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# ALBANIA

Even though it started as a comparatively quiet political year, by the end of 2012, Albania had been refused candidate status for membership in the European Union for the third time. Refusal to grant candidate status is related to the lack of sufficient progress in the completion of democratization reforms, particularly in strengthening the independence of the judiciary, as well as the lack of positive records in the fight against corruption and organized crime. Almost parallel to the rejection of the candidate status, the annual report of Transparency International (TI) ranked Albania as the most corrupt country in the Balkans region, excluding Kosovo.

Political life seemed to be calmer than the previous year, and it even saw consensus between the two parties, as in the case of the election of the People's Advocate. However, the conflicts over more essential issues could not be avoided. Parliamentary political parties barely managed to reach an agreement on the restriction of immunity for members of parliament and judges. Although at first sight it aims to intensify the fight against corruption, the reform can be distorted by other factors, such as the lack of an independent judiciary. The election of the president of the republic was also controversial and not consensual. Contrary to the insistence of the opposition and even the suggestions of the international community, Prime Minister Sali Berisha took advantage of the 2008 amendments to the constitution and elected one of the members of his party, former Minister of Interior Bujar Nishani, to the post of president.

The year concluded with political parties mutually blaming each other for the EU candidacy rejection. The debate is becoming even more heated in the run-up to the parliamentary elections of June 2013. Incumbent Prime Minister Berisha will seek a third term of government for the Democratic Party, while the opposition, led by the Socialist Party, considers Berisha's exit necessary to fight corruption and organized crime, while paving the way for economic and democratic revival.

Combined with the effects of the deepening economic crisis, political conflict has further increased pressure on the media, eroding independence. The sketch of the media landscape in the European Commission's Progress Report for Albania in 2012 is far from optimistic: "Editorial independence continues to be hampered by private political and economic interests. There are concerns that public advertising is directed to the television channels that are supportive of the government." The report also mentioned many other issues, such as the pressure of the economic crisis on the media, the lack of employment contracts for journalists as one of the roots of their self-censorship, and government interference in the appointment of public-television managers.

The MSI publication finds Albania on the eve of parliamentary elections to be held in June 2013. Considering that during the 20 years of transition elections have generally been contested and far from free and fair, these elections are of decisive importance for Albania to continue toward European integration. The opposition has warned that the government of Prime Minister Berisha is mobilizing for a fraudulent election, while Berisha has publicly promised that the elections will be free and fair. For an increasing number of observers, this promise is dubious, considering the absence of independent institutions with which to ensure a transparent process, in spite of society's broad desire for clean elections.

# ALBANIA at a glance

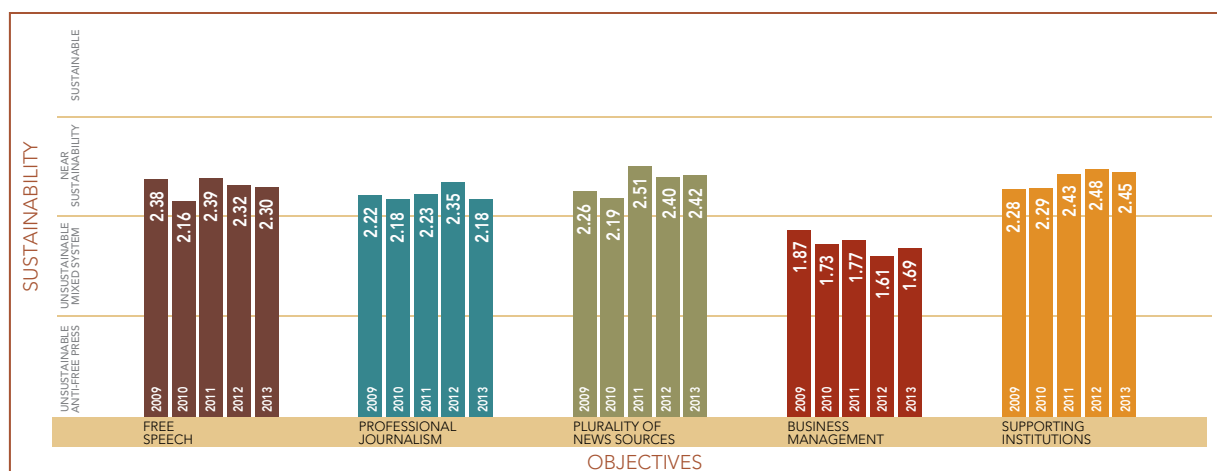
## GENERAL

- > Population: 3,002,859 (July 2012 est. *CIA World Factbook*)
- > Capital city: Tirana
- > Ethnic groups (% of population): Albanian 95%, Greek 3%, other (Roma, Vlach, Montenegrin, Macedonian, etc.) 2% (*CIA World Factbook*)
- > Religions (% of population): Muslim 70%, Albanian Orthodox 20%, Albanian Catholic 10% (*CIA World Factbook*)
- > Languages: Albanian
- > GNI (2011-Atlas): \$12.793 billion (World Bank Development Indicators, 2012)
- > GNI per capita (2011-PPP): \$8,900 (World Bank Development Indicators, 2012)
- > Literacy rate: 98.7% (% of population age 9+) (*CIA World Factbook*)
- > President or top authority: President of the Republic Bujar Nishani (since July 24, 2012)

