media, was considered by the opposition, as well as from part of the civil society, as a government attempt to better control NCRT’s decision-making. For the government’s critics, who were considerable, the decrease in number of NCRT members rendered this control even easier. The government was forced to consider the demands of the opposition and civil society and to go back to the previous formula of seven members for NCRT, with a balance among majority, opposition, and President of the Republic. However, even though the agreement has been made for a while now, the parliament has not yet voted on the amendment and NCRT continues to work with five members.

The licensing of digital broadcasting also became a political issue. While being backward in many other aspects, Albania has developed digital broadcasting. The pioneer of this movement has been the media company DigitAlb, which also owns the most powerful private television station in the country, Top Channel. Similarly to analogue broadcasting before it, digital broadcasting appeared in the absence of proper regulations. The government’s initiative to pass in the parliament a law for digital broadcasting sparked

strong controversy and resistance, not only from the existing operators, but also from the political opposition. According to the critics, under the guise of fairness and the war against monopolies, the government is trying to fight the company DigitAlb by reducing its number of frequencies for the existing digital platforms from four to one. According to the opponents, the government aims to hit one of the most powerful media voices and at the same time to encourage the entry into the market of more government-friendly media. The suspicions increased due to the fact that the government tried to approve the bill on digital broadcasting very quickly, in just a few days, without consulting with all interested groups. It was for this reason that the law could not pass in the parliament and was returned for discussion to the Parliamentary Commission on Media.

The panelists’ opinion was that compared to the early years of transition there are no more crimes against journalists, such as murders, beatings, or imprisonment. But this does not in any way mean that there is no hidden pressure or indirect violence against them. “We do not have any direct crimes against journalists, but in an indirect manner, there are journalists that have been punished for the work they have done—for example, by removing their relatives from their jobs in the public sector if they appear to be critical to government,” said Bashkim Hoxha. This was also the opinion of Baxhaku when he stressed that “there is a more sophisticated political and administrative violence against journalists, even though this may not qualify as an offense according to the definitions in the penal code.” For some other participants, the most frequent crime against the profession of journalists is denial of public information, in spite of this being legally guaranteed. “The most frequent crime against journalists is abuse of duty of some public officials that refuse to provide information and hinder the physical access of journalists in public institutions,” said Genti Ibrahimi, a lawyer with expertise in media issues.

The panel also addressed the recent conflict between the government and the television station Top Channel concerning audits of the activities of DigitAlb company that the financial police carried on for more than six months. The government and Prime Minister Berisha have justified this as a routine procedure carried out in the name of the fight against tax evasion. The fact that these controls have been going on for a long time and are taking place only in those companies that criticize the government while excluding any government-friendly media raises the specter of a campaign against unfriendly media, according to many. “It is clear that the fiscal controls in DigitAlb company are selective and have discriminatory political aims,” said Genc Ymeraj, a journalist at local television station News 24.

To some of the panelists, the media business does not suffer discrimination compared with other businesses in the country. Newspapers, in particular, are more favored, as they are exempt from value-added tax (VAT) for advertisement or for imported paper. However, with regard to the business of electronic media, the opinions were clearly divided. To Lutfi Dervishi, a well-known journalist in the country, "a common car tire service in Tirana does not pay fewer taxes than a television station," but to Hoxha, owner of one of the most popular local television stations, things are different. "Television stations pay higher taxes than some businesses do: they pay an annual license fee to NCRT, one to the Regulatory Entity of Frequencies (REF), and one to the tax office," said Hoxha. However, most of the panelists agreed that although it cannot be asserted that media business does not suffer discrimination, neither can it be said that it is favored.

