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# ALBANIA

Parliamentary elections and the peaceful transfer of power in June were not enough to advance Albania's European Union (EU) integration ambitions. At the end of 2013, Albania was refused candidate status for EU membership for the fourth time. The main reason cited was Albania's lack of sufficient progress in the struggle against corruption and organized crime. Transparency International confirmed this diagnosis, ranking Albania even lower than the prior year in its global corruption scale.

Faced with defeat by a crushing share of the voters, the Democratic Party (PD) and its prime minister, Sali Berisha, acknowledged the outcome of the elections, peacefully handing power to the left-wing alliance headed by the Socialist Party and Prime Minister Edi Rama. However, this orderly transfer failed to soothe the country's political climate. It seems that the society has been unable to overcome the perennial political conflict, and political camps remain divided—as seen in a case regarding Syria's chemical weapons. While the Albanian government considered a US request to dismantle about 1,000 tons of Syrian chemical weapons on Albanian territory, the PD opposition joined the environmentalists' protests by exerting pressure and demanding that the government deny the American request, which it did eventually.

All signs indicate that the year ahead will be even more difficult, amid the deepening economic crisis. The PD has warned that a chain of protests will start against the government, not only because of what it claims was the politically motivated firing of its members in the administration, but also due to the economic and fiscal policies the government is applying.

In the fractured political environment, the most complicated issue remains the struggle against corruption and organized crime. The absence of an independent judiciary appears to be the greatest handicap in this respect. The political ties of the prosecutor and the judiciary in the past two decades hindered the war against government corruption, and the change in power did not break this pattern.

The media environment reflects the country's political and economic situation as well. Examples of ongoing challenges include informal labor terms for most journalists, the dependency of some commercial media outlets on political parties, self-censorship, government allocation of public advertising to media that favor their interests, and the politicization of regulatory bodies and public media.

# ALBANIA at a glance

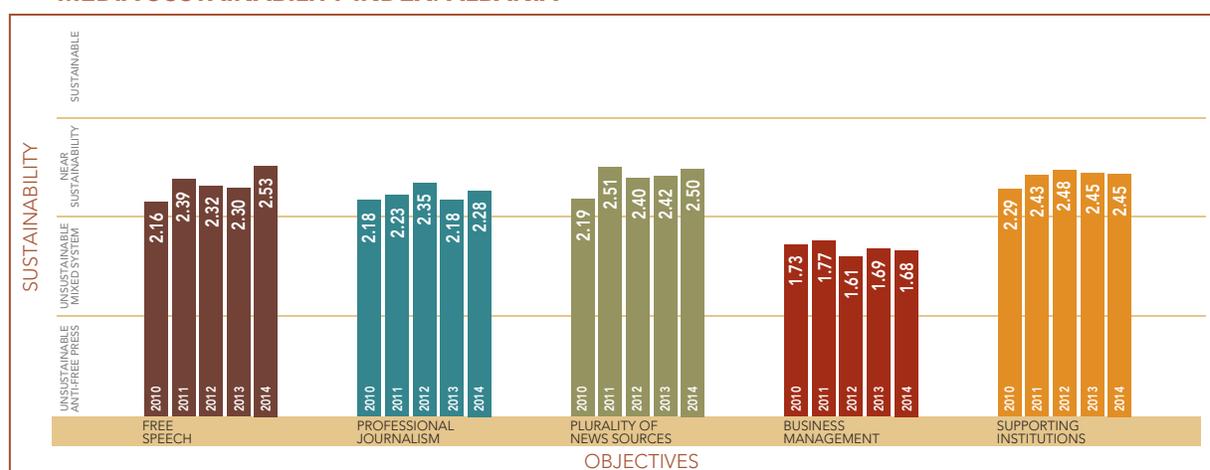
## GENERAL

- > Population: 3,011,405 (July 2013 est. *CIA World Factbook*)
- > Capital city: Tirana
- > Ethnic groups (% of population): Albanian 82.6%, Greek 0.9%, Other 1%, unspecified 15.5% (2011 est. *CIA World Factbook*)
- > Religions (% of population): Muslim 56.7%, Roman Catholic 10%, Orthodox 6.8%, Atheist 2.5%, Bektashi (a Sufi order) 2.1%, Other 5.7% (2011 est. *CIA World Factbook*)
- > Languages (% of population): Albanian 98.8%, Greek 0.5%, Other 0.6%, Unspecified 0.1% (2011 est. *CIA World Factbook*)
- > GNI (2012-Atlas): \$12.27 billion (World Bank Development Indicators, 2013)
- > GNI per capita (2012-PPP): \$9,280 (World Bank Development Indicators, 2013)
- > Literacy rate: 96.8% (male 98%, female 95.7%) (2011 est., *CIA World Factbook*)
- > President or top authority: President Bujar Nishani (since July 24, 2012)

## MEDIA-SPECIFIC

- > Number of active print outlets, radio stations, television stations, Internet news portals: Print: about 160; Radio Stations: 3 national, 56 local; Television Stations: 3 national, 71 local, 2 satellite, 90 cable
- > Newspaper circulation statistics: N/A
- > Broadcast ratings: N/A
- > News agencies: Albanian News Agency (state), NOA (private), AMA (private), Albpres (private)
- > Annual advertising revenue in media sector: €54.5 million (est. ABACUS Research)
- > Internet Users: 1.3 million users (2009 est., *CIA World Factbook*)

## MEDIA SUSTAINABILITY INDEX: ALBANIA



## MEDIA SUSTAINABILITY INDEX 2014: OVERALL AVERAGE SCORES



### CHANGE SINCE 2013

▲ (increase greater than .10) □ (little or no change) ▼ (.10 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: 2.53

The Albanian constitution protects the freedom of speech, and a supportive legal framework has existed in the country for many years now. The three basic laws that cover the constitutional right to the freedom of expression include the law on the press, public and private broadcasters, and access to information. The case law of the European Court of Human Rights on Article 10 of the Convention, which guarantees clear standards on free speech in Albania, further guarantees the rights of Albanians.

