

**DIGITAL TELEVISION
IN ALBANIA:
POLICIES,
DEVELOPMENT, AND
PUBLIC DEBATE**

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Introduction

Digital television came to Albanian media scene as a guest that neither the law, nor the regulatory authority had not invited, or at least planned for. The first and only so far digital terrestrial television started broadcasting on July 15, 2004, amidst strong opposition from both the regulatory authority and the other TV stations. However, Digitalb has proceeded with its plans for almost two years now, boasting an increasingly high number of subscribers. This new advent in the Albanian media scene was soon followed by that of another digital platform, this time a satellite one, SAT+. After much controversy surrounding the attempts to regulate these enterprises that ensued from the regulatory authority, the Parliament, the relevant international organizations, and media representatives themselves, they have become a constant reality and serious competitors in the Albanian media landscape, even though they are still “illegal” in terms of media regulation. In order to have a better understanding of the reasons that led to the emergence of these televisions, their development, and the public debate evolving around the efforts to regulate this activity, a brief history and landscape of the Albanian media would be necessary.

Media landscape and history

The present picture of the television market in Albania, and its evolution in recent years, is remarkable. Until 1995, for most Albanians, electronic media meant the State radio and television network. Today, according to official data, Albania has 66 local television stations, two national television stations, two satellite televisions, 40 local cable televisions. With regard to radio stations, there are 46 local radio stations and two national ones.¹ Most of the electronic media outlets are centred on western Albania, especially in the capital, which is home to 72 per cent of all radio stations and 75 per cent of all television stations.² In addition, there is the public broadcaster, RTSH, composed of TVSH, which broadcasts in one national channel and three local ones, and Radio Tirana, which broadcasts in two national channels, four local ones, in one program for the diaspora, and another in foreign languages.

There are currently two private national television stations: TV Klan, which was launched in 1998 and covers 43 per cent of Albania’s territory, and TV Arberia, which was launched in 1996 and covers 30 per cent of the territory³. The lack of systematic and scientific audience research makes it difficult to assess the market shares of broadcasters operating in Albania. It also remains difficult to assess their coverage of territory. It is, however, an established fact that Radio-Television of Albania (RTSH), the public broadcaster, covers 80 per cent of the country’s territory⁴.

¹ KKRT, Department of Jurisdiction and Licenses, 16 May 2006.

² KKRT, 2003 Raport Vjetor ne Kuvendin e Shqiperise, (2003 Annual Report to Parliament), available at http://www.kkrt.gov.al/informacion/raport_2003.htm (accessed 13 May 2005) (hereafter, KKRT, 2003 Annual Report).

³ KKRT, 2005 Raport Vjetor ne Kuvendin e Shqiperise, (2005 Annual Report to Parliament), available at Albanian Media Monitor 2005, p.131 (hereafter KKRT, 2005 Annual Report.)

⁴ KKRT, 2003 Annual Report.

The commercial television sector has experienced a late, but speedy, growth, characterized by lawlessness and chaos, in the absence of regulation. Even after regulation was established, the regulatory body has not always been able to fully establish its authority over the electronic media, though it has achieved some significant successes. The legal framework on broadcasting activity in Albania is laid down by the Law on Public and Private Radio and Television in the Republic of Albania (hereafter, the Law on Radio and Television).⁵ The law, which has been amended four times since its adoption in 1998, purports to regulate in detail the activity of the electronic media, including the public broadcaster. However, this law has not yet been amended to regulate the activity of digital television.