Kujtim Porja, one of the managers of a local television station in Mati, said: "No government has ever enabled favorable conditions for local stations, and Mat TV pays more taxes than some other big enterprises in that area do." The panel made it clear that local media face far bigger difficulties and find themselves in a completely different position than that of capital-based media or media based in the largest cities in the country. This is also due to the fact that development of business and market distribution have not been equal in the whole territory. Because of the highly disrupted geographical relief, the lack of roads, and the lack of electrical energy supply, the business is significantly less developed in the northeastern area and significantly more intense in the Western plain next to the coast. The media located in the Western plain have had more ample opportunities to benefit from a much richer advertising market, which is not the case for the media located in other distant areas. In these areas, the "mortality rate" of media is much higher; an indication is the extinction of local newspapers. While the municipalities and communes are gaining more governing competencies, the decline of local media would lead to a vacuum in the information of citizens on the work of local public officials. Ulqini said that the Albanian parliament was familiar with this problem and that it had a project aiming to foster the development of media in the northeastern area, which is expected to start soon.

The panelists said that the public television station, TVSH, is not unduly favored by the government over private media, but it continues to position itself as pro-government to some extent. The appointment of TVSH directors continues to remain a monopoly of the party in power. This leads to a situation where as soon as the political power changes, TVSH starts a process of sacking its employees and journalists and, parallel to this, hiring other journalists or employees who are perceived as being loyal to the ruling party. According

to Ymeraj, "More than 80 employees were fired from TVSH, including 10 journalists known to be of leftist convictions, while other people were hired, who were not so much known for their professional standards rather than for their sympathy to the ruling party and the government." This situation was also confirmed by Aleksandër Çipa, a well-known journalist and president of the Union of Albanian Journalists. According to Çipa, "There are numerous lawsuits of the employees sacked from TVSH and Albanian Telegraphic Agency (ATSH) in District Court of Tirana."

Naturally, this change of employees, forced by the change of power, has deeply affected the quality of activities of these public media institutions. It is a fact that due to the decreasing programming quality, the public television station, in spite of enjoying the largest coverage in the country compared with other national commercial stations, has a significantly lower audience. One of the panelists said in disappointment that "commercial televisions are putting down the public television and absorbing all the audience in the same way as supermarkets are putting down the groceries stores dating back from communism and kiosks by absorbing all the buyers."

The panel expressed its concern that the issues of defamation and libel are not yet properly regulated. In Albania, public officials enjoy higher protection than journalists do. The fact that the offended side or the public official does not have the burden of proof for what the journalist has written or said is unfair, and purposefully so. Quite the opposite, the burden of proof rests with the journalist. "A recent survey has shown that the case law of Albanian courts has requested the journalist to prove the truthfulness of what he said or wrote in about 50 percent of the cases," said Ibrahim. This practice goes against the fundamental principle of the criminal code, which says that the plaintiff (the public official, in this case) also must have the burden of proof. Although Prime Minister Berisha has publicly announced that his administration will not sue any journalists for defamation or libel, this is not a definitive solution to the problem. Meanwhile, in the Albanian criminal code, defamation and libel are not yet decriminalized, although a bill for decriminalization of libel has been resting in the drawers of the Albanian parliament for more than a year.

How accessible is public information? The panelists thought that no faults could be found when it comes to legislation. However, the same is not true for its implementation. "The isolation of bureaucracy and that of the administration is present," said Çipa, indicating that bureaucrats avoid journalists. He added that there have been more than 10 cases when he has signed papers requesting information from ministries and directorates. Not only has he not received the

information he demanded, but he did not even receive an official reply to his demands. However, the participants in the roundtable emphasized that part of the responsibility for this situation also lies with the journalists. They are still unable to properly explore the rights they are entitled to by the law on access to public documents. Public officials' failure to supply public information is a crime, yet there are no cases of lawsuits against public officials. This shows that journalists are not yet aware of how to confront public officials with the law and hold them legally liable when access to information is denied. "If they will be able to properly use the rights the law on access to information grants them, I think it would be easier for them to receive that information," said Andi Tela, editor-in-chief of one of the country's biggest dailies.

OBJECTIVE 2: PROFESSIONAL JOURNALISM

Albania Objective Score: 2.36/4.00

The standards of professional journalism have witnessed steady progress since 2001, rising to 2.36 from 1.40 in 2001. However, it is clear that professional standards are not sufficiently sustainable and remain threatened by the interaction of other factors, such as politics and business.