And yet despite constitutional guarantees, the law on the press (which consists of just one article: “the press is free”) almost falls apart in practice. When Albanians attempting to exert their right to free speech encounter legal problems, the courts refer to general civil and penal legislation to resolve the cases. Some years ago, attempts to formulate some amendments to the law on the press failed to generate much support. The proposed amendments aimed to guarantee the right to reply and correction, as well as the legal responsibilities of the press.

Troubling problems persist at the ethical and judicial levels related to the media’s efforts to practice free speech and the media’s coverage of individuals. The panelists noted that there are excesses from both sides. Some journalists

### 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.

“It is better for TVSH to remain an evil with one head, instead of two heads,” said Milton Nushi, the news director of Albanian Screen TV, alluding that it would be better for the public and the media if TVSH received only one frequency.

and media outlets still fail to sufficiently respect the ethical rules, while some courts tend to impose extreme penalties on journalists and the media when subjects, political and otherwise, object to their portrayal in the media.

When the government infringes upon the freedom of expression, the public’s reaction demonstrates that Albanians now value the freedom of expression and understand that they cannot afford to lose this right. At the same time, the public often finds it difficult to be certain of the truth, given conflicting and sometimes hyped-up reports by various media.

“Albania’s media legislation is generally advanced. Hence, the problem is not the question of whether or not strong laws exist, but their implementation,” said Remzi Lani, director of the Albanian Media Institute. The other panelists generally concurred. Bajram Peçi, director of *Shqip*, pointed out that editorial policy plays a role as well, silently affecting journalists’ free speech—especially on television stations and in newspapers that are firmly positioned politically.

As far as the licensing of electronic media is concerned, the panelists confirmed that it is still under strong political control. “The progress of the debate in the parliament over filling vacant slots on the Steering Council of Public Television (TVSH), and on the Audiovisual Media Authority (AMA)’s decision-making power, clearly speaks of the political interest and influence on licensing of electronic media,” said Thanas Goga, a marketing analyst with A&R Advertising.

Albania has started the process of switching over to digital broadcasting. However, the process stalled in 2013 due to problems with the composition of the regulator, AMA, which was operating with just four of the seven members called for by the law. Another obstacle is the fact that some private digital platform operators enjoy an advantage of duopoly in the media market. The switch of all media outlets to digital broadcasting would require that these operators, yet unlicensed, free up some of the frequencies they are currently using. Along with the public television (TVSH) station, there are four private operators that claim

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to receive frequencies—at a time when there are only five frequencies in all. According to the law, TVSH is entitled to two frequencies, while the three remaining frequencies should be allocated to the four private operators that claim them. The risk for one operator to remain without a license has sparked a commercial war between them.

The law is drafted in a way that urges AMA to recognize and preserve the status quo, which can happen only by taking away one frequency for TVSH. The panelists generally believe that one fewer frequency for TVSH would not pose a problem for the public, which remains rather disappointed by this station's radical pro-government positions. Plagued by the perception that all governments have misused TVSH in the past 23 transitional years, TVSH, the panelists said, must not be strengthened. "It is better for TVSH to remain an evil with one head, instead of two heads," said Milton Nushi, the news director of Albanian Screen TV, alluding that it would be better for the public and the media if TVSH received only one frequency.

No serious barriers impede entry to the media market, and the tax structure is relatively favorable, compared with other sectors. Still, pointing to Albania's ongoing economic crisis and the hardship it has inflicted on the media, the panelists suggested that the media should be exempted from the value-added tax. Some panelists also believe that the government should subsidize the print media. They also expressed concern over the disproportionate distribution of government advertising and state/public notifications, which appear to favor media close to the government.

Crimes against journalists are rare, and the panelists are under the impression that society has grown more aware of journalists' mission. And yet, enforcement of the law against those who exert pressure and commit violence against journalists is poor. According to Peçi, "The law has not reacted severely in cases of punishable crimes against journalists." Luftim Vani, owner of TV Mati, brought up an occurrence at his station: the district's chief of police publicly threatened a TV Mati journalist. "Not only did the chief avoid punishment, but journalists' associations remained silent after this incident," Vani said.

In terms of legal assurances for the editorial independence of state media, the panelists noted that the law originally intended for AMA to be politically independent. However, they described an internal crisis within AMA, related to the rotation of power that resulted from the June 23 parliamentary elections. Considering that the vacant positions are filled upon recommendations from political parties, avoiding political influence on AMA's work has proved impossible. Broadly speaking, most of the members and the chair belong to the ruling majority and

the parliamentary majority. With the rotation of power, questions surfaced over whether the majority of members that make up AMA should change as well. "The reflection of the change of the dynamic majority-minority in the parliament on independent institutions, such as AMA, would be an indication of dependence, rather than independence, of these institutions on politics," said Aleksandër Çipa, chair of the Union of Albanian Journalists (UAJ). It seems that the option of reaching the majority, according to the traditional model, does not satisfy the new government. An alternate option, to reformulate AMA by including it in the structure of the Authority of Electronic and Postal Communications (AKEP), has been mentioned as well. This reform would shift the duty of administering frequencies to AKEP, while AMA would administer only content. However, the panel said that AMA's crisis demands an urgent solution, as it has also become a cause for delaying the digital switchover process. Now it is clear that it will be very difficult, if not impossible, for Albania to meet the June 2015 deadline for this process.