## MEDIA-SPECIFIC

- > Number of active print outlets, radio stations, television stations: Print Outlets: 160 (estimation); Radio Stations: two national, 56 local (**National Council of RTV**); TV Stations: three national, 71 local, two satellite, 83 cable (**National Council of RTV**)
- > Newspaper circulation statistics: N/A
- > Broadcast ratings: N/A
- > News agencies: Albanian News Agency (state), NOA (private), AMA (private), Albpress (private)
- > Annual advertising revenue in media sector: 54.5 million euros (estimation) (ABACUS Research)
- > Internet users: 1.3 million (*CIA World Factbook*)

## MEDIA SUSTAINABILITY INDEX: ALBANIA



## MEDIA SUSTAINABILITY INDEX 2012: OVERALL AVERAGE SCORES



### CHANGE SINCE 2012

▲ (increase greater than .10) □ (little or no change) ▼ (decrease greater than .10)

**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.

Scores for all years may be found online at [http://www.irex.org/system/files/EE\\_msiscorers.xls](http://www.irex.org/system/files/EE_msiscorers.xls)

## OBJECTIVE 1: FREEDOM OF SPEECH

### Albania Objective Score 2.30

In Albania, freedom of speech enjoys constitutional protection, and politicians uniformly and openly support free speech. Constitutional protection of freedom of expression is embodied in the press, the law on public and private broadcasters, and the law on access to information. There is also the jurisprudence of the European Court of Human Rights based on Article 10 of the Convention, which provides clear standards for free speech in Albania. However, the perception of the media community is that, similarly to other areas, a gap between written laws and their implementation in practice remains. Given this discrepancy, Vali Leskaj, chairwoman of the parliamentary committee on media, stressed that “the legal basis for freedom of speech exists, but law enforcement is a concern for freedom of expression in the country.”

An important development is the government’s adoption of the national strategy for conversion from analog to digital broadcasting technology. The strategy provides for the adoption, before the elections of 2013, of a new broadcasting law, currently under consideration in the parliamentary media commission. The law is expected to have a strong impact on the broadcast market due to the reallocation of frequencies. The effects on consumers will also be visible, as they will not be able to receive programs

#### 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 or registration of media protects a public interest and is fair, competitive, and apolitical.
- > Market entry and tax structure for media are fair and comparable to other industries.
- > Crimes against media professionals, citizen reporters, and media outlets are prosecuted vigorously, but occurrences of such crimes are rare.
- > The law protects the editorial independence of state of public media.
- > 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 available; right of access to information is equally enforced for all media, journalists, and citizens.
- > Media outlets’ access to and use of local and international news and news sources is not restricted by law.
- > Entry into the journalism profession is free and government imposes no licensing, restrictions, or special rights for journalists.

Panelist Remzi Lani, director of the Albanian Media Institute, lamented, “The reform to decriminalize defamation and libel was a step forward, but an insufficient one.”

for free when full digital broadcasting is completed. According to panelist Genti Ibrahim, lawyer at the Institute for Legal Studies, “In this context, the most relevant issue under discussion and the one with an essential importance to freedom of expression in the country is that of the ownership of digital platforms.”

However, despite the fact that freedom of the press is guaranteed at the constitutional level, there is no comprehensive law on the press, and thus there are some shortcomings. Legal problems arising from misuse of free speech by journalists are solved by general civil and penal legislation. Amendments to the Civil Code adhered to the principle of proportionality; thus, it is no longer possible for a journalist on a monthly salary of 300 euros to receive a court-ordered penalty of 30,000 euros.

Regulations on libel and defamation are still part of the Penal Code; the amendments seem to be insufficient to guarantee full freedom of speech. While the ruling party has brought lawsuits by public officials against journalists, a considerable number of journalists have still been sued by individuals. This demonstrated to the panel that the problem requires a further legal solution, not simply supportive political rhetoric. Panelist Remzi Lani, director of the Albanian Media Institute, lamented, “The reform to decriminalize defamation and libel was a step forward, but an insufficient one. We were unable to fully decriminalize libel and defamation.”

Past attempts to draft a more comprehensive law on the press—which, among other things, would guarantee the right of the accused to address grievances in the media, rather than in court, and clarify liability of media outlets for their content—have been abandoned.

With regard to reactions of the Albanian public in cases when the government might infringe upon freedom of expression, it can be said that although the public generally supports freedom of expression, it often faces some difficulty in understanding the problem due to controversies within the media itself. For some of the panelists, public engagement in this regard is insufficient. “The public reaction is weak, if not nonexistent,” said Ilir Yzeiri, a journalist and professor of journalism at the University of Elbasan.

According to panelist Thanas Goga, "Licensing of broadcast media is under direct political influence, and it is clear that the main problem is the composition of the media regulatory council."

Legislation on broadcasting consists of two laws, one for the public and private broadcasters and one for digital broadcasting. These two laws, which the National Council of Radio and Television (NCRT), a regulatory body, enforces, have established a licensing regime for broadcasters conditioned by three factors: availability of free frequencies, fulfillment of program conditions, and fulfillment of conditions associated with legal persons.

In terms of the licensing process, it should be said that political pressure intertwines with that of private operators, who often succeed in affecting NCRT decision making. For more than two years, the parliamentary opposition has been under-represented in the NCRT. According to Ibrahim, media lawyer and expert in drafting media laws, "The latest appointments to the NCRT have had a significant political character, considering that two of the nominees have come directly from the cabinet of the prime minister and that of the speaker of the assembly." According to panelist Thanas Goga, a marketing analyst for A&R Advertising, "Licensing of broadcast media is under direct political influence, and it is clear that the main problem is the composition of the media regulatory council." This view was also supported by Prec Zogaj, a publicist based in Tirana, who said, "The NCRT, as an unbalanced institution and traditionally politicized one, has an inhibitory role on media freedom and, in fact, it serves as tongs for politicians to capture the media."