Although it has been more than 10 years since a code of conduct for journalists was approved, few journalists or media refer to this code. In many cases, low salaries encourage journalists to accept bribes and produce commissioned stories. As Dervishi sarcastically said, "There are journalists that do not accept the bribe only in those cases when it is not lucrative enough." Most of the panelists said that one of the main causes of violation of professional ethics must be sought also in the fact that there is not yet an institution that would force its implementation. Even the Board of Ethics, established more than a year ago, does not indicate that there will be any changes in this respect.

It can safely be asserted that media in Albania are free and that journalists are not yet fully free of self-censorship. There might be different causes for this, but the most influential factors may include the interests of media owners, which lately have mingled even more with the interests of the different political wings. To Tela, editor-in-chief of one of the largest dailies in Albania, the situation is alarming: even he, in spite of being editor-in-chief, is forced to apply self-censorship, being aware of the political preferences of the media owners. However, a similar situation is also reflected among the reporters, who start to censor themselves in relation to the news, distancing themselves from the truth. To the panel participants, the threat of firing journalists because of their duty—publishing news and

articles not in accordance with the political preferences of media owners—is always present. Journalists have not yet managed to secure the institutional protection that would render it impossible for media owners to retaliate and would force them to agree with the pluralist nature of a free media. However, there are also occasions when journalists are forced to resort to self-censorship, due to the genuine economic interests of the newspaper or station. The classical case is that of the campaign held during 2006 by civil society (the Mjaft movement and the Albanian Coalition against Corruption) against the high monopolistic tariffs applied by the only two mobile telephony companies in Albania. The organizers encountered great difficulties in conveying their public messages through the media. Most of the daily newspapers and the television stations did not agree to publish articles or news on the protests. The excuse was that these two companies are among the biggest advertisers, and as such they threatened the media that they would withdraw the ads. In fact, they did withdraw the ads from those media that dared to report on the protests, as was the case with television station News 24.

The wages of Albanian journalists do not seem to be lower than those of employees in other areas. On the contrary, for some categories of journalists, like columnists, the wages are rather high. However, the panelists could not help but notice a contradiction that was extensively debated: the fact that although the salaries are satisfactory, the change of profession is spread among journalists. "The number of journalists that have 10 to 15 years of experience is decreasing, and this drain of experienced and trained persons cannot help but result in lower professional quality," stressed

JOURNALISM MEETS PROFESSIONAL STANDARDS OF QUALITY.

PROFESSIONAL JOURNALISM INDICATORS:

- > Reporting is fair, objective, and well sourced.
- > Journalists follow recognized and accepted ethical standards.
- > Journalists and editors do not practice self-censorship.
- > Journalists cover key events and issues.
- > Pay levels for journalists and other media professionals are sufficiently high to discourage corruption.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Media outlets have unrestricted access to information; this is equally enforced for all media and journalists.
- > Quality niche reporting and programming exists (investigative, economics/business, local, political).

Dervishi. In fact, the drain of journalists is increasingly being associated with the change of political power after elections. Many of the well-known names of journalism have started working in public administration or have entered into politics. Luarasi attributes this to the challenges of journalism as a profession. One factor is also job insecurity. This is how Çipa explains the drain in journalism: "A recent study has shown that in the last five years the longest job position of an editor in one place did not exceed six months." To many of the panelists, this situation is also due to the fact that the media market is not regulated, meaning that most Albanian journalists continue to lack work contracts. This means they are entirely defenseless, with few legal rights to seek legal redress if the owners violate their rights. The only positive development that gives hope in this area is the establishment of the Union of Albanian Journalists. The Union, after signing an agreement with the Ministry of Labor, is determined to obtain work contracts for all Albanian journalists.

With regard to the level of salaries of journalists as a barrier against corruption, the panel showed different opinions. To some, the salaries are sufficiently high for journalists not to be corrupted; to others, this is not true. In the end, the consensus was that when compared with the majority of citizens, the salaries of journalists are at a level that does not render their corruption a necessity for existence. The existence of this corruption, highly present among journalists, is rather a result of greed, not survival. The panelists also stressed the fact that the salaries of journalists in local media are significantly lower than those of journalists based in the large cities.