After dragging its feet for years, in February 2012 the parliament approved amendments to Albania's penal and civil codes governing defamation and libel. Since 2004, a number of civil society organizations had pressed the authorities to act on this issue, offering proposals to decriminalize defamation and libel in the penal code and to improve the institute of non-pecuniary damages in the civil code. These proposals from the civil society sector are at least partially reflected in the final product. While the revised code falls short of the full decriminalization of libel and defamation, some other articles were abolished that potentially could have been used against free speech. Meanwhile, the alterations to the civil code, which clarify the meaning of moral or non-pecuniary damage typically caused by the misuse of free speech, are potentially even more significant. The amended code changed the way such damages are estimated, capping the payments for damages of such abuses of free speech. The panelists noted, however, that while the newspapers and television stations now display a stronger ethic of self-discipline in this regard, some blogs and online forums are not following suit.

Currently, the spotlight is fixed on the response of the courts, which are not inspiring confidence in media professionals so far. The legal reforms achieved the goal of eliminating prison sentences for journalists in defamation and libel cases. Another aim, to ensure that the punishment is not disproportionate to the violation in defamation cases, is still fraught with some difficulties. The implementation of the civil code, which demands that judges argue the amount imposed on damages, seems to be the most problematic aspect. Judges are advised to relate the defamatory or offensive words that are published to the real damage a

victim suffers. In civil cases, a judge must prove whether a victim suffered, and to what extent, considering such factors as the size of the television audience or a newspaper's circulation numbers.

There are some indications that judges are failing, however, to take these legal requirements into consideration when they determine damages. The law was intended to decrease the amount of damages the media and journalists must pay. Even though there is still no genuine monitoring of the court practice in this aspect, the cases that have been reported in the media, usually involving politicians, raise concerns that the reforms are not achieving their goal. The judges generally appear reluctant to rein in the damage payments, despite the fact that the law was drafted to encourage the freedom of expression even if it sometimes clashes with public officials' right to preserve their reputations. For example, Lindita Cela, a reporter for *Shekulli* newspaper, risked being penalized for nearly €100,000 for alleged defamation by the director of public relations in the prime minister's office. The Union of Journalists was able to force the court to step back and remove the penalty after targeted protest.

Positive developments regarding the law on protection of personal data culminated in the signing of memoranda with public institutions that administer personal data and the appointment of a commissioner in this field. In 2013, the commissioner imposed the first fines on abuse of the right to privacy from public and private subjects in 2013.

The media's access to information also falls short of the laws meant to facilitate this right. The shortcoming apparently stems from weaknesses in the formulation of the law, as well as insufficient administrative support for its implementation. An apparent lack of political will plays a role as well, leaving the impression that the authorities are resistant to public transparency. "When there are hot issues related to tenders or funding projects, every journalist who has worked to obtain information from ministries or state offices has been met with silence, or received information very far from the truth," said Skënder Minxhozi, a freelance journalist. Other panelists agreed, further criticizing the fact that the law on access to information allows for a timeline of 40 days for an institution to reply to a journalist's request for information. To Ilir Yzeiri, a journalism lecturer at the University of Elbasan, this delay constitutes "a barrier that not only hinders the work of journalists to report the news, but it rather kills the news." For Nushi, the problem also remains a question of personal connections. "Often the institutions provide information only to the media they prefer, which generally are closer to the government," said Nushi. According to Lani, an initiative is under way to draft a new law on access to information. "The bill is in process

and is expected to significantly reduce the time limit for information to no more than 10 days. It will also impose heavier sanctions on employees who fail to observe the law," Lani said.

A study conducted by the World Bank and the Albanian Media Institute (AMI) raised the same concern, which served as the basis for the draft bill that illuminates some of the law's pitfalls on access to information. However, the public ombudsman, or people's advocate, opposes the bill. Some panelists speculate that is possibly because the draft bill proposes transferring some oversight from the ombudsman to a special commissioner. The bill has not yet been introduced for consideration by the government or the parliament.

The law does not restrict access to news from international media. The only obstacle in this aspect remains the financial limitations of many newsrooms and journalists; they are often unable to buy access to agencies, such as Reuters, and newspapers, such as the *Financial Times*. "The law does not discriminate against anybody, but it seems that the market does discriminate," said Valbona Kurti, a journalist for the television station Vizion +. The panelists agreed that intellectual property rights are sometimes abused in this respect.

Journalists may enter the media profession freely; the government does not impose licensing, restrictions, or any special rights for journalists. Some panelists argue that in fact, it is too easy for people to enter the field. Çipa lamented the effects on the field of "television stations and newspapers that hire first- and second-year journalists at very low salaries, ignoring all professional standards in a bid to lower the costs."

## OBJECTIVE 2: PROFESSIONAL JOURNALISM

### Albania Objective Score: 2.28

The panel returned relatively low scores regarding the quality of news reporting. Some sensed that during 2013, the quality of reporting deteriorated, compared with a year ago, which can be partly explained by the influence of the economic crisis on the media.