There are no serious barriers to enter the media market, and the tax structure for media is relatively favorable, compared with other sectors. But the panel expressed the opinion that media that are critical to the government often face obstacles of a different kind, such as pressure from tax authorities. According to Yzeiri, "There are no murders or imprisonments of journalists in Albania, and this makes us look very different from Putin's regime, but the pressure on independent media makes us realize that the model is the same." Yzeiri said media outlets critical to the government and the businesses that support them face a discriminatory pressure from tax authorities. While the opposition media are discriminated against, the media supporting the government are rewarded.

From a practical standpoint, the disproportionate distribution of state advertising and notifications of spending among media close to the government became a top concern in 2012, when the political opposition published some statistics that clearly showed the significantly higher spending allocated to media close to the government. According to Lani, it is clear that the government had a political approach in terms of distribution of state advertising. "This is not just abuse of public money, but it is also a serious distortion of the media market," Lani asserted.

Crimes against journalists are not frequent. When there are such cases, they are spontaneous and in the form of hindering the activity of journalists. However, in cases where the perpetrators are state employees, the sanction often remains an administrative one (dismissal of the officer), but the penal option is not always used. In December 2012, a reporter for *Shqiptarja.com*, the independent daily newspaper that tends to favor the opposition, was assaulted by a group of unknown persons. However, as of this report's completion, the reasons for the aggression remain unknown.

Obtaining information from official sources remains a problem, although there are no legal obstacles. In practice there are no standards and stability. Discrimination in access to information is only of a political nature and is not based on gender, ethnicity, or religion. In general, the journalists from media close to the governments are favored. According to Valbona Kurti, a journalist on TV Vizion +, "Although the right to information and access to public information is guaranteed by law, the doors of public administration remain shut when faced with inquiries of journalists on various issues, even when the request is made in writing." Anila Basha, editor-in-chief of *Shqiptarja.com*, also supported this opinion. According to her, "The government has become increasingly selective in providing information to the media, favoring media close to the government. The most flagrant case was refusal of the Tirana Municipality to provide information to the Union of Journalists when it asked for documents on a public investment."

Media in the districts are lagging rather far behind, from a technological and investment point of view, compared with media in the capital. According to Goga, "Even though there are some media groups that have made commendable modern investment, most media outlets, especially in the districts, have significant room for improvement." Apart from financial limits imposed by usage fees for wire-news services and high-speed Internet, media outlets enjoy unlimited access to international news and information sources.

Entrance to the journalism profession is free; the government does not impose any licenses and restrictions



and does not exclude bloggers or other new-media practitioners. However, while not prohibited, in practice it is not easy to be a journalist for an outlet that criticizes the government. In general, the authorities indirectly work to increase the personal costs of criticism of the government in order to create self-censorship. Relatives of journalists who are visibly in opposition are dismissed from public-sector work or encounter difficulties in maintaining their private business. Vali Leskaj, chair of the Media Commission of the Albanian Parliament, says that although “there are no restrictions in the profession of journalists, journalists often face political dilemmas.”

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

### Albania Objective Score 2.18

Ethical standards, such as the verification of information with more than one source, are taking root in Albanian journalism as a rather professional generation of journalists has emerged. They carry out reports and do research by consulting experts and conduct very professional interviews. The panelists noted a positive phenomenon: the publication of books by well-known journalists who have focused on the range of problems associated with democratic transitions in Albania.

However, the provision of accurate information to citizens through fair and objective reporting is hampered by interference from political and business interests. Especially in media outlets with party affiliations, the standard of checking information with at least two sources is often

## 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 and retain qualified personnel within the media profession.
- > Entertainment programming does not eclipse news and information programming.
- > Technical facilities and equipment for gathering, producing, and distributing news are modern and efficient.
- > Quality niche reporting and programming exist (investigative, economics/business, local, political).

According to Dervishi, “Journalism is, in general, engaged in respective political fronts and fights, or flirts with power and is closer to the owner or politician than the public.”

overlooked. Lutfi Dervishi, journalist and director of Transparency International Albania, thinks that there are highly professional reports and chronicles but that there are also some others that are disappointing.

Due to partisan reporting, sometimes individuals must follow several reports of the same news piece in different newspapers or television broadcasts in order to objectively understand what happened. According to Dervishi, “Journalism is, in general, engaged in respective political fronts and fights, or flirts with power and is closer to the owner or politician than the public.” The panel concluded that while in recent years pundits in the media have gained notoriety and prestige, traditional reporters have not.

There were many critical opinions during the debate on the professionalism of journalists. As Kurti described, “It cannot be said that journalism in Albania meets professional standards.” Dervishi agreed, saying, “Journalism does not yet meet professional standards; there are fundamental problems in news reporting and significant bias in editorial policies.” According to these opinions and other panelists, what should be news offered to the public is instead mere statements and counter-statements of political wings and press conferences, while genuine investigation is missing. The factors that condition this situation are related to the existence of newsrooms with few journalists, the inability to access information from institutions, and the interests of media bosses linked to politics.

In general, the ethical standards in Albanian journalism are more a result of the professionalism of journalists and market competition, rather than any form of self-regulation from the associations. The Code of Ethics, adopted in 2007 by journalists’ organizations and some media outlets, is in accordance with international associations’ standards. Meanwhile, the Press Council, the body charged with overseeing ethics and resolving conflicts of an ethical nature between the media and readers, has not functioned. Some outlets have established their own codes of ethics, and this compensates somewhat for the lack of self-regulation by journalists’ organizations.