In Albanian media, entertainment programs generally do not overshadow news. In fact, news has priority both in print and electronic media. In addition, the panelists noted that the news on political developments still constitutes the main focus in the media. With regard to equipment and technique, it can be said that along with a gradual improvement, there is a widening gap between the technical developments in the capital and some other cities and the technical backwardness in the local media. Even though the local media have experienced some progress compared with a year ago, the media based in larger cities, where the advertising market is larger, are developing at a quicker pace. Panelists said it seemed like the media are subjugated to an unwritten law, according to which the technical level of the media equipment is equally proportionate to the distance from the capital. So, while in a distant area like Koplik you see a television station that still broadcasts in VHS format, in Tirana you see a station like Top Channel that works with digital technology.

The panelists stressed that there is a trend to specialize news reporting in separate beats of politics, sports, culture, or

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business. However, political news coverage has retained its priority in the country's media, while news such as business and economics needs further professionalization. With regard to investigative journalism, there are some trends of its development, especially of the journalistic investigations related to the abuse of public funds and administration corruption. Presently there are some programs, like the weekly "Hapur," supported by IREX, that are devoted to investigating corruption even in the most remote areas of the country and are broadcast by Albanian public television, News 24 television station, and 20 other local stations. Another program is "Fiks Fare," broadcast by Top Channel. The program is rather successful because it intertwines elements of investigative journalism, candid cameras, humor, and entertainment.

OBJECTIVE 3: PLURALITY OF NEWS SOURCES

Albania Objective Score: 2.32/4.00

The panelists were more optimistic than in previous years during the discussion of problems related to the plurality of news sources and media in the country. However, the challenges to Albanian media remain numerous even in this aspect.

One of the most acute problems that the panelists mentioned was Internet penetration. Internet penetration in the rural areas remains very low, compared with the urban ones. Another old and untreated problem is that newspapers do not reach the countryside. According to Ulqini, member of parliament and member of the Parliamentary Commission on Media, over 60 percent of the population in the rural areas cannot buy a national newspaper every day, since the distribution network cannot reach them. There are also problems with regard to the coverage of the country's territory with television signals. Hence, although the Albanian public television station, TVSH, has a larger coverage than all other private television stations, it does not cover 20 percent of the territory.

“Albanian public television is the continuity of the state (government) television under a new name.” He explained that it is paradoxical to see how the public interest is the first to be neglected by a television called “public.”

On the other hand, due to the concentration of the most powerful private stations—mainly in the Western plain—about 60 percent of the population cannot even watch the commercial television stations. This situation is upsetting because it concerns the proper informing of citizens; in spite of the significant demographic changes the country is experiencing, a large percentage of the population (about 50 percent) still live in the rural areas.

According to the panelists, generally there is an improvement in citizens’ opportunities to contact foreign media, mainly in the rural areas. Meanwhile, strong criticism was aimed at public television. To many of the panelists, there is no progress in transforming the state television station into a genuine public television station. To Hoxha: “Albanian public television is the continuity of the state (government) television under a new name.” He explained that it is paradoxical to see how the public interest is the first to be neglected by a television called “public.” The news editions of this television station almost cannot be distinguished from the ones broadcast in commercial stations. They start with news on the activities of government and political parties, neglecting the real problems

MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE AND OBJECTIVE NEWS.

PLURALITY OF NEWS SOURCES INDICATORS:

- > A plurality of affordable public and private news sources (e.g., print, broadcast, Internet) exists.
- > Citizens’ access to domestic or international media is not restricted.
- > State or public media reflect the views of the entire political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for print and broadcast media.
- > Independent broadcast media produce their own news programs.
- > Transparency of media ownership allows consumers to judge objectivity of news; media ownership is not concentrated in a few conglomerates.
- > A broad spectrum of social interests are reflected and represented in the media, including minority-language information sources.

that concern the citizens. The participants in the panel also were concerned about the fact that the public television is forced to change its new management and part of the editorial staff every time there is a change of government. This is another indicator of governments’ attempts to take control of public television for their narrow political interests and not to serve the public interest.