The panelists considered the recruitment process for journalists. According to Anila Basha, a freelance journalist, "The poorer quality of reporting stems from the decline of standards from the moment that journalists are recruited, in the hiring of unqualified students in order to lower the costs of publishing and broadcasting." It seems that the dip in salaries due to the crisis has also affected

**“How can the ethical problems be included in journalists’ contracts when most of them continue to work without contracts to this day?” Yzeiri asked.**

professional commitment, and the quality of reporting has suffered among more experienced journalists. For example, journalists frequently do not insist on verifying the news with two or more sources. The coverage of a November 2013 car accident that took the life of MP Sokol Olldashi, one of the opposition’s most prominent personalities, revealed these deficiencies. The inaccurate, unverified, and contradictory reporting that ensued led to confusion rather than clarity for the public. To Iris Luarasi, a journalism lecturer at the University of Tirana, the Olldashi accident coverage showed that the media tend to favor speed over accuracy when conveying the news.

The responsibility also lies with the newsrooms, which seem to have forgotten that while the speed of the news is important, being the first to report a story can backfire for the media, in terms of credibility, if they get the facts wrong. Luarasi commented that the race between the media devolved from an effort to provide the most accurate news to a contest over who would break the news first,” said Luarasi. “It is ridiculous, but at the same time tragic, that some media used the expression ‘he is 90 percent dead’ in their reporting of the Olldashi accident,” added Çipa.

#### 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).

Although a national Code of Ethics has been in place for many years, approved by the community of journalists, the panelists concluded that the code is not well respected. One problem is that there is no longer a self-regulatory body. The Council of Ethics, established some years ago, has dissolved—although, according to the panelists, it failed to make any positive progress during its tenure. To Kamber Velaj, editor-in-chief of *Shqip*, all media outlets, journalists’ associations, and the AMI have been indifferent to the problems related to observance of the Code of Ethics. Yzeiri suggested that the problem lies in the lack of governance in the media labor market, where journalists do not have contract requirements tied to observing ethical standards. “How can the ethical problems be included in journalists’ contracts when most of them continue to work without contracts to this day?” Yzeiri asked.

Other panelists countered that the failure to respect the Code of Ethics is compensated to some degree by the fact that some media outlets, newspapers, and television stations have created their own ethical codes. In general, the newspapers tend to push harder for the respect of ethical rules. The daily newspapers *Shekulli* and *Shqip* have established a tradition of respecting the ethical codes they drafted independently.

The panelists agreed that electronic media tend to be more problematic when it comes to observing ethical standards; ethical violations appear more frequently in this medium. “There is a great difference regarding respect for ethical standards between electronic and print media,” said Shkëlqim Bylykbashi, owner of TV 4+. That perception seems to stem from the political programs that frequently appear on television, where the heated debates between journalists, politicians, and other participants often stretch the bounds of ethics.

Ethical violations have seemingly become even more alarming in online blogs and the websites of newspapers and television stations. Even if they are more careful in print versions, newspaper newsrooms often fail to monitor and ensure that comments in forums meet ethical standards. It is now commonplace for participants in the forums to use obscenities against journalists or against each other just because they have different opinions. And yet, practice shows that moderating web comments is not an impossible task. The daily *Panorama* has provided a positive example in this aspect by forbidding publication of slandering and offensive comments in online forums. Unfortunately, other newspapers have not yet been inspired to do the same.

The panelists also gave low scores related to self-censorship, which continues to inhibit journalists. Self-censorship is

related, first of all, to the fact that many media owners have established newspapers or television stations to serve their own interests and those of political parties they support. The tendency of journalists and editors to conform to the editorial policy that harmonizes with the interests of media owners stems from this context. A media owner might not say a word, but editors and journalists, aware of the owner's political interests and leanings, try to follow them. The opposite rarely takes place, as this could cost the journalist his or her job. Hence, the phenomenon of self-censorship is also related to the absence of a total system, based on contracts and institutions that would protect freedom of expression and freedom of journalists. "The white traffic lines have been replaced by some hazy guidelines that show journalists the interests and tastes of the owner, which inspire loyalty, even if they might extend to criminal or mafia groups—a situation that leads journalists to self-censorship," Lani said.

Apart from politics, another factor behind the increasing self-censorship against the backdrop of the economic crisis is the fact that some large business companies are also among the major media clients. Faced with daily challenges to survive, and in need of advertising revenue, none of the media outlets dare to criticize or report on any questionable activity from these companies. This economic enslavement of the media compromises their mission to inform citizens. The panelists pointed to the example of the flight company Belle Air, one of the biggest advertisers, which went bankrupt in 2013. Albanian citizens heard no criticism of this company's activity up to the day it went bankrupt, appropriating the money of several thousand citizens who had already booked their flights.

The panelists viewed the media's coverage of key affairs in a similar vein. "I have given low scores for this point because if we accept the phenomenon of self-censorship, we must also accept that journalists are not fully free to cover all problems," said Luarasi. Velaj shared the same opinion, remarking, "For different reasons, there are developments that some media prioritize, while totally ignoring other issues."

Nonetheless, a new positive trend has emerged regarding blogs. In spite of the prevalence of self-censorship in the media, a lot of news is coming to the surface thanks to blogs. Some journalists have launched personal blogs, where they publish information they cannot publish in traditional media. "Blogs today have started to compensate for the topics that other media, for different reasons, fail to cover," said Kurti.