However, observance of ethical standards remains a problem. The most notable violations take place during

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political debates on television, where journalists of opposing wings insult each other, as well as in online forums. Lani noted, “While we have generally serious standards in the mainstream media, there is an alarming situation in the online media—in forums, blogs, discussions—where hate speech or privacy violations are not the exception but the norm.” Others supported this opinion. Zogaj said, “A solution must be found to the problem of insults in online newspapers’ forums, and the ethics for online media should be the same as for print media.” The example of the daily *Panorama* newspaper, which does not allow the publication of insults and offenses in its forums, was mentioned by the panel.

Although there are concerns about the hidden commercial impetus behind news, media coverage overall preserves a satisfactory balance between news and commercial content. There has been no confirmation of any case of bribery of journalists, but some doubted that there were no such cases. Suspicion is further reinforced when considering the generally low salaries of journalists.

The panel concluded that self-censorship of journalists is already obvious and easily perceptible. According to Ibrahim, “It is generally possible to predict the position of a media outlet regarding a particular issue or vis-à-vis a public figure, which is not a consequence of any ideological coherence of the media but is rather due to self-censorship of journalists, editors, and even editors-in-chief.” Dervishi claimed, “Self-censorship not only exists, but it is absolute and it is cemented now.”

Not only are journalists unable to publish a story that the outlet owner or the political wing supporting the newspaper do not like, but they have started to adapt reports and comments in accordance with the preferences of owners or political parties. According to Leskaj, “Journalists are self-censored due to the economic interests of the owners and due to political interests. As a result, they find it difficult to cover specific events.” The alliances between politics and media ownership were also identified at the root of self-censorship of journalists. Basha noted, “Media directors and managers often strike compromises with the

business and politics, which, in this year, seems to have gravely affected media freedom and independence.”

The panel brought up several cases of this type of self-censorship among journalists or stations. TV Klan, a private media outlet that supports the government, did not report on the debate over the biased allocation of government advertising funds to the media. By contrast, Top Channel TV, an outlet generally critical of the government, used this debate as the main focus of its news broadcasts. In the districts, self-censorship is even more pronounced due to the poverty of the outlets. According to Shkëlqim Bylykbashi, owner of a local television station, media in the districts align with any business or local government that grants them advertising. “It is a situation where there is a lot of abuse, which is threatening to media freedom,” said Bylykbashi. However, for Iris Luarasi, journalist and professor of journalism at the University of Tirana, the problem of self-censorship is even more profound and has far-reaching consequences. According to Luarasi, “An absolutely conformist generation is emerging, which starts to think how to adapt to their job and how to write the news if working in opposing newsrooms, even though they are still students.”

Although some media can overlook reporting a key event, overall the media market reasonably covers the range of issues of life in the country, including local and international security affairs. Reporters can be prevented from covering only news that affects the interests of the owners, but in this respect, self-censorship takes center stage. The panel did not note any case of prevention of reporting on news of national or international security. Online social networks, such as Facebook, YouTube, and Twitter, have experienced a wider popularity, but they do not yet manage to compensate for the shortcomings in more traditional media. Goga still saw shortcomings, noting that “despite the large number of media outlets in the country, they do not pay proper attention to coverage of events and issues of genuine public interest.” For the majority of the panel, this is the result of excessive politicization and of the significantly greater space devoted to the political debate, at the expense of economic, social, or cultural debates.

Despite the generally low level of wages in Albania, the media sector offers competitive salaries comparable with some other sectors. Private media outlets tend to offer higher salaries than public ones. Often there is a strong disparity between the salaries of the most renowned journalists and those of young reporters. There are no proven cases of paid articles or stories, but there are other ways for interest groups to influence journalists. It does seem that the economic crisis has further deteriorated the financial situation of journalists. According to a survey by

the Union of Albanian Journalists (UAJ) from November 2012, journalists in about 75 percent of the media received their salary with a delay of one to three months. "The number of media outlets that do not pay their journalists on time is increasing, and it is unfortunate that the institutions responsible for monitoring and denouncing these violations, such as the Inspectorate of Labour and Tax Office, do not perform their duty and prevent the deterioration of the situation," said UAJ Chairman Aleksandër Çipa.

The panel also debated whether journalists' salaries are such that they do not foster corruption and bribery. The general conclusion was that, with the exception of the directors and editors, the level of wages for most journalists was not sufficiently high to discourage corruption. According to panelist Yzeiri, "There are huge differences in wages between journalists. Young journalists are generally underpaid." According to Basha, "Journalists, though they work in good premises, are poorly paid, and there are major differences between them and media managers."

In terms of the ratio between entertainment and news programs, it must be said that the law on radio and television has established clear rules on programming, which dictate a good balance between them. However, some stations clearly tend to favor information programs at the expense of entertainment, Goga reported. "News reports are overwhelming in certain time slots, which is a phenomenon that some observers describe as poor programming," he said. Leskaj agreed, saying, "The media are dominated by the news, covering mainly the principal political actors." Almost all of the panelists supported these opinions.

The panel found that there has been no substantial change in the structure of the media in terms of premises and equipment for gathering and producing news. They are modern and efficient for a small group of media outlets based in the capital, while the situation in the districts is significantly worse. "There is a huge difference between national and local media regarding premises and equipment, and local media are poorer," said Luftim Vani, owner of local television station TV Mati.