The importance of commercial television has grown overall, thanks, in part, to the poor performance of the public service broadcaster, which has failed to reform itself as a truly public broadcaster. In this abundance of outlets, television stations loom as a large and important sector, given the increasing popularity of electronic versus print media. According to the last annual report of the regulatory authority, the result from the latest survey indicated that more than 60 per cent of the population over 20 years old that was interviewed, watched television 1-4 hours per ay, with 25 percent of the interviewees watching more than four hours.⁶ This survey indicates the overwhelming presence of television in Albanian life. One of the attempts at audience and readership research has confirmed the importance people give to television: a total of 70 per cent of the people surveyed ranked television as the medium that conveys the most credible information, though only 55 per cent characterized this information as sufficiently credible, and 28 per cent considered information from television to have little credibility.⁷

In this context, the proper regulation and functioning of digital television is another important aspect to be attached to the overall importance of the TV sector in general. Naturally, this importance is not limited solely to the mere emergence and technical regulation of this kind of television, but more importantly to the impact it will have on the media scene and society in general. In this view, the strategy for development of digital television and switchover plan, the general context that affects these plans, the stakeholders involved, and the public debate on these important developments will be considered in the following sectors.

Strategy for development of digital television broadcasting

Faced with increasing pressure of announced plans to start a digital television, the regulatory authority worked to draft a strategy for digital switchover and consequently amend the law on broadcasting. This strategy provides a brief analysis of the existing

⁵ Unless otherwise stated, the reference throughout this chapter is to the current (2003) version of the amended law: Law No. 8410 of 30 September 1998 on the Public and Private Radio and Television in the Republic of Albania, as amended by Law no. 8657 of 31 July 2000; Law no. 8794 of 10 May 2001; Law no. 9016 of 20 February 2003; and Law no. 9124 of 29 July 2003, (hereafter, Law on Radio and Television).

⁶ KKRT, 2005 Annual Report.

⁷Institute of Surveys and Opinions, Media 2002.

situation up to that moment in terms of frequency plan and development of television sector, an examination of the advantages and disadvantages of the introduction of digital television, the potential scenarios, the licensing criteria, and the potential plan for switchover, as well as recommendations for its success.

- **Frequency plan for digital broadcasting**

The strategy sets out by outlining the reasons for the need to introduce digital broadcasting. These reasons include the high demand for licenses in the Western area of the country, the need to keep up with other countries that have already set their date for analogue switch off, the advantage of eliminating the present problem of interferences among channels with analogue broadcasting, and the creation of new financial sources by starting this activity⁸.

On the other hand, the problems that this change will bring about are the significant investment needed from the operators, the inability of the state to subsidize the decoders for the consumers, the guarantee of public service requirements in the new environment, and guaranteeing a fair and indiscriminatory access to the market to latecomers⁹.

Considering the novelty that digital television constituted in the country, the steps of strategy and amendments were carefully monitored by the international organizations, apart from the stakeholders in the country. Both the strategy and bills that followed, were reviewed by OSCE, Council of Europe, and European Radiocommunications Office. Although the reviews welcomed the attempts to draft a strategy in this regard, they considered this as “an interesting and ambitious attempt to ‘leapfrog’ a stage of development and go straight from the present situation to digital switchover.”¹⁰

“From the first sight, it appears strange that Albania embarks on the strategy for immediate introduction of digital TV at the stage, when even the use of TV bands by analogue stations is not yet normalised. The fact that until now the TV bands in Albania are overcrowded with many TV stations, which broadcast in violation of the good radio engineering and spectrum management practices, suggests that the situation would become even more complicated after the introduction of digital TV.”¹¹

In fact, the analogue frequency plan in Albania was completed only in 2002, while the first TV station started broadcasting in 1995, allowing for a significant number of electronic media to operate unregulated at that time. In this line, it seems hasty to jump to digital frequency planning, although this need was dictated to a certain extent by the imminent emergence of digital television.

⁸ KKRT, Strategy for Development of Digital Television Broadcasting in the Republic of Albania, p.4. (hereafter Strategy)

⁹ Strategy, p.5.

¹⁰ Karol Jakubowicz, Analysis and Review of Draft Strategy on Developing Digital Terrestrial Television in the Republic of Albania, p.7, 11 May 2004 (hereafter Analysis and Review of Draft Strategy).