The media's dependence on politics negatively influences news coverage. Sometimes, different media cover important

events but produce contradictory content—as seen after Albania failed to receive EU candidate status. The media close to the opposition reported that the EU blamed the government for this failure. Meanwhile, the media close to the government insisted that EU statements implicated the previous government. Such clashes have been common even in cases involving irrefutable figures, which cannot be relative. However, it seems that for part of Albanian media  $1 + 1 = 2$  and for another part  $1 + 1 = 3$ . "The figures provided by IMF are reported differently from TV Klan and differently by Top Channel, a phenomenon that brings significant confusion among the public and leads to misinformation" Luarasi said.

Kurti supported this view, noting that while there are no problems in covering the news, the interpretation and refinement of news from the newsrooms make the difference. "It depends if you are critical to the government or whether you support it. For the same event, one finds that 'the glass is half full,' while another finds that 'the glass is half empty,'" stressed Kurti.

Other panelists added that despite the tendency toward partisanship, the invisible hand of the free media market moderates the differences and ensures that everything is reported, in spite of the editorial censorship or the self-censorship of journalists.

Again this year, the panelists did not believe that salaries of journalists and other media professionals are sufficiently high enough to stop fostering corruption and maintain qualified staff. Albania remains a poor country, with relatively low wages, and the situation deteriorated further in 2013 given the economic crisis. According to Çipa, in 2013 more than 95 percent of the media had to delay paying journalists their salaries—for up to six months. The existing contracts are not respected, while most media professionals receive no contracts at all.

Two of the most fundamental laws that regulate social partnership, the Code of Labor and the Law on Trade Unions in the Republic of Albania, are apparently not implemented for the media. This situation has fostered an alarmingly informal approach to the media. According to Çipa, "Out of the media outlets, only 2 percent respect the legal criteria, while the other 98 percent use hidden documents and salaries that do not correspond to the official declarations at the tax office." Peçi recalled the situation two decades ago, when the salaries that some media outlets, such as *Gazeta Shqiptare* and *Koha Jonë*, paid to journalists were ranked as the highest in the country. Today, the salaries have remained at the same level, even though the prices have increased multifold and the local currency has depreciated. "They

are very low salaries, and it is difficult for them to stop the corruption of journalists through bribes," said Peçi.

Most panelists supported the opinion that, with very few exceptions, journalists are not better paid than other professions, such as teachers. Luarasi explained that the salaries of reporters in the districts are extremely low, in the range of €100–150 per month. Meanwhile, Vani, owner of a television station in the district of Mat, admitted that the salaries of reporters are low but stressed that the situation looks worse than it actually is because of the widespread fiscal evasion—the practice of reporting lower-than-actual salaries to the tax office.

The panelists also pointed to the case of a new television station, TV Agon, recently founded by an Italian investor. In this media, there are journalists who draw pay up to €20,000 per month. However, that is considered a rare exception. "The very high salaries of 20 or 30 journalists are not the standard, nor the reality in Albania," said Luarasi.

Yzeiri insisted that Albania's problem is that it fails to guarantee social protection to journalists. According to Yzeiri, a stratification of media employees is taking place. There are a few journalists who are very well paid, and nobody knows why. There are others who appear to be middle class and are well paid because they are acclaimed professionally and have a positive impact on the audience. Yet a majority of journalists, especially reporters, start their careers with a salary of €100 per month and enjoy no protection whatsoever.

The panelists agreed that entertainment programs do not eclipse news and current-affairs programs. In fact, they offered support for the opinion that news, political programs, and debates strongly prevail and are eclipsing cultural programs.

Unlike the situation with journalists' salaries, it seems that media owners do make serious investments in terms of technology and logistics. This is true especially for the main media, based in the capital. However, the panelists noted that even in cities far from Tirana, such as Shkodra and Gjirokastra, there are a couple of television channels that are even more developed technically than the public media. To Lani, "The premises and technology of some of the television stations in Albania are comparably better than even in Bosnia or Serbia."

Furthermore, according to Vani, "About 70–80 percent of local media have digitized their production." Still, the tendency that the most advanced technology is focused in the capital persists.

Almost all media have departments to cover different areas, such as politics, social news, the economy, culture, and sports. Meanwhile, the panel agreed that in each of the respective areas, there is still much to be done regarding the further qualification of reporters and journalists.

Investigative journalism is not strongly present in the country and is entirely lacking in the districts. The only investigative program, "Fix Fare," is broadcast on Top Channel, the biggest private television station in the country. The program's investigative reporters have used secret cameras to uncover stories and have reported on the main corruption scandals of the previous government. Last year, the program succeeded in unveiling corrupt practices, including bribes taken by judges and court clerks.

### OBJECTIVE 3: PLURALITY OF NEWS

Albania Objective Score: 2.50

The panel generally gave higher scores for this objective of the MSI. All panelists agreed that in Albania there is no monopoly on news, but rather numerous sources of news, and that people have the option to compare sources. Different genres of media are available to citizens. Television stations have been more active by establishing online versions, where they report in real time.

"Sources of information are multiple, and now there are blogs and social networks, which are accessed by an increasing number of people," said Nushi. Peçi added,

### 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.

"Not only are there sufficient numbers of newspapers and television stations, but there is an inflation of media outlets, to the point that if some of them stopped existing, nobody would miss them." However, other panelists see the situation slightly differently. "Today in Albania, there is diversity of print media, electronic media, and online blogs, but not necessarily diversity of information," said Minxhozi.

Local television News 24 and its online website became Albania's first channel to distribute the news through SMS for mobile phone users. The national station Top Channel and Digitalb platform experimented in broadcasting television programs through mobile phones, and currently some television stations have started to secure access to broadcast live through mobile phones and tablets. Meanwhile, an increasing number of people are relying on information received from social networks.