Investigative journalism and coverage of niche topics also seems to be deficient. According to Goga, "Investigative journalism is in its first steps." Basha also shared this opinion and said that "cases of investigation exist, but this is not yet a general trend, and in many papers investigative journalism is missing because, in one way or another, the newspaper owners are connected with the business, which is itself connected to politics, leading to the establishment of what we can refer to as the chain of obstructive links."

The general opinion was that rather than a lack of ability, most media outlets cannot afford to commit journalists and resources to investigating a single issue in-depth. The shutdown of the investigative program "Hapur," which was supported by USAID, has also added to the existing shortcomings. The only investigative program in action is "Fiks Fare," broadcast by Top Channel.

### OBJECTIVE 3: PLURALITY OF NEWS

#### Albania Objective Score 2.42

There are about 160 newspapers and magazines, 58 radio stations, and 157 television stations in Albania. This confirms the pluralistic media situation, which allows for different angles and enables citizens to access a variety of news sources in order to have objectivity. The expansion of Internet service in Albania to more than two hundred thousand household subscribers, as well as the creation of online services from television stations and newspapers, has opened new territory for contact between the media world and citizens. The public has become more familiar with social networks, such as Facebook, YouTube, and Twitter, and the public uses these more frequently. Another extra dimension is the use of mobile phones, an increasingly popular choice for disseminating news.

In general, given their commercial interests, the electronic media tend to be regional in scope, covering the majority of the population (about 80 percent), who live in Western

### MULTIPLE NEWS SOURCES PROVIDE CITIZENS WITH RELIABLE, OBJECTIVE NEWS.

#### PLURALITY OF NEWS SOURCES INDICATORS:

- > Plurality of public and private news sources (e.g., print, broadcast, Internet, mobile) exist and offer multiple viewpoints.
- > Citizens' access to domestic or international media is not restricted by law, economics, or other means.
- > State or public media reflect the views of the political spectrum, are nonpartisan, and serve the public interest.
- > Independent news agencies gather and distribute news for media outlets.
- > Private media produce their own news.
- > Transparency of media ownership allows consumers to judge the 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
- > The media provide news coverage and information about local, national, and international issues.



**“The problem of public media in Albania is not only that it is partisan, controlled, and old-fashioned, but that after 20 years of failed attempts to reform it, the idea of public television in Albania is now discredited,” said Lani.**

Albania. National media outlets have failed to cover all the country’s territory. Small towns, which often do not fall under the scope of national or regional television coverage, receive service from cable operators that broadcast programs of important national, regional, or foreign broadcasters.

The panel concluded that there is no legal restriction regarding access to the local and international media. However, the panelists underlined that a number of citizens, mainly in the districts and villages, seem to lack sufficient access because they cannot afford the prices of the services, while in some cases, the services are altogether missing. Even to this day, the press does not reach some villages, while Internet service is more widespread in urban areas. According to Ibrahim, “Income level is a limiting factor for access to subscription-only media, but it also negatively affects Internet penetration, which is still very low (only 6.6 percent of the population), despite the growth trend.” The panel concluded that the only obstacle of a political nature in this respect might be the policy of licensing broadcasters by the NCRT. The opposition has accused the NCRT of indirectly limiting public access to some local media that criticize the government.

Cable stations are now present across the whole territory, though access is limited by financial hardship in many regional households. NCRT regularly licenses new cable operators or approves extensions of broadcasting area for existing cable broadcasters. This year, cable broadcasters have undergone a wave of sanctions by the NCRT on piracy grounds.

The panel found almost unanimously that the public broadcaster, Albanian Radio and Television, has become even more closed to opposition views. According to Lani, “The problem of public media in Albania is not only that it is partisan, controlled, and old-fashioned, but that after 20 years of failed attempts to reform it, the idea of public television in Albania is now discredited.” Lani said that it is difficult to find Albanians who still believe in the idea of a public broadcaster.

A remaining problem is the interpretation of government activities as something unrelated to any of the political wings, even though the activities are clearly in favor of the party in power. It can be said that the public media rarely fill in the gaps created by commercial media, and usually this is in the form of cultural or sports programs. Goga said, “The state media, which are not yet really public, are completely partisan, a permanent client of each ruling majority, and do not serve the public interest.” His opinion was also supported by Leskaj. “The public operator has nothing in common with the public, except that it is supported by the citizens’ taxes, because it is totally biased in favor of the government,” he said. This was, in essence, the opinion of the other panelists as well.

The panel found that in addition to independent international news agencies, such as Reuters, AFP, DPA, and others, there are also some modest local agencies. The panelists were divided on whether they can be considered independent, but they agreed on the fact that local agencies disseminate information on a nondiscriminatory basis. Newspapers rarely use the official news agency, the Albanian Telegraph Agency, and especially opposition or independent newspapers, as their news bulletins are viewed as strongly biased in favor of the government. Kurti explained that for her as an editor, the benefit of the local agencies was that she becomes familiar with the main news and problems of the day before journalists reach the newsroom with their own news. However, most media outlets prefer internationally recognized media agencies as information sources and generally cite the source of information. Not all media, especially in the districts, can afford the services of international agencies.

All independent media, both local and national, produce their own news programs. Generally they are radically different from news programs produced by the public media in terms of political bias. Independent and opposition media tend to broadcast news that public media and media close to the government are keen to censure or to comment on differently from independent media.

Media ownership has been more transparent after the establishment of the National Business Registration Center. The law imposes criteria for ownership of electronic media as well. While the public has some understanding of the ownership of most outlets, the spirit of the law is regularly violated. According to Goga, “It is true that there is a certain level of transparency that allows the consumers to assess the objectivity of news, but the reality in official documents, according to media researchers’ comments, is quite different from the real ownership of the media.”