¹¹ Comments to the Draft Digital Television Broadcasting Development Strategy in the Republic of Albania, 21 September 2004, available at http://www.osce.org/documents/html/pdf/tohtml/3619_en.pdf.html, accessed on March 28, 2006 (hereafter Comments to the Draft Strategy.)

- **Licensing criteria**

Licensing criteria is another aspect that the strategy tackles, distinguishing between the license for network operator and the authorizations for content providers and the service providers. The only indication regarding the licensing criteria for network operators is that it will take place based on competition, without any further specification on what criteria will the licenses be awarded¹².

The strategy estimates the number of national network operators to be about 10, which could accommodate the broadcasting of 60 national programs; the strategy envisages for two of these ten networks to belong to the public broadcaster, in an effort to serve the public¹³. However, this calculation was considered as inaccurate by international reviews: “Discussion of the achievable number of digital networks/programmes appears unclear and the projected number of networks seems unrealistic.”¹⁴

While the criteria for licensing are not explicitly specified, the ownership limits are addressed in the strategy. The strategy does not consider the previous ownership provisions as stipulated in the broadcasting law for analogue, satellite, and cable operators. The strategy expresses the regulator’s opinion that an operator cannot own more than 20 percent of the total national digital networks¹⁵.

The licenses are divided into national and local licenses. The local licenses are regional, local, including one prefecture, and also other local ones, licensing one county. According to the ownership provisions in the strategy, the owner of a national license cannot obtain a local one. On the other hand, who possesses a local license can obtain a second local license. There are no provisions for cross-ownership; this is true also for broadcasting and print media in the present regulation. The licenses are expected to last 15 years for national operators and eight years for local ones, in order to enable them to regain the investments they have made.¹⁶

- **Content regulation**

According to the strategy, the license for network operator does not necessarily lead to an authorization to become content provider or service provider¹⁷. On the other hand, the authorizations for content providers and service providers are supposed to have more relaxed conditions, given that they don’t involve any limitations to the natural resources of frequency spectrum. The strategy provides that the authorization for the content provider is given for each channel, even though the service provider can then offer the channels as a bouquet. The authorization will determine the name of the program, the

¹² Strategy, p.17.

¹³ Ibid, p.18.

¹⁴ Comments to the Draft Strategy.

¹⁵ Strategy, p.19.

¹⁶ Ibid, p.19,20.

¹⁷ Ibid, p.17.

timeframe, the broadcasting conditions, payment, and responsibility for broadcasting.¹⁸ However, the strategy does not clearly determine the criteria upon which these authorizations will be issued, leaving ample room for speculation by the regulator or other actors in regulating this field.

The authorizations for service providers would be divided in two categories: for national and satellite broadcasting, valid for eight years, and for local broadcasting, valid for five years¹⁹. The differences in the licenses are supposed to provide different targeting for the groups these licenses would address. In a way, this differentiation would lead to the tailoring of information and content in general to specific areas, increasing media pluralism and diversity. However, in spite of the good intentions, the strategy does not envisage any further mechanisms or criteria in guaranteeing fair access, as well as what constitutes good, useful content.

For example, although the strategy often refers to the guaranteeing of public service content in digital broadcasting, there seems to be no clear measures or vision as how to achieve this. “Switching to digital broadcasting will give way to full commercialization of television service. This fact carries the risk of neglecting certain public functions, from both public operator and commercial ones.”²⁰ Further below, this concern is expressed again, stating that KKRT will impose obligations in order to protect the public interest.²¹ These statements, although expressing the attempt to address such an important issue as public service mission, do not carry any clear measure on how to protect and further this mission in the digital era.

In fact, as a whole, the strategy seems to place greater emphasis on the technical requirements and impact of digital broadcasting. Less attention is paid to the content regulation and service providers, which are equally important to licensing of network operators in the overall regulation and functioning of digital television. The fact that the criteria, whatever they will be, for licensing network operators will be stricter than the criteria for authorizing content and service providers, testifies to this. This differentiation, in case the strategy is adopted, might pave the way for an unsafe outcome regarding content, which does not bear any good news for the public. Overall, in the present strategy there seems to be no clear vision of the importance of content and imposition of clear and unequivocal rules on it.