The panelists noted that citizens do not confront any restrictions to accessing domestic or international media. Internet access is available to all. The right to own satellite antennas or equipment to access any kind of media is also guaranteed to all. Foreign media are available—although few can afford them. "Subscriptions to newspapers such as the *Financial Times* are not affordable, not just for professional journalists, but also for media outlets," said Dorian Koçi, a freelance journalist. However, according to Luarasi, "In a market economy, we cannot demand that citizens' access to media is the same regardless of cost; it is important for citizens to at least have access to public media, which is free."

Inhabitants of larger cities can access media sources more easily than those living in villages and small towns. According to Vani, there is an improvement in citizens' access in some areas, but in other regions access to sources of information is still limited. "First of all, there is economic poverty, which is typically more pronounced for rural areas," said Vani. There are remote areas, where a satellite signal offers the only possible communication channel, and given that it is significantly more expensive than terrestrial or cable programs, most families cannot afford it. Peçi added that the rural and remote areas, where the print media do not penetrate and there is no Internet, remain a problem because a sizable portion of the population is denied access to information.

Many panelists rejected the notion that the public media serve the public interest or reflect the views of the entire political spectrum. As in previous years, the panel noted that not only is the public media not politically independent, but it shows a clear dependence on each government that comes to power. "State media, which is still far from being a true public media, remains totally partisan and a permanent client of the government and in this way does no favors to

Alluding to the fact that quite a few registered ownership shares serve as a cover for hidden media owners, Lani commented, "Albanians know who the media owners are, but the question is who owns the owners."

public interest," said Goga. The other panelists unanimously supported this opinion, citing years of low scores for this indicator due to the state media's lack of professionalism and partisanship. Minxhozi added that the public broadcaster's news editions do not reflect political pluralism at all. "In news editions on the only public television station in the country (TVSH), you might find nine stories on the prime minister, three for the speaker of the parliament, and none for the opposition," said Minxhozi.

Only in periods of electoral campaigns and rotations of power, when international monitoring of the media intensifies, do public media become more open to alternative comments and viewpoints. The panelists agreed that most public-media journalists and editors consider serving the interests of the government power, rather than the public, their primary role. In general, public media spend more time reporting government achievements than reporting on the opposition, and in 2013, this medium remained totally biased in its reporting. It remains to be seen if things will change after the full rotation of power from right-wing democrats to left-wing socialists.

The panelists concluded that it could not be said that public media manage to fill the void created by commercial broadcasters, and their programs in the area of culture and education are of a much lower quality than those broadcast by commercial media.

Albania's only genuine news agency is the public ATA, which, similar to public radio and television, is not independent of the government. According to Lani, "In Albania, the genuine news agencies are lacking, but meanwhile the Internet has become an important source of information." According to Goga, "With the exception of international independent news agencies such as Reuters, AP, AFP, and DPA, in Albania there are only some websites that serve as modest, independent, commercial news agencies." Television stations and newspapers widely use national news agencies. According to Basha, "Private news websites do much better work than the state news agency." Bylykbashi commented, though, that media outlets do not cite domestic news agencies, and they quote the source only when using products of international news agencies.

Almost all panelists said that private media generally produce their own news and information programs. The only panelist who hesitated was Bylykbashi, who said, "Not all commercial media produce their news, but copying the news without mentioning the source of information is a widespread phenomenon." Meanwhile, the panelists noted that even during the last electoral campaign, due also to financial benefits, commercial and private media agreed to broadcast reports on the campaign produced by propaganda headquarters of political parties and not by journalists of commercial media.

A majority made up of businessmen in the areas of construction, industrial production, and banking owns the overwhelming share of media outlets. Media ownership, at least from a bureaucratic point of view (ownership documentation), is somewhat more transparent. The people know the country's main media owners, as the data on media ownership are accessible, just as with every other business. However, to some panelists there are still problems in this aspect. Alluding to the fact that quite a few registered ownership shares serve as a cover for hidden media owners, Lani commented, "Albanians know who the media owners are, but the question is who owns the owners." For Kurti, "The issue of transparency on media ownership is a matter solved by the law on paper, but not in reality." Meanwhile, it is totally unclear for the public who controls the blogs and other online media, since most of them are not registered and there are no official data on their ownership. Goga noted that the lack of clarity on the real ownership of the media stems from the fact that there is no transparency in the funds that support television stations and newspapers.

The media generally report well on a wide array of social issues, and citizens are able to receive the news and information related to their city and other regions of the country, as well as international developments. There is a tendency for the media to focus more on domestic affairs, while international development news remains less covered. The newspapers usually take up just a page to summarize international developments. According to Vani, there is a strong tendency for local media to increase their viewership, since they are attracting the public by increasingly focusing on local affairs. Velaj also thought that media in small regions and cities produce information related mainly to local developments. To Nushi, the local media, even though they exist, generally suffer from mediocrity and generally protect the narrow interests of the media owners before focusing on the public interest. However, according to Minxhozi, "Albanian journalism is in the process of fulfilling the main standards of quality in all its genres."

The panel argued that there are media outlets in the language of minorities and that they are legal and focused mainly in the areas inhabited by minorities. The mainstream media do not suffer from discrimination, obstacles, or prejudice based on gender, ethnicity, or other characteristics of journalists and editors. In areas where ethnic communities are concentrated, the local radio stations broadcast programs in the languages of minorities, and newspapers are published in these languages. For the Greek community, these newspapers are also financed by Greece. In addition, public media do their job in this respect. "The branches of public radio are in Korçë, Gjirokastër, and Shkodër, where the ethnic minorities are based, and these branches broadcast programs in their language," said Luarasi. However, the panelists raised the matter of the Roma minority, which, even though it is the biggest ethnic minority, is not sufficiently covered in the media.