Recently there were some movements by electronic media outlet owners aiming to circumvent legal restrictions and establish control over outlets other than those they legally own. This aim is achieved by “puppet” owners, who, although they legally appear as new owners of the firm, are allegedly under the control of other incumbent media owners, who are not allowed by law to own other media. Media ownership remains a concern to Basha, because there are laws on the matter, but they are not enforced. There are owners who have bought two or more newspapers and stations, which have led to concentration. This concentration in media ownership has caused distortions in the coverage of events. Nobody has acted on the situation, nobody investigates, and nobody takes this matter for inquiry in front of the competition authority. “There is a silent peace between media players and the government for egregious distortion of the media in Albania, which is unprecedented,” Basha said. Luarasi also agreed that today it is easy to find the name of the owner on the National Business Registration Center’s website, but you cannot find out which political force or which businessmen are behind them. “People are not sure whether the owner of a newspaper or a television station is a politician or a businessman who is known to be associated with the politician or political wing in question,” said Luarasi.

The panel acknowledged that media monopolies and oligarchy are increasingly present and that there are almost no foreign investments that would introduce balanced competition to the market.

A wide range of social issues are covered in the media, but not sufficiently, in the panelists’ opinions. This is due to the politicization of daily life in Albania, rather than to any interference from government bureaucrats or the newsrooms. Media focus on political developments related primarily to the nature of the political system and relegate other issues to second-hand status.

Local issues are under-appreciated, while international ones occupy a greater space. Media coverage of issues related to gender, ethnicity, religion, or sexual orientation is primarily through a scandalous angle, such as domestic violence against women, violations against symbols of a religious community, the growing nationalistic spirit, or the cases of violence against individuals or communities with differing sexual orientations. However, there are almost no programs that would cultivate a mindset and attitudes that would prevent violations of human rights and freedoms in these aspects.

The panel concluded that in areas where minority concentration is greater, such as the Greek minority in the south or the Macedonian one in the southeast, there

According to Ibrahimi, “Income level is a limiting factor for access to subscription-only media, but it also negatively affects Internet penetration, which is still very low (only 6.6 percent of the population), despite the growth trend.”

are sufficient information sources at the local level or in their respective languages. According to Luarasi, “In the south of the country, there are media funded by the Greek community, while Radio Gjirokastra produces programs for this minority. In Prespa, there is a radio for the Macedonian community, while the public radio broadcasts for minorities in the south at Korçë, and north at Shkodër.”

#### OBJECTIVE 4: BUSINESS MANAGEMENT

##### Albania Objective Score 1.69

Media outlets and companies that support the media are still far from being efficient, professional, and profitable businesses. This situation was aggravated by the recent economic crisis. Most of the media outlets are supported by other businesses in their ownership conglomerate, which use the media outlets they own to promote and protect their interests. Only a few major media outlets, such as Top Channel group or TV Klan, have succeeded in becoming profitable companies. In general, media outlets employ

#### MEDIA ARE WELL-MANAGED ENTERPRISES, ALLOWING EDITORIAL INDEPENDENCE.

##### BUSINESS MANAGEMENT INDICATORS:

- > Media outlets operate as efficient and self-sustaining enterprises.
- > 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.
- > Government subsidies and advertising are distributed fairly, governed by law, and neither subvert editorial independence nor distort the market.
- > Market research is used to formulate strategic plans, enhance advertising revenue, and tailor the product to the needs and interests of the audience.
- > Broadcast ratings, circulation figures, and Internet statistics are reliably and independently produced.

**“The fact that we have no written or broadcast news or story on the high fees that mobile companies apply in Albania, which are much higher than those in other countries in the region, shows that any powerful company can have undue influence on editorial practices,” said Luarasi.**

accounting specialists for their accounting practice, as well as marketing specialists for advertising. However, staff cuts due to the crisis have also had consequences in this regard.

According to Ibrahim, “Albanian private media, especially print media, are not efficient businesses, allowing themselves to have long-term losses, while the firms that fund the media outlets are private and operate like real businesses.” The panel concluded that no public or private media, including the online ones, have adequate and diversified resources and funding necessary to prevent political interference. Public media are highly dependent on the funding they receive from the government.

Despite the fact that the financing sources of private media are relatively diverse, larger sponsors remain very important for survival and are therefore able to influence the editorial policy of the media. Luarasi mentioned the example of cellular companies, which, taking advantage of their position as significant advertising clients, have managed to block any news or commentary on the country’s very high mobile-communications fees. “The fact that we have no written or broadcast news or story on the high fees that mobile companies apply in Albania, which are much higher than those in other countries in the region, shows that any powerful company can have undue influence on editorial practices,” said Luarasi. Recently, the phenomenon of powerful mobile companies establishing their own radio stations has emerged, even though the law prohibits this practice. However, the companies in question have managed to evade the law by registering their media outlets at the NCRT under others’ names.

There is increasing interest among international advertising agencies in the marketing and communications sector in Albania. However, supporting media structures, such as advertising agencies and media distribution agencies, have not managed to consolidate and create a niche market. In most cases, it is media outlets themselves that take care of their advertising or press distribution. The panel also raised the concern that media do not cover the issue of the

advertising industry, which takes place in other countries of the world. Bylykbashi raised the issue of consolidation of advertising spending in the hands of the most powerful companies, which focus their ad buys primarily in national or regional media outlets while ignoring local ones. “Powerful business companies rarely buy advertising in local media, which happens only through personal connections in these companies,” said Bylykbashi.