The panelists stated that there are no positive developments with regard to news agencies. Only the state news agency, ATSH, is operating in Albania, while some other initiatives to establish commercial news agencies that started some years ago have failed.

Almost all television stations (including the local ones) produce their own news, a positive development. Meanwhile, regress is evident when it comes to radio stations. A majority of them have given up producing news. Out of about 40 existing radio stations today in Albania, only four broadcast their own news. All the rest generally broadcast only music and entertainment. To Luarasi, this is an upsetting phenomenon. According to Luarasi: “The renouncement of many radios from broadcasting news renders the situation of informing the citizens even more severe in those urban areas that are not reached by newspapers or the signals of public or commercial televisions.”

With regard to media ownership, what is most worrying is not the ownership itself but rather the nature of financial sources for media in Albania. No transparency has been carried out on the origin of media capital. This has provided ample room for political speculation that is itself damaging to the credibility of the media. The media and politics are still debating Prime Minister Berisha’s declaration that the mafia has established its own media. Unsupported by evidence, this declaration led to the rise of strong suspicions among the opposition, but also in a part of the media, that under the guise of the war against mafia the prime minister aims to put pressure on and strike those media that are critical toward him.

Meanwhile, the panelists agreed that in contravention to the stipulations of the existing law on public and private media, there is a tendency toward concentration of the most powerful media in increasingly fewer hands. To some panelists, this concentration is a natural effect of the process of competition in media and will inevitably become more pronounced in the future. As one said, “the strongest media will survive; the weakest will perish.” However, for some people, the process is not entirely due to the market’s invisible hand, but also to the political support which that derives from the increasing proximity of media owners with different political factions. To Ymeraj, the political debate on the law on digital broadcasting stems from the harmonization of the interests of the party in power with

those of the media owners who seek to challenge Top Media. According to Ymeraj, media close to the government, through the law on digital broadcasting, are trying to eliminate a platform that is at the same time their strongest rival and a strong critic of the government. "Holding the flag of the war against formality in the media, the government aims to strike the independent media and nurture those media that support it," he said.

The panelists stated that there are no obstacles in Albanian law regarding the establishment of local radio stations or television stations in minority languages. The only hindrance is related to financial sources—the lack of investors who would support these media. The situation is better when it comes to the Greek minority in the south, where there are a large number of newspapers in Greek, as well as some radio stations in the minority's villages. In addition, all branches of the public radio station, Radio Tirana, are legally obliged to broadcast at least one hour of news per day in the minorities' languages. So, in implementing the law, Radio Korça broadcasts in Macedonian, Radio Gjirokastra in Greek, and Radio Shkodra in Montenegrin. The situation of Roma minority is even more alarming. There is no radio or gazette for this community; only a magazine is published with an irregular frequency.

OBJECTIVE 4: BUSINESS MANAGEMENT

Albania Objective Score: 2.32/4.00

Although this objective has improved, the panelists' discussions revealed many problems, reflecting continuing difficulties for media to operate as profitable businesses while allowing room for editorial independence. With regard to print media, the problem of newspaper distribution has yet to be resolved. Although the agencies of press distribution have increased (now there are four of them), this has not expanded the boundaries of the press market, especially in those urban areas inhabited by a significant portion of the population. The roots of the problem do not lie solely at the still problematic road infrastructure, but also at the lack of cooperation among the swelling number of newspapers. Hence, some of the press distribution agencies have been established by some powerful newspapers, such as *Shekulli* and *Panorama*, but there is no common investment that would reduce the costs of press distribution per unit. This shows that most media do not yet function as businesses. According to Dervishi, "If the media would have been managed as genuine businesses, then the problems of press distribution would have been solved 15 years ago."

"Largest-circulation newspapers are not necessarily the best and most influential in conveying messages of civil education, such as surrender of weapons," said Ulqini, adding that he was still against it, because these purchases cannot help assuming the form of government support with a preferential influence on the media.