- **Scenarios**

The strategy provides for four possible scenarios towards switchover to digital broadcasting and switch-off of analogue broadcasting²²:

¹⁸ Ibid, p.20.

¹⁹ Ibid.

²⁰ Ibid, p.5.

²¹ Ibid, p.16.

²² Ibid, p.21, 22.

1. The first scenario allows for the maximal protection of analogue frequencies, leaving it up to the operators to determine when they are ready to switch over to digital.
2. The second scenario also suggests the protection of analogue frequencies, but only for a given period of time, which should be determined. In addition, the introduction of digital network operators would follow, one at a time.
3. The third scenario does not provide for any attempts to protect the frequencies of the existing networks. Instead, all analogue frequencies will be converted to digital.
4. The fourth scenario involves the immediate study and construction of digital frequency plan, without the slightest consideration for the existing analogue networks.

After discussing the different scenarios, the regulator suggests that the most appropriate one could be a combination of the second scenario with the third in the areas that are most loaded. However, before determining that, the complete study of digital frequency plan should be completed.

The strategy goes on by identifying the possible digital switchover and analogue switch-off in the period 2016-2020²³, without, however, determining any amount of penetration of digital broadcasting in the country.

Amendments to the Law on Broadcasting

Parallel to the strategy, there was an initiative to amend the existing law on broadcasting, in order to accommodate digital broadcasting. The working group was composed by then-members of Parliamentary Commission on Media, NCRT staff, and foreign experts commissioned by the OSCE Presence in Albania. However, while drafting the amendments, an initiative to pass the law on digital television emerged from a group of members of Parliament. At the end, this version of the law made it to the last plenary session of the last legislature, but, amidst controversial voting procedure, it did not pass. Both this version of the law and the one drafted by regulator were deemed as insufficient and with significant flaws by foreign expertise. However, this paper will refer only to the version of the amendments as presented by the group of MPs, since this was the version presented as a bill.

According to this amendment, the regulator would issue two temporary licenses for two network operators, establishing also the frequencies, power, location, and area for these

²³ Ibid, p.23.

licenses²⁴. The validity of these temporary licenses would be three years²⁵, a period of time that would allow the regulator to define proper criteria for regulating this newly emerging area of television.

The main licensing criteria for applicants of a digital license would be the following²⁶:

- The quality of technical solutions, including the degree of flexibility the chosen solutions offer to the end-users regarding their choice of services. Importance shall be attached to the selection of non-proprietary standards, where technically feasible, and solutions for API and access control systems;
- Plans for investment and development of the network, including marketing and availability of decoders, pace of development and costs to the general public;
- Services offered. Importance will be attached to a broad and varied television offering to different groups of viewers. This applies both to different types of program content and the relationship between free-to-air television channels and pay-TV channels;
- The applicant's capability and competence to carrying out its plans, in particular the commercial realism of such plans.

At first sight, the licensing criteria seem fair and public-oriented, especially with regard to the emphasis on choosing non-proprietary standards, estimating the cost to the public, having a variety of choices on content, etc. However, it must be noted that the regulator is vested with significant power in order to scrutinize the licensing criteria and decide on the eventual licenses. Normally, this would call for an independent, strong, and professional authority. Unfortunately, the regulatory authority, in spite of the progress it has made since its establishment, is far from fully deserving the above qualifications, which, consequently, would not guarantee a proper and fair implementation of this amendment.

