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Opposition seeks to invalidate voting of AMA and KDRTSH members

This week the deputy chairman of the Parliamentary Commission on Media called on opposition MPs to start the process for electing the missing member of the regulator, Audiovisual Media Authority (AMA,) and of the Steering Council of RTSH. The opposition stated that two lawsuits are in process regarding the election of members of AMA and Steering Council, and the opposition would wait for the court decision before proceeding with the election of other members.

In line with its objections to the election of two members of Audiovisual Media Authority and its chairman and five members of the Steering Council of public broadcaster RTSH, the Democratic Party has filed two lawsuits to the Administrative Court to overturn the election process. The first lawsuit, related to AMA, was filed on December 23, while the second lawsuit, on Steering Council of RTSH, was filed on January 15.

The main argument the Democratic Party has against the election process of the two AMA members concerns the fact that the short listing of candidates was done unilaterally by the ruling majority, during the boycott of the opposition. The opposition claims this violates the law, more specifically Article 9: “For the purpose of selecting the alternative candidates for each AMA member position, the Committee for Education and Public Information Means shall apply the following procedures:

- a) The Committee for Education and Public Information Means shall examine all candidacies put forward by the proposing entities;
- b) The candidates selected on the basis of the above proposals shall be subjected to a short-listing process one by one. The short-listing procedure takes place in turns: one elimination from the ruling majority and the next by opposition. In any case, the Committee takes into consideration the balance of three candidates selected by majority and three selected by opposition. All candidates are submitted for approval in Assembly's plenary session.”

Citing this violation, and considering that the elimination process of candidates took place only with the votes of ruling majority MPs in the commission, the opposition claims that the Law on Audiovisual Media and the opposition's own legal rights have been violated. Hence, the opposition through the lawsuits aims to declare the election process invalid. The same arguments, according to the opposition, are also valid in the case of the Steering Council. The rules for short-listing candidates, stated in Art. 95, are the same as with AMA, and in this case, too, the opposition MPs were not present during the elimination process in the commission.

In addition, the opposition also claims that the election of the AMA chair is invalid, citing Art. 10: "The seventh member, who shall at the same time be AMA Chairperson, is elected not later than 10 days after the conclusion of the election procedure for AMA's members, according to article 9 of this law." Since AMA is still missing all six members, the opposition argues that the election of AMA chair before completion of all vacancies, is against the law and should be proclaimed invalid.

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