The panel also discussed the issue of other non-ethnic minorities, such as sexual minorities, who complain that the media neglect them. However, according to Çipa, a recent monitoring carried out by civil society groups that covers sexual minorities showed that broadcasting devoted to this group has increased.

## OBJECTIVE 4: BUSINESS MANAGEMENT

Albania Objective Score: 1.68

Albanian media generally prepare and follow business plans to secure funding, to make decisions on expenditures and staff, to plan for capital expenditures, etc. Accounting

### 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.

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and financing practices are generally in accordance with international standards. The newsrooms of the main television stations and newspapers employ accounting, marketing, and human resources professionals.

And yet, in Albania, the goal of self-sufficiency has eluded the media. Almost all of the panelists agreed that Albanian media businesses do not either survive or fail based on a healthy ratio of revenues to expenditures. "Media in Albania are generally not able to guarantee their own financial means to sustain their activity. Newspapers, especially, have found it impossible to survive in the market without financial support from another source," said Velaj. Peçi asserted, "Without financial support, in the form of subsidies from a construction company, or other business, propping up the print media, all newspapers and magazines would be bankrupt."

According to Yzeiri, print media are also suffering consequences from the spread of online journalism. "Print media in Albania also face the dilemma of whether to continue printing up copies, or just publish online," he said.

The panel highlighted the difficulty of comparing print media to electronic media. Considering the dramatic decrease in interest for print media and the growing attention to electronic media, it is becoming increasingly difficult for the print media to secure advertising, compared with their electronic counterparts.

Television stations and newspapers receive revenue from many clients and sources, but it is generally not sufficient to avoid undue influence on their newsroom practice. According to Çipa, media generate revenue from many sources, but in most cases, especially for the print media, they are not sufficient. Only one or two national audiovisual media turn a financial profit from advertising.

Bloggers face particular difficulty in generating funding to support their work, as the law does not allow public institutions to buy online advertising. Meanwhile, private business companies have not yet restructured their advertising revenue in order to introduce the Internet as a category and a priority.

In general, there are no sustainable sources of revenue to fuel the media. Print media sales still account for a relatively small percentage of the total revenue structure, unlike other countries, where more than 75 percent of revenue flows from the advertising market. Hence, advertising revenue in Albania is not, as a percentage of total revenue for a media outlet, in accordance with widely accepted standards.

Additionally, given Albania's crumbling subscription system, the sale of newspapers brings little revenue. In effect, subscriptions are not even relevant anymore for citizens;

they apply only to some public institutions. In addition to this shortcoming, newspapers' failure to reach rural areas, inhabited by more than 50 percent of the population, further restricts the newspaper market.

Consequently, the scarce advertising revenue remains the main source of funding, and that meager share is far from capable of covering the costs associated with producing a newspaper. The anemic advertising revenue can be traced to the fact that Albania's economy is still stuck in a cycle of poverty. The difference must be covered by subsidies from owners, or the newspaper must shut down. Such dependence on ownership subsidies also applies to most electronic media. This odyssey of the media as an unprofitable business has continued for two decades.

According to Peçi, in the context of the intensifying economic crisis, the probability for media to go bankrupt has increased. *Java*, for example, one of the country's most well-known magazines, shut down recently due to financial hardship.

With the exception of the major television stations, which receive well-deserved advertising and sponsorship for programs that draw larger audiences, the rest of the advertising is distributed on the basis of merit. "The majority of advertising is given to a media outlet or is awarded based on an agreement to refrain from criticizing the business that is buying advertising, or based on political alignment," said Velaj.

The government does not subsidize the media, but this does not mean that in practice media that are close to the government do not enjoy some advantages. Kurti noted that pro-government media always seem to garner all the public advertising business, while media that criticize the government are frozen out. A former minister and some high officials of the former government, which lost power in June, were sued for corruption and abuse of public funds over such claims of favoritism. The panelists agreed, though, that regardless of the party in power, the government has always managed to exclude critical media from state advertising. "The media that criticize the government, both at national and local levels, do not receive any state advertising, with the exception of cases when they receive a small share to create an illusion that law was respected and there was no discrimination," said Bylykbashi.

Apart from political will, the fact that advertising and public notifications are not distributed to the media through a third actor, but rather directly from public institutions, also perpetuates the favoritism of pro-government media in gaining advertising. As a result, government agencies continue to influence editorial policy in many media outlets.

Albanian media do not use market research extensively. Editors and journalists attempt to adapt their products to the market demands based mainly on their perceptions of these demands. Professional studies are largely absent; measuring audiences through phone polling seems to be more convenient.

Albania is still missing an official and widely accepted authority to produce official audience or circulation assessments. "In Albania, there is not yet a bureau that verifies the circulation and audience shares, as well as the independent studies on these indicators, and this is a problem for the work of advertising agencies," noted Goga.

Even though newspaper circulation numbers are not published, the panelists agree with the perception that press circulation has steadily fallen. Even when newspapers declare their circulation, it is in a bid to attract advertising, and the figures they claim are often inflated. "The remains of unsold copies of print media are copious, and sometimes they account for up to 50 percent of the circulation," said Peçi—not a good sign for the health of Albania's print media.