The politicization of life has also invaded the decision making of advertising clients, lending considerable weight to politics and political influence. It is not rare that businesses are reluctant to advertise in opposition outlets, despite the business rationale for doing so, as they fear they could face consequences in their relations with the government. Advertising prices are generally the result of negotiations between the media and customers. The economic crisis has led to lower advertising rates and delays in payments from ad buyers due to their liquidity problems.

Although there is a significant improvement from previous years, advertising revenues as a percentage of total revenues, mostly for the media, are far from widely accepted standards. According to the panelists, during 2012 the trend of advertising’s increasing weight in the Albanian media budgets has continued, consolidating advertising as the main source of income. Electronic media outlets tend to exceed time limits permitted for advertising as set by law. There have also been some prohibited forms of advertising, such as when a presenter places products and advertises them, without clearly marking the endorsement as a paid advertisement.

While advertising remains the main source of funding for the Albanian media, subscriptions are failing to contribute an adequate share to media firm finances. The added effects of economic crisis have led to drastic cuts in advertising by the biggest advertisers in the market—mobile companies. This clearly has a negative effect on media balance sheets and promotes increasing political affiliations in the media. “The advertising market, especially for the print media, is in decline,” said Dervishi.

Last year there were increased efforts to use online presences to increase advertising revenues. Almost all newspapers or television stations have their website. The newspaper *Shqiptarja.com*, according to editor-in-chief Basha, has created an online version of the newspaper that is also available on iPad and costs 5 euros per month. Meanwhile, newspaper *Shqip*, apart from its free mobile version, has managed to sell electronically a limited number of monthly subscriptions to the newspaper in PDF. However, revenues from these services remain limited, due to still low, although expanding, Internet penetration. *Gazeta*

*Tema*, which, as described in previous MSI reports, stopped publication after the government closed its printing house, has gone fully digital and is now the country's most visited news site at about two million visitors per month. However, it has not been able to commercialize this advantage at all, in part due to the hesitation of advertisers to place ads in a paper that has raised the ire of the government.

Though officially private media firms are not subsidized by the government, the panel believed that some holding companies close to the ruling majority are indirectly subsidized through favors provided in the form of public advertising, notifications, and other access-related benefits.

There have also been instances of state subsidies for newspapers, as well as forms of state advertising in the electronic media. In general, subsidy policies, the most typical of which being a price subsidy for newspapers, have been long-term and have affected all media, without discrimination. In 2012, some state funding schemes for the media emerged, which, according to all panelists, were very favorable to some television stations and newspapers close to the government. According to Kurti, "The distribution of state advertising is preferential and nontransparent, and we do not know how much money is spent on different campaigns and what are the criteria used for their allocation." Yzeiri supported the claim that the government is a main advertising customer and favors the media that support it. "Large amounts of money, millions of euros, have been disbursed to these media, especially during the past four years, strengthening them financially, but also significantly reducing their professionalism in covering the news," he said. Leskaj added, "Government advertising is completely clientelistic, ignoring the audience of operators or the circulation of newspapers as required by law, but rather considering only the extent to which an outlet is in the service of government propaganda."

Although there is an increased presence of international companies for market research and media audience ratings, such as Nielsen, GfK, and Ipsos, market research is still rarely used to formulate strategic plans or programming structures according to audience requests and interests, or to increase advertising revenue. The entrance of these new firms is a promising sign for the future rationalization of the media market, according to market principles, though dividends have not yet been experienced in full.

Abacus Research reports on audience and consumer behavior in the electronic media sphere. A statistically significant panel is used to conduct the survey in Tirana, and in 2013, it is expected to expand nationwide.

**"Powerful business companies rarely buy advertising in local media, which happens only through personal connections in these companies," said Bylykbashi.**

According to Ibrahim, "Market research is used only sporadically, and the results are usually contested by the 'losers'" Likewise, newspaper circulation is sporadic and contestable, and newspapers do not publish their print runs. Agencies responsible for tracking circulation are still not developed efficiently.

## OBJECTIVE 5: SUPPORTING INSTITUTIONS

### Albania Objective Score 2.45

The panel agreed that in general, associations or organizations in the media community remain at the embryonic stage and do not yet have a significant impact. Ibrahim noted, "There are no official publishers' or broadcasters' associations." Basha clarified, "There are no commercial associations representing the interests of owners, or they may exist only on paper." However, on one occasion, in 2012, an ad hoc union of major broadcasters gave impetus to the fight against piracy in electronic broadcasting.

#### SUPPORTING INSTITUTIONS FUNCTION IN THE PROFESSIONAL INTERESTS OF INDEPENDENT MEDIA.

##### SUPPORTING INSTITUTIONS INDICATORS:

- > Trade associations represent the interests of media owners and managers and provide member services.
- > Professional associations work to protect journalists' rights and promote quality journalism.
- > NGOs support free speech and independent media.
- > Quality journalism degree programs exist providing substantial practical experience.
- > Short-term training and in-service training institutions and programs allow journalists to upgrade skills or acquire new skills.
- > Sources of media equipment, newsprint, and printing facilities are apolitical, not monopolized, and not restricted.
- > Channels of media distribution (kiosks, transmitters, cable, Internet, mobile) are apolitical, not monopolized, and not restricted.
- > Information and communication technology infrastructure sufficiently meets the needs of media and citizens.

According to Lani, of the Albanian Media Institute, "Training of journalists has come closer to meeting their needs: new technologies, digitization, online ethics, etc."