In addition, some of the licensing criteria listed are difficult to implement in practice. For example, the last criterion mentioned is related to the commercial realism of the plans of the operator, again as determined by the regulator. However, it does not seem a realistic duty, considering that 60% of the licensed operators last year did not submit their annual balances to the regulator, although they are by law required to do so²⁷. In this context, it seems a mission impossible for KKRT to estimate the affordability of the applicants for

²⁴ Draft Law on the Introduction of Experimental Digital Television in the Republic of Albania, Art.1, available at http://www.osce.org/documents/html/pdftohtml/4337_en.pdf.html, accessed on March 25, 2006 (hereafter Draft Law.)

²⁵ Draft Law, Art. 6.

²⁶ Ibid, Art.2.

²⁷ KKRT, 2004 Raport Vjetor ne Kuvendin e Shqiperise, (2004 Annual Report to Parliament), available at http://www.kkrt.gov.al/informacion/Raport_2004.htm, accessed 5 April 2005.

digital operations, when it lacks even data for already established and ongoing operations of the analogue televisions.

Furthermore, according to this amendment, priority will be given to those applicants that secure a broad and varied television. On the other hand, as mentioned above, the strategy for switchover to digital does not attempt to define what would constitute a varied, good, and useful content to the public. These criteria are also not laid down in the present Law on Broadcasting, apart from the prohibiting articles, such as on hate speech, balance of information, etc. Hence, it remains unclear on what basis the regulator would decide which operator will broadcast good content.

The amendment has some must-carry obligations²⁸, such as assistance to the public broadcaster to distribute current analogue broadcasts at no additional cost, or the obligation to rent capacity on their networks on reasonable, fair, and non-discriminatory terms to other Albanian broadcasters. In addition, this amendment forces the holders of multiplex licenses to broadcast 50% of their services with no cost to the user, and establishing the ceiling of encryption of free-to-air channels to 30% of total broadcasting time. Specific requirement is also made on the language, meaning that programs should carry 50% Albanian productions or programs subtitled in Albanian. A brief reference is made with regard to services other than broadcasting that the operator might offer, mentioning that it should be ensured that these services are made on fair, reasonable, and non-discriminatory terms, without specifying neither the services, nor the appropriate terms would be in this case.

However, probably the most controversial paragraphs of the amendment were the ones related to ownership of licences. According to one of the paragraphs, all the ownership provisions laid down in the Law on Broadcasting would not be valid for the experimental period of digital broadcasting²⁹. This would mean that just one physical person could own 100 percent of shares of a network operator, a content provider, and a service provider, which would render the future of media pluralism and diversity insecure.

In addition, another paragraph states that :

“if the NCRT concludes that only one applicant meets the criteria..., the NCRT may determine to grant both multiplexes to one licensee. In such a case, the licensee of these two multiplexes is to make available 50% of his capacity on reasonable, fair and non-discriminatory terms to Albanian broadcasters in line with principles established by EU institutions in the area of effective competition.”³⁰

This article sparked a great controversy, especially among the industry representatives. The main argument against this bill was the fact that this amendment had reacted to the situation and in a way was tailored to suit the needs of the first digital terrestrial platform, which had already started broadcasting when the law was being discussed. Not only, but the amendment was designed in such a way that it could give this platform the status of a

²⁸ Draft Law, Art.3.

²⁹ Ibid.

³⁰ Ibid.

monopoly, since it had all the possibilities of being granted both frequencies that would be made available at the time. “This is a law drafted by the side with an interest in it and speaks only about the digital platform with a paid subscription. What about free-to-air digital television? Which are the licensing criteria? How can the only platform in Albania obtain exclusivity in this area?”³¹ These were some of the main concerns voiced by the Head of Associations of Electronic Media, Aleksander Frangaj, during the public hearing session at the Parliamentary Commission on Media.

The analysis and comments of the the Vice Director of the Mass Media Steering Committee of the Council of Europe on this draft were along the same lines: “This provision is discriminatory and seeks to stifle competition, rather than promote it. Instead of promoting pluralism and access to enlarged choice and counterbalancing concentration, it could have the opposite effect. A special regulatory regime is being created for one operator on the market that is more favourable than for other operators.”³² However, in the end the bill did not pass in the parliament and the version is still pending with the newly formed parliamentary commission.