## OBJECTIVE 5: SUPPORTING INSTITUTIONS

Albania Objective Score: 2.45

In Albania, there are no legal restrictions on the establishment of associations of publishers and broadcasters. However, in 2013, the unofficial organization of publishers and media owners continued to stagnate. To Goga, "A more representative and professional organization, which

### 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.

would embody the interests of commercial media owners, is still lacking." Velaj agreed, noting, "The associations exist, but they are not coordinated and are not able to lobby effectively." Some panelists trace the cause to a failure to identify common interests of media stakeholders. "Rather than uniting for a common interest, the media owners have tended to divide over more narrow concerns," said Nushi. In this respect, Kurti believes that the situation has worsened, saying, "The divisions in the media community due to political alignments deepened on the eve of the elections last June."

Regarding the organization of journalists in associations, the only organization that continues to operate is the UAJ, while the other associations have ceased any meaningful activity. Minxhozi said, "Journalists' associations exist only on paper, and UAJ is the only voice that protects the rights of journalists." According to Peçi, however, UAJ may be independent from the government, but it has no power over media owners. One major shortcoming the panelists pointed out was UAJ's failure, despite numerous attempts, to make progress in the legalization of labor relations in journalism. A considerable percentage of journalists continue to work for newspapers and television stations without contracts, and attempts to organize collective agreements for all media outlets have so far failed.

However, Basha underscored some optimistic signs, including the expansion of the UAJ with new branches in the districts, as well as the recent establishment of the Association of Journalists. Çipa, as the UAJ chair, offered some statistics to show the increasing intensity of work by the Union. According to him, in 2013, due to UAJ's reaction and the efforts of its branches in the districts, more than 102 journalists and media employees initiated lawsuits related to contract breaches or salary issues in the Court of Tirana and first-level courts of three other districts. Other panelists noted that UAJ's most visible benefits to the media community appear to be its reaction when journalists are fired or threatened, or when violence is committed against journalists.

The UAJ has found it impossible to fund its activities through membership fees. This is not only because the quantity of monthly contributions is relatively modest, but also because a sizable portion of members fail to pay their dues. The panelists expressed concern that the journalists' associations, unable to sustain themselves through their own membership funds, operate on donations or funding that come also from state institutions, compromising their independence to some degree.

The panelists concluded that the Albanian NGOs do not show any special commitment to media protection or addressing its problems. They are engaged in the process

of drafting bills on the media, as well as in observing and monitoring the media's work. Only a few organizations react when the freedom of the media is violated; the Albanian Helsinki Committee was mentioned as a high-profile NGO in this respect.

Albanian journalists have some options to obtain short-term training, financed mainly through international organizations. Apart from courses offered by journalism departments at the public university and some private universities, the AMI remains an important center for journalism training. The AMI stresses the practical aspect of the profession. However, as in the past, it is becoming more and more difficult for journalists to participate in these training sessions, considering the staffing reductions many media are experiencing during the economic crisis. Already shouldering an increased workload, journalists have little time for training.

Meanwhile, Lani admits that training opportunities are dwindling "given that Albania is no longer the focus of international donors." Peçi also commented that many more journalists graduate from the departments of journalism of commercial universities than the Albanian media will ever be able to hire, leading other panelists to surmise that it may be for the best that some private universities have been forced to close their journalism branches due to the economy.

Usually, media directors do not obstruct journalists' attempts to make use of professional development opportunities. However, they are not willing to pay for the journalists' participation in training courses, either. Meanwhile, many high-quality courses and internships abroad remain out of reach because of their expense. "Journalism students in Albania have few opportunities to receive training abroad, and the state should do more in this respect," said Yzeiri.

There are no political restrictions that hinder the importation or purchase of the necessary materials for the work of media and journalists. It is clear, though, that printing houses are no longer sufficient to sustain media's needs. According to Velaj, "Printers have become an obstacle for the work of newspapers, as they pose unsuitable time limits and do not guarantee the quality of the product." The panel stressed the poor quality of printing house equipment. Furthermore, there is a trend toward a monopoly of printing houses, with one owner for six out of the eight existing printing houses in the capital. This also helps explain the exorbitant printing fees one panelist mentioned. However, the fact that printing houses are private is a positive feature; at least they do not discriminate on political grounds.

The distribution of newspapers continues to suffer the same problems that previous MSI studies have underlined.

There are three business companies that carry out the whole distribution process, which remains restricted to the country's main cities and does not cover the rural areas at all. This limitation is explained by the high costs of distributing newspapers to remote rural areas, given that these zones are not covered by the national roads and are not easily reachable by cars.

The state does not offer any subsidy or support in press distribution. The local authorities also continue to show indifference to the network of selling points for newspapers and magazines. In the capital, there are 130 selling points for newspapers, out of which only 28 are kiosks. The others are improvised. The newspapers are placed over wooden boxes, with stones on top of them, so as not to be swept away by the wind. According to a panelist, "The current distribution is a service that provokes losses, accompanied by a miserable network of newspaper selling points, far from the European standards and much more similar perhaps to cities such as Kandahar."

## List of Panel Participants

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

**Anila Basha**, freelance journalist, Tirana

**Bajram Peçi**, director, *Shqip*, Tirana

**Dorian Koçi**, freelance journalist, Tirana

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

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

**Kamber Velaj**, editor-in-chief, *Shqip*, Tirana

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

**Milton Nushi**, deputy director and news director, Albanian Screen RTV, Tirana

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

**Shkëlqim Bylykbashi**, owner, TV 4+, Lushnja

**Skënder Minxhozi**, freelance journalist, Tirana

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

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

## Moderator and Author

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

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