In Albania, there are 25 daily newspapers, and in the capital alone there are about 90 printing houses of different scales. The newspapers are located in Tirana because local press is a species that has been extinct for years now. Almost none of the daily newspapers, including the largest one, which reaches a daily circulation of 25,000 copies, have managed to turn into profitable businesses. The ad revenues for newspapers remain significantly lower than the standards demand, and an ad page in Albania is sold tens of times cheaper than in other countries in the region. Similarly, the revenue from subscriptions remains low. Even the largest newspapers' subscribers do not surpass several hundred per year. According to Tela, editor-in-chief of the largest daily newspaper in the country, *Panorama*: "The largest-circulation newspapers in the country might have at most 1,000 copies in subscription per day, and the others have 200–300 subscriptions per day. However, most of the low-circulation newspapers do not have any subscription at all." However, the number of newspapers in the country continues to rise instead of fall because of bankruptcy. According to the panelists, this is understandable, because although

INDEPENDENT MEDIA ARE WELL-MANAGED BUSINESSES, ALLOWING EDITORIAL INDEPENDENCE.

BUSINESS MANAGEMENT INDICATORS:

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

the newspapers are not managed by businesses, they are financially supported by businesses that establish these newspapers in order to use them as weapons for attacks or as shields to defend themselves. In this context, where even the independent institutions of the journalists' community (associations of journalists, board of ethics, etc.) that regulate and preserve professional standards are not active, it is very difficult to speak of complete editorial independence.

This explanatory scheme for the media-business relation is also valid for electronic media. However, electronic media, especially the biggest television stations located in the capital, appear to be more successful when it comes to generating revenue from advertisement. In Albania, the advertising market is still about 15 million USD per year, and the lion's share in this market is still absorbed by the largest television stations (Top Channel, TV KLAN, TVSH), mainly based in the capital. This has led to a more stable nature of the balance sheets of these stations and to higher salaries for the journalists working in them. However, the panelists stressed that increasing advertisement in electronic media also has led to an increase in pressure of big companies on their editorial policy. According to Dervishi, there are big companies, like AMC and Vodafone, that advertise not because they need to expand the market (presently they have about 2 million subscribers), but to keep the media quiet from criticizing the high monopoly fees these two mobile telephony companies charge in the market.

State subsidies for the media were also extensively debated. The government's decision to stop advertising in newspapers and televisions for big state companies, such as Albtelekom and the Albanian Energetic Corporation, was debated by panelists. According to the panelists, there is also a ban on government ministries' notifications for job positions and public tenders. In the past, the fact that powerful public companies advertised only in those media that supported the government had been part of the political debate. This was perceived as a disguised government subsidy, consisting of about one million dollars from public funds, a payment by the government for the services it received.

However, some panelists did not assess as positive the fact that the advertising market for the media was now one million dollars lower due to these government decisions. They said it would have been better if public companies would continue to advertise in the media, based not on their political sympathies but on audience research. According to them, following the public interest and that of the public companies, they should buy advertising in those stations and newspapers that offer the largest audience in spite of their stance vis-à-vis the government at the moment. However,

this development, which would be normal in a real media market, was also obstructed, some panelists think, by the fact that the newspapers' circulations and television stations' audience shares are not yet transparent and accurate, leaving ample room for favorable treatment by government in allocation of public advertisement to media. Even after this argument, Ulqini, a member of parliament and a member of the Parliamentary Commission on Media, appeared to be skeptical in relation to the public funds' advertising in commercial media. "Largest-circulation newspapers are not necessarily the best and most influential in conveying messages of civil education, such as surrender of weapons," said Ulqini, adding that he was still against it, because these purchases cannot help assuming the form of government support with a preferential influence on the media.

In Albania, studies on the advertising market are made by separate media outlets and remain quite few. With regard to the audience survey, the Institute of Surveys and Opinions (ISO) has started such a project in the past months. However, unlike some years ago, when it was supported by IREX, this institute will no longer publish audience share for all stations, but only for those stations that want to purchase its services.