The real impact of digitalization

While the Commission, the regulatory authority, and other media experts debate the different versions of the law, the digital television is already part of Albanian media scene. The first, and only, so far, digital terrestrial platform, Digitalb, started operating on July 15, 2004, and it started broadcasting via satellite on December 15 of the same year. Presently it broadcasts terrestrially in four UHF band frequencies, 62, 64, 67, and 69. The terrestrial platform covers the area of Western Albania, from Shkodra in the north, to Vlora in the south³³. The second digital television, SAT+, emerged one month after Digitalb’s first broadcasting day, on August 15, 2004. This platform is available only via satellite.

The initial price for decoders for each of the televisions was approximately 150 Euro, but the price was halved and at the moment it is no more than 50 Euros, combined with different prices for subscription, depending on the different bundling of channels. For instance, the subscription of full package for one of the televisions is approximately 12 Euro per month, while the “family” package is 7 Euro per month. While there are no official data on the number of subscribers for any of the platforms, the operators themselves claim a successful business. According to one of the operators, the number of subscribers has already reached 190,000³⁴. The other operator did not provide any other data on this regard. The question of advertising revenue is even more unclear. While there are numerous ads on the programs, packages, services, and offers within the platforms, the amount of external advertising is almost insignificant, also due to the very

³¹ “Ligji per dixhitalin, debat ne Kuvend,” Shekulli, p.6, 23 September, 2004.

³² Analysis and Comments on Draft Amendments to Law No.8140, dated 30 September 1998, on Public and Private Radio and Television in the Republic of Albania, 27 September 2004, available at http://www.osce.org/documents/html/pdf/tohtml/3949_en.pdf.html accessed on 25 March 2006.

³³ Interview with Altin Petre, IT Manager, Digitalb, 16 May 2006.

³⁴ Interview with Altin Petre, IT Manager, Digitalb, 16 May 2006.

nature of subscription television, which cannot afford to blatantly sell advertising as part of subscription.

With regard to the content these platforms offer, the nature is similar for both televisions, although one of the operators has a higher number of channels, and hence a wider choice. The main channels included are entertainment-oriented, mainly broadcasting different movies and documentaries. Thematic channels is perhaps the best definition for both platforms in this regard, be it movies, documentaries, news, and sports. In fact, sports, and more specifically football championships in Europe and presently the World Cup, have constituted the main battlefield for viewership among the two digital multiplexes.

It must also be said that Albanian broadcasters have been included in each of the platforms, dividing also the present analogue TV stations in two camps, based on their affiliation or ownership interests *viv-a-vis* the respective platform. While it is not clear how the selection process for these broadcasters was carried out, it seems that personal preferences or business affiliations have been the main factors.

Referring to the requirement of the amendment for having 50% of programs in Albanian or subtitled, also laid down in the present Law on Broadcasting, in general the operators have observed this rule, although not yet binding. In addition, encryption of programs to protect minors is also in place. However, a distinction must be made here: this protection is true only with regard to explicitly sexual content. When it comes to horror movies, or other ghastly scenes, not only is encryption not applied, but they are shown even in the earliest time slots, and not limited to late evening time. Along the same lines, no system of rating for the different broadcasts is shown in any of the channels, except for the TV stations that have an analogue broadcasting license, which are required by law to apply this system.

Finally, it must also be said that the public broadcaster's program, as broadcast via satellite, has been present in both platforms from the beginning. However, when it comes to the digitalization of the public broadcaster itself, it is certainly lagging behind. According to the Law on Broadcasting, the public television should broadcast in two national channels³⁵, and it currently is broadcasting in analogue signal only in one channel, mainly due to the lack of funding this costly operation needs³⁶.