The mobilization of journalists in professional associations made no progress in 2012, according to the panel. In fact, even some dormant associations that had a nominal existence have officially ceased to exist. The panel agreed that the only professional association of journalists with some real activity was the UAJ. Membership in this organization is open to anyone who is practicing journalism or is a photo reporter or media employee. The number of members has expanded, but their contributions through membership fees is insufficient for the organization to meet its stated goals.

The support the UAJ can provide for journalists remains limited to statements of protest when journalists' rights are violated. The UAJ has organized activities to promote solidarity among journalists, such as the distribution of several awards for them at the end of each year, but it does not have structures and financial resources to provide training or legal advice to journalists. The UAJ periodically reports labor-relations issues that journalists face. It has lobbied with the Ministry of Labor regarding journalist contracts, but political will to tackle the problem is lacking. Consequently, the majority of reporters lack work contracts, which, according to the panel, has negative consequences for their work.

The panel stated that the work of the UAJ in this regard is obliterated by the indifference of state institutions. During 2012, the UAJ forwarded complaints about salary payment delays to journalists, which has affected 75 percent of media outlets, but the state bureaucracy has not acted. Therefore, UAJ President Çipa believes that "one of the most serious problems is the failure to take into consideration concerns raised by the UAJ." Journalists have not formed clubs or associations around specializations to develop their skills and networks. An organization of economic reporters is almost atrophied, while there are two largely inactive organizations of sports reporters. Meanwhile, the UAJ has managed to establish contacts with international organizations of journalists, such as SEEMO and Reporters Without Borders, and several similar organizations in neighboring countries.

The panel found that the Press Council, a forum set up years ago with the support of foreign donors, with the aim of promoting and encouraging self-regulation of the

community of journalists through the Code of Ethics, has not been successful. The panel said that with the exception of the UAJ and the Albanian Media Institute, other organizations did not have any outstanding successes in this area. As Goga maintained, "Other professional associations and nongovernmental organizations are not doing any admirable job of protecting the rights of journalists." The panel held that while the media highlight the contributions and concerns of NGOs, the NGOs have failed to return the favor to the media. The panel agreed that the only exceptions were the Albanian Helsinki Committee and the Albanian Human Rights Group, or *Mjaft* movement, which monitor the violence committed against and by the media. Ibrahim offered some support for the contributions of NGOs, noting, "Some NGOs have made the difference in the drafting of basic laws for the press, defamation, and, lastly, the right to information, thus creating the conditions for the more efficient functioning of the media in Albania."

The University of Tirana, the state's leading institution of higher learning, hosts a journalism department in history and philology studies. The department also has branches in Shkdra and Elbasan. A considerable portion of the young journalists entering the field in Albania are graduates of these programs. In addition to these programs, as well as some smaller degree programs hosted by private universities, the Albanian Media Institute also offers training for journalists that emphasizes the practical aspects of their work.

A specific feature of the training of journalists in the past year has been the efforts to train them on new media technologies. According to Lani, of the Albanian Media Institute, "Training of journalists has come closer to meeting their needs: new technologies, digitization, online ethics, etc." Meanwhile, the panel noted that while young journalists passionately participate in training courses that teach journalism standards of today, this passion is lost when they go to the newsroom, where there are other rules and standards not so much related to journalism but to the interests of the owners and the politics of the day. These courses are generally free to the public and are subsidized by foreign donors. Teaching and training programs are complementary, as they cover the needs of almost all media departments.

For years, the matters of printing houses, printing houses' premises, and channels of media distribution have been entirely in the hands of private entrepreneurs, and it is the market, through its mechanism of supply and demand, that sets prices. But, some panelists, including Basha, believed that monopolistic tendencies have entered the printing market of late, artificially inflating prices. The panel did



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agree that printers are not subsidized by the state and do not interfere in editorial policies.

Although there are several agencies for the distribution of the printed press, the publisher of *Panorama* and *Gazeta Shqiptare* provides the only nationwide distribution services. Other distribution agencies must cooperate with this distributor, since they share the costs. Lack of fair competition in this regard has damaged the print media market in Albania. Apart from this, the panel raised no serious concerns about print media vendors, cable providers, or other intermediaries.

ICT infrastructure development remains behind the rest of the region. During 2012, Albania joined the Open Government Initiative. In this context, the government has adopted an action plan that intends to provide, among other things, some important developments in information technology, which may have a positive impact on digital media distribution in the future.

## List of Panel Participants

**Aleksandër Çipa**, president, Union of Albanian Journalists, Tirana

**Anila Basha**, editor-in-chief, Shqiptarja.com, Tirana

**Genti Ibrahim**, lawyer, Institute for Legal Studies, Tirana

**Ilir Yzeiri**, professor of journalism, University of Elbasan, Elbasan

**Iris Luarasi**, professor of journalism, University of Tirana, Tirana

**Luftim Vani**, owner, TV Mati, Burrel

**Lutfi Dervishi**, freelance journalist; director, Transparency International Albania, Tirana

**Preç Zogaj**, publicist, Tirana

**Remzi Lani**, director, Albanian Media Institute, Tirana

**Shkëlqim Bylykbashi**, Albanian Media Club, Lushnja

**Skënder Minxhozi**, editor-in-chief, *Java* magazine, Tirana

**Thanas Goga**, marketing analyst, A&R Advertising, Tirana

**Valbona Kurti**, journalist, Vizion+ TV, Tirana

**Valentina Leskaj**, chair, Media Commission of the Albanian Parliament, Tirana

## Moderator and Author

**Andrea Stefani**, journalist and media consultant, Tirana

## Assistant

**Sokol Lilo**, media consultant, Tirana

*The panel discussion was convened on November 23, 2012.*