OBJECTIVE 5: SUPPORTING INSTITUTIONS

Albania Objective Score: 2.40/4.00

There is a slight decrease in this objective for 2006, compared with a year ago, but this does not mean that there are no positive developments. One of the main developments is the establishment of the Union of Albanian Journalists (UAJ), which aims to fight the informality in the media market, where most Albanian journalists continue to lack labor contracts. UAJ, which has about 300 journalists from all districts in the country, is the first institution that collects regular membership fees and has distributed regular membership cards. At the end of 2006, UAJ co-signed an agreement with the Ministry of Labor, which also includes a common engagement in fighting informality in the media market. Being aware that without proper work contracts the journalists are helpless against media owners and therefore find it difficult to preserve their professional integrity, the Union has started negotiating with a number of commercial stations and newspapers to employ labor contracts. UAJ also has elevated its public profile as an organization that protects journalists' rights from any kind of violence or denial. The same cannot be said for some journalists' associations that have existed formally for years but do not have any specific activities that support journalists.

With regard to the other institutions that are supposed to support the development of professional media, the panelists addressed one of the most debated problems in 2006: the relation of the National Council of Radio and Television (NCRT) to politics. Some of the panelists stressed the increase of political influence from the government on this body, whose legal competency is the allocation and revision of licenses for radio and television stations. For some of the panelists, the recent NCRT decisions to grant a license to another local station in Tirana—which has been widely covered in many media outlets in the country—is evident favorable treatment of the media close to the government. These decisions were made after the government reduced the number of NCRT’s members from seven to five, which caused powerful protests from the opposition, some media, and civil society. These events raised strong suspicions that there is a chance that NCRT will act politically and not professionally when the time comes for deciding on the re-licensing of existing stations. It is a fact that almost none of the television stations have fully respected the licensing terms. However, there is also doubt among many in the media community that NCRT will be fair with those television stations that show greater criticism toward the government.

In Albania, the media continue to receive significant public support. In spite of the cases of violation of personal privacy, the public seems to be one of the most influential factors in protecting free speech and media as the industry of free speech. This was evident some time ago when the media company Top Media found itself under government pressure and called upon the citizens to participate in a protest for

the protection of media freedom. The fact that the protest organized in Tirana’s main square drew tens of thousands of people, a presence not witnessed in years, indicates the public support that free media enjoy.

Regarding the professional training of journalists, the main source continues to be the journalism branch at the University of Tirana. When it comes to nongovernmental organizations (NGOs), there are two of them that support the development of independent commercial media in Albania. Since 1998, IREX has had an office in Tirana and has implemented many projects supporting free media, ranging from different kinds of training to the improvement of media legislation. IREX is increasingly focusing on building institutions that foster the development of media as an independent power, as well as in assisting development of journalism that echoes the achievements of civil society and investigative journalism that assists the fight against corruption. Another nongovernmental institution that has supported Albanian journalists for years now through training and other projects is the Albanian Media Institute (AMI). In general, this is not sufficient, as AMI and IREX are donor-dependent, meaning sustainable local training does not yet exist.

Participants

Fatos Baxhaku, Journalist, *Shqip* newspaper, Tirana

Andi Tela, Editor-in-chief, *Panorama* newspaper, Tirana

Kujtim Pore, Manager, TV Mati, Mat

Lutfi Dervishi, Freelance journalist, Tirana

Iris Luarasi, Owner, Radio ime; Professor of Journalism, University of Tirana

Gent Ibrahim, Lawyer, Tirana

Aleksander Cipa, Head, Union of Albanian Journalists, Tirana

Genc Ymeraj, Editor, News 24 TV station, Tirana

Bashkim Hoxha, Owner, Teuta TV, Durres

Musa Ulqini, Member of Parliamentary Commission on Mass Media, Tirana

Moderator

Andrea Stefani, Senior Media Advisor, IREX/Albania

SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of private media owners and provide member services.
- > Professional associations work to protect journalists’ rights.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs that provide substantial practical experience exist.
- > Short-term training and in-service training programs allow journalists to upgrade skills or acquire new skills.
- > Sources of newsprint and printing facilities are in private hands, apolitical, and unrestricted.
- > Channels of media distribution (kiosks, transmitters, Internet) are private, apolitical, and unrestricted.