Public debate on digital switchover

The public debate on digital switchover has been almost absent in the country, voiced mainly by the representatives of the industry or confined to professionals and not understandable to the general public. The first case of public debate was the public hearing session at the Parliamentary Commission on Media, which was also used as an opportunity for the industries' interest groups to express their stance with regard to the law. In this way, Dritan Hoxha, President of Top Channel TV, representing Digitalb, stressed the technical and financial priorities of the newly introduced system,

³⁵ Law on Broadcasting, Art. 70.

³⁶ Comment by Alfred Dalipi, then-Deputy General Director of RTSH, OSI Roundtable, 8 November 2004, Tirana.

emphasizing that state-of-the-art technology was used.³⁷ On the other hand, the main opposition came from the rest of the industry, represented by Aleksander Frangaj, who insisted that the law was drafted in a hurry and with no strategy, just to grant the license to Digitalb.³⁸

An important part of the debate has been played by the analysis and comments on the laws and strategies by international actors. However, these comments, although in general covered by the media, must be taken with some reserve, since the media's vested interests in the whole scene have often nuanced this reporting.

On a more marginal note to digital television, but an important one vis-à-vis the television developments, the debate became fierce when Digitalb first started broadcasting, leading to extreme actions by other broadcasters. Soon afterwards, the KKRT issued a press release condemning this step as illegal, because the regulation of this sector had not been approved³⁹. Digitalb countered that the KKRT's slow movement on this issue was holding back the media⁴⁰.

Digitalb was not warmly welcomed by the other terrestrial stations, but for a different reason: they complained that it was broadcasting programmes for which it had no broadcasting rights. In protest, a few local stations reverted to broadcasting movies or other programmes without copyright. Almost all of them have returned to broadcasting legally acquired programmes, with the chief exception of TV Shijak, which continued to broadcast movies without broadcasting rights almost every evening, until late December 2004.

These stations claimed that at least they were not charging for their piracy, as Digitalb was doing. The KKRT responded by saying that it had no competencies to ask for documentation of broadcasting rights from subjects that the law had not provided for. This was a clear case where the delay in drafting legislation for new technology endangered one of the KKRT's real successes: the implementation of anti-piracy legislation.⁴¹

Conclusion

Overall, there is a lack of vision in media policy, especially when it comes to television and new technologies, from both government and the regulatory authority. The stalled attempts to draft a strategy and amend the existing law on broadcasting have revealed the unprepared state of both the regulator and the policy-makers to receive such changes and regulate them in a fair, efficient, and public-oriented manner. Both the draft strategy and the draft amendments to the law are incomplete and pose some serious questions with

³⁷ "Ligji per dixhitalin, debat ne Kuvend," Korrieri, 23 September 2004, p.6.

³⁸ Ibid.

³⁹ KKRT, Press Release, 15 July, 2004, Shekulli, p.12.

⁴⁰ Alban Jaho, director of Digitalb, quoted in "KKRT:Digitalb te ndale sherbimin," Gazeta Shqiptare, 16 July, 2004, p.7.

⁴¹ Law no. 9124/2003.

regard to the cost the public would incur, the feasibility of digital switchover, the regulation of content and conditional access, distribution of licenses, as well as media ownership and guarantee of fair competition.

In this context, the industry itself has started its own campaign of digital switchover, in a way imposing it to part of the public, as well. Meeting the demand created after the implementation of the law on broadcasting rights and making use of the weak cable television system in the country, the digital platforms, although they came with a fee, have become a significant player in the media landscape. Content offered is mainly geared towards entertainment, sports, and to a lesser degree information, with no such content that would classify as public service mission, albeit it is questionable whether it must carry such content.

However, it is clear that these platforms should soon have a minimal regulation vis-à-vis the public, in terms of access, cost, and must-carry content, in a way that would strike the balance between the industry profit and public benefit. These steps should be carried out in harmony with an awareness and information campaign on what digital switchover will bring to the general public, who is anything, but aware of the consequences